

Fragmenting Probation?

**A Qualitative Study of Voluntary, Public and
Private Sectors' Interactions in Supervision**

Jane Dominey

Institute of Criminology
Lucy Cavendish College
University of Cambridge

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Supervised by Professor Loraine Gelsthorpe

Disclaimer

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It does not exceed the prescribed word limit.

Preface

The context for this dissertation is the growing use of voluntary sector organisations and private companies as providers of probation services in England and Wales. The study focusses on the everyday experience of probation supervision in an increasingly multi-agency environment and explores this experience from the point of view of probation workers and the people they supervise. The objectives of the study are to examine whether the probation service makes a distinctive contribution to this work, to investigate the interactions between supervisees, probation supervisors and workers from other agencies, to explore the purpose of different elements of community orders and to understand whether supervisees adopt different approaches to compliance with different elements of their orders.

Drawing on empirical interview data, supplemented by data from probation service case records and from fieldwork notes compiled while in probation offices undertaking interviews, I identify patterns, themes and associations which help us understand the new structures and relationships. The research concludes that, for supervisees and supervisors, the involuntary nature of community supervision is significant. The supervisees in this study viewed the requirements of their community orders as legitimate because the orders were imposed by the court. They complied with these requirements in order to avoid breach proceedings, few would have volunteered for the services that they were receiving from the probation service or elsewhere. They attached more weight to instructions from probation supervisors than to those from key workers from other agencies. Supervisees viewed their orders as both a punishment and a help, without drawing a distinction between services received from the probation service and from other agencies.

Thus the research makes a significant contribution to knowledge by outlining the importance of these relationships, between worker and supervisee and between worker and worker, in a new context of provision.

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Glossary

ACOP	Association of Chief Officers of Probation
ATR	Alcohol Treatment Requirement
CPO	Chief Probation Officer
CRC	Community Rehabilitation Company
DipPS	Diploma in Probation Studies
DRR	Drug Rehabilitation Requirement
ETE	Education, Training and Employment
HMIP	Her Majesty's Inspectorate of Probation
HMP	Her Majesty's Prison
IOM	Integrated Offender Management
ISP	Initial Sentence Plan
NOMS	National Offender Management Service
NPS	National Probation Service
NVQ	National Vocational Qualification
OEP	Offender Engagement Programme
OM	Offender Manager
OMM	Offender Management Model
OTS	Office of the Third Sector
PA	Probation Association
PCA	Probation Chiefs Association
PO	Probation Officer
PQF	Probation Qualifications Framework
PSO	Probation Service Officer
SEEDS	Skills for Effective Engagement, Development and Supervision
TR	Transforming Rehabilitation

1 Introduction

1.1 Introduction to the Research Objectives

This dissertation is about the supervision of people subject to community sentences. More specifically, it is about the process and experience of supervision in the context of the increased use of voluntary sector organisations and private companies to deliver probation work in England and Wales. It explores the potentially fragmented nature of supervision in cases where supervisees receive services from, and are checked and monitored by, supervisors and keyworkers from a range of agencies. The fieldwork for this study was completed before the implementation of the Transforming Rehabilitation reforms (Ministry of Justice 2013a; 2013b) but the study's findings have implications for the new models of supervision. In comparison with prison and the experience of custody, probation and the experience of supervision receive less theoretical and empirical attention (McNeill and Beyens 2013). Debates about the purpose and process of community sentences stand to benefit from a wider evidence base and additions to the existing conceptual framework.

The dissertation explores the interactions between supervisees and professionals (probation supervisors and keyworkers from other agencies). It sits in the tradition of research that opens up the 'black box' of supervision (for example Farrall 2002; Rex 1999; Appleton 2010; Bailey and Ward 1992; Davies 1979; Malloch and Mclvor 2011) investigating the processes of supervision and their significance for supervisee and supervisor. It does not focus on the effectiveness of specific programmes or interventions, but examines the network of relationships that underpin community supervision.

Many studies highlight the significance of the relationship between supervisee and supervisor for the quality of probation supervision (Shapland et al 2012a provide a review). Interactional dynamics are identified as important for encouraging compliance with orders (Ugwudike 2010), engaging involuntary clients (Trotter 2006) and maintaining the legitimacy of community orders (McNeill and Robinson 2013). This research examines these concepts in the context of a wider network of supervisory relationships, recognising the fact that increasingly much of the content of a community order is provided by organisations other than the probation service.

It is suggested that community sentences have managerial, punitive, rehabilitative and reparative characteristics (Robinson et al 2013). The empirical element of this dissertation explores these ideas in practice and from the perspective of both supervisor and supervisee; it investigates whether, when a community order comprises a number of separate strands, there is anything distinctive about the probation elements of supervision. The study does this against a background of considerable change for public services in general and the probation

service in particular: political, economic and organisational (Burke and Collett 2015; Corcoran 2011; Bell 2011).

The initial ideas for this research stemmed from my work experience both as a probation supervisor and as a teacher of trainee probation officers. In both jobs I was concerned about good quality probation supervision and about linking ideas from theory, research and practice. I was aware that changes in the organisation of probation work meant that the community supervision of offenders was being undertaken by an increasingly diverse group of staff: probation officers, but also probation service officers¹ and workers from a variety of public, private and voluntary sector agencies. I had a number of questions about the way that these frontline practitioners approached their work with offenders, including:

- What do these staff think they are trying to achieve?
- What do offenders think that the staff working with them are trying to achieve and does this match with the intentions of the staff?
- What qualities do offenders value about the people that supervise them and do offenders identify differences in their contact with statutory and non-statutory agencies?
- Is there something distinctive about the contribution that probation workers make to the supervision of offenders?
- Do current supervision arrangements engage offenders and can this be improved by changes in the way that workers approach their jobs?

Turning initial ideas and interests into a researchable problem is a challenge for novice researchers (King and Wincup 2008). The process of setting the research objectives for this study involved reading more of the existing literature about probation supervision, learning more about approaches to qualitative methodology and talking more to colleagues both in academia and in the probation service. This process identified a number of factors which were central in shaping the eventual research objectives including: a policy agenda favouring competition, privatisation and an increased role for the voluntary sector (Ministry of Justice 2010; Bell 2011), the relative lack of empirical evidence about quality in supervision from the perspective of the probationer (Shapland et al 2012a) and the importance of the quality of supervisor/supervisee interactions for the effectiveness of supervision (Burnett and McNeill 2005; Rex 1999; Andrews and Kiessling 1980; Bottoms 2002). Some possible lines of enquiry were rejected on the grounds that they could not be explored in the time available for the project or because they raised questions that could not be tested by fieldwork (e.g. this

¹ Probation Service Officers are less senior than Probation Officers in the sense that they do not receive the same level of training, are not required to hold a degree level professional qualification and are paid at a lower level (Dominey and Walters 2011).

study was conducted when probation trusts still existed and all offender managers were public sector employees).

The researchable question that emerged from these initial ideas was:

In the context of the increased use of voluntary sector organisations and private companies in the delivery of probation work, how do service users and staff understand the process and purpose of probation supervision and offender management?

This question had a number of merits. It was relevant to the current policy agenda but not tied to a specific initiative and so had the potential to produce findings with broad applicability. It was capable of being answered as research methods exist to explore understandings, perceptions and beliefs. Answering the question had the potential to contribute to the empirical evidence and conceptual framework about quality in probation supervision. Inevitably the problem as posed also had limitations. It did not, for example, address issues of offender engagement or desistance directly. Its clear focus on what people think came at the expense of investigation into what they do or measurement of the outcomes of their actions. However, it was a problem worth exploring: it was useful for the development of policy and practice in the mixed market for probation providers, and had potential to contribute to existing ideas about the nature and purpose of community supervision.

Finally, the researchable question was broken down into a number of research objectives. These objectives were used to guide the research process ensuring that, during the period of fieldwork and data analysis, the project did not lose focus. One test of the quality of a piece of research is the extent to which its stated objectives are met.

The research objectives for this study were to examine:

- The contribution made by probation service supervisors to supervision and offender management.
 - Is this contribution distinctive or unique? How does it differ from that made by keyworkers from other agencies?
- The interactions between probation supervisors and keyworkers from other agencies.
 - What helps and hinders inter-agency work?

- How supervisors and supervisees understand the purpose of the community order.
 - Do they have a shared understanding of the purpose of the order? Are different elements of the order understood to have different purposes?
- Why supervisees comply with different elements of community orders.
 - Do supervisees adopt different approaches to compliance with different elements of their orders?

A Brief Note about Language

Many different words are used to mean 'person being supervised in the community by the probation service'. Some highlight the fact that the person is receiving a service from the agency (client, service user) or is being managed by it (case). Some focus on the person's legal status (probationer, supervisee, parolee). The officially sanctioned term, in the sense that it is used universally in government and probation service policy documents and frequently in academic papers, is offender. The use of the word offender in this context is controversial because it identifies the individual with just one aspect of their behaviour and, in particular, an aspect of their behaviour that probation intervention is seeking to change. The use of the word offender in practice settings is unpopular with many probation staff and objectionable to many people with criminal convictions (Ryder 2013).

Throughout this dissertation I use the word supervisee. The objectives of the research are to learn more about the experience of supervision and, crucially, it is participants' experience of being supervised (rather than committing an offence or using a service) that is relevant.

1.2 Introduction to the Research Participants

The fieldwork for this study was undertaken in Ashfield² and Birchwood. The reasons for the choice of these two places are outlined in chapter 4 together with a justification of the approach taken to assembling a sample of research participants. The purpose of this section is to provide a brief introduction to both towns, their probation offices and the people who contributed to this study.

Ashfield is a town in a shire county in the south-east of England. The probation office in Ashfield serves about a quarter of the county, including Ashfield town and a neighbouring district council area containing smaller towns and a more rural area. The county is not among the most disadvantaged in England, but Ashfield is the most deprived place in the county with some wards doing particularly poorly on measures such as poverty,

² All names (of places, probation offices and supervisees) are pseudonyms. This point is discussed fully in chapter 4.

unemployment and teenage pregnancy³. Birchwood is a town with its own history and identity subsumed by, but lying on the edge of, a large city. The probation office in Birchwood serves two metropolitan boroughs, with West Borough scoring significantly more poorly than East Borough on a range of deprivation measures.

Table 1.1 provides some basic demographic information about the four local authority areas from which the supervisees in this study were drawn⁴.

Table 1.1 Demographic Information for Ashfield and Birchwood

	Ashfield Town	Ashfield Borough	Birchwood East Borough	Birchwood West Borough
Population ⁵	85,500	129,300	242,100	194,400
% of population: White	90.4	89.8	88.6	73.4
% of population: Mixed Ethnic Group	2.1	2.1	1.9	3.2
% of population: Asian or Asian British	3.7	4.6	4.6	10.7
% of population: Black or Black British	2.4	2.3	3.9	9.5
% of population: Chinese or Other Ethnic Group	1.2	1.2	1.2	3.1
Private housing stock (%) ⁶	71.1	80.6	86.1	67.8
Unemployment rate (%) ⁷	7.6	6.9	9.6	13.4
Violence with injury (recorded by police)	569	431	1,377	1,600
Domestic burglary (recorded by police)	167	286	2,101	1,835
Drugs offences (recorded by police)	450	389	1,110	1,125

At the time that fieldwork was undertaken, the probation office in Ashfield was a modern office building located close to the railway station and a short walk from the town centre. The reception area, interview rooms and group rooms were on the ground floor, all the practitioner staff worked from desks in the large open plan space on the first floor and the top

³ This information comes from a report about social and economic deprivation in Ashfield drawing on figures from the 2001 census.

⁴ The figures in this table were taken from the Office for National Statistics Neighbourhood Statistics <http://neighbourhood.statistics.gov.uk/dissemination/Info.do?page=census2011onness/sba/stats-by-area-route.htm>.

⁵ Population and ethnicity statistics: June 2013.

⁶ Housing figure: April 2011.

⁷ Employment and recorded crime figures: April 2012 – March 2013.

floor was the base for the county's senior management team and central administration staff. Around 15 or 20 staff, an even split between probation officers and probation service officers worked as general offender managers; other staff undertook a range of specialist roles. While I was in the Ashfield office, I became aware of staff concerns about the size of their workloads and their uncertainty about the future direction of the probation service. However, in general, the work environment seemed settled.

There were two probation offices in Birchwood, both on the edge of the town centre and separated by a two minute walk. The Railway Street office occupied the first and second floors of an old building with small shared staff offices and a shortage of interview rooms. Entering the building involved pressing a buzzer on the outside door, waiting for the door to be released and then walking up to a cramped first floor reception area. The Alexandra Road offices were more modern, with an open plan office space for staff and more satisfactory reception and interviewing facilities. Over the fieldwork period, there was a lot of staff movement between the two buildings and, as a consequence, much time spent packing and unpacking crates. This re-organisation was caused, in part, because space had become available at Alexandra Road following the decision of the new private provider of unpaid work to move its newly acquired staff elsewhere. By contrast with Ashfield where the senior management team was in the same building, the senior managers responsible for Birchwood were located 20 miles away in the city centre. At least twice as many staff worked in Birchwood than in Ashfield, with more evidence of staff turnover and use of agency workers to fill gaps. Practitioners voiced their unhappiness about large workloads, the office moves, the anticipated changes to the probation service and, sometimes, a lack of support from managers.

A total of 38 supervisees (20 from Ashfield and 18 from Birchwood) and 19 supervisors (9 from Ashfield and 10 from Birchwood) participated in this study. Tables 1.2 and 1.3 set out some basic information about them, providing a context for their comments and observations.

Table 1.2 The Supervisees⁸

Ashfield	Gender	Age as at 31/12/12	Race/ Ethnic Origin	Disability / Health Problems	Super-visor	Key Workers
Tyler	Male	30	White: British	No	AM	Drugs/alcohol Education, Training and Employment (ETE)
Curtis	Male	32	White: British	No	BN	Drugs/alcohol ETE Mentoring
Mary	Female	47	White: British	Mental health	CO	Mental Health Housing
Trish	Female	29	White: British	No	DP	Women's Group
Bob	Male	50	White: British	No	AM	Drugs/alcohol ETE
Steve	Male	46	White: British	Dyslexia	BN	ETE
Peter	Male	34	White: British	Hearing difficulties	BN	ETE
Sue	Female	40	White: British	Mental health	ER	Drugs/alcohol
Alex	Female	24	White: British	Learning difficulties	FS	ETE
Clare	Female	22	White: British	No	GT	ETE
Matt	Male	31	White: British	Claims disability benefit	FS	ETE Mentoring
John	Male	20	White: British	No	FS	ETE
Tom	Male	24	White: British	No	GT	ETE Mentoring
Luke	Male	19	White: British	No	HV	Drugs/alcohol ETE
Nick	Male	26	White: British	Mental health	AM	Drugs/alcohol Mentoring
Jeff	Male	34	White: British	No	FS	ETE
David	Male	51	White: British	No	CO	ETE Mentoring
Emma	Female	24	White: Other	No	AM	Drugs/alcohol
Sarah	Female	31	White: British	No	AM	Drugs/alcohol
Bailey	Male	22	White: British	No	IW	Drugs/alcohol

⁸ Information about gender, age, ethnicity and disability is taken from records. All names are pseudonyms. 'Not disclosed' means that either the supervisee declined to provide the information or the supervisor did not complete this part of the record. Information about the other agencies involved comes from interview.

Birchwood	Gender	Age as at 31/12/12	Race/ Ethnic Origin	Disability / Health Problems	Super-visor	Key Workers
Howard	Male	28	White: British	No	TK	Drugs/alcohol ETE Unpaid work
Trevor	Male	57	White: British	No	UL	Drugs/alcohol Housing
Terry	Male	31	White: British	No	TK	Unpaid work
Carl	Male	34	Not disclosed	No	VM	Drugs/alcohol
Jude	Male	29	Mixed White/Black Caribbean: British	No	RI	Drugs/alcohol
Andrew	Male	46	White: British	No	MC	Drugs/alcohol
Colin	Male	31	White: British	No	KA	Drugs/alcohol Unpaid work
Niall	Male	29	White: British	No	LB	Drugs/alcohol
Joseph	Male	50	White: British	Not disclosed	WN	Drugs/alcohol Unpaid work
Ed	Male	44	White: British	No	YP	Drugs/alcohol
Patrick	Male	31	White: British	Speech impairment & mobility problem	ZR	Drugs/alcohol
Vince	Male	41	Not disclosed	No	ZR	Drugs/alcohol Unpaid work ETE Housing
Mo	Male	33	Asian: Pakistani	Back problem/ dyslexia	VM	Drugs/alcohol Unpaid work
Victoria	Female	45	Black: African	No	OG	Mental health ETE
Jason	Male	21	Not disclosed	No	OG	Unpaid work
Rachel	Female	31	White: British	No	AS	Drugs/alcohol Mental health
Sam	Male	21	Not disclosed	No	LB	Unpaid work
Jack	Male	26	White: British	No	BT	Drugs/alcohol Unpaid work

Table 1.3 The Supervisors

Ashfield	Gender	Grade	Supervisees in Sample
ER	Female	PSO	Sue
HV	Female	PSO	Luke
JY	Female	PO	-
GT	Female	PSO	Clare, Tom
AM	Female	PO	Tyler, Bob, Nick, Emma, Sarah
BN	Female	PO	Curtis, Steve, Peter
FS	Female	PSO	Alex, Matt, John, Jeff
CO	Female	PSO	Mary, David
DP	Female	PSO	Trish

Birchwood			
JW	Male	PO	-
KA	Male	PO	Colin
LB	Female	PO	Niall, Sam
MC	Female	PO	Andrew
ND	Male	PO	-
OG	Female	PSO	Victoria, Jason
PH	Female	PO	-
RI	Female	PSO	Jude
SJ	Female	PO	-
TK	Female	PO	Howard, Terry

1.3 Introduction to the Dissertation

The dissertation begins with two chapters (chapters 2 and 3) which draw on the existing literature to set the context for this study. Chapter 2 establishes the historical, political and economic context within which the relationship between public, private and voluntary sector providers of probation services can be understood. It describes the Transforming Rehabilitation reform of the 2010-2015 Coalition Government. Chapter 3 has a focus on practice. It examines the concept of supervision, the difference between supervision and offender management, factors important for quality both in individual supervision and inter-agency work, the characteristics of supervisors and the significance of the relational aspects of probation practice.

Chapter 4 describes the design of the research. It explains why the chosen approach was a suitable way of meeting the research objectives, discusses strengths and limitations of the project and explains some of the particular challenges of this study. Chapters 5, 6 and 7 present findings from the study. Chapter 5 provides a detailed picture of the practice of probation supervision in a multi-agency context. It investigates the frequency and duration of contact between supervisees, supervisors and key workers. It sets out the wide variety of contributions made to probation supervision by voluntary organisations and private companies and examines the concept of quality in inter-agency work. Chapter 6 is about the purpose and characteristics of community orders. It compares the perceptions of supervisees and supervisors, examining the extent to which they understood the various strands of community orders to be managerial, rehabilitative, punitive or reparative (Robinson et al 2013). Chapter 7 deals with questions of compliance and engagement. It highlights the status of supervisees as involuntary clients (Trotter 2006) and assesses both the way that supervisees made decisions about compliance with different aspects of their orders and the strategies that supervisors used to encourage both formal and substantive compliance (Robinson and McNeill 2010).

Chapter 8 draws on the findings set out in chapters 5, 6 and 7 to develop a conceptual model of supervision in the context of the increased use of voluntary organisations and private companies to deliver probation work. It identifies themes that are key to understanding the process of probation supervision and looks ahead to the development of practice following the Transforming Rehabilitation reforms. Chapter 9 concludes the dissertation with a summary of its findings and recommendations for policy, practice and further research.

2 A Mixed Market for the Provision of Probation Services

The purpose of this chapter is to establish the historical, political and economic context within which the interactions between public, private and voluntary sector providers of probation services can be understood. The chapter begins with a brief history of partnership between the probation service and other agencies before looking in more detail at the contribution of the Coalition Government elected in 2010, particularly its Transforming Rehabilitation reforms. The chapter concludes by suggesting that these policy developments are shaped by the dominance of neoliberal economic thinking (Burke and Collett 2015; Bell 2011) and demonstrate the commodification of probation (McCulloch and McNeill 2007). This chapter thus sets the scene both for the empirical findings of this study (presented in chapters 5, 6 and 7) and for the implications of this research for the developing practice of Community Rehabilitation Companies (discussed in chapter 8).

2.1 A Very Brief History of Probation and Partnership

While the Coalition Government's Transforming Rehabilitation reforms mark a change in the balance between public, private and voluntary sectors in the provision of probation services, they certainly do not represent the beginning of this process. The probation service has its roots in the voluntary sector (Nellis 2007) and throughout the twentieth century, voluntary organisations contributed to work with offenders in the community. Some of the activities originally located in the voluntary sector were, with the establishment of the welfare state, subsumed by an expanding public sector, for example the work of the Discharged Prisoner's Aid Societies became the after-care responsibility of the probation service in the 1960s (Rumgay 2007a). Much of the work of the voluntary sector in the latter part of the twentieth century could be categorised as supplementary to the business of the state, with examples of projects in areas such as mentoring, sport, leisure and the arts (Vanstone 2010). Examples include the Geese Theatre Company⁹ who use drama as a way of working with offenders and staff in a variety of settings and the Koestler Trust¹⁰ which enables prisoners to produce and exhibit art and provides a mentoring service for released prisoners who wish to continue to practise art.

The rise of neoliberalism expressed through new public management (Clarke et al 2000; Burke and Collett 2015) and the associated policies of the Conservative Government of the

⁹ For more information about the work of the Geese Theatre Company see <http://www.geese.co.uk/work>.

¹⁰ For more information about the work of the Koestler Trust see <http://www.koestlertrust.org.uk/index.html>.

1980s brought a significant change to the relationship between public, private and voluntary sectors across all areas of social policy. The political argument held that the role of the state was not to provide services that could be more effectively and cheaply delivered in the private or voluntary sector (Senior et al 2007). As a result, much work in areas such as social housing and adult social care came to be delivered by the voluntary or private sectors under contract to local authorities and an internal market was created in the National Health Service.

The Conservative Government's proposals for change in the probation service were heralded both in a series of discussion papers published in the early 1990s (Home Office 1990a; Home Office 1990b; Home Office 1992a) and the creation of the Supervision Grants Scheme under which the Home Office directly funded local 'independent sector'¹¹ projects (Rumgay 2007b). The discussion documents argued that the probation service must not view itself as the sole resource for work with offenders in the community. Providers from the voluntary and private sectors were seen to be able to offer innovation, specialist knowledge and value for money. The first of the discussion papers summarised the position in this way:

'Probation officers must see themselves less as exclusive providers of services and facilities, and more as managers of supervision programmes. They must make greater use of the skills and experience of the voluntary and private sectors.' (Home Office 1990a:iii)

Partnership work was necessary to ensure the greater use of community sentences. The Government concluded the consultation period with a decision paper (Home Office 1992a) that located responsibility for developing partnership work with local probation services and required them to allocate five per cent of their revenue budgets to partnership schemes.

These changes were not universally welcomed by the probation service. The contracting out of work was seen, not as partnership, but as threatening the jobs of probation staff and heralding privatisation (Gibbs 1999; Rumgay 2000). The five per cent target was viewed as a blunt instrument, taking no account of the existing links and contracts that probation areas had with external organisations. The Association of Chief Officers of Probation (ACOP) provided advice to its members about how to approach the new world of partnership with a guidance document about contracts and service level agreements. The response of ACOP demonstrated the level of unease felt at senior levels in the probation service.

'Whilst few, if any, CPOs would have sought the formalisation represented by the Home Office "partnerships" initiative, partnerships should not be viewed as wholly negative but as a potential opportunity.' (ACOP 1993:15)

¹¹ The Home Office discussion paper (Home Office 1990b:3) defines the independent sector as 'voluntary organisations (generally non-profit making bodies) and the private sector'.

Rumgay (2000) researched the impact of these developments on work with drug using offenders. She investigated the basis on which probation services chose their partners. Many of the choices were based on traditional links and networks. Few probation areas opted for competitive tendering approaches, either opposing this on principle or arguing that there were too few potential providers for a practical competition.

Partnership work in probation was the subject of a thematic review by Her Majesty's Inspectorate of Probation (HMIP) in 1996. The inspection report described the partnership initiative as requiring a significant cultural change for the probation service and praised the work done by probation staff to develop this area of practice (HMIP 1996). The report acknowledged that partnership work had been implemented in a tough financial climate in which probation budgets had been cut and some staff made redundant. The inspectors spoke to some offenders who reported their contact with partner organisations positively:

'Almost without exception, those attending partnership programmes were full of praise for the commitment of the partnership programme staff and their dedication to being helpful.' (1996: 31)

However, the inspectors were concerned about the lack of integration between work done by the partner agency and work done by the supervising officer.

Alongside its proposals for partnership working in probation, the Conservative Government implemented its policy of contracting with private companies to run prisons. This policy was in large part a response to concerns about the management and effectiveness of the public sector prison service, which was seen as failing on issues such as overcrowding, industrial relations and prisoner disturbances (Liebling 2006; Ludlow 2014). The first private prison, HMP Wolds, opened in 1992. While in opposition the Labour party had opposed the concept of private prisons but, after winning the 1997 election, the Labour Government continued with the policy of its predecessor and further private prisons opened.

The Labour Government also exhibited enthusiasm for voluntary sector involvement in the delivery and reform of public services. Alcock (2010) explains how policy initiatives focussed not just on traditional voluntary groups and charities but also on social enterprises and community interest companies. The Labour Government argued that this third sector, being not-the-state and not-the-market, could provide choice in the delivery of public services. The Government created an Office of the Third Sector (OTS) within the Cabinet Office in 2006. Its role was to coordinate government policy and provide investment, particularly in the form of infrastructure development, for the third sector. As well as taking on responsibilities for the voluntary sector previously held by the Home Office, the OTS also took over the work of the Social Enterprise Unit from the Department of Trade and Industry.

From the perspective of the probation service, the period of the Labour Government was marked by considerable restructuring and reorganisation. The creation of the National Probation Service in 2001 was rapidly followed by the Correctional Services Review (Carter 2003) and the arrival of the National Offender Management Service (NOMS). Local independent probation services became probation areas within a national service and then, following the implementation of the Offender Management Act 2007, probation trusts delivering services commissioned by NOMS (Crawforth 2011; Canton 2011; Burke and Collett 2015). The Offender Management Act 2007 also provided the statutory framework for competition in the probation service, giving power to the Secretary of State to contract with providers outside the public sector for probation services.

During this period, the probation service continued collaborative work with the voluntary sector but a significant development was the growth of formal joint working with other statutory agencies, for example with the police and prison services in Multi-Agency Public Protection Arrangements and with local authorities in Crime and Disorder Reduction Partnerships (Rumgay 2007b). The word partnership increasingly came to be used in connection with these formal multi-agency structures which reflected managerialist concerns about efficiency, consistency and coordination (Liddle 2001).

The theme of voluntary and private sector contribution to criminal justice can be found in the Correctional Services Review (Carter 2003), which asserted that introducing competition in prisons had driven up standards across the whole sector. Evidence from research (Hulley et al 2011; Ludlow 2014) suggests that the picture is more complex than this. Further, it is argued that, given the different histories, values and objectives of the prison and probation services, business ideas cannot be expected to transfer between them in a straightforward way (Gelsthorpe and Morgan 2007; Liebling 2006).

The Labour Government continued with policies that increased private sector involvement in criminal justice. In addition to prison contracts, commercial organisations were awarded some work in the community, for example the provision of bail advice and support services and facilities management at probation premises. Towards the end of its period in office, the Government was signalling its wish to expand the use of competition for community based services. Unpaid work and victim contact services were identified as candidates for best value review (NOMS 2009).

2.2 The Contribution of the Coalition Government

Since the partnership initiatives of the 1990s each successive government has been keen to reduce the service delivery role of the public sector and increase the contribution made by the voluntary and private sectors. Much time and effort has gone into creating structures and financial mechanisms, including best value reviews, purchaser provider splits and commissioning, to make this happen. While there has been variation in the tools used to

implement policy, the argument for the benefit of this approach has consistently been made on the grounds of economy, effectiveness, flexibility and innovation. The changes experienced by the probation service have been but a small part of the neoliberal project to reform and modernise the whole of the public sector (Bell 2011).

The Coalition Government began with ideas about the Big Society and the promise of a Rehabilitation Revolution. Before the end of its term in office it had made considerable progress with Transforming Rehabilitation.

The Big Society and the Rehabilitation Revolution

The Coalition Government came to power in 2010 in the wake of the global financial crisis and with a commitment to a programme of public spending cuts to reduce the deficit. Additionally, since his arrival as leader of his party David Cameron had closely identified himself with the idea of the Big Society (Alcock 2012). As a political idea, the Big Society drew on a number of traditional Conservative themes about reducing the power and size of the state and encouraging the traditions and strengths of civic society. Richards (2012) identified that the stress on localism and community appealed to Liberal Democrat politicians and generated common ground at the moment of coalition formation. However given the Coalition Government's commitment to austerity, policies to encourage greater voluntary action were often argued on the basis of providing value for money (Maguire 2012; NEF 2010).

The Rehabilitation Revolution was announced in the Programme for Government published immediately after the election (Cabinet Office 2010). A revolution was deemed necessary to reduce reoffending and to save money. It would be delivered by providers from outside the public sector and financed using the outcome focused mechanism of payment by results. More information about the detail of the Government's intentions was provided in a number of subsequent policy documents: the Green Paper *Breaking the Cycle* (Ministry of Justice 2010), the response to the subsequent consultation (Ministry of Justice 2011a) and the technical papers that set out arrangements for commissioning and competition (NOMS 2011; NOMS 2012a; Ministry of Justice 2011b).

Breaking the Cycle expressed particular concern about the size of the prison population and the proportion of prisoners who were reconvicted following release. It made clear that the Government did not intend to abolish short prison sentences but would pilot schemes providing post-custodial rehabilitative services (Ministry of Justice 2010: 29) to this group of prisoners. This aim (to extend some form of post-release assistance or supervision to short sentence prisoners) had been shared by the previous Labour Government. The Criminal Justice Act 2003 provided for 'custody plus': a short custodial sentence followed by a longer period of statutory supervision in the community. However, 'custody plus' was subsequently deemed too expensive; it was not implemented (Justice Select Committee 2008:s113).

While the desire to increase the involvement of private and voluntary sector providers in the provision of probation services was familiar and commissioning and competition were strategies adopted by previous governments, the Coalition Government's policy proposals seemed to propose something new for the delivery of probation services. The rhetoric of the Big Society heralded a significant role for the voluntary sector and the support for payment by results suggested a focus on outcomes rather than process (Morgan 2012). In an echo of policy documents from twenty years earlier, commissioning and competition were seen as a recipe for innovation and value for money. The policy documents spoke of the role that volunteers could play in reducing reoffending, of ensuring that voluntary organisations were integrated into supply chains, of evidence based commissioning and enhancing the element of payback in community sentences.

Breaking the Cycle (Ministry of Justice 2010) expressed the wish that smaller voluntary sector organisations, not just the large national players, would be involved in the coming reforms. Voluntary sector responses to the consultation welcomed this position, but raised concerns about whether it would be achieved in practice (Clinks 2011; Howard League 2011). A large and diverse group of voluntary sector organisations work with offenders in custody and the community. They share in common their charitable and not-for-profit status but differ in a number of significant ways: size, financial security, employment of paid staff, commitment to campaigning, willingness and capacity to work with public sector commissioners, ambition to expand geographically or into other areas of work (Mills et al 2011; Meek et al 2010; Armstrong 2002).

The impact of the Coalition Government's programmes of spending cuts and public sector reform on the interplay between voluntary, public and private sectors has been much discussed and contested. The Big Society concept, at its outset, was viewed sceptically by commentators from across the political spectrum (Glasman 2010; Morgan 2012). It has failed to secure support from a general public who, if they have any view about the concept at all, link it to financial austerity and the Government's desire to stop providing services (Defty 2014). Of particular relevance to the work of the probation service were the criticisms that disadvantaged communities were least well placed to benefit from the Big Society initiative (Glasman 2010; Pattie and Johnston 2011; NEF 2010) and that there was an inevitable incoherence about a concept that depended on local initiative but was driven forward by central government action (Richards 2012; Gash 2011).

The Coalition Government made clear that any voluntary sector agency wanting to contribute to the Rehabilitation Revolution would do so on a payment by results basis. This financial mechanism was presented as a solution to the problem of reducing reoffending in tough economic times (Ministry of Justice 2010; NOMS 2012a; Ministry of Justice 2011a; Ministry of Justice 2011b). Payment by results experiments had begun under the previous Labour

Government and could be found in other strands of the Coalition Government's public sector reforms, including health, children's services and the Department of Work and Pensions Work Programme. In the area of criminal justice, the Coalition Government inherited a payment by results pilot at HMP Peterborough and initiated further pilot schemes, including two based in probation trusts (Chambers 2013; Burke and Collett 2015). The use of payment by results as a payment mechanism for the provision of probation services was subject to significant criticism. It was argued to have a number of flaws: ignoring the complexity of measuring success, encouraging providers to focus on cases where success was likely and benefitting large commercial providers at the expense of small locally based ones (Fox and Albertson 2012).

The definition of a result is a crucial aspect of any payment by results scheme. The Ministry of Justice expressed a preference for binary measures of results (the presence or absence of a reconviction in a twelve month period). Alongside broader debates about the difficulties of measuring reconviction and the extent to which reconviction is a reliable measure of reoffending (Merrington and Stanley 2007; Hedderman 2013), there was considerable support for the argument that binary measures were not well-suited to projects that targeted a wide range of needs and risks and where an improvement in an individual's circumstances and behaviour was impossible to attribute to the work of a single provider (Prison Reform Trust 2011; Maguire 2012). Many voluntary organisations argued that payment systems should value the service user's 'distance travelled' as well as reconviction (Clinks 2011; Howard League 2011).

In the probation context, payment by results was viewed as likely to encourage providers to focus on cases where a successful result was likely and to neglect work assessed as expensive or difficult (Fox and Albertson 2012). These practices, known as creaming and parking, were identified in early payment by results projects such as the Work Programme (Damm 2012) and viewed as a likely consequence of the introduction of the payment by results approach into the provision of probation services (Maguire 2012; RRTSAG 2011). Gelsthorpe and Hedderman (2012) argued that payment by results schemes were poorly placed to support innovative work with women offenders in the community. They outlined the complexity of setting reliable outcome measures for small projects working with women facing multiple disadvantages and highlighted the risk, for commissioners, that any financial benefit of the intervention would accrue, not to the criminal justice system, but to local authorities or the health service. Radcliffe (2012) pointed to evidence suggesting that competitive tendering to run community services for women offenders could lead to unhelpful competition between organisations and the loss of contracts to opportunistic bids from groups lacking specialist skills and experience.

Payment by results schemes in the probation service were predicted to benefit large commercially sophisticated organisations from the private and voluntary sector, at the expense of small locally based projects. This had been the experience of the Work Programme. Such schemes required the contracted organisation (the prime provider) to be able to engage successfully in a complicated bidding process and to have sufficient financial strength to bear the risks associated with outcome based payments. The list of Work Programme prime providers was dominated by private sector companies, including G4S, Serco, Working Links and A4e who all also had involvement in the criminal justice market. The Work Programme prime providers worked with complex supply chains, often comprising smaller voluntary sector organisations seen as bringing the experience needed to work constructively with disadvantaged and hard to reach unemployed people (Damm 2012). Comparable voluntary sector organisations working with offenders feared becoming 'bid candy': used by prime providers to increase the appeal of bids but then provided with little work and less remuneration (RRTSAG 2011; Clinks 2012).

Alongside this concern ran the argument that, in adopting the business orientations and growth strategies of the private sector, some third sector organisations were losing their claim to be distinctively different (Senior 2011; Meek et al 2010). Empirical support for this argument is provided by Armstrong's (2002) study of non-profit organisations providing juvenile justice services in the US state of Massachusetts; this study identified the way that non-profit organisations combined commercial private sector approaches with careful public sector processes to create 'entrepreneurial bureaucracies'. Assertions about the innovativeness, effectiveness and flexibility of the voluntary sector may sometimes be overstated (Nellis 2006) or poorly evidenced (Mills et al 2011) but they remained a key part of the argument advanced by both the Government and the voluntary sector itself in support of the *Breaking the Cycle* policy proposals.

In anticipation of new ways of doing business, probation trusts responded by building links with voluntary sector organisations and private companies. After a competition run by NOMS, the contract to run unpaid work in the London Probation Trust area was awarded in July 2012 to Serco working in partnership with London Probation.

The Government's initial proposals for the organisational reform of the probation service were published in the consultation document *Punishment and Reform: Effective Probation Services* (Ministry of Justice 2012). Key aspects of the proposed reform included establishing probation trusts as commissioners of probation services with the implication that this would require a move to fewer larger trusts. These public sector probation trusts would retain responsibility, in line with the requirements of the Offender Management Act 2007, for providing reports and advice to courts. They would also take 'public interest decisions' about risk assessment and allocation of resources and retain the management of higher risk

offenders. All the other work of the probation service, including the management and supervision of lower risk offenders, would be open to competition with explicit encouragement of providers from the voluntary and private sectors. A purchaser provider split was envisaged, with probation trusts prevented from being both commissioners and providers of services.

The publication of the consultation document intensified the debate about the marketisation of probation work (Dominey and Phillips 2012). Some critics, from trade union, academic and campaigning backgrounds (Napo 2012; Teague 2012; Prison Reform Trust 2012), firmly opposed the privatisation of probation work arguing that for reasons of accountability, transparency and justice the task of delivering the sanctions of the court belonged in the public sector. Other voices, including many senior managers from probation trusts, were enthusiastic about establishing trusts as commissioners (PA/PCA 2012; London Probation Trust 2012).

Fragmenting the management of lower risk offenders into tasks to be retained by the public sector and those to be contracted out to other providers met with near universal opposition. It was criticised for showing a poor understanding of the dynamic nature of risk, requiring expensive and complex systems for the exchange of information between providers and failing to recognise that effective practice necessitated an integrated approach (Catch22 2012; PA/PCA 2012; Howard League 2012). Respondents, while agreeing on the nature of the problem, proposed contrasting solutions. The most popular suggestion from within the probation service, supported by some voluntary organisations with a campaigning mission, was for the management of all offenders, whatever the level of risk, to remain with public sector probation trusts (Howard League 2012; PA/PCA 2012; HMIP 2012). By contrast, some voluntary sector organisations with experience of service delivery argued that the offender management role could be successfully and creatively delivered outside the public sector (Catch22 2012; Nacro 2012).

The fieldwork for this study commenced after the *Punishment and Reform: Effective Probation Services* consultation period (March – June 2012) had closed but before the Government published its response. At the time that the fieldwork was conducted all offender management was the responsibility of public sector probation trusts. The partnership arrangements explored in this study were part of the complex pattern of local relationships and contracts that pre-dated both the Big Society and the Rehabilitation Revolution. In some cases the probation trust had chosen the voluntary sector partner, in other cases the partnership was determined for the trust by a commissioning process led by the health service or local authority.

However, at the time of the fieldwork, it was clear to probation practitioners that organisational change was coming and would likely have an impact on the nature of their

work and their employment conditions. The extent of the change became evident with the publication of *Transforming Rehabilitation: A revolution in the way we manage offenders* in January 2013 (Ministry of Justice 2013a).

Transforming Rehabilitation

Chris Grayling replaced Kenneth Clarke as Secretary of State for Justice in September 2012. His arrival accelerated the speed of reform and marketisation (Burke and Collett 2015). The two planned probation trust payment by results pilots were cancelled (Chambers 2013), deemed no longer necessary to inform a nationwide implementation of this approach.

The first Transforming Rehabilitation (TR) paper (Ministry of Justice 2013a) marked the start of a further period of consultation which concluded with the publication of *Transforming Rehabilitation: A Strategy for Reform* in May 2013 (Ministry of Justice 2013b). The TR strategy contained elements which had been widely anticipated; it also included some surprises. The commitments to competition, to new private and voluntary sector providers, to payment by results and to extending statutory supervision to prisoners released from short prison sentences were expected. The abolition of probation trusts and their replacement with a new public sector National Probation Service (NPS) and 21 Community Rehabilitation Companies (CRCs), to be sold to new providers in a competitive process, was not.

The TR proposals argued that procuring services from the voluntary and private sectors would result in financial savings.

'We need to free up funding to provide rehabilitation for those who need it most, and at a time when the Ministry of Justice (MoJ) is committed to playing its part in supporting deficit reduction. We propose to introduce a widespread programme of competition, and invite providers from the private and voluntary sectors to bid to deliver the majority of current probation services. We will award contracts to those providers who demonstrate that they can deliver efficient, high-quality services and improve value for money.' (2013a: 9)

The TR process moved swiftly through the final years of the Coalition Government. Probation trusts ceased to exist at the start of June 2014, the successful bidders for the new CRCs were announced in October 2014 and contracts for the sale of the CRCs signed in February 2015. The successful bidders for the CRCs (Ministry of Justice 2014a) were, with one exception¹², consortia led by private sector companies working with voluntary agencies, including some new agencies formed by staff from probation trusts. Three big winners were Sodexo Justice Services (working with the large voluntary sector organisation Nacro), Purple

¹² The successful bidder in the Durham Tees Valley area was a joint venture without a private sector company.

Futures (led by the company Interserve working with voluntary sector organisations including Shelter, Addaction¹³ and P3) and MTCNovo (a joint venture between a US-based private company MTC and a consortium of private, public and voluntary sector providers). Sodexo and MTC operate private prisons, Interserve has previous involvement in building prisons.

The abolition of probation trusts was unpopular with staff across the probation service. For workers, it led to considerable uncertainty and insecurity about the future (Robinson et al 2015). It raised questions, many for which the Ministry of Justice had no answer, about the future of practice, workloads, employment status, employment security, pay, benefits and redundancy. Practitioner staff, including the supervisors in this study, were allocated to either the NPS or the CRC in a process which was viewed by many as inflexible and unfair (Burke 2014). The Ministry of Justice was criticised for inadequately assessing the risks to public safety and the competent administration of court orders inherent in pushing through with the reforms at speed (PA 2014).

The Probation Association, the organisation representing the interests of probation trusts, wound itself up as a consequence of the abolition of the trusts. It described its final publication as a parting shot and concluded with a number of questions against which, in its view, the TR reforms should be judged by future commentators (PA 2014). A number of these questions were about the costs of the TR reforms, asking whether the money paid to achieve the reforms and then monitor the new contracts would have been sufficient to fund probation trusts to work with short sentence prisoners on their release from custody. It also queried whether payment by results mechanisms would become a minor part of the future funding arrangements, thus negating one of the central arguments for excluding public sector probation trusts from the new contracts. The Probation Association also asked future commentators to consider the effect of the reforms on staff professionalism, morale and motivation in the longer term. In asking these questions the Probation Association made clear its position that neither wholesale reform nor the embrace of market solutions were required to achieve the outcomes desired by the Government.

The interviews with probation supervisors for this study were undertaken in April and May 2013¹⁴. The supervisors' responses must, therefore, be understood in the context of uncertainty about their jobs and concern that some of the voluntary sector organisations and private companies with which they worked were about to move from being partners to competitors.

¹³ Addaction withdrew from the Purple Futures Partnership in April 2015 'due to a failure to agree the detail of subcontracting arrangements' (Addaction 2015).

¹⁴ Including one interview with a supervisor on 10 May 2013 – the day after the publication of *Transforming Rehabilitation: A Strategy for Reform*.

2.3 The Marketisation of Probation Services

It is hard to avoid the conclusion that the TR reforms are the next step in the inevitable shaping of probation services in response to neoliberal economic orthodoxy and the commodification process inherent in late modernity; the probation service does not exist independently of the overarching social, political and economic context. Garland (1997) traced the probation service's shift from lead penal-welfare agency to an uncomfortable and threatened player in a redrawn world of crime control. He analysed the pattern of neoliberal economic and neoconservative social forces that have led to freedom and choice for the wealthy and punishment and exclusion for the poor (Garland 2001). Bell concluded that neoliberalism, as practised in the UK, provided a propitious environment for the development of penal punitiveness.

'.. it is arguably only with the neoliberal transformation of the State, which began to take shape in the 1990s, that it became imperative for governments to find new methods of legitimation and to succumb to pressure to submit the criminal justice system, as well as all other public services to the processes of commodification.'
(2011:209)

This framework, in which public goods are commodified and packaged for a consuming audience, has some specific implications for the delivery of community sentences. McCulloch and McNeill (2007) highlighted the difference between formal and substantive commodification; they defined formal commodification as the process of marketisation and privatisation and substantive commodification as the changes to the purposes and methods of an organisation brought about by the growing dominance of the consumer society. Commodification, both formal and substantive, has consequences for the structure of the probation service and voluntary sector organisations. However, commodification is not solely an economic concept, it has implications for the relationships between staff, service users and the wider community.

The TR reforms show that the formal commodification of probation services has been achieved. The work of the probation service has been divided into packages and sold to successful bidders. Considerable time and effort has been invested in designing a market in which the Ministry of Justice (the principal customer) can shop for services from private sector prime providers on behalf of less powerful clients such as the general public, the courts and the people sentenced to receive the service. The Ministry of Justice had to create market conditions which attracted private sector providers, something that has been achieved by: letting long contracts which give politicians little future flexibility (Ludlow 2014); freeing new providers from the requirement to meet a wide range of performance targets and reducing the financial risk of payment by results mechanisms (Travis and Syal 2014; Burke and Collett 2015; Ministry of Justice 2014b).

The impact of formal commodification on the penal voluntary sector is no less significant. Corcoran (2011) analysed this process, charting the way that ideas about the modernisation and commercialisation of the voluntary sector were developed and shared by politicians, senior managers of voluntary sector organisations and civil servants.

'Modernizers have adroitly slipped an avowedly neoliberal programme into the wider platform of penal reform through appeals to consumer choice, local self-determination, personal responsibility, a results-oriented culture and supplier diversity in contrast to the shortcomings of large-scale public services.' (2011:48)

Corcoran (2011) identified the way that ethical questions about the role of markets and the expansion of criminal justice responses to social problems were neglected in the dominant policy discourse, suggesting that, for many in the voluntary sector, the option was to modernise or perish. By contrast, Tomczak (2014) argued against attributing too much significance to the constraints placed by neoliberal economic thinking on the freedoms of the voluntary sector. She cited voluntary sector organisations whose work with offenders continued outside the emerging market-place and without reliance on the government as consumer. However, these examples were not of organisations seeking to deliver rehabilitation services but rather of organisations with priorities in campaigning work or specialist interventions with a focus other than on offending.

One consequence of the TR reforms for the penal voluntary sector is that any organisation that wishes to make a contribution to the core tasks of offender management will need to do so as part of the supply chain of a large prime provider. By corollary, some voluntary organisations with a history of partnership work with a particular probation trust will lose work to the incoming prime provider's preferred supplier. The process of educating and equipping the penal voluntary sector to participate in the probation services marketplace has been facilitated by Ministry of Justice funding provided to the sector for infrastructure development (3SC 2014).

Commercialisation and privatisation follow from the formal commodification of probation services in neoliberal economic conditions. However, drawing on the theoretical insights of sociologist Zygmunt Bauman (1997; 2000a) it is possible to see that substantive commodification (changes to the way that probation work is understood and practised) reaches beyond economic and organisational structures. Bauman's analysis draws attention to elements of late (or liquid) modernity which have particular relevance to contemporary probation practice. These include pervasive insecurity and the illusory notion of community as well as the dominance of consumerism.

Bauman (2000b) argues that the role of the penal system is to exclude, not to reform. He identifies disadvantaged groups in society, including offenders, as flawed consumers and

suggests that the task of managing these populations is akin to waste disposal. There is shrinking space for rehabilitation in this vision of society.

'...the question of 'rehabilitation' is today prominent less by its contentiousness than by its growing irrelevance. Many criminologists will probably go on for some time yet rehearsing the time-honoured yet never resolved querelles of penal ideology—but by far the most seminal departure is precisely the abandonment of sincere or duplicitous declarations of 'rehabilitating intent' in the thinking of contemporary practitioners of the penal system.' (Bauman 2000b:210)

Bauman made this assertion while reflecting on the immobilising and excluding functions of maximum security prisons. McCulloch and McNeill (2007), working with Bauman's structure, considered some of its implications for community sanctions. They identified the decline of rehabilitation as the officially sanctioned product of probation work and the rise of new products deemed likely to appeal to an insecure public. These new products included public protection and community safety or, perhaps, the feeling of public protection and community safety. In this world rehabilitation is a tool used to construct the new commodities, and supervisees are not the beneficiaries of services but *'rebranded as an object of risk-reducing intervention'* (2007:232). McCulloch and McNeill, seeking for a *'glimmer of hope'* (2007:238) and drawing on evidence about practice likely to support desistance from crime, suggested that probation work could prioritise the construction of alternative commodities such as community justice. They stressed the importance of relational and moral dimensions of practice and the need for approaches that led to the restoration of the offender in the community.

In the context of community sentences the notion of community is allowed to accommodate disputed and conflicting perspectives. Raynor warned

'We all like to use the word, generally in a positive way, and there is a constant risk that we will imagine we mean the same thing when in reality we could be unwittingly following completely different paths in a network of concepts which may be only loosely related.' (2001: 183)

At the most basic level community sentences are so-called because they are not custodial sentences. A richer interpretation of the concept of the community sentence envisages a sanction undertaken in and with the community, offering the potential for reparation and restitution. The community becomes not simply the location for the intervention but also intrinsic to its method (Armstrong 2002). Contemporary probation supervision practice has become distant from its locality, a consequence of the closure of neighbourhood offices, the reliance on nationally prescribed programmes and a withdrawal from regular home visiting (Bottoms 2008a; Crawford 2011). Bottoms (2008a) argued that community-based

supervision matters both for public confidence and offender rehabilitation. For the community, visible probation supervision acts as a reassuring signal. Supervisees who are confident that their supervisors understand their circumstances and options are more likely to benefit from supervision.

'Office-based staff who rarely visit the deprived areas in which offenders disproportionately live are unlikely to inspire such confidence.' Bottoms (2008a: 162)

However, community sentences undertaken in and with the community require not just the existence of community, but the existence of communities with the willingness and capacity to permit the reintegration of offenders. Fitzgibbon (2011) warned that many communities, particularly in the most deprived areas, did not possess these features but rather exhibited social fragmentation, poor cohesion and lack of opportunity. Neoliberal solutions to social problems, like housing and unemployment, have left many disadvantaged communities poorly placed to provide opportunities for offenders seeking to go straight. Burke and Collett argued that recent reforms both reduced the resources available to poor communities and increased the likelihood of exclusion for offenders.

'...the ideological ascendancy of neoliberalism and its claim to meritocracy and equality of opportunity has returned civil society to a harsher view of those who are seen to fail.' (2015:165)

It is not only probation service supervisees who are exposed to the forces of liquid modernity. Probation supervisors, too, are caught up in the process of commodification and marketisation. Bauman argued that lack of permanence is a feature of contemporary society.

'In this world, bonds are dissembled into successive encounters, identities into successively worn masks, life-history into a series of episodes whose sole lasting importance is their equally ephemerical memory' (1997: 24)

As a consequence workers can no longer expect stability, continuity and the opportunity to build a career. They face demands for flexibility, for temporary contracts, for shifting workplaces, for changing teams (Sennett 1998; Bauman 2000b).

These demands are familiar to staff working for probation trusts over the period of the TR reforms. Probation workers, along with probation tasks, have been packaged and formally commodified as part of the process of privatisation. Workers anticipate that the discipline of the market will lead to downward pressure on wages, upward pressure on workload and the likelihood of job losses (Burke 2014). It is in this environment of insecurity and instability that supervisors, supervisees and keyworkers from other agencies create and re-create the networks and relationships explored in this dissertation.

2.4 Summary

This chapter has traced the changing relationship between public, voluntary and private sector providers of probation services from the early charitable origins of probation practice through to the complex commercial entities that exist today. It describes the various economic, political and policy threads that combined to produce the market model for probation services implemented through the Transforming Rehabilitation reforms.

The TR programme has been delivered in a neoliberal economic and political climate that supports the private sector delivery of public services and advocates the development of market or pseudo-market solutions to social problems like unemployment and crime. Further, these reforms have taken place in a context of reduced government spending. Procuring probation services from a mixed market of providers was justified on the basis that it would produce services which were simultaneously more creative and better value for money than their predecessors.

'By making changes to our current delivery arrangements, we can bring in a more diverse range of providers to help tackle reoffending, can use innovative new payment mechanisms to incentivise a focus on reducing reoffending, and can achieve efficiency savings to allow us to extend rehabilitation support to more offenders.'

(Ministry of Justice 2013b:25)

The move to procure services from a mixed market of competing providers can be seen across the work of government. In this respect the changes to the delivery of probation services are similar to those that have taken place elsewhere in the criminal justice system. However Ludlow (2014) argues that applying contract mechanisms to probation raises particular challenges: first, the difficulty of measuring the performance of the service since many of its outcomes depend on work done by other agencies, and second, achieving the aim of improving a service already judged to perform well.

'This makes the commissioning challenge posed by the Government's probation plans greater than anything attempted before: NOMS must commission improvement and innovation in services that are already providing high quality services and good value for money.' (Ludlow 2014: 71)

One distinctive aspect of the model of privatisation that has been applied to probation services is the role accorded to the voluntary sector. Voluntary sector providers are intrinsic to the operation of Community Rehabilitation Companies, with the potential to bring new perspectives in areas such as service user involvement and peer mentoring. For example, the Kent, Surrey and Sussex CRC works in partnership with the organisation User Voice (KSSCRC 2015) and the Bedfordshire, Northamptonshire, Cambridgeshire and Hertfordshire

(BeNCH) CRC plans to include peer mentoring as part of the service offered to women offenders (BeNCH CRC 2015).

While the TR reforms present opportunities to the voluntary sector, they also expose it to the discipline of competition and the risk of absorption into the system of punishment. Corcoran (2011: 47) shows that the case for the increased involvement of the voluntary sector in criminal justice is made *'by simultaneously, and ambiguously, deploying both socially progressive and neoliberal values.'*

The fieldwork for this research was undertaken in 2012 and 2013. At this time all community sentences were supervised by staff working for public sector probation trusts. The two probation trusts in this study had links with a number of voluntary sector organisations and private companies, some links based on longstanding local relationships and others the result of formal competitive contracting processes. The Coalition Government's TR proposals were first announced and subsequently confirmed while fieldwork was underway. These proposals heralded the fragmentation of the probation service and the creation of a market in which new commercial entities (most led by private companies and all involving voluntary organisations as sub-contractors) would compete with each other to sell their services to the Ministry of Justice.

This chapter has set these reforms in the context of neoliberal economic policy and a political drive for privatisation. It has identified commodification, of organisations and processes, reaching beyond the economic into the sphere of the relational and the normative. The first TR paper (Ministry of Justice 2013a) posed a number of technical and organisational questions; it did not issue an invitation to engage in a debate about the ethics of marketisation and the consequences of the proposals for the moral aspects of probation work (Sandel 2012). Indeed, the marketisation agenda was already set.

The focus of this study is not on organisational structures but on people: supervisees, probation supervisors and keyworkers from other agencies. In the next chapter I turn to the detail of the interactions between these people, exploring the practice of probation supervision in an inter-agency context.

3 Probation Supervision in an Inter-agency Context

This chapter is about the practice of probation supervision in an inter-agency context. It provides the framework for the interactions described and analysed in this dissertation. The chapter begins with a discussion of the concept of supervision and a description of its historical development within the probation service. It then contrasts the concepts of supervision and offender management, both important in contemporary probation work.

The chapter explores the literature, both empirical and theoretical, about the factors that contribute to quality in individual supervision and inter-agency work. This discussion leads to an examination of the skills, knowledge and training of the workers responsible for supervision in an inter-agency context. The chapter concludes by considering the importance of these relational aspects of supervision in negotiating legitimacy, securing compliance and encouraging desistance.

3.1 Defining Supervision

What is Supervision?

In its most general sense, the concept of supervision includes ideas like watching over, overseeing, controlling and directing. Parents 'supervise' the activities of their children and managers 'supervise' the work of their staff. In the criminal justice setting, the word supervision is used to describe a range of situations in which individuals are provided with guidance and direction while subject to monitoring and surveillance. The concept of supervision combines the ideas of support and control. As such, supervision is a task undertaken by statutory organisations and volunteer players in ways which range from the formal to the informal. For example, police officers recording the change of address of registered sex offenders and volunteer mentors meeting people at a sports centre could both be argued to be engaged in offender supervision.

The focus of this chapter is on the probation service and the offender supervision work of that agency. There is a very close link between the concept of supervision and the concept of probation. Indeed, the word supervision is often used to describe or explain the notion of probation. Canton explains that 'in the Anglo-American tradition, probation's defining characteristic has been the *supervision of offenders in the community*' (2011:5, italics in original). In this way, supervision becomes almost interchangeable with probation and the notion of probation practice without supervision makes little sense. Used in this way, supervision means the wide range of tasks carried out by probation staff: overseeing court orders, meeting and talking with offenders, providing practical help, delivering structured programmes and contributing to multi-agency risk management systems. Burnett et al

observe that supervision '*is one of those fuzzy concepts that has diverse meanings, some of which are seemingly oppositional*' (2007:211).

The Historical Development of Supervision as Part of Probation Practice

The meaning and experience of supervision has varied from place to place and worker to worker since the earliest days of the probation service. In England and Wales, from the middle of the nineteenth century local arrangements developed in which courts released offenders on the expectation of reformation and under the supervision of a suitable person (Canton 2011). Vanstone (2004) argues that, from these first days, probation was influenced by conflicting and not always compatible political, religious and psychological influences.

The Probation of Offenders Act 1907 stipulated that one of the duties of the probation officer with respect to the supervisee was '*to advise, assist, and befriend him, and, when necessary, to endeavour to find him suitable employment.*' This phrase, with its powerful place in debates about probation values and practices (Nellis 1999; Gelsthorpe 2007), provides an early encapsulation of the concept of supervision.

McWilliams (1983; 1985; 1986; 1987), in his quartet of journal articles, explores the history of ideas that have influenced probation work and writes about the way that understandings of probation, and hence of supervision, have shifted with time. The articles describe the shift in focus from religious ideals to scientific diagnosis. They conclude with the argument that, by the 1980s, the approach to probation work was pragmatic, shaped and dominated by policy. The probation service could no longer be understood simply by understanding probation officers.

The dominance of social casework as a model for probation practice in the middle period of the twentieth century (McWilliams 1985; 1986) brought with it an approach to supervision which emphasised the importance of the relationship between supervisor and supervisee as an integral part of the therapeutic method. While confidence in this scientific approach to probation practice fell away, the values identified as necessary for the casework relationship proved durable. As prescribed by Biestek (1961) these principles are: individualisation, purposeful expression of feelings, controlled emotional involvement, acceptance, the non-judgmental attitude, client self-determination and confidentiality.

Writing after the heyday of social casework and from a practice perspective shaped by a commitment to socialism and social justice, Kirwin (1985) describes the way in which he undertook supervision. He acknowledges the importance of the relationship between supervisor and supervisee but questions how strong the relationship can be between two people who see each other only rarely. Kirwin makes clear that he is writing about the reality of the job, rather than outlining an ideal or best practice version of supervision. Reflecting a political approach that challenges the power imbalance between worker and client, he is

keen to stress the ordinariness of supervision. *'In essence, we talk about what more or less everyone else talks about. Yet, there is a great sense of guilt about this in the probation service, which I think needs to be dispelled.'* (1985:38)

Throughout probation history the concepts of being supervised in the community and being on probation have been used synonymously. The business of supervision has developed and changed in step with the varying understandings of the nature of probation. At different points in the twentieth century, the official account of supervision gave varying emphasis to reform, therapeutic casework and practical guidance. However, there are also continuities in probation practice (Canton 2011). Supervision remains an activity shaped by the professional relationship between supervisor and supervisee and often undertaken away from the immediate scrutiny (that is, supervision) of managers.

Supervision and Offender Management

Since the mid-1980s the probation service has been subject to significant organisational change, much of it driven by successive governments seeking more control of its work. This change took place in the context of the increased reliance on managerial responses to criminal justice problems (Robinson et al 2013; Garland 2001). The introduction of national standards and the development of the concept of offender management both had considerable impact on the practice of supervision (Raynor and Vanstone 2007). Of particular significance for this dissertation (and as discussed in chapter 2), this period also saw the move to partnership work between the probation service and other agencies and, therefore, the contribution of workers from other agencies to probation supervision.

National standards for the supervision of offenders in the community were first introduced in 1992 (Home Office 1992b). These standards set a much tighter framework for the supervision process than had previously existed; supervising officers were told how frequently they must see their supervisees and what enforcement action to take in the event of missed appointments¹⁵. The Home Office set performance indicators which led local probation managers to create systems ensuring that each supervising officer worked in accordance with the rules. Supervising officers lost much of the practice freedom described by Kirwin in 1985. It was no longer possible to give few appointments to supervisees who

¹⁵ The 1992 standards required that *'where practicable and appropriate, 12 appointments should be made for an offender to see the supervising officer (or a person operating under his or her direction) in the first three months of an order'* (Home Office 1992b:38). *'Breach action should normally be taken after no more than three instances of failure to comply with the order.'* (Home Office 1992b: 40).

Subsequent versions of the standards were more onerous and rigid. For example, the 1995 standards stated *'The offender should attend a minimum of 12 appointments – normally weekly – with the supervising officer (or a person operating under his or her direction) in the first three months of the order.'* (Home Office 1995:21).

seemed unwilling to report and only rarely to prosecute for breaches of orders. However, in other aspects of practice, practitioner discretion remained. National standards did not prescribe the length of supervision sessions or tell supervisors what to talk about.

The phrase 'offender management' entered the criminal justice vocabulary with the publication in 2003 of the Correctional Services Review (Carter 2003). This report contended that the separate operation of the prison and probation services meant that insufficient attention was paid to the progress of the offender from the point a sentence was imposed through to its completion. The solution to this problem was argued to be the creation of a new organisation that would have this start-to-finish responsibility. The Government acted swiftly on the recommendations of the review and the National Offender Management Service (NOMS) was created in 2004. The Correctional Services Review uses the phrases supervision and offender management as if they are synonymous. Indeed, the document defines offender management as the supervision of offenders and distinguishes this from what it describes as the provision of punishments and interventions (such things as unpaid work and drug treatment).

The establishment of NOMS was followed by the development of policy and practice guidance setting the structure for offender management. This included the offender management model (OMM) which was published in 2006. The OMM also uses the phrases supervision and offender management, but with some subtle differences in meaning. For example, the OMM defines offender management as the process which ensures that an individual is moved from the start to finish of their contact with NOMS in a way which is coherent, integrated and effective. Offender management is made up of three threads: supervision is one thread, along with management and administration (NOMS 2006). The model defines supervision as *'the sequence of day-to-day, face-to-face tasks and activities which will be required in most cases to secure compliance, generate the motivation to co-operate, and achieve cohesion of the plan'* (2006 s3.21). The OMM explicitly allows for the possibility of two workers having a key relationship with the offender: the offender manager (with overall responsibility for the order) and the offender supervisor (with the day-to-day contact). However, it goes on to argue that, with few exceptions, the same worker should be offender manager and offender supervisor. Dividing the roles is seen as risking duplication, inconsistency and unnecessary expense.

The OMM also introduced a formal system (tiering) intended to prioritise work with offenders assessed as posing the highest risks of reoffending and causing serious harm. The least complex and least risky offenders are allocated to tier 1, where the responsibility of the offender manager is to administer the order, monitor the offender and signpost to resources outside the probation service. Tier 2 cases additionally receive help, in the shape of practical interventions to deal with problems such as employment and accommodation. Tier 3 cases

additionally receive services intended to help them change some aspect of their lives, for example, their use of alcohol or drugs. Finally, tier 4 is reserved for the most challenging and risky cases, where rehabilitative interventions are matched with control and surveillance (NOMS 2006). Contemporary understanding of the concept of supervision is also complicated by the provisions of the Criminal Justice Act 2003, the legislation that introduced the community order. When imposing community orders sentencers select from a range of statutory requirements to create disposals appropriate for the circumstances of defendants and their crimes. One of the twelve possible requirements of the community order is called supervision. In this specific legal use, an offender subject to a supervision requirement must *'attend appointments with the responsible officer'* with the purpose of *'promoting the offender's rehabilitation'* (CJA 2003 s213)¹⁶. The majority of community orders include a supervision requirement, but a significant minority do not. It is possible, for example, to have community orders with requirements, either singly or in combination, to undertake unpaid work or comply with a curfew or an exclusion order. This means that there are some offenders who are supervised by the probation service (in the sense that they must keep in touch with a supervising officer) but who are not subject to supervision (in the sense that their order does not include a supervision requirement). The OMM argued that workers responsible for cases without supervision requirements *'need to be clear which tasks are intrinsic to the role of offender manager and which are not'* (NOMS 2006 s3.24). It did not, though, go on to tell workers which tasks were which.

The close conceptual link between supervision and offender management is also evident in the documents produced by the Coalition Government as part of the TR reforms. For example, the notion of supervision is presented as integral to the definition of offender management.

'Offender Management: An evidence-based case management structure for adult offenders sentenced by the courts providing an end-to-end process of supervision by a named Offender Manager throughout a sentence.' (Ministry of Justice 2012: 34)

As discussed in chapter 2, the increased use of voluntary organisations and private companies in the delivery of probation services is a key theme of the TR proposals. The extent to which the tasks of offender management and supervision could be separated from each other and provided outside the public sector was fiercely debated during the consultation period (HMIP 2012; PA/PCA 2012; 2013). The Government's position was that

¹⁶ The supervision requirement (together with the activity requirement) was abolished by the Offender Rehabilitation Act 2014 Section 15(4). Both requirements were replaced by the new rehabilitation activity requirement.

the two tasks should logically run together but that, in the case of low and medium risk offenders, both could be provided, under contract, by the voluntary or private sectors.

'We also propose to compete supervision alongside offender management. While supervision requirements are classed as interventions to rehabilitate offenders which sentencers may choose to attach to a court order, in practice they can differ very little from offender management. Both are often undertaken by the same professional, helping to build a stronger relationship with the offender and avoiding duplication.'

(Ministry of Justice 2012: 17)

Supervision is, therefore, understood both as the structure through which interventions are delivered but also as a rehabilitative intervention in its own right. In the same way as the policy makers cited above, the practitioners interviewed in this study used the word supervision when talking about both the management of community sentences and their face-to-face interactions with offenders. They too used the word supervision to mean an administrative function and the process of rehabilitation. Despite the philosophical and organisational shifts in probation work over the past century, supervising offenders in the community remains the best short explanation of what the probation service does.

3.2 Quality in Supervision

Having established that supervision is central to probation practice, this chapter considers how the quality of supervision is assessed and the benefits that are argued to follow from adopting best practice. This research provides an opportunity to test the extent to which theoretical notions of good practice are evident in practice.

Shapland et al (2012a) reviewed the literature about quality in probation supervision. In addition to recognising the competing purposes of probation, they acknowledge the multi-faceted nature of the concept of quality. This is important because an instrumental understanding of quality may differ from an understanding based on the fairness of process or the virtues of the supervisor. They counsel against relying solely on official versions of quality that favour 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.' (Shapland et al 2012a:43)

The focus of this study is on the participants in the process and their judgment of the quality of practice, both in individual supervision and in the wider inter-agency context.

Quality in Individual Supervision

The importance of the relationship between supervisor and supervisee is a constant theme in research, appearing in studies conducted at different times and in different jurisdictions. One theme that occurs in many studies is the importance that supervisees attach both to being listened to and, in return, being able to talk freely about their lives and problems (Davies 1979; Bailey and Ward 1992; Ditton and Ford 1994; McCulloch 2005; Mair and Mills 2009; Appleton 2010). Willis (1986), reporting on his study of the probation experience of 30 male supervisees and their supervising officers, expressed surprise at the frequency with which supervisees spoke of the value of being listened to by their supervisor. In the context of the supervisory relationship, the skills of listening and talking go beyond having a chat and being friendly. For example, the supervisees who spoke to Ditton and Ford valued the chance to talk to, confide in and discuss with their supervisors but were much more negative about *'the kind of supervision which consisted mainly of social chit-chat, with nothing really happening'* (1994:35). Bailey and Ward describe the ability to listen as *'one of the technical accomplishments of the Probation Service'* (1992:20).

Ninety-five per cent of supervisees surveyed for the Offender Management Community Cohort Study (OMCCS) agreed that their offender manager listened carefully, with 88 per cent agreeing that their offender manager had a good understanding of their needs (Lord et al 2014). The OMCCS, a longitudinal cohort study of adult offenders who started community orders between October 2009 and December 2010, also suggests that a majority (80 per cent) of supervisees viewed their relationship with their supervisor as good or excellent.

Farrall's research involved interviewing a cohort of 199 probationers and their supervisors on up to three occasions during the life of the orders (in the late 1990s), with further interviews with a sample of the supervisees in 2003/4 and again in 2010/11 (Farrall 2002; Farrall and Calverley 2006; Farrall 2012). One of the aims of the study was to learn more about the impact of probation supervision on the process of desistance. Farrall's initial findings led him to be sceptical about the direct contribution of probation supervision to effective probation practice, arguing that more emphasis should be placed on practical action to tackle the obstacles to staying out of trouble faced by probationers. In a subsequent study (Farrall and Calverley 2006) in which 51 probationers from the original study were interviewed again, there was support for the finding that probation supervision was of limited use in helping people stay out of trouble, alongside some new and emerging evidence for a more positive, but long term, impact on some of the interviewees. This more positive impact was linked to the advising, assisting and befriending aspects of probation and the trust developed by probationers in their supervisors. This finding, that probation supervision could have a long term impact on supervisees, was also evident in the fifth round of interviews (Farrall 2012).

Offenders interviewed about their experience of Integrated Offender Management (IOM)¹⁷ projects also speak positively of the work done by staff on their behalf. IOM service users interviewed by Page and Gelsthorpe spoke of their sense that workers '*were willing to go the extra mile*' (2012:34) and contrasted this positively with previous experiences of supervision in which the relational aspect had been absent. Similarly, service users in London reported positively on the quality of relationships they had developed with IOM workers and looked back on previous unsatisfactory experiences of reporting to probation offices for short and unhelpful appointments (Dawson et al 2011).

The importance of being treated as a person rather than a case emerges in a number of studies. Leibrich (1993) tracked down and then interviewed 48 people in New Zealand who, three years after a sentence of community supervision, had remained free from further convictions. Her interviewees, although generally positive about their supervising officers, tended to view their community sentence as only playing a small part in the process of helping them stay out of trouble. They spoke of the importance of the quality of their relationship with their supervisor, suggesting that their supervisor needed to be someone that they could get on with, who treated them as an individual, was clear about the requirements of the sentence and was prepared to trust them.

A number of supervisees interviewed in these studies spoke about the value of receiving advice and guidance, rather than or as well as direct practical help, from their supervisors (Appleton 2010; Ditton and Ford 1994; McCulloch 2005; Bailey and Ward 1992). The importance of the provision of problem-solving advice emerges particularly clearly in Rex's (1999) study. Rex (1999) also argues that supervisees are most likely to accept such advice, and make efforts to change their behaviour, if they view their supervising officers as experienced, respectful, committed and professional. Similar themes, of the need for supervisors to be professional, firm but fair, plain speaking, emerge in other studies (Appleton 2010; Ditton and Ford 1994). Supervisors who exercise power in an authoritative, fair and respectful way are more likely to be viewed as acting legitimately (Rex 1999; Beetham 1991).

When supervisees are asked about the negative aspects of supervision, in addition to the aimless interaction reported by Ditton and Ford (1994) other themes to emerge include frequent changes of officer, too little contact time, a lack of concern from the supervisor and the sense of being processed rather than engaged (Leibrich 1993; Farrall 2002, Mair and

¹⁷ IOM schemes are locally based projects targeting persistent offenders or offenders assessed as likely to cause serious harm. The schemes involve joint work between criminal justice and other agencies. Probation staff and police officers are usually key IOM staff.

Mills 2009; Appleton 2010). Supervisees are critical of supervision which lacks the element of personal interaction.

Bailey and Ward (1992) suggest that a number of factors contribute to a successful relationship between the probation service and its clients. These include the giving of time and attention, the showing of interest and concern, the need for a sense of purpose and the demonstration of respect and courtesy. They write about the importance of trust, linking this with offender engagement and highlighting the way that trust is not certain to survive the transition to a new supervising officer. These qualities, underpinning a successful relationship between supervisor and supervisee, appear to be resilient despite the shifts in probation policy and practice of the past twenty years.

Quality in Inter-Agency work

The particular focus of this dissertation is supervision in a multi-agency environment. In this context interactions between supervisees and workers are important, but so too are those between workers from different agencies. The supervisors in this study, as well as building a relationship with the supervisee, were also part of a network of inter-agency contacts. Previous research into inter-agency work involving the probation service highlights, alongside strategic issues, the importance of the relational dimension of practice (Liddle and Gelsthorpe 1994; Cross 1997; Rumgay 2003). The evaluations of IOM schemes also provide evidence indicating the need for good quality inter-personal relationships (Nacro 2009; Senior et al 2011).

Inter-agency work is most effective in an atmosphere of '*mutual trust, goodwill and respect*' (Cross 1997:77). Positive working relationships between staff from different agencies allow for a constructive approach to tackling problems, a readiness to make best use of the available resources and timely exchange of information. In the IOM context, good relationships between practitioners are identified as overcoming significant differences in police and probation approaches to persistent offenders (Senior et al 2011).

A number of studies suggest that interactions between staff from different agencies are improved by locating them together. Co-location is seen as a way of building a genuine sense of team and providing an opportunity for informal exchange of news (Nacro 2009). It also accelerates the breakdown of inter-agency suspicion (Senior et al 2011) and increases access, for users, to a range of services (Page and Gelsthorpe 2012). Co-location is not always possible, sometimes because organisations choose not to work together in this way (Murray et al 2012) and sometimes for practical reasons such as lack of suitable space (Dawson et al 2011). It remains, however, a recommended strategy for good quality inter-agency work (Criminal Justice Joint Inspection 2014).

Another theme running through the partnership and inter-agency work literature is about practitioner skill and knowledge. A number of authors observe that inter-agency work is most successful where staff have the necessary skills, commitment and experience (Page and Gelsthorpe 2012; Criminal Justice Joint Inspection 2014). These skills are often developed while doing the job and workers do not receive specific training.

'Yet, despite the necessity of partnership involvement, both as a pragmatic response to statute and as a fundamental necessity for social problem-solving, little attention continues to be paid to equipping professional staff with the knowledge and skills which successful partnership demands.' (Rumgay 2003:209)

Recent work on practitioner perspectives of quality in probation supervision also identifies the importance of good inter-agency relationships. The probation supervisors, from England and Wales, who participated in the study conducted by Robinson et al (2014) argued that good relationships with other professionals were part of the overall network of relationships that were necessary for high quality practice. A similar study, subsequently conducted in Scotland, also highlights the importance of the interactions between practitioners (Grant and McNeill 2014).

Relational aspects of supervision contribute to the quality of practice as perceived by supervisees and supervisors. These dynamics extend beyond the supervisee/supervisor dyad to the wider network of key workers contributing to the delivery of the community order. While the quality of the relationship between supervisor and supervisee is a key issue, these inter-professional relationships merit further investigation. This research explores the perceptions of probation supervisors about the factors that contribute to good quality relationships with key workers from other agencies.

3.3 Who are the Supervisors?

Supervising offenders in the community may be the defining feature of probation work but, as discussed above, not all supervision is undertaken by the probation service. Workers delivering community sentences comprise a diverse group, in terms of skills, experience and qualifications. This diversity is evident in this research. Supervisees were engaged with a wide variety of workers: qualified and unqualified, experienced and novice, paid and unpaid. This chapter explores this variety of staffing and its implications for supervision in an inter-agency context. The extent to which probation supervision in general, and offender management in particular, is a task that requires specific training and experience is a contentious part of the TR reforms discussed further in chapter 9.

Probation Staff

The probation service employs a diverse group of staff. Not all probation supervisors are qualified probation officers (POs), many are probation service officers (PSOs). PSOs are

less senior than POs in the sense that they do not receive the same level of training, are not required to hold a degree level professional qualification and are paid at a lower level (Dominey and Walters 2011). The increase in the size of the PSO workforce has been one of the most significant changes in the shape of the probation service over the past two decades (Oldfield and Grimshaw 2010). The role boundary between the PSO and PO grade has been the subject of debate and controversy, including within the trade union (Napo 2011), with PSOs increasingly undertaking tasks that were once exclusively the responsibility of qualified POs. Controversy about role boundaries and de-professionalisation is not unique to the probation service; similar staffing changes can be seen elsewhere in the criminal justice system and wider public sector (Canton 2011; Annison 2013).

PSOs work as offender managers for all but the most high risk offenders (for example cases monitored by multi-agency public protection arrangements or with ongoing child protection plans), enforce orders and prosecute breaches, provide oral and written information to magistrates and judges, lead accredited offending behaviour programmes, work in specialist roles in drug and alcohol teams and support victims of crime. As a consequence there is almost no practical difference between the offender supervision roles of POs and their PSO colleagues. Both grades of staff are increasingly referred to as offender managers, a term which does not convey any information about the level of training or qualification of the worker.

More than two-thirds of probation supervisors are women (Annison 2013). This represents a decisive shift, a feminisation, for an organisation that was male-dominated until the mid-1990s (Mawby and Worrall 2011). The majority of supervisor/supervisee dyads comprise a female supervisor and a male supervisee, a picture reflected in this study. Mawby and Worrall (2011) argue that, while male and female probation workers do not talk differently about their work, the feminisation of probation culture has subtle consequences for the network of relationships between supervisors, supervisees and workers from other agencies. Good practice guidelines recommend that women supervisees should have the choice of a female supervisor (NOMS 2012b); similar guidance does not exist for work with Black and minority ethnic supervisees. Calverley et al (2006) surveyed Black and Asian offenders on probation, identifying that a significant minority (35%) felt that having a minority ethnic supervisor had been, or would have been, beneficial. However when asked to describe a good supervisor supervisees rarely spoke about ethnicity.

'Interviewees were much more likely to say that a good supervisor was easy to talk to and willing to listen, understanding and sympathetic.' (Calverley et al 2006: 33)

Training Probation Staff

The training of probation officers has been reorganised on a number of occasions since the mid-1990s when the then Conservative Government abolished the requirement for probation

officers to be qualified social workers. The incoming Labour Government established the Diploma in Probation Studies (DipPS), a new degree-level qualification combining academic work with assessed practice, which took its first students in 1998 (Knight 2002). The framework for accrediting practice competence was provided by a National Vocational Qualification (NVQ), managed and assessed in the workplace.

While POs were required to be qualified, either obtaining the DipPS or under the previous arrangements, there was no comparable national requirement for PSOs. Recognising that the training of PSOs was not keeping pace with the complexity of their role, the National Probation Service began to issue instructions about this grade of staff (National Probation Service 2005; 2007). These instructions set out a programme of learning for PSOs but did not require this to be formally assessed. No national qualification for PSOs was developed or approved but some training initiatives leading to externally accredited awards were developed locally in partnership between the probation service and higher education institutions (Dominey and Walters 2011).

The second significant reform of probation training in little more than a decade was implemented in 2010. The new Probation Qualifications Framework (PQF), for the first time, required newly-appointed PSOs to achieve a formal award, a Level 3 vocational qualification¹⁸. The PQF also superseded the DipPS, replacing it with a twin-track approach to qualification as a PO: one route (for qualified PSOs) a 3 year programme of work-based study leading to an honours degree, and a shorter route (for new entrants with a degree in criminology) leading to a graduate diploma. The development of the PQF was motivated by a number of factors, including the contested perception that the DipPS was expensive and inflexible. However, the move to a qualification framework that included PSOs was widely supported (Knight and Stout 2009; Burke 2010).

The curriculum for each successive set of qualifications includes teaching and assessment of inter-personal skills; the vocational qualifications that form part of the PQF and DipPS require students to be observed and assessed in practice. The debate about the adequacy of these qualifications (Treadwell and Mantle 2007; Davies and Durrance 2009; Dominey 2010) focusses on the lack of time allowed for academic study and the extent to which work-based learning leads to a narrow and limited understanding of professional education. The idea that probation supervision requires developing and maintaining good inter-personal skills in the context of working with court-ordered service users was not controversial.

Whatever its merits and shortcomings the PQF will not survive the TR reforms. There are two reasons for this. First, the curriculum for the PQF presumes that students have access

¹⁸ The Level 3 Diploma in Probation Practice is a vocational award sitting on the same rung of the National Qualifications Framework as A levels (Dominey and Walters 2011).

to a wide range of practice including offender management, risk assessment, court work and supervision. The PQF is an employer-led qualification and neither the new NPS nor the CRCs can provide the range of learning opportunities that it requires. The second reason is that CRCs are not contractually required to employ qualified staff in offender manager roles (Ministry of Justice 2013b). CRCs acknowledge the importance of qualified and experienced staff (BeNCH CRC 2015; KSSCRC 2015) but it is not yet clear how they will provide and accredit the necessary training.

As previously indicated, the fieldwork for this research was conducted before the implementation of the TR reforms and so all the offender managers were probation trust employees. Of the probation supervisors interviewed in this study, 11 were POs and 8 PSOs. Sixteen of the supervisees had a PO offender manager and the remaining 22 were supervised by a PSO. All of the supervisees in this study would, under the reformed arrangements, be the responsibility of the CRC and supervised by an offender manager from one of the new market providers.

Staff Working for Other Agencies

All of the supervisees in this study were involved with a paid worker or volunteer from another agency. This group is made up of people with a very wide range of experience and training. It includes those with specific professional qualifications, complementary to those of probation workers, in areas such as mental health, substance use and counselling; it also includes paid staff and volunteers whose suitability for their role comes from their life experience rather than from formal qualification.

There is little evidence, from the perspective of the service user, about the experience of supervision with multi-agency input and the extent to which workers from different occupational cultures make distinctive contributions. Some of the evaluations of IOM schemes do draw on data gathered in interview with supervisees. The offenders interviewed by Page and Gelsthorpe (2012) spoke positively about the staff involved in the scheme. They drew a particular distinction between IOM probation staff and non-IOM probation staff, identifying the former as more helpful than the latter. The offenders interviewed by Dawson et al (2011) also valued the commitment of IOM staff. While many admitted to an initial reluctance to get involved in a police-led scheme, a number explained that, as a result of building relationships, they now had a more positive view of the police. Dawson et al (2011) query whether the police have the necessary skills and experience to undertake offender management, but this query is based on evidence gathered in interview with staff rather than offenders.

Women offenders who attended community women's centres also speak highly of their experience of supervision. Inspectors looking at alternatives to custody for women offenders interviewed around 90 women offenders and found a very high level of satisfaction with these

projects (Criminal Justice Joint Inspection 2011). The supervisees who spoke to the inspectors often described their probation supervisors as judgmental or punitive, while speaking warmly of project staff at the women's centre. Hedderman et al (2011) also spoke with women service users as part of the evaluation of the Together Women project and heard much praise for the projects and their staff.

Similar themes emerge in other studies of voluntary sector involvement in probation work. Vennard and Hedderman (2009) spoke to offenders receiving support with employment issues from a voluntary sector provider. Some of these respondents spoke positively of the relationships they had established with the employment workers, describing a sense of trust that increased engagement and motivation. In some cases, this relationship was compared favourably with less productive interactions with probation officers. Gibbs (1999) also interviewed offenders who assessed their experience with a voluntary sector organisation more positively than their interaction with the probation service.

While findings such as these may reflect poorly on the skills and approach of some probation staff, it may equally be the case that a particular strength of the voluntary sector is its ability to engage with offenders in a way that is not constrained by the demands of sentence management and public protection that shape probation practice. Gibbs (1999) notes the tension for organisations required to move from a collaborative to a more controlling way of working with service users. One possible consequence of the TR reforms is that this distinctive contribution is lost as voluntary sector organisations take on the responsibility for offender management tasks such as enforcement and breach.

This research contributes to the understanding of the role of different agencies within offender management, drawing on the perceptions of supervisees and supervisors. The extent to which the supervisees viewed their relationships with voluntary sector providers as distinctively different from their contact with probation supervisors is explored in chapters 6 and 7. Issues about the skills, experience and training required by offender managers from whatever organisation are considered in chapters 8 and 9.

3.4 The Impact of the Relational Aspects of Probation Practice

Relational aspects of practice emerge as a key issue whenever supervisees or supervisors are invited to talk about their experience of supervision. People on both sides of the supervisory interaction identify a relationship based on trust and respect as an indicator of quality. There is also a growing body of argument and evidence suggesting that relational aspects of practice are important in reducing reoffending (Dowden and Andrews 2004; Porporino 2010), encouraging desistance (Farrall and Calverley 2006; Burnett and McNeill 2005), improving compliance (Ugwudike 2010) and maintaining the legitimacy of community orders (McNeill and Robinson 2013). This research provides an opportunity to examine the contribution made by different agencies to the supervision process including, from the

perspective of the supervisee, the way that desistance, compliance and legitimacy are understood.

Reducing Reoffending and Encouraging Desistance

The resurgence of interest in the idea that some rehabilitative work with offenders is effective began with studies of specific programmes and interventions before moving on to consider the wider context of offender supervision (McNeill et al 2010). One aspect of this wider context is the quality of the relationship between the supervisor and the supervisee.

In their meta-analytic review, Dowden and Andrews (2004) examine the role of core correctional practices in reducing recidivism. Following the work of Andrews and Kiessling (1980) they define core correctional practice as comprising five elements: use of authority, prosocial modelling and reinforcement, problem solving, use of community resources and quality of interpersonal relationships. Andrews and Kiessling define quality of interpersonal relationships like this:

'This set includes practices of the socio-emotional type such as the expression of warmth, concern and active listening or empathy, and the creation of conditions of trust and open communication.' (1980:446)

Dowden and Andrews (2004) conclude that their review provides strong preliminary evidence that the use of core correctional practice results in reduced reoffending.

Trotter (2006) includes the quality of the relationship between worker and client as one of his four principles for work with involuntary clients. He draws on research evidence from work in health and welfare settings, as well as in criminal justice, to support his argument that qualities such as empathy, optimism and humour contribute to effective practice. Empirical evidence of the importance of the relationship between worker and client in successful outcomes is also to be found in areas such as psychotherapy and mental health (Burnett and McNeill 2005).

Raynor et al (2014) investigated the link between the skills of probation supervisors and the reconviction rates of their supervisees. The researchers assessed videotaped interviews, using a checklist designed to measure a number of practitioner skills. These skills were divided into two broad groups: relationship skills and structuring skills. Relationship skills include verbal and non-verbal communication and legitimate use of authority. Structuring skills are ways of working intended to promote a change in attitude or behaviour. The practitioners in the study, probation supervisors from Jersey, scored more highly in the use of relationship skills than structuring skills. The study found that staff who used a wider range of skills supervised offenders who had a significantly lower rate of reconviction.

Researchers who measure reconviction rates and researchers who investigate the process of desistance from crime both argue that the relational aspects of supervision are significant.

McNeill and Weaver, reviewing the desistance literature, identify building positive relationships as a general policy principle.

'Like everyone else, offenders are most influenced to change (and not to change) by those whose advice they respect and whose support they value. Personal and professional relationships are key to change.' (2010:4)

Desistance scholars highlight the importance of understanding desistance in a broad social context. Informal help, support from family and opportunities to take on pro-social tasks and responsibilities are more important than the content of formal programmes (Farrall and Calverley 2006; McNeill 2006; Farrall et al 2010). Probation supervisors have an important role as advocates for the supervisee, making links with other agencies and building social capital (McNeill and Weaver 2010). From a desistance perspective, positive working relationships between supervisee and supervisor, as well as between supervisee and workers from other agencies, are a necessary, but not sufficient, requirement for effective practice. While this study does not measure reoffending, it does offer both supervisee and supervisor perspectives of the quality of their relationships in the context of a multi-agency approach to supervision.

Compliance and Engagement

This research also provides evidence about the way that supervisees choose whether and how to engage with their community orders and the extent to which they differentiate between the demands made by probation supervisors and key workers from other agencies. Findings from previous studies suggest that the quality of supervisory relationships makes a difference to these decisions.

Compliance is a multi-dimensional concept. The framework provided by Bottoms (2001; 2002) identifies four mechanisms underpinning legally compliant behaviour: instrumental/prudential compliance, constraint-based compliance, normative compliance and compliance based on habit or routine. Bottoms argues that all four mechanisms, and the interactions between them, have implications for policy. He stresses the importance of normative ideas given that they frequently operate alongside other mechanisms.

Robinson and McNeill (2010) draw on the work of Bottoms in their contribution to the theoretical understanding of compliance with community sentences. Following Bottoms (2001), they make a distinction between short-term requirement compliance and longer-term legal compliance. Short-term requirement compliance is exhibited by a supervisee who abides by the conditions of the community order. Longer-term legal compliance requires the supervisee to stay out of trouble and abide by the requirements of the criminal law.

Robinson and McNeill (2010) argue that short-term requirement compliance takes two forms: formal compliance, when a supervisee does what is required to avoid breach action, and

substantive compliance, when a supervisee actively participates in the interventions offered as part of the sentence. One implication of this typology in the context of community orders with multiple requirements is that a supervisee can comply in different ways with different elements of the sentence. For example, someone who reports reliably but reluctantly to their probation supervisor, while making constructive use of the time and resources offered by their drugs key worker, is complying formally with one aspect of their order and substantively with the other.

There are a variety of ways in which supervisees can avoid the substantive demands of a community order while escaping enforcement action. Forty two per cent of the young adult supervisees interviewed by Shapland et al (2012b) said that supervision sessions lasted between 5 and 15 minutes. Shapland et al (2012b) suggest that these short appointments can arise when supervisees come to the office (either intentionally or through disorganisation) at a time they are not expected and are seen by a duty officer rather than their supervisor. The aims of supervision can also be undermined if supervisees are not honest about their circumstances. One supervisee interviewed by Mair and Mills (2009) and one supervisee in this study explained that they chose to respond to the demands of supervising staff by telling them what they wanted to hear.

Robinson and McNeill (2010) go further to propose a dynamic model for understanding compliance, stressing the interplay between types of compliance, the mechanisms underpinning the compliance and the approach (the 'motivational posture'¹⁹) of the supervisee. They argue that supervisees shift between types of compliance. Input from the supervisor is one factor that can influence the supervisee from non-compliance through formal and then substantive short-term compliance to longer-term legal compliance. However, there is also the possibility that the practice of the supervisor or the enforcement processes of the probation service can shift the supervisee into less compliant responses. This model of compliance implies that policy and practice should not rely solely on instrumental mechanisms but should also take account of normative mechanisms, including establishing the legitimate authority of the supervisor (Bottoms 2002; Robinson and McNeill 2010).

In her empirical work, Ugwudike (2010; 2011; 2013) explores the ways that practitioners understand enforcement and adopt strategies likely to improve both short and long-term compliance. She gathered data from interviews with probation officers and probationers, supplementing this with data from observations and case records. Ugwudike concludes that

¹⁹ Robinson and McNeill (2010) draw on the work of Valerie Braithwaite. Braithwaite (2003) developed the concept of motivational postures in the context of the attitude and behaviour of tax-payers.

practitioners construct a compliance-oriented approach to enforcement in which the relational dimension is significant. Probation officers seek to encourage both formal and substantive compliance by adopting an approach which takes account of the particular circumstances of each probationer. Such an approach depends on building a relationship that enables effective communication and honest discussion of difficulties. Ugwudike (2013) argues that the increased inter-agency nature of supervision has the potential to weaken and fragment supervisory relationships and hence decrease both formal and substantive compliance. This dissertation draws on the perceptions of both supervisors and supervisees to explore this proposition in detail (see chapter 7).

Drawing on this growing literature and looking ahead to the challenges faced by the CRCs and the new NPS, Robinson (2014) highlights the inevitable tensions inherent in splitting the enforcement process between two different organisations. Anticipating that '*the interface between the NPS and CRCs may prove to be more jagged edged than smooth*' (2014 p274), Robinson suggests that the new probation organisations could learn from inter-agency practice elsewhere, for example making use of compliance panels to bring together workers from different agencies.

This academic and theoretical interest in the dynamic nature of formal and substantive compliance has been reflected in policy developments. The Offender Engagement Programme (OEP) was created by NOMS in 2010 and ran for 3 years (Rex 2012). The focus of the programme was on the effectiveness of one-to-one supervision. Its ambitions were wide and included reducing reoffending, increasing public confidence in community sentences and making most efficient use of resources at a time of public sector spending cuts (Rex and Ellis 2012).

One product of the OEP was the Skills for Effective Engagement, Development and Supervision (SEEDS) framework. SEEDS is a skills-based model providing probation supervisors, and their managers, with a structured approach to effective one-to-one work. The framework combines ideas about desistance-focused practice with elements of a cognitive-behavioural approach to addressing offending behaviour. Relational aspects of practice are crucial to SEEDS, which gives priority to relationship building alongside more specific skills such as motivational interviewing and pro-social modelling (Rex and Hosking 2013). SEEDS was widely adopted by probation trusts and staff across England and Wales were trained in its use. An external evaluation of practitioners' views of the training events and of the model (Sorsby et al 2013) concluded that its focus on the interaction between supervisor and supervisee was welcomed and its content seen as useful. Participants felt that using SEEDS improved the quality of their supervision sessions.

One criticism of SEEDS is that it targets probation supervisors and their managers rather than the wider community sentence regime (Sorsby et al 2013). Keyworkers from other

agencies, reception staff and the physical environment of waiting areas all play a part in shaping the supervisee's engagement with the order. Further evaluation intended to assess whether SEEDS has an impact on reoffending outcomes is underway but its findings are not yet available.

The supervisors who participated in this study were familiar with the renewed focus on the relational aspects of practice and, specifically, many of them had participated in the implementation of SEEDS. The new CRCs are not required to continue with existing practice frameworks (including SEEDS). However, there is now a strong evidence base confirming the importance of relational aspects of practice for encouraging compliance and supporting desistance, something that new providers would be advised to build into their practice approaches.

Maintaining Legitimacy

Another challenge for CRCs will be to create and sustain legitimacy: both internal legitimacy as judged by supervisees and external legitimacy as perceived by sentencers, politicians and the public. Legitimacy is a multi-faceted concept comprising ideas about consent, shared beliefs and legal validity (Beetham 1991; Crawford and Hucklesby 2013). Bottoms and Tankebe (2012) draw attention to the way that legitimacy is constructed as a dialogue between power holders and their audience. They emphasise that legitimacy is conditional, able to ebb and flow depending on the behaviour of the power holder and subsequent public response.

Legitimacy is important because of empirical evidence showing that compliance with legal authorities, including police and prisons, is enhanced when those authorities are viewed as legitimate. The work of Tyler (1990), focussing on citizen contact with the police and the courts, develops the concept of procedural justice: the idea that the quality of interactions between citizens and authority figures, more than the outcomes of those interactions, builds legitimacy and leads to compliance. Tyler (1990) highlights the importance of fairness, politeness, respect and honesty.

Digard (2010) interviewed sex offenders who had been recalled to prison and found lack of procedural justice to be a key theme. Interviewees perceived the recall system to be unfair because, for example, they had been recalled with no legal representation and following administrative rather than judicial judgment. The recall system was seen as lacking transparency as licence conditions were ambiguous and recall decisions seemed unrelated to behaviour linked to criminal activity. Digard (2010) argues that this lack of legitimacy means that prisoners are less likely to comply substantively with future requirements, have irretrievably damaged relationships with probation supervisors and are negative about their prospect of success on re-release from prison.

While acknowledging the importance of procedural justice, Bottoms and Tankebe (2012) argue for a broader approach, taking account of legitimacy as dialogue as well as recognising issues of justice and ethics. Similarly, Liebling's work on the moral performance of prisons both confirms the importance of procedural justice as an element of legitimacy but also highlights the difference between good relationships between staff and prisoners (where interaction is friendly but superficial) and right relationships (where relationships are good and staff power is used fairly and transparently) (Liebling assisted by Arnold 2004; Liebling 2011).

Bottoms and Tankebe (2012) warn researchers to avoid confusing true legitimacy and dull compulsion. They argue that the latter is the compliance of individuals who, from a position of limited power, have no choice but to meet the demands of the power holder. Crewe (2009) developed a typology to illustrate the approaches taken by prisoners to the requirements of the prison regime. His ideal types include pragmatists and stoics, both complying, at least in part, in response to feelings of powerlessness in the face of the power of the institution.

Supervisees on community sentences are, like prisoners, in a position of limited power; pragmatic or stoic compliance is a possibility for them too. Formal compliance with a community sentence cannot be assumed to indicate acceptance of the legitimacy of the supervisor or the supervising organisation. McNeill and Robinson (2013) argue that the legitimacy of community sanctions is best understood as liquid, both in the straightforward sense of being fluid but also in an echo of Bauman (2000a)'s notion of liquid modernity. They draw attention to the way that legitimacy '*changes its forms and shapes as a community sanction is negotiated, constructed, contested and reconstructed by the various actors and audiences involved*' (2013 p117).

Referring back to their dynamic model of compliance, McNeill and Robinson (2013) propose legitimacy, or its absence, as one of the factors influencing shifts between types of compliance. They argue that the relationship between supervisor and supervisee is of crucial importance to establishing and maintaining the internal legitimacy of community sentences. Relationships between prisoners and prison staff are important but, given that community sentences lack the concrete environment and constraints of prison, the relational dimension is the central part of the community sentence regime.

One consequence of 'liquid legitimacy' is that, while it can flow into community sentences, it can also ebb away. McNeill and Robinson (2013) identify that this is possible in a number of ways: where external and internal legitimacy are in tension; where procedural justice, particularly in enforcement proceedings, is lacking and where the supervisory relationship is interrupted or fragmented. Of particular relevance for this research, they identify the possibility that '*problems may also arise in the context of supervisory arrangements that are*

experienced as fragmented or confusing because the different actors involved in different aspects of the administration of a sanction lack a consistent approach' (2013:130).

This research provides an opportunity to learn more about the way that legitimacy is shaped and negotiated in the interaction between supervisees, supervisors and key workers from other agencies. It explores, from the perspective of the supervisee, the balance between instrumental and normative justifications for compliance. It examines the extent to which the demands of supervisors and key workers are deemed legitimate and considers how this legitimacy, when it exists, is located in personal interactions or, more broadly, in the community sentence regime.

3.5 Summary

This chapter has set the scene for the accounts of practice that follow in chapters 5, 6 and 7. Supervision, while at the heart of probation work, is a fluid concept influenced by legal and policy change and dependent on the skills and experience of practitioners. The idea of supervision is distinct from, but intertwined with, the process of offender management. The practice of supervision depends on the quality of the relationship between supervisor and supervisee but also, given the inter-agency nature of much supervision, between supervisors and other workers.

This chapter has focussed on the people involved in the supervision process and the ways that their interactions have the potential to create environments which can support desistance, encourage engagement and build legitimacy. Taken together with chapter 2 with its focus on economic and organisational factors, these two opening chapters have set the framework within which the perceptions of the study participants can be analysed and understood.

4 Methodology

This chapter sets out the approach that was taken to the research and explains the methodological choices. It outlines the practical and ethical issues that were addressed at the start of the project. I also describe what happened in practice and the way that the approach developed in response to obstacles and opportunities. I look back, with the benefit of hindsight and experience, at the strengths of the research and at lessons learned.

4.1 Quality in Qualitative Research

Good quality criminological research is underpinned by a number of factors. It must be: systematic and rigorous, avoiding the trap of anecdotalism; sensitive to its context while having wider resonance; a dialogue between the theoretical and the empirical; and conducted ethically (Mason 1996; Silverman 2001; Bottoms 2008b; Arksey and Knight 1999).

The quality of social science research matters: the more convincing the study, the stronger the case for acting on its findings. The range of approaches to judging quality reflects the diverse philosophical, methodological, political and theoretical orientations of researchers (Lincoln et al 2011; Seale 2004). Mason (1996) explains that researchers have the dual tasks of satisfying themselves and satisfying their audiences that they have produced good quality work. To do this, they should attend to questions of *'reliability and accuracy of method; validity of data; and generalizability of analyses'* (1996:145). Validity in qualitative research is about the truth or credibility of the claims being made in the research while reliability is concerned with consistency and trust in the research process. Generalisability is the extent to which the research findings can justifiably be said to have implications for policy and practice beyond their immediate setting.

Reliability in qualitative research can be judged by the extent to which the researcher has chosen methods appropriate to the research question and applied them accurately, thoroughly and consistently (Mason 1996; Hammersley 1992). The diversity of research orientations leads to a range of opinion about what this requires in practice and, in particular, the extent to which social phenomena can be systematically measured (Silverman 2001). Lewis and Ritchie (2003) highlight the distinction between external and internal reliability: external reliability is concerned with the replication of findings between studies and internal reliability with the extent of agreement between different researchers about the findings that can be drawn from the data in a particular study.

Judging validity is a matter of assessing *'whether you are 'measuring', or explaining, what you claim to be measuring or explaining'* (Mason 1996:146). This involves judging the choice of research methods and the process of data analysis; work to ensure validity takes place at each stage of the research process. The choice of method should have a logical fit with the

nature of the research question; the specific research 'tools' should be capable of gathering the required data. The process of data analysis should lead to an interpretation that is credible and adequately supported by the evidence (Seale 2004; Hammersley 1992). As with reliability, validity is approached in different ways by different researchers. For example, Silverman (2001) argues that there are useful techniques for validating research findings (including analytic induction and the use of appropriate tabulations), while Wolcott (1994) advocates for the importance of accurate recording and writing, candid reporting and obtaining feedback in ensuring validity. Maxwell (1992) proposes five types of validity, ranging from descriptive validity (the extent to which the researcher is factually accurate) to evaluative validity (relevant where the researcher applies a moral framework to the study findings).

If research findings are to have implications for policy and practice beyond their immediate setting then they must, in some way, be generalisable. Maxwell (1992) includes generalisability as one type of validity, explaining that qualitative researchers are required to extend their accounts from the particular interviewee or situation to other people and circumstances. Lewis and Ritchie (2003), acknowledging that the concept of generalisation is understood in different ways by different authors, suggest that it has three linked elements: theoretical, representational and inferential. Theoretical generalisation is about the general application of a study's findings to existing concepts and ideas. Representational generalisation concerns the extent to which a study's findings can be argued to hold not just for the sample but for the wider population. Inferential generalisation is about the transferability of a study's findings to other related contexts. Taking this research as an example, theoretical generalisation is about exploring the implications of the findings for concepts such as compliance and punishment. Representational generalisation raises questions about whether the findings apply to the parent population of supervisors and supervisees in Ashfield and Birchwood, or simply to the 57 people in the sample. Discussing the findings' relevance for the policy and practice of CRCs is a matter of inferential generalisation.

A rigorous and systematic approach to data collection and data analysis strengthens the argument for generalisability (Mason 1996; Silverman 2001). Once again, different researchers approach this challenge in different ways. Hammersley (1992) argues for combining qualitative enquiry with quantitative survey data, while Lewis and Ritchie (2003) stress the contribution that reliability and validity make to generalisability and hence to the quality of the research.

This chapter explains the steps taken at each stage of the research process to ensure the quality of the work.

4.2 The Approach to the Study

The objectives for this research (set out in Chapter 1) were about describing and exploring people's perceptions; as a consequence they are addressed using qualitative methodology. I approached the study from a position of subtle realism, accepting the existence of social phenomena independent of the research process, but deviating from pure realism

'in denying that we have direct access to those phenomena, in accepting that we must always rely on cultural assumptions and in denying that our aim is to reproduce social phenomena in some way that is uniquely appropriate to them.' (Hammersley 1992:52)

Inevitably, this study is shaped by the cultural assumptions that underpinned my choice of topic, the construction of my interview schedules and my expectations of and judgments about the research participants. The research data was produced through interaction with other people, a process of negotiation and mediation.

My background, as a former probation supervisor and a university teacher of trainee probation officers, is of particular relevance to this study. I was an 'outside insider' (Brown 1996), no longer an employee of the probation service but with considerable knowledge and experience gained as a practitioner. Robinson and Svensson (2013: 104) identify that much research into the practice of probation supervision is conducted by outside insiders, something they term 'internal affairs'. This study continues that tradition. My challenge as a reflexive researcher (Mason 1996) was to reflect on the assumptions and judgments that I was making as a consequence of my existing beliefs about the nature of probation supervision and then to consider the impact that they were likely to have on the shape of the study. I did this by reading widely and discussing the research with academic colleagues with complementary areas of expertise. My research objectives were not dictated by the managerial requirements of the probation service, but it is likely that an 'outsider' researcher would have come to the topic of supervision asking different questions.

As is usual in qualitative research, the findings of this study result from an inductive process of looking for patterns, themes and associations in the data. My work was influenced by the adaptive approach outlined by Layder (2013) which argues that ideas emerging from the data should be analysed in the context of existing theoretical ideas and orienting concepts.

From the outset I was aware of the need to treat research participants ethically and the process of gaining permission to undertake fieldwork required satisfying both the Institute of Criminology's Research Ethics Committee and NOMS National Research Committee that the ethical implications of the study had been fully addressed. I obtained permission for fieldwork that would collect data from interviews with supervisors and supervisees and from probation service case records. The key points to consider were informed consent,

anonymity and confidentiality, and the potential for causing harm. I assessed the potential for causing harm to be low because the interview content, dealing with the current experience of supervision rather than personal biographies, seemed unlikely to trigger distress. However, had further support been required for a research participant I would have linked them back to their supervisor or manager.

In order to give informed consent, supervisors and supervisees needed information about the purpose and scope of the study, the way in which data would be stored and used and their right to withdraw from the research. The consent forms used in this study can be found in Appendix 1. I retained a signed copy for each participant and provided them with a copy to take away. A concern for this research was whether potential participants would feel sufficiently confident or powerful to refuse to participate. Supervisees may have wanted to please supervisors and supervisors may have wanted to placate their managers. In these cases, the assurances provided on the consent form that participation was voluntary and (in the case of supervisees) opting out would not have any consequences for the community order, may not have been sufficient to ensure that consent was entirely freely given. However, a number of people (supervisees and supervisors) did decline to participate indicating that interviewees had a choice.

Turning to anonymity and confidentiality, the consent form included undertakings that 'the information that you give to the researcher will be held in confidence' and 'the researcher will not identify anyone in the reports that are written about this research so your views will be anonymous'. Undertakings such as these bring ethical dilemmas. One dilemma is whether all information given to the researcher should be held in confidence, even if it concerns criminal or unprofessional behaviour. The NOMS National Research Committee granted permission for fieldwork on the basis that I must agree to report (to the relevant supervisor) any disclosure of an offence made by a supervisee and I amended my consent form accordingly. This requirement placed a constraint on the research process, but I did not jeopardise the fieldwork by arguing about it. As I wanted to interview supervisees about their experience of supervision, rather than their history of offending, I judged that we were unlikely to find ourselves talking about undetected crimes and this proved to be the case. Similarly, at no point in an interview did a supervisor say something that a manager may have felt had grave implications which should not be held in confidence by a researcher.

Research participants were also given an undertaking of anonymity. This undertaking has been met in a number of ways. Most obviously, no real names are used in any report of the research. Supervisees are given pseudonyms and supervisors are given fictitious initials. At the point of interview, I allocated every participant a number using a system that made it easy to identify whether the interviewee was from Ashfield or Birchwood and whether they were a supervisor or supervisee. My original plan was to use these numbers when writing

about the findings. I was initially reluctant to use pseudonyms on the basis that names are not neutral labels; they imply information about gender, class, age and ethnicity. However writing using numbers led to text which was awkward to read and, importantly, had a de-humanising effect on the people in the study. The pseudonyms for the supervisees in this study are selected on the basis that they felt right as a swap for the real name. This was not the correct course of action for the supervisors as it would have required deciding whether to choose a name that risked breaching anonymity (for example, by identifying ethnicity) or opting for a name that did not reflect important aspects of the individual's identity. As a consequence I made the decision to use fictitious initials.

The anonymity of participants is also protected through the use of fictitious place names. There would have been advantages to using real names for probation trusts and probation offices. There are details in the study which enable readers with knowledge of the probation service to guess the whereabouts of Ashfield and Birchwood. Using real names would make this information straightforwardly available. It would also enable credit to be given to the managers and staff in both areas who were positive about research and supported this fieldwork. I did seek permission to name Ashfield and Birchwood, but the process of achieving this was lost in the Transforming Rehabilitation upheaval and was not complete at the moment that probation trusts were abolished.

4.3 Gaining Access

This was a study of ordinary everyday probation practice and, therefore, could have been conducted anywhere in England or Wales. I made the decision to undertake fieldwork in two sites. Using a single site would have left me with unanswered questions about the extent to which particular patterns of inter-agency work were unique to a specific location. Using more than two sites would have been over ambitious given the time and money available for this research. Ashfield and Birchwood were selected because they provide some contrast; as outlined in more detail in Chapter 1 Ashfield is a town in a small English county and Birchwood is a suburb of a big metropolitan area. However, they have much in common with each other and with other probation offices across south-east England, a factor that provides limited support for the generalisability of the study to other probation settings (Mason 1996).

The offices were also selected for reasons of cost, time and accessibility. Both are located close enough to Cambridge to enable fieldwork to be undertaken as a series of day trips. I was also, drawing on my existing professional networks, able to identify senior staff in both probation trusts who were likely to be constructive gatekeepers (Arksey and Knight 1999) receptive to the research and willing to provide the high level support needed to enable planning and negotiation with local managers and probation supervisors. It was these senior probation managers who identified Ashfield and Birchwood (rather than other locations in their trust areas) as the offices where I could be granted access.

Access having been granted in principle, I then had the task of negotiating the detailed arrangements for fieldwork. I attended team meetings in both Ashfield and Birchwood to talk to probation supervisors about the aims of the research and explain to them why I would be asking to interview particular supervisees. I also wanted to encourage them to participate in the study. These meetings were more straightforward in Ashfield than in Birchwood. In part this was because a number of staff in Ashfield knew me from my work as a probation teacher and wanted to help me in my new venture. Some staff in Birchwood, where I was not previously known, made clear that they were reluctant to support research likely to hasten the privatisation of the probation service and asked me a number of questions about my background, motivation and funding for the study.

In addition to meeting local managers and supervisors, I also developed links with administrative staff in both areas. The help of these staff was crucial to the fieldwork process. It provided me with the information I needed to identify a sample of supervisee interviewees and access their probation records. On the most practical level, it enabled me to get into office buildings, find desks at which to sit and log on to the computer. Local receptionists and administrators played a gatekeeping role that was as important as that of their senior colleagues.

I had my first contacts with senior managers in May 2012. The process of securing formal access (through the NOMS National Research Committee) and informal access (through meetings and conversations with a variety of staff in Ashfield and Birchwood) took a number of months. I finally began fieldwork in November 2012.

4.4 Selecting a Sample

This study uses non-probability, purposive sampling (Silverman 2001; Layder 2013; Ritchie, Lewis and Elam 2003). Supervisees and supervisors were selected for interview on the basis that their circumstances were relevant to the research objectives. My aim was to collect data from 60 interviews: 40 with supervisees and 20 with supervisors. This number was chosen to take account of the heterogeneity of the population while ensuring that the project remained a manageable size (Ritchie, Lewis and Elam 2003).

It is not straightforward to calculate the proportion of probation supervisees who are required to see a worker from a voluntary organisation or private company as a requirement of their community order. All orders with a drug rehabilitation requirement or an alcohol treatment requirement involve multi-agency input. The position with specified activity requirements is more complicated: these requirements can involve input from other agencies (such as ETE specialists) but they are also used for interventions delivered by the probation service. In Birchwood, but not in Ashfield, a private provider delivered the unpaid work requirement. In England and Wales in the final quarter of 2012, the combinations of supervision/specified activity, supervision/drug treatment and supervision/alcohol treatment accounted for just over

15 per cent of new community orders (Ministry of Justice 2013e). However, this is an underestimate of the proportion of supervisees seeing workers from other agencies, as the statistics do not provide the detail of orders with three or more requirements.

Supervisees assessed as tier 2 or tier 3 accounted for 60 per cent of all new community orders in the final quarter of 2012 (Ministry of Justice 2013e).

The criteria for inclusion in the supervisee sample were:

- Subject to a community order,
- Seeing a worker from a voluntary organisation or private company as a requirement of that order (for example mentor, volunteer, substance use worker, women's centre worker, ETE specialist, worker from private company providing unpaid work),
- At least three months into the order (so as to have had some experience of supervision),
- Tier 2 or tier 3 (i.e. excluding those on orders with no rehabilitative element (tier 1) and those assessed as high risk/dangerous with a main focus on public protection (tier 4)).

At the time of fieldwork, the Birchwood probation office had a caseload of around 375 community orders with a supervision requirement. The information analyst provided me with a list of 61 potential interviewees who appeared to meet all my sampling criteria. I worked in a similar way with the information analyst at Ashfield to generate a list of potential supervisees, but I was not systematic about recording specific data about the size and composition of the Ashfield community order caseload. Had I done this it would have been possible to be more confident about the relationship between the research sample and the wider probation caseload.

My decision to include supervisees with a wide variety of inter-agency links yielded mixed benefits. The strength of this approach was that it brought a diversity of experiences and perceptions to the research. For example, I was able to gather data about the extent to which supervisees found contrasting elements of their orders helpful (see chapter 6). However, on reflection, I can see the advantages of a narrower study looking in more depth at a particular group of supervisees. For example, alcohol and drug use were frequently occurring problems for the supervisees in this study and an exclusive focus on this issue may have led to a greater depth of analysis supporting more specific suggestions for policy and practice.

A common drawback of research of this type is that samples are skewed in favour of supervisees who are positive about their contact with the probation service and keen to engage with researchers (Durnescu et al 2013). In order to mitigate this, I set out to be systematic in the selection of interviewees. I did this by obtaining for each probation office a

list of all the orders meeting the above criteria. I then attempted to work chronologically²⁰ through the list until I had secured 20 supervisees in each location who consented to be interviewed.

The requirement for inclusion in the sample of supervisors was experience of working with this group of supervisees. In practice all POs and PSOs who undertook offender management tasks were eligible. Only those in specialist roles, for example writing court reports or running group programmes, were excluded. The sample of supervisors was assembled on the basis of people's willingness to volunteer and, therefore, may not capture the full range of supervisor opinion. There was no stipulation that the supervisors be working with supervisees who were part of the study. However during the data analysis phase I learned that supervisor/supervisee dyads provided the opportunity to explore some questions about the conduct and experience of supervision in more depth. In principle, it would have been good to restrict the supervisor sample to those working with supervisee participants. In practice, given the reluctance of some supervisors to volunteer this would have led to too few interviews.

The adoption of a thoughtful and systematic approach to sampling helped to enhance the validity of the research (Maxwell 1992; Mason 1996; Lewis and Ritchie 2003). The data was gathered from supervisees and supervisors sampled because they had experience relevant to the research objectives and, so far as was possible, included the mix of personal characteristics and approaches to supervision present in Ashfield and Birchwood.

4.5 Interviewing for Research

The semi-structured interview is a much used tool in social science research (King and Wincup 2008; Rapley 2004; Arksey and Knight 1999). It was the obvious choice for meeting the objectives of this study. First, interviews give research participants the opportunity to set out their experiences and perceptions in depth. Semi-structured interviews allow participants to highlight points of particular significance and provide detail and explanation. They enable both interviewer and interviewee to explore the meaning of questions and answers.

Second, using interviews is a practical choice in research where participants may not have strong literacy skills or be confident users of the telephone. Individual interviews are also easier to schedule than group interviews in environments, like probation offices, where potential participants may be unreliable about keeping appointments or have busy work diaries. Research into the practice of supervision has been dominated by the use of the interview (Robinson and Svensson 2013) and there are dimensions of supervision that can fruitfully be explored by other methods, including observation, survey, real-time diaries and

²⁰ I chose to work chronologically rather than (for example) alphabetically or randomly through the list to give priority to supervisees who had been subject to their order for longer.

analysis of workproducts. However, for this study with its focus on the experience of supervision, the semi-structured interview was a valid data gathering tool (Mason 1996).

I gathered supplementary data from informal observations undertaken in probation offices, conversations with keyworkers and information from case records. I used probation case records in three ways: to help schedule interviews by checking when supervisees were due at the office, to obtain demographic data about supervisees and factual information about their court orders and, some months after the completion of fieldwork, to identify whether supervisees had completed their orders and complied with the requirements.

Lewis and Ritchie (2003) offer triangulation of sources as one way of strengthening the credibility of a study's findings. They also suggest methods triangulation as an alternative means of enhancing validity. In this case methods triangulation could have involved the use of tools (that have proven valuable in offender supervision research) like standardised surveys or structured observations (Robinson and Svensson 2013; Raynor et al 2014). Methods triangulation has its critics. Some researchers (Mason 1996; King and Wincup 2008; Silverman 2001) urge caution, arguing that a mixed methods approach should only be selected where it provides a theoretically coherent approach to data collection; it does not provide an immediate solution to the challenge of validity.

In preparation for fieldwork, I drew up interview guides for both supervisors and supervisees. Arksey and Wright explain that *'the interview guide serves as a framework for the main body of a semi-structured interview, and is based on the key questions that the study is addressing'* (1999: 97). The first supervisee interviews provided an opportunity to test and amend the interview guide. The initial guide did not promote a comfortable flow through the interview and contained a question about creating a visual map of the supervision experience which did not make sense to the early interviewees. Both the original and revised interview guides can be seen in Appendix 2. These first supervisee interviews served as a pilot both for the practical aspects of the research and of the interview guide. However the review of the guide did not lead to a significant change of direction and these interviews were included in the data set (Arthur and Nazroo 2003).

Learning from this experience, I sought out opportunities to test and review the guide for supervisor interviews before using it with the research sample. I did this by piloting it with probation practitioners who did not work in Ashfield or Birchwood. The final version of the guide was used for all 19 interviews with supervisors and can be seen in Appendix 3.

King and Wincup describe the qualitative research interview as something that *'may seem deceptively simple but can involve considerable skills'* (2008: 31). I began fieldwork with extensive experience of interviewing gained through probation practice, but as a novice researcher. I learned that the interview skills needed by POs overlap with, but are not

identical to, the interview skills needed to gather good research data. The overlapping skills include the ability to structure an interview, establish rapport, listen carefully, avoid interrupting and be sensitive to expressions of emotion. Both POs and researchers are interviewing with the aim of gathering information and must prompt and probe to achieve this. However the PO is seeking to support the interviewee and reinforce positive attitudes and behaviour; the researcher does not have this responsibility. On occasions I responded as a PO rather than as a researcher, for example replying to an interviewee's comment about reduced drug use with a phrase indicating encouragement and approval rather than with another question seeking elaboration or more detail. While my supportive response may have encouraged the interviewee to say more, I potentially closed down some worthwhile research themes.

One consequence of adopting a flexible interviewing style shaped by the responses of participants (Rapley 2004) was some inconsistency between interviews. I did not discuss every theme with each interviewee. In part this was unavoidable, some interviews were cut short to allow supervisees to go to other appointments, but other inconsistency arose from my lack of experience in managing semi-structured research interviews. Some aspects of the data analysis task would have been more straightforward had I achieved more consistency of data collection.

4.6 The Study in Practice

Having negotiated both formal and informal access, established a sampling system and prepared interview guides, I commenced fieldwork in November 2012. However, I found that I was not able to implement my research plan exactly as I had intended.

I had been provided with lists of supervisees who met the criteria for inclusion in the sample and contacted their supervisors in the hope that the supervisor would talk to the supervisee about the research and help set a date for a research interview. Initially I tried to do this by email or phone, but it proved more effective to approach supervisors directly when I was in their office. This was straightforward to do in the open plan office environment of Ashfield and Alexandra Road Birchwood, but more of a challenge in Railway Street Birchwood where staff worked in small shared offices behind closed doors.

There were many reasons why supervisees on my list were ruled out as research participants: out of contact and in breach; back in prison; moved away; and not, after all, receiving input from other agencies. In other cases, the supervisor did not pass the information about the research to the supervisee. This happened most often because the supervisee arrived at the probation office with a pressing crisis and the supervisor felt it inappropriate to talk about the research. On other occasions, the supervisee failed to keep the appointment at which the worker intended to speak about the research and on other occasions the supervisor simply forgot. The supervisees who did agree to meet me were

often pushed for time, happy to be interviewed but keen to get away to catch buses or attend other meetings.

After the first few interviews and following discussion with academic colleagues and probation service managers, I made the decision to thank supervisees for their time with the gift of a £5 supermarket voucher²¹. This did make it easier to secure interviews. I also found myself able to adopt a less rushed interviewing style as I felt that I was properly acknowledging people's participation. While the practice of paying research participants is contentious (Arksey and Knight 1999), providing tokens of appreciation is less disputed and accepted practice in similar studies (Farrall and Calverley 2006; Appleton 2010). The gift of the tokens can be justified here on the basis that the incentive of a modest sum of money for shopping was a small way of conveying thanks and unlikely to skew the findings of the study²².

In the period from the start of November 2012 to the end of March 2013, I spent a total of 19 days in Ashfield (completing 20 interviews) and 20 days in Birchwood (completing 18 interviews). The attempt to sample supervisees systematically, as opposed to relying on volunteers and recommendations, was partially successful: I succeeded in interviewing some supervisees who would have been over-looked had I been less systematic, but other supervisees remained too hard to reach.

The practical difficulties of securing supervisee interviews are illustrated in this extract from my fieldwork notes (dated 18 March 2013). I had set this as a day to be in Birchwood in the hope of interviewing Kathleen, who had regular fortnightly appointments (at 11am) with her supervisor. I then pencilled in interviews with Dan, Gary and Sally, also in my sample group and also with appointments scheduled for 18 March.

²¹ This was made possible by the provision of £200 from research funds held by my supervisor. I am grateful that this money was made available.

²² I did receive a variety of responses to the offer of the shopping voucher: one supervisee would not take the money until he was sure that it came from the university and not from me personally and another (who was given the voucher by his supervisor) was moved to tears by the idea that his time was being valued. By contrast, two people who declined to participate in the research were unmoved by the offer of the voucher: one said that he was insulted by the suggestion that £5 was enough to persuade him to do something and another explained that the offer of the voucher was pointless given that he was banned from Tesco. Interviewees had a variety of plans for the £5 including: basic food shopping, a present for a family member, alcohol and cigarettes.

An account of a fieldwork day:

Arrived at Alexandra Road office just after 9am. Gary's OM²³ confirms that he is expected in at 4pm. Kathleen's OM not around to speak to. Looked at Delius²⁴. Dan saw his OM on Friday and is not due in today. Looks like a difficult day at Alexandra Road. There is a problem with staffing the Induction Session. Some staff are away and others are doing training. Atmosphere seems a bit strained. I make a couple of enquiries as to whether OMs have anyone suitable for my research coming in – no takers....

Walked across to Railway Street office. Things here seem a bit calmer. Spoke to Sally's OM. She is expecting Sally at 3pm still. I asked other OMs about possible interviewees. One offer – someone suitable but who may come in drunk (Simon). We spoke about how drunk was 'too drunk'.

Walked back to Alexandra Road office. 11am passed with no sign of Kathleen – or her OM. The OM appeared at about 11.30am. He'd been doing training for the new e-OASys. He confirmed that things were not great for Kathleen at the moment – a relapse back to drinking and charged with attempting to smuggle drugs into a prison. I remain a bit confused about whether she has an appointment today – but she doesn't come in.

Walked back to Railway Street. Went to talk to Sally's OM to let her know which office I would be working in. The bad news is that she has just received an email from the drugs agency to say that Sally missed her drugs appointment today. The OM wonders whether this means that she will not come into probation – but will try and get Sally on the phone to find out what is going on. This does not usually work though, she says.

Simon comes in for his 2pm appointment and he is sober enough to engage with. His OM goes to see him and comes back with the apology that, whilst being happy to help with the research, Simon cannot stay today as he has an appointment to go and collect his script²⁵.

Just after 3pm I read the new entry on Delius to say that Gary (due in at 4pm) had had an epileptic fit and would not be keeping his appointment. Try to phone Gary's OM at the Alexandra Road office for confirmation, but am told she has gone out.

By 4.15pm there is no sign of Sally. Go and talk to her OM again. She has no news and will be sending a warning letter.

4.30pm. Depart for home having done no interviews.

²³ OM – offender manager.

²⁴ Delius is the electronic case recording system.

²⁵ Simon was going to collect his medical prescription.

Having achieved 38 supervisee interviews, I moved on to arrange and conduct interviews with supervisors. This work, undertaken between March and May 2013, went more smoothly in Ashfield than in Birchwood. In Ashfield I asked people to participate in the interview, they agreed and we booked a mutually convenient time in our diaries. Only one person refused – a temporary member of staff who was, but only briefly, the offender manager for a supervisee in my sample. All other supervisors of sampled supervisees participated in the research.

The position in Birchwood was rather different. Both managers and practitioners warned me that staff were under pressure and had little time. They were not sure that people could spare an hour to participate in research. My first attempts to book interviews, made by email and assisted by the senior administrator, yielded only a couple of volunteers. I followed this up with more personally addressed emails to those supervisors who had supervised two or more people in my sample group and hence knew something of the research. Again, this produced only a couple of volunteers. I secured the rest of the interviewees by making the journey to Birchwood and approaching people in person. Some did decline, but I was able to persuade others to participate.

In addition to the formal interviews with supervisees and supervisors, spending time in probation offices generated relevant supporting data, captured in fieldwork notes, in two further ways: from talking with staff from the voluntary and private sector organisations featuring in my formal interviews and from gathering information about the political and practical environment in which supervision was taking place.

4.7 Data Analysis and Interpretation

There is no single approach to the analysis of qualitative data, rather there are a variety of approaches responding to differences in the way that data are understood and reflecting the diversity of potential research questions. For example, qualitative data analysis includes traditions such as ethnographic accounts (largely descriptive and interpretive in nature) and content analysis (concerned with identifying themes and quantifying their occurrence) (Silverman 2001; Spencer et al 2003). The process of data analysis adopted in this study draws on the grounded theory approach (Corbin and Strauss 2015). The data are not understood to simply speak for themselves, theoretical concepts are developed from the data in a process of coding, comparing and categorisation. The grounded theory approach requires that the process of analysis begins as soon as the first data are collected, with emerging findings used to refine subsequent rounds of data collection. The process continues until a point of saturation is reached, when newly gathered data contributes nothing additional to the developing theory (Corbin and Strauss 2015; Arksey and Knight 1999). In this research, the process of analysis did proceed in parallel with data collection.

However, it also continued well after the opportunity to undertake fieldwork had ended, limiting the extent to which emerging concepts could be further refined or tested by new data.

The interviews in this study were recorded using a digital voice recorder. I did this so that I could focus on listening to the interviewee, avoid detailed note-taking and create a permanent record of the interaction. I informed research participants about the way the audio file would be used and no one objected to being recorded. There were no problems with the technical aspects of recording. I made the decision to fully transcribe all the recordings and to do this myself. Transcription was a time consuming process, but served as the first stage of data analysis, an opportunity to identify initial ideas emerging from the data and, while I was still undertaking fieldwork, allow these ideas to shape later data collection.

I also made the decision to use the software programme NVivo to aid the data analysis process. I chose NVivo10, rather than alternative programmes, because this was the option available at the Institute of Criminology. There are concerns about computer assisted qualitative analysis, focussing on the risk that software programmes can quickly package and present data giving the illusion of scientific analysis, bypassing the necessary thought and turning research into an industrial process (Spencer et al 2003; Kelle 2004). Proponents of computer assisted analysis argue that, so long as the researcher understands the tool and remains in control of the process, the software makes it possible to work with data in complex ways (Bazeley 2007).

I derived a number of benefits from the use of NVivo. First, I was able to upload all my data, field notes and other project documents. This ensured that they were stored securely and enabled me to annotate them and make links between related items. Second, the audio playback function of NVivo was helpful during the transcribing process. Third, NVivo supports the coding stage of qualitative analysis very well, facilitating layers of coding and re-coding of material in a way that would be hard to achieve on paper. Fourth, in the analysis and interpretation stage, the software enables emerging themes to be viewed and examined in more ways than would be possible if all cross-referencing had to be done by hand. Two specific examples of the advantages that computer assisted analysis brought to this study were the ability to check whether particular groups in the sample (Ashfield/Birchwood, men/women) viewed their supervision differently and the capacity to search quickly for instances of the use of particular words or phrases by interviewees. My familiarity with the interviews and the facility in NVivo to present small chunks of data in the wider context of the source material ensured that I did not become distant from the material that I was analysing.

In line with the adaptive approach (Layder 2013) initial coding began with a number of orienting concepts identified from the existing literature. In this research 'getting help' and 'punishment' are examples of orienting concepts and, at the outset of data analysis, I created

NVivo thematic nodes with these names. I identified other themes (for example 'checking and monitoring', 'working with involuntary clients', 'time' and 'co-location of staff') at an early stage of work with the data and added these as codes.

These early themes were developed into the concepts that shape the three empirical chapters in this dissertation. Chapter 5 has a focus on the interactions between supervisees, supervisors and keyworkers, highlighting both the diversity of inter-agency work and the relatively quickly built and short-lived nature of many supervisory relationships. Chapter 6 develops ideas about the purpose of probation supervision, drawing on themes including punishment, help and offender management. For example, data analysis identified that supervisors and supervisees brought different meanings to the concept of 'getting help' and the chapter shows how the theme of 'getting help' led to the concepts of 'practical help and assistance', 'a helpful environment' and 'support for personal change'. The status of the supervisee as a court-ordered rather than voluntary client was a significant theme in the data and, as a consequence, the focus of chapter 7 is how and why supervisees comply with community orders and the approaches used by supervisors to encourage compliance and engagement.

The process of data analysis therefore incorporated both the idea of orienting concepts identified in the adaptive approach (Layder 2013) and the inductive approach to generating theory described in grounded theory (Bottoms 2008b). Layder (2013) argues that the adaptive approach can be used in support of a range of qualitative methods. This proved to be the case for this study as the existing literature provided a number of significant orienting concepts, while other key ideas developed through analysis of the interview data.

Novice researchers are warned that data analysis takes time (King and Wincup 2008; Arksey and Knight 1999); this was my experience. The process of concept development required several re-readings and re-codings of the data. I kept the systematic records needed to support the claims made in subsequent chapters; for example, that 14 (of 38) supervisees either explicitly rejected the suggestion that supervision was a sort of punishment or did not talk about punishment at all (chapter 6) or that the majority of supervisors (14 of 19) talked about the professional relationship as a practice tool (chapter 7).

In order to test the internal reliability (Lewis and Ritchie 2003; Silverman 2001) of this research, I shared a number of anonymised interviews and my initial coding with a group of colleagues. The outcome of this process was positive in terms of inter-rater reliability, with other researchers identifying similar themes in the data.

As a means of testing the external validity of a study, some researchers support taking the research findings back to the participants for confirmation (Lewis and Ritchie 2003; Corbin and Strauss 2015). However, this approach is not without criticism; participants, even if they

are interested in the research and have the confidence to be critical, do not have a privileged insight into the process of data analysis and the interpretation of the findings (Silverman 2001; Mason 1996). Researchers who share and discuss research findings with participants are likely working in an open and respectful way; they are not guaranteeing the quality of their work.

I had some chance to take my research findings back to supervisors but not to supervisees. In particular I was invited to attend meetings of the management team for the Birchwood area. This group comprised the area's senior manager, the team managers for Birchwood, senior practitioners²⁶ and senior administrators. I met with this group once every six weeks from before I commenced fieldwork to sometime after fieldwork was complete. This proved an effective way of communicating about the practical aspects of fieldwork and also provided a forum where I was able to outline and check early emerging findings. In Ashfield I had informal opportunities to talk to supervisors about the analysis of the interview data. In April 2014 I provided a written report to chief officers in Ashfield and Birchwood as well as to the NOMS National Research Committee²⁷. This short report set out the research aims and approach, the key findings and some initial implications of these findings for practice. The scope for using this report to stimulate further discussion about the findings and their interpretation was curtailed by the abolition of probation trusts at the end of May 2014.

I did not undertake participant validation with supervisees and, consequently, may have missed the chance of strengthening the research findings. On reflection while this may have proved too difficult to do with the supervisees who participated in the study, it may have been possible to spend a short time talking about the research with groups of supervisees assembled for another purpose, for example at the Ashfield JobClub or women's centre.

4.8 Concluding Comments

This chapter has described the way this work was planned and conducted. It explains how the chosen design was suitable for meeting the research objectives, sets out the practical obstacles that were encountered and the steps that were taken to ensure that the study was as robust as possible. Among the methodological strengths of the study are: the systematic approach to sampling supervisees, the choice of semi-structured interviewing as a means of exploring perceptions, the attention given to the process of coding, the opportunity to check early coding with colleague researchers and the care taken to ensure an ethical treatment of participants. The study also has limitations; some of these are a consequence of limited

²⁶ Offender management was one aspect of the senior practitioner role. These staff did supervise offenders and two of them participated in this research.

²⁷ The production of this report was required by the NOMS National Research Committee as a condition of granting access for fieldwork.

resources and others stem from my relative inexperience as a researcher. For example, the selection of the supervisor sample was constrained in part by my availability but also by the ability and willingness of probation staff to give time to participate. Having learned more about the practice of research, I would now approach a study of this sort with more confidence as an interviewer and more knowledge about alternative ways of generating data (for instance, the use of structured observation).

This chapter provides the evidence needed to assess the quality of this piece of work. It shows that attention has been paid to the factors which lead to credible qualitative research and, as a consequence, it is appropriate to argue that the findings have implications for the development of policy and practice.

It is to these findings that I now turn.

5 Understanding Probation Supervision in a Multi-Agency Context

This research explored the supervision of offenders assessed as low or medium risk of causing serious harm and who, as a consequence of their supervision, were involved with the probation service and at least one other organisation. Supervisees in the study were subject to a community order and allocated to tier 2 or tier 3 of the NOMS offender management model (NOMS 2006). They were receiving services or interventions from a wide variety of organisations, including voluntary sector drug and alcohol treatment providers, private sector providers of employment and unpaid work programmes and public sector community mental health teams. The sampling criteria purposely excluded people assessed as being high risk of causing serious harm and those whose most recent conviction was for such a serious offence that a prison sentence (or suspended prison sentence) was deemed necessary. In their research interviews, supervisors were asked to describe and reflect on their work with tier 2 and tier 3 offenders.

This chapter provides a detailed account and analysis of the supervision process as understood by the participants in this research. It has a particular focus on the interactions between groups of people: supervisees, probation supervisors and keyworkers from other agencies. It considers the factors perceived as helping and hindering inter-agency work. The chapter sets the scene for chapter 6 which is about the aims and purposes of community sentences and chapter 7 which is about compliance with community sentences.

Five key themes are discussed in this chapter:

- For low and medium risk supervisees contact with supervising workers is often brief and infrequent
- Inter-agency work takes a number of diverse forms
- Probation supervisors value input from other agencies
- The factors that assist inter-agency work are about both processes and people
- Supervisees tend to perceive the input from different agencies as separate strands rather than as part of an integrated order.

5.1 Contact between Supervisors and Supervisees: Length and Frequency.

At the time that fieldwork was undertaken (November 2012 – May 2013) the probation service was adapting to the change in national standards for supervision introduced in 2011 (Ministry of Justice 2011c). The 2011 standards were significantly different from previous versions of the standards. They were not prescriptive about matters such as frequency of reporting and timescales for undertaking particular pieces of work, leaving more to the discretion and professional judgment of the offender manager. That said, offender managers continued to be subject to local guidance on these matters.

The national standards of 2007 (the final version of the prescriptive standards for the supervision of offenders in the community) set a minimum frequency of reporting for people subject to a community order with a supervision requirement. For tier 2 cases, supervision appointments had to be at least weekly for four weeks, then fortnightly for 12 weeks and then every four weeks. For tier 3 cases, reporting had to be at least weekly for 16 weeks and then every four weeks (Ministry of Justice 2007). This pattern of reporting was evident in this research (see Table 5.1) as it was in the findings of the Offender Management Community Cohort Study (Lord et al 2014).

Table 5.1 Reported Frequency of Reporting to Probation Supervisor

Frequency of reporting	Number of supervisees (n=38)
Weekly (Order has been running for less than 4 months)	3
Weekly (Order has been running for 4 months or longer)	11
Fortnightly or monthly (Order has been running for less than 4 months)	1
Fortnightly or monthly (Order has been running for 4 months or longer)	18
Unclear ²⁸	5

The group of 11 who, despite being well into their community orders, continued to report weekly comprised supervisees in a range of circumstances. For example, Peter's weekly sessions included preparation work for the forthcoming sex offender treatment programme, Bailey was back in contact with probation after a period of non-compliance and Niall's routine involved weekly reporting to both his probation supervisor and his alcohol keyworker.

Sam was the one supervisee who was reporting less frequently than weekly despite being in the first months of his community order. He was in full-time employment, completing unpaid work hours on Saturdays and waiting to start the specialist domestic abuse programme. He viewed his fortnightly appointments with his supervisor as a helpful response to his circumstances. He said *'Because I work it's very hard. I've got to go to a meeting [about the domestic abuse programme] at 7 o'clock next week. I've got to juggle work about'*.

Supervisees shared the expectation that their appointments with probation would become less frequent as the order progressed. Almost everyone who spoke about this viewed it as a good thing, demonstrating that they were doing well. Reducing the frequency of reporting was one reward that supervisors could use to encourage instrumental compliance with

²⁸ These cases are unclear for a number of reasons: the supervisee was not clear in interview about the frequency of reporting (2 cases), the supervisee could not remember when the order was made (1 case), the supervisee was subject to a number of overlapping orders and could not remember when the community order was made (1 case) and the supervisee was not clear about the reporting frequency or date of the making of the order (1 case).

community orders (Bottoms 2002). John and Andrew's comments illustrate this perspective and link a reduction in reporting frequency with making good progress (and, in Andrew's case, to his successful negotiation of the rules).

'The order's pretty straightforward, going in to see your offender manager once a week, then they cut it down to once a fortnight, then once a month when they feel that you need less support.' (John)

'It'll be weekly until I have my review and then it'll probably go fortnightly for another month and then it'll go monthly. If everything's going smooth and I'm not getting it wrong or getting into any further trouble with the law or that kind of thing.... As long as I'm playing the game then they're lenient here. They can give you a little bit more freedom.' (Andrew)

However, Matt, although accepting of the way the system worked, offered a counter opinion. He was four months into his community order and now reporting to his supervisor on a monthly basis. He had weekly appointments with ETE staff at JobClub but explained that he would prefer to see his probation supervisor weekly too.

JD: *'Particularly because?'*

Matt: *'Just someone that understands me more.'*

As well as providing information about the frequency of appointments, supervisees also spoke of the length of time that they spent with their probation supervisors. They gave an impression of sessions rarely lasting more than 30 minutes and, often, rather less time than this. The shortest time mentioned by anyone was two minutes and the longest was 60 minutes. Interviewees offered a number of different explanations for the length of their supervision sessions. For some, the length of the session was a reflection on the competence or commitment of their supervisor. Bailey, who was unhappy with his experience of supervision, speaking of a previous supervisor, said

'Like the first one was useless. I'd come in literally for two minutes. I'd walk in. "How are you?" "I'm good." "Have you been in any trouble?" I'd go "Nah". She'd say "I won't keep you any longer".'

Carl had also experienced a change of supervising officer.

'I used to be in and out really. 15 minutes, 20 minutes, which was nice. The less I said, the better it was. Just in and out. But VM keeps me a good 40 minutes, 45 minutes. Don't mind, conversation innit? Breaks the day up.'

Nick and Clare had contrasting views about the appropriate length of time for a supervision appointment. Nick, who had experience of attending groups at a drug treatment agency,

reported longer than average probation appointments but appeared not to view them as demanding.

JD: *'How long do you tend to spend with AM when you come in?'*

Nick: *'...Not long, anything up to 45 minutes.'*

JD: *'45 minutes would be a longer appointment, would it?'*

Nick: *'Yeah, it would be, yeah. It depends on the client really, what problems they have going on in their life. I haven't really got that much, so, it's not too bad, so... Really the main thing is my housing as I said, so... I'm not usually here too long. Probably at most half an hour, so it's not too bad.'*

This contrasts with Clare's view that, for her, a 30 minute appointment was a long session.

Clare: *'[If] she's here I'll just go and talk to her for 10 minutes after I've been to JobClub and just make sure I'm doing what I'm supposed to be doing.'*

JD: *'So your appointments with GT are usually quite quick?'*

Clare: *'I wouldn't say they were usually quite quick. There have been times when we've sat and talked for half an hour – but she's nice to talk to, good to talk to. I like talking to her so.....'*

The interview guide for supervisors did not ask directly about the length of an average or typical supervision session. Nevertheless supervisors did talk about time and always in the context of it being in short supply. They asserted that with more time they would be able to work in ways that were more creative, more effective and better in line with their managers' expectations. More time would, it was imagined, allow home visits, careful follow-up of missed appointments and thorough inter-agency work. Probation supervisors often welcomed input from other agencies on the basis that this compensated for their lack of time. They explained that, despite the service provided by the other agency, they still wanted to see their supervisees regularly if only briefly. These points, about the way that supervisors understood the purpose of their contact with supervisees, will be explored in more detail in chapter 6.

One supervisor talked explicitly about the length of her appointments. Her words also illustrate the pressure she felt to meet the organisation's expectations in a limited amount of time.

RI: *'So, if they expect you to see an offender for 15 minutes – I very rarely see someone for 15 minutes, very rarely. If you do that, you wouldn't get the work... or the rapport you have with your offender. [.....]'*

JD: *'So something that you aspire to, is to be able to take your time as well? How long would you reckon you did, on average, see people for?'*

RI: *'It varies. It depends what they're on. Maybe half an hour. Maybe half an hour.'*

JD: *'Half an hour would be more typical than 15 minutes?'*

RI: *'Yeah, 20 minutes, 25. 20 minutes is a quick one. 25 minutes..... But, if they are doing things like the one-to-one programme, that could be 45 minutes.'*

This supervisor's account of her practice is in step with the service specification for supervision issued by NOMS in 2011 which is calculated on the basis that supervision appointments with tier 2 offenders will take 20 minutes and with tier 3 offenders 30 minutes (Ministry of Justice 2011d).

This research shows that, for this group of supervisees, probation supervision consisted of relatively short sessions. Frequency of contact between probation supervisor and supervisee varied from weekly in some cases to monthly in others. The research participants' perceptions of the purpose and worth of supervision must, therefore, be understood in the context of the limited and constrained time that they spent together. As Shapland et al (2012b) observe, if sessions are short there is relatively little that supervisors can do to achieve the aims of the order. The evidence discussed in chapter 3 shows that the relationship between supervisor and supervisee matters to the quality of the community order (Dowden and Andrews 2004; Rex 1999; Shapland et al 2012a). However, in practice, for many supervisees, supervisory relationships are quickly constructed, played out in brief interactions and short-lived.

5.2 Inter-agency Work Takes a Number of Diverse Forms

In addition to sessions with their probation supervisor, each supervisee was involved with at least one worker from another organisation. Even in this small study the diversity of inter-agency work was considerable. The research revealed contrasting agencies, with different links to the wider community, making different demands on supervisees.

The Variety of Providers

Supervisees were receiving input from private, voluntary and public sector agencies. Table 5.2 shows this variety of provision. The voluntary sector agencies contributing to the community orders in this study were medium and large organisations able and willing to enter into contracts with probation trusts. The drug and alcohol treatment agencies in Ashfield and Birchwood, although operating with different names and local identities, were both part of a national voluntary organisation growing rapidly through a process of mergers and takeovers (Senior 2011). The voluntary sector organisations in this study are not small community groups, but rather part of the emergent and institutionalised penal voluntary sector (Corcoran 2011).

Table 5.2 Number of Supervisees Linked with Each Type of Agency

Ashfield Type of agency	Number of supervisees (n=20)²⁹
Drug and alcohol treatment (voluntary sector)	9
Education, training and employment (two private sector contracts)	11
Mentoring (voluntary sector)	5
Community mental health (public sector)	1
Women's centre (voluntary sector)	1
Housing advice (voluntary sector)	1

Birchwood Type of agency	Number of supervisees (n=18)
Drug and alcohol treatment (voluntary sector)	14
Education, training and employment (voluntary sector)	3
Community mental health (public sector)	2
Unpaid work (private sector)	9
Housing advice (voluntary sector)	2

Table 5.2 suggests some dissimilarity in the pattern of inter-agency links in Ashfield and Birchwood. In part this reflects the differences in formal contractual arrangements drawn up by the two probation trusts. For example, whereas unpaid work in Birchwood was outsourced to the private sector, in Ashfield it was provided in-house by the probation service and, therefore, was an intra-agency rather than inter-agency task. The probation service in Ashfield was working with a large national voluntary sector organisation to provide a service for women offenders based not at the probation office, but at the Ashfield Women's Centre. There was no equivalent resource for women in Birchwood. However, other differences in Table 5.2 result from the sampling process used in the study. For example, one of the ETE providers in Ashfield ran a weekly JobClub at the probation office. Supervisees attending JobClub were more likely to agree to take part in a research interview than supervisees reporting to their probation supervisor and, hence, they are well represented in this study³⁰. No comparable group ran in Birchwood.

²⁹ Some supervisees were involved with more than one agency.

³⁰ There were a number of reasons for this: supervisees attending JobClub were less likely to be in a rush (having anticipated that they would be in the probation office for most of the morning), supervisees attending JobClub were less likely to be faced with a pressing personal crisis and, as JobClub was a weekly commitment and I arranged a number of visits to Ashfield on JobClub day, I was more likely to have a second opportunity to interview someone who had missed a first opportunity due to some difficulty.

Table 5.2 shows that alcohol and drug problems are significant for many supervisees. Findings from this research (discussed further in chapters 6 and 7) identify these supervisees as a group who, although assessed by probation supervisors as low or medium risk of causing serious harm, were also assessed as being likely to reoffend but potentially motivated to respond to the opportunities offered by a community sentence.

Not only were the interventions in this study provided by different sorts of agencies, some were exclusively available to probation service users whereas others were available to the general public. For example, unpaid work was undertaken solely as a result of a court order; without the court order supervisees in Birchwood would not have had (and could not have had) involvement with the private company delivering this requirement. By contrast, the drug and alcohol treatment providers were contracted to deliver the service required by the probation service, but this was only one part of their wider service to the community.

Another key difference captured in this research, explored in detail in chapter 7 and also identified by Gibbs (1999), is whether supervisees were attending appointments with other agencies through choice or compulsion. Some services, for example the Ashfield mentoring service, were only available on a voluntary basis. By contrast, all but 3 of the 23 supervisees involved with the drug and alcohol treatment agencies were subject to specific community order requirements (ATRs or DRRs). The picture for ETE services was the most complex. Supervisees participated either because they were required to by a condition in their community order or because, at some point during their supervision, they were referred by their probation supervisor. Some interviewees were clear whether their ETE attendance was court ordered; others were not certain about this.

For the majority of supervisees, the making of the court order initiated the contact with the agency. However, this was not so in a small number of cases. For five supervisees (three receiving drug or alcohol treatment and two receiving mental health treatment) their engagement with the agency pre-dated their court appearance and their community orders converted them from a voluntary to an involuntary client (Trotter 2006).

Frequency and Length of Contact with Key Workers from other Agencies

As well as the differences caused by the type of agency, its place in the community and the level of compulsion to attend, the demands on supervisees in terms of frequency of appointments also varied widely. Table 5.3 shows the pattern of appointments with other agencies that supervisees reported alongside their probation supervision. Some of these supervisees were seeing more than one keyworker (for example, Tyler had weekly appointments with both the drug treatment agency and with the ETE provider. He is counted as reporting more than once a week).

Table 5.3 Frequency of Reporting to Keyworkers

Frequency of reporting	Number of supervisees (n=38)
More than once a week	7
Weekly	17
Fortnightly or monthly	6
Less than monthly	1
Requirement complete	6
Unclear	1

Table 5.3 shows considerable variation. Victoria, whose community order had a mental health treatment requirement, was seeing her mental health care coordinator once every four to six weeks. Vince's programme of groups and individual sessions at the drug treatment agency comprised four appointments a week. These differences partly reflect the different working practices of the agencies involved. However, some supervisees also chose to go beyond a basic level of engagement with a service. In Vince's case, the DRR would have been met had he reported twice a week to the treatment agency. It was his decision to take on a more demanding therapeutic programme which led him to attend four times a week.

'When my DRR was in place³¹ I had to do a drug test every week. I used to see a keyworker every week for half an hour and I would have to go to a cocaine group on a Thursday night for an hour. And that's all I had to do. But now, since obviously I started off doing that, but then through being involved with the organisation I've realised the other things that they do, so I've put myself in a life skills group which is 3 days a week and I'm in a men's group as well which is for two hours on a Thursday as well. So I land up being there four days a week as well.'

Similarly, John's requirement to attend ETE sessions had led to regular voluntary work with an organisation providing meals on wheels, first of all assisting the van driver with deliveries and then working in the office learning about book-keeping.

The length of sessions was as variable as the frequency of sessions. Some supervisees spent very little time with the agency providing the additional requirement in their community order. Colin and Bailey had DRRs attached to their community orders and both explained that they spent little or no time at the treatment agency.

'Well, I did have to go once a....I think it was once a week, but I gave that up. I just stopped going because they basically just said to me there's no point if I'm just going to continue on smoking.' (Colin)

³¹ At the time of interview, Vince's DRR had expired. His attendance at the drug treatment agency was now entirely voluntary.

'You're meant to sit down and have a meeting, for two hours or an hour with other people. But I don't. I say to them I'm doing my test and that's it. I've got things to do, I'm going.' (Bailey)

This contrasts with other supervisees whose DRRs or ATRs demanded more of their time. Carl was more than four months through a six month ATR. He was still attending weekly group sessions but explained that he did not enjoy them and did not feel that he gained anything from them. Luke found himself in a similar position. He explained that he found his weekly alcohol group boring because he no longer drank alcohol.

These findings highlight the very different sorts of relationships captured in this research. There is no single model for the interaction between supervisee and keyworker. The judgments and observations made by supervisees need to be understood in this context. The position of someone reluctant to attend an alcohol treatment group contrasts with that of someone for whom the requirement comes as a welcome opportunity for support. Being required to attend appointments that are already part of your established routine is not the same as being ordered to participate in a new activity. These differences shape attitudes to compliance and understandings of the purpose of supervision, themes which will be explored in subsequent chapters.

5.3 Probation Supervisors Value Input From Other Agencies

All the supervisors acknowledged the contribution made by other agencies to the implementation of community sentences. They described signposting and making referrals as essential offender management tasks. Making referrals was the formal process, involving form-filling and inter-agency exchange of information. Signposting was defined as the informal process of giving supervisees information about opportunities and then encouraging them to make links themselves. Table 5.4 shows this positive perception of input from other agencies. It also demonstrates that the work of other agencies was valued both for bringing expertise lacking in the probation service and also for offering additional resources to supervisors.

Table 5.4 Probation Supervisor Perception of Input from Other Agencies³²

Do you see input from other agencies as:	Ashfield (n=9)	Birchwood (n=10)
1. Improving the work of probation by bringing different skills and resources	2	4
2. Supporting the work of probation by providing additional resources	5	3
3. Undermining the work of probation by operating with conflicting processes and values	0	0
4. Having no significant impact on the work of probation	0	0
5. Improving and supporting the work of probation	1	2
6. Improving, supporting and undermining the work of probation (it varies from case to case)	1	0
7. No answer given	0	1

Probation supervisors argued that, while they had a broad general understanding of social problems and needs, they did not have specific expertise or professional qualification in areas such as alcohol, drug and mental health treatment. The skills and knowledge of probation supervisors and keyworkers from other agencies were seen as complementary.

‘...they’ve gone through the training like to assess and work with people who are related to alcohol. We don’t really go through that training much. We touch on it, but are not as qualified in that area as they are [.....] Because we assess the risks, monitor whether the risk increases or decreases which other agencies can’t do, ’cos they’ve not been trained to do it.’ (ER)

‘Well, we all have our different skills. Mental health team – they are able to work with a person to address their mental health, their depression. We work more to ensure the statutory side of their order.’ (RI)

However, not everyone took the division of expertise between the probation service and other agencies for granted. Three supervisors, who were among the longest serving in the study, recalled that in the past the probation service provided a greater range of interventions. KA explained that, compared with the 1990s, probation supervisors now undertook less work in areas such as housing and drugs. GT expressed regret about what she saw as a move away from probation as the whole package.

‘And a lot of probation staff had expertise – so a lot of PSOs came in with expertise in housing, connections in housing, and PSOs used to do a lot of the stuff that [the specialist housing agency] does. We also had expertise with substance misuse –

³² Supervisors were asked ‘do you see input from other agencies as....’ and then given options 1, 2, 3 and 4 as possible responses. Four supervisors gave a combined answer – hence options 5 and 6.

there was [a probation officer who] used to be expert in alcohol. So we did, in the old days, when we had an awful lot more staff. We had, in one office, I think, 25 probation officers and 4 PSOs. That seemed quite a large team. So that is how it used to happen. That's an ideal team.'

Supervisors appreciated the specialist services provided by other agencies. In addition, they also made use of other agencies in cases where, despite having the required skill, they lacked the necessary time. In the examples below, AM is talking about the contribution of a volunteer mentor and TK about an organisation providing housing support and advice.

'I think they can spend more time. I mean – I do spend time with the offenders, but when they need extra support on a one-to-one basis, they are invaluable. Like, for example, if they have to fill in benefit forms which are really longwinded..' (AM)

'They actually have the ability to go out and do the practical things that, again, I think I'd like to do with people but don't have the time. So, you know, things like going to the benefits office with people to help them set up their benefits, going to view houses when they're looking at privately rented, going to [large shopping centre] to help them hand out their CV, things like that.' (TK)

HV explained that specialist input from other agencies supplemented her work and could not replace the continuity of support offered by probation supervision.

'People are seeing lots of different external providers – which are all great and helpful – we need those. [Probation supervision is] still their main source of contact they come to when there is problems or something is going on. I do get people coming in saying "can I have a quick chat? This has happened – that has happened". They tell you of an incident that's happened. You are that point of contact – they couldn't just go to one of the others – there isn't that facility really I don't think.'

Supervisors argued that signposting (as opposed to the more formal referral process) had advantages: supervisees were active participants and did not immediately have to introduce themselves as offenders, supervisors did not have to complete formal paperwork and did not have to monitor the supervisee's contact with the other agency. However, despite their generally positive stance on inter-agency work, the supervisors' comments revealed a nuanced picture in practice. The issues raised included their lack of time to spend with supervisees (as voiced by TK above), the capacity of some supervisees to respond to signposting and the availability and accessibility of community resources.

When asked to explain what she meant by signposting, OG began by outlining her understanding of current probation service policy and then indicated her reservations about this.

'I guess my interpretation of that – it's not for probation...offender managers... nowadays to actually do the work. It's to equip offenders with information so that they can go out and seek self-referrals. To give them some – you know – to promote self-efficacy really. When we can support them, give them the tools – and it's almost like a test – “now you go off and do this”. Which, for some people, that might as well be asking them to go to the moon and back.'

The gratitude of supervisors for the expertise and resources provided by other agencies was tempered by their regret at not being in a position to work more closely with supervisees and their doubt about the capacity of some supervisees to take advantage of signposting.

Supervisors also identified that their capacity to signpost was constrained by the available community resources and, importantly, by the level of awareness within the probation office of those community resources.

Supervisors explained that their knowledge of community resources was patchy. They knew of the organisations working in formal partnership with the probation service but, beyond this, their awareness of community resources depended on a mixture of practice experience and personal interest. FS described how she found out about possible help for someone with a gambling problem.

'I sent an email round “where do we send people with gambling problems?” and then those that had had it before knew and little bits come back. [...] What came back wasn't good enough for me 'cos I needed something a lot more in depth. So then I went out and researched it – and emailed everybody else with what I found.'

Supervisors did not agree about the range and extent of resources available in local communities. The two most pessimistic comments, about cuts in provision and a shortage of projects, both came from workers in Ashfield and were both made in the specific context of work with young offenders. By contrast, two workers in Birchwood believed that there were many community groups and schemes that could be of benefit to supervisees if supervisors were aware of them. PH and TK had worked elsewhere in the probation trust area and could see differences in practice between their previous and current offices. PH, speaking of her experience with her previous team, said

'getting out into the community a little bit more, we found there was a – I can't remember what he set himself up as – but there was a man linked to the local church who had houses for homeless people, for example. And there was no way you would know that, 'cos he's not on the internet, he's not in the phone book. It's only by getting out there and meeting with people in the local community that you would find that information out.'

In her previous office TK had appreciated a link with a community sports project and regretted that her new team did not have this connection.

'The links clearly aren't there, but...I'd like to make the time to make those links but again, it comes down to time, and I don't have the time to be ringing up agencies and seeing what's to offer. Which is a shame.'

Supervisors perceived inter-agency work as one of their key tasks. In keeping with probation service policy, for example as expressed in the offender management model (NOMS 2006), they viewed themselves as brokers of interventions. They agreed that working with other agencies enriched the supervisee's experience of the community order. They did, though, identify some constraints and limits of this approach. They accepted that their knowledge of community resources was partial and they expressed regret that they lacked the time to work more holistically with supervisees. As in previous studies (Robinson et al 2014; Annison et al 2008) supervisors valued their direct work with supervisees and wanted input from other agencies to supplement rather than replace this.

5.4 Inter-agency Work: People and Processes

The interview guide for supervisors did not contain a specific question about the factors that helped and hindered inter-agency communication. However, questions about the process of offender management prompted discussion about how some agencies were easier to work with than others and why this might be. These discussions were shaped by the specific patterns of inter-agency relationships in Ashfield and Birchwood; supervisors were not talking in an abstract way about other agencies but reflecting on specific aspects of their everyday work.

Issues about the quality of inter-agency work also arose in the supervisee interviews. The supervisee interview guide included a prompt to ask whether interviewees thought that workers from different agencies worked together as a team to make the community order run smoothly. This question was not explicitly asked in every interview. For example, it was not asked in a couple of the shorter interviews and in interviews where the supervisee had had a recent change of supervisor. Supervisees, while not able to comment on the mechanism of offender management, were able to reflect on its outcome. They offered perspectives on the extent to which their supervision was perceived as an integrated and coherent experience as well as on the practical advantages of co-location.

Supervisors saw good communication between probation workers and staff from other agencies as important. They wanted to know whether supervisees were attending, the content of the work that was being undertaken, the supervisee's attitude to the work, the keyworker's assessment of the supervisee and the progress that was being made. Supervisors wanted this information whether or not the contact with the keyworker was a

requirement of the community order as it contributed to their plan for the supervisee. Supervisors' reasons for obtaining this information varied, depending on the emphasis that they placed on the managerial, punitive or rehabilitative aspects of the community sentence (themes that will be addressed in more detail in chapter 6).

Twenty six (of the 38) supervisees made points about the communication between workers delivering elements of their community sentences. Fifteen interviewees offered the opinion that the various staff involved with their order worked together as a team. A number of these respondents stressed that they could only speak about what they saw and they did not know about what happened when they were not present. A further respondent said that he did not know whether his probation supervisor was in contact with his keyworker from the drugs and alcohol agency.

The quality of inter-agency work was improved by attention to these points: information exchange, co-location of workers, agency targets and inter-personal relationships.

Information Exchange and Record Keeping

Supervisors compared and contrasted the merits of telephone and email for communication and information exchange. Both were seen as necessary but frustrating as messages were often not answered. A strength of email was that messages could be exchanged between two busy workers without the need for them to be in the office at the same time. Sending an email gave supervisors the confidence that they had conveyed a piece of information but without the guarantee that this had been received or acted upon. Supervisors explained that they did not always have direct phone numbers and email addresses for workers in other agencies and that it made sense for them to obtain these. FS acted as a link person between Ashfield probation and the drug and alcohol treatment service. This organisation was widely seen by probation staff in Ashfield as difficult to work with. Explaining how she hoped to improve matters, FS said

'I want a list of all their keyworkers and their email addresses which will just make life easier if I can drop someone an email and say "this is going on" – just to inform them. Rather than keeping phoning and not getting hold of them 'cos they're seeing someone and it's difficult. I've been asking for about three or four weeks now about that. I will ask them again.'

However, email communication was seen as lacking the depth of information that could be exchanged over the telephone. DP explained this and gave an example of the dissatisfaction with the Ashfield treatment provider.

'I will prefer phoning, because you tend to get more detail then – if I phone. Emailing you tend to get "yes he attended" which I don't find very satisfactory. And it's my gripe with [treatment provider] as they now are that that's all we get from them.'

Probation supervisors were concerned not just about how they exchanged information with workers from other agencies but also about how this was recorded. Most commonly, information from other agencies was received by the probation service and then added to the supervisee's electronic record either by the supervisor or by someone from the probation administrative team. However, in Ashfield, staff working for the ETE provider and, in Birchwood, staff from both the ETE provider and a voluntary housing support provider, had access to probation service computers and could add records directly. Supervisors in both areas approved of this arrangement, seeing it as improving the quality and flow of information. Neither probation trust granted external staff access to their computers without a process of checks and briefings. This concern with data security extends beyond the probation service; a probation officer from Ashfield who spent part of each week based with the local authority children's services team did not have the clearance to access the client database there.

Probation supervisors and staff from other providers raised a number of practical issues about access to and use of information technology. Probation service computers giving access to the offender database had limited access to the internet. Internet access, necessary for tasks such as assisting supervisees search for jobs or accommodation, was provided in Ashfield at standalone computers. In Birchwood, staff working for the voluntary sector ETE provider used laptops with mobile Wi-Fi (via dongles). The voluntary housing support organisation in Birchwood had paid the probation trust to install a private Wi-Fi network for the use of its staff. Staff from these two voluntary organisations in Birchwood also maintained their own client database. They were, therefore, recording events twice.

Sixteen of the 19 probation supervisors across the two sites specifically identified shortcomings in systems for exchanging and recording information as a barrier to inter-agency communication.

'When [worker from voluntary sector organisation] is here, his diary is so full and he forgets to record things. So, if I'm not here and I've left an appointment, I don't know whether the person's been seen and I don't know what's happened.' (GT)

'It's where the processes have fallen down in court, where the alcohol people haven't been made aware of the order or they haven't been made aware that an assessment is required. I can think of one case where a woman was given a court order and it was 5 or 6 weeks before she was allocated. And, in that time, she hadn't actually seen anyone from the alcohol service even though she'd been given an ATR.' (OG)

Co-location of Workers from Different Agencies

Probation supervisors were enthusiastic about the benefits of co-location, and in particular having staff from other agencies based in probation offices. They viewed this as a good

solution to some of the challenges of communication and argued that it brought a number of benefits. Co-location of staff made communication more straightforward. It led to information exchange that was more accurate and more timely. Two supervisors specifically explained that they knew whether a supervisee had attended an appointment with another agency if that appointment took place in the probation office. Co-location of staff resulted in more relaxed communication and led supervisors to exchange information they considered too circumstantial or trivial to record formally. An implication of this, given that supervisees have the right to see their formal record, is that co-location permitted the exchange of information that workers preferred not to share with supervisees.

Supervisors argued that co-location benefitted not just the process of inter-agency work but also its relational aspect.

'I think having people here is a lot easier to have a better relationship with and to have more contact with I suppose. Even if it's not about specific things – even if it's just "they got on well today" – something you wouldn't normally put in an email or put on records if you're just sending them into the office.' (JY)

'If you know you're working co-located with someone how much easier is it to share information or go – over a cup of tea in the kitchen – "I've got this case, do you reckon...?" Sharing of advice like that works so much better.' (JW)

The case for co-location as a means of improving inter-agency communication was slightly more strongly argued in Ashfield than Birchwood. This seemed to be linked to the history of the relationship between the probation team and the drug and alcohol treatment service. In the past a specialist alcohol worker had been based at the probation office and a number of probation staff regretted that this was no longer the case. Supervisors in Ashfield felt the contrast between their distant communication with the drugs and alcohol service and their close link with the ETE worker who was based at the probation office.

A smaller group of supervisors (six of the 19) also identified that co-location of staff brought benefits for supervisees. Two supervisors from Ashfield, where the probation office served a number of small towns and villages, talked of the advantage to supervisees of having a number of appointments on the same day and in the same place. The four supervisors from Birchwood gave examples of the sort of practice made possible by co-location of staff: service users could quickly see someone from another agency and joint meetings were much easier to organise.

Supervisors also argued that co-location of staff helped overcome the barrier to inter-agency work resulting from lack of knowledge about the work of different agencies. Sixteen of the 19 supervisors identified poor understanding of the offender manager role as a difficulty in their work with other agencies. They explained that this lack of understanding sometimes resulted

in a failure (on the keyworker's part) to communicate the accurate information needed to enforce an order. Alternatively, it could lead to frustration from another agency about the supervisor's perceived reluctance to recall a supervisee or return them to court.

BN explained why she thought that co-location of staff helped remove this barrier.

'I don't think that a lot of other agencies really understand what a probation order's all about. We have delivered training to certain agencies on an ad-hoc basis, but – as a general rule – people don't seem to..... Except again for the people who work in-house 'cos they obviously learn very quickly when they're in the culture. We have conversations and explain. You can see a big difference between the agencies that are outside and the agencies that are in-house.'

BN's comment about the specific knowledge and experience needed for inter-agency work and the benefit of training for staff alongside learning in practice, echoes findings from previous research reported in chapter 3 (e.g. Page and Gelsthorpe 2012; Criminal Justice Joint Inspection 2014).

The benefits of co-location also emerged in supervisee interviews. It was a stronger theme in Ashfield than Birchwood. This is partly explained by the fact that many of the interviewees in Ashfield were attending the weekly JobClub. This project was closely linked into the supervision work of offender managers and provides the best example of inter-agency work that was perceived, by supervisees, as integrated. None of the supervisee interviewees in Birchwood was involved in a similar scheme.

One consequence of the location of the Ashfield JobClub in the probation office was frequent contact between supervisee and probation supervisor. If they were in the building, supervisors tended to see supervisees before or after JobClub, even if only informally and for a few minutes. Had the JobClub been held elsewhere, contact between supervisors and supervisees would have been more formal and, for most, less frequent. Jeff explained how his weekly court-ordered JobClub sessions naturally led to weekly meetings with his probation supervisor.

'Because I had 10 days ETE which meant I had to be here weekly anyway for ETE – which is the education and training – then I was seeing her [FS] every week.'

Ashfield supervisees, with one exception, valued having a range of ETE services available in the probation office. Curtis provided the clearest example of the way that, in his view, co-location led to a better quality of service.

'If, say, I had a problem and it was to do with probation and it affected my signing on and that – as it's all in one building I wouldn't have to go running about the town back and forth and back and forth. They could like use the phone or see each other in the

corridors and say "look, this is this, this is this" and get it sorted straight away instead of waiting for emails and God knows what else they do. It's a lot better.'

The solitary alternative argument was made by Steve who would have preferred to meet ETE staff at a JobCentre rather than on probation premises. Elsewhere in his interview, Steve had explained that he felt that the court had dealt harshly with him and that it was *'ridiculous'* that he had received a community sentence. He said that the ETE worker was easy to work with because

'She's nothing to do with probation. She's just a normal outsider.'

The probation office is not the only possible location for co-located services. A small number of supervisees provided examples of integrated work being delivered by agencies other than the probation service. Nick and Emma were glad that recent changes at the Ashfield drug treatment agency meant that prescribing, counselling and groupwork services were all available in the same office. Vince and Trevor were receiving housing support as part of the service available to clients of drug and alcohol treatment providers respectively. From the supervisor perspective, KA spoke of his past experience as a probation officer located in a drug treatment agency and BN of her current experience of working one day a week with the child protection team.

In some parts of England and Wales women's centres provide an example of community orders delivered by an inter-agency team away from probation premises (HMIP 2011). In Ashfield, though, women offenders who attended groups at the Women's Centre also reported to the probation office to see their supervisor. Trish explained that, originally, she had been expecting her supervisor to meet her at the Centre but, as her supervisor had too much work, it was now necessary for Trish to travel into the probation office to see her. As a consequence, while Ashfield (unlike Birchwood) did offer some specific provision for women offenders, this provision fell short of the key precepts for good practice identified by Gelsthorpe et al (2007). Requiring women to report to the probation office as well as to the Women's Centre meant that supervision did not take place in an exclusively women-only environment and reduced the extent to which probation supervisees were integrated into the wider activities of the Centre.

Differing Targets and Priorities

Co-location did not guarantee effective inter-agency work. LB argued that, despite their co-location, the differing targets set for the probation service and the Birchwood ETE provider caused difficulties. She explained that joint work had begun well. However, from her perspective, the ETE staff were then put under pressure to meet targets about moving people into jobs.

LB: *'Because if they are measured in how many people stay in employment as a percentage of the people they start seeing, then they are obviously not going to want to see the ones who doesn't have a chance of success.'*

JD: *'But they might be quite high up your priority list?'*

LB: *'On our priority list they are very high up.'*

Probation supervisors were frustrated when agency keyworkers disagreed about which supervisees to prioritise and they were critical of organisational targets that skewed practice away from the needs of supervisees. Inter-agency work requires negotiation and conflict resolution about aims and priorities (Cross 1997; Rungay 2003). Agencies begin these negotiations with different levels of power and influence, in part as a consequence of financial and contractual agreements. The potential for collaborative inter-agency work is constrained if agency funding depends on meeting specific targets and if agencies are likely to be rivals, rather than partners, for future contracts (Maguire 2012).

Personal Contacts and Relationships

As well as identifying practical and organisational strategies for improving inter-agency communication, supervisors were also keen to stress that a great deal relied on personal contacts and relationships. This finding, of the importance of relationships between professionals for the quality of supervision, parallels that of Robinson et al (2014) and Grant and McNeill (2014).

Meeting people face-to-face was seen as a good way to establish a working relationship, making subsequent phone calls and email exchanges more straightforward. Supervisors spoke positively of the chance to meet workers from other agencies at training events, case conferences and three-way meetings with supervisees. Some supervisors had positive experiences of probation team meetings at which staff from other agencies had come to speak about their services. Contact of this sort happens more naturally in some places than others. TK, from Birchwood, had the experience of working elsewhere in the probation trust area, in an office that was geographically close to key partner agencies.

'...agencies are sometimes easier to work with because everything is in closer proximity so the drugs agencies, housing, social services are all literally two minutes down the road. So just having that proximity, they'll pop into our team meetings here. Social services, they'll come, since I've been here two months, they've come along about three times I think just to build up the communication.'

Many interviewees in Ashfield argued that their practice would be improved if they knew workers from the local drug and alcohol treatment agency better and if they could put faces to the names on reports and emails. Two members of the Ashfield probation team had a specific link role with the treatment agency and did attend meetings there. They were both

interviewed as part of this study and voiced frustration about these meetings. AM argued that the meetings happened too infrequently and were poorly attended by drugs workers. FS's annoyance was that the meetings always started late, but she did believe that seeing the agency keyworkers helped her work. She was not sure that this benefit was felt by her probation colleagues. She advocated further opportunities for staff from different agencies to meet.

'Actually it does make quite a difference to know them. Should have a social event or something – just to get to know each other, know who you're dealing with. Or a bit more people swapping over for the day or shadowing. Just something that brought the actual individuals together a little bit more to build that communication.'

A further point, made by supervisors in both areas, was that whatever the formal systems and opportunities to meet face-to-face, some contacts worked better simply because of the personality and attitude of the worker from the other agency. Personal traits were important. A Birchwood supervisor (rather apologetically as she feared sounding unprofessional) explained how a request that she made to social services for information needed to complete a risk assessment went smoothly when she realised that she was talking to someone she knew socially. Another Birchwood supervisor described two contrasting experiences of inter-agency work with the mental health service; in one case she had regular and helpful contact with the psychologist, in the other communication was much more of a struggle. Similar points were made by supervisors in Ashfield. BN stressed the importance of personal relationship over formal process.

'I think it boils down to just really good individual relationships between practitioners. And being able to pick up a phone and being able to actually talk to each other – and that's how I feel about it. Other people might say different. It doesn't help when there's protocols and things like red tape that people feel that they have to stand by...'

5.5 Separate Strands not Integrated Whole

The supervisees in this study spoke about the various elements of their orders as separate strands. They varied in the degree to which they viewed these strands as well co-ordinated and in the extent to which they were concerned about this.

Tyler explained that his probation supervisor (AM), ETE worker (B) and drugs agency keyworker (C) always met with him separately, but must be in touch with each other as they knew what was going on.

JD: *'So do AM and B and C work well as a team?'*

Tyler: *'Ah, they never really.... They talk to each other I suppose. But they don't ever do work – when I see AM, I don't see her with B or C at the same time – I only see*

them like separately. They do talk about me and all that – and give negative conversations³³ about me, I suppose.'

JD: *'And they know what each other's doing?'*

Tyler: *'Yeah, yeah – they always notify each other what they're doing and things like that.'*

Vince's comment also illustrates that supervisees felt the impact of inter-agency work without being aware of its process.

'I don't really know what happens behind the scenes. I don't know who talks to who. But everyone seems to know like. [Drugs agency] seem to know what happens at probation. Probation seem to know what happens at [drugs agency]. She [probation supervisor] obviously has contact with them.'

Only five people felt that they had been on the receiving end of muddled or poorly co-ordinated services. Curtis and Andrew spoke of problems of duplication and conflicting advice resulting from talking to different people about the same problem. Howard, Terry and Jason had examples of poor communication with the private contractor responsible for the unpaid work (community payback) element of their community order.

JD: *'It sounds as though people have communicated with each other about what's going on?'*

Terry: *'No, no – it's quite hard actually, communication. Because there was – for a start, TK told me that I've still got a couple of hours left – and I've done all the hours. Obviously it's all signed off and that. That's not down to me. That's an admin thing between TK and community payback.'*

Another five supervisee interviewees, despite all being subject to community orders with drug or alcohol treatment conditions, viewed their involvement with the treatment provider as separate from their probation supervision. Emma and Sarah felt negatively affected by poor inter-agency communication between probation and the treatment provider. Both women voiced the frustration with the treatment provider that had been evident in the Ashfield supervisor interviews.

'I don't think they are as attached as they should be. 'Cos all my test results for the last.....since the first week of January.....have not received to AM yet. So she keeps asking me every week how I'm doing. But, yeah, I have asked her to give the test results. And also with social services. They haven't received the test results. I asked [drugs keyworker] to send them on. It would be nice to send them on, 'cos it's

³³ By 'negative conversations' I understand him to mean exchanges of information between workers that confirm the absence of positive drugs tests or further arrests.

just my word. It would be nice if AM could have the actual results in front of her to see herself.’ (Emma)

‘To me, I think it’s quite separate really, you know. Because AM always asks me “how is your drug use?” and you know “what is your drug use? Have you used?” But my keyworker, she should be letting AM know how my drug use is and have I used and anything that goes on. But that seems to be one thing and this seems another – rather than together.’ (Sarah)

Sue and Nick, also involved with this treatment agency, described their substance use treatment as quite separate from their probation supervision. However, neither of them took a negative view of this. Nick argued that the drugs agency and the probation service had complementary responsibilities, but having a probation supervisor and a drugs keyworker meant that he could bring problems to whichever worker he felt that he had the better relationship with.

In Birchwood, Jack’s community order included supervision, unpaid work and alcohol treatment requirements. He clearly perceived each of these as separate experiences.

‘It’s three different places, innit? Community service are nothing to do with probation now, probation is nothing to do with [alcohol treatment provider], three different things. You ain’t got – I don’t even know who you’d phone if you were to miss community service. I wouldn’t know who to phone.’

Despite viewing the strands of their orders as separate, supervisees valued the practical advantages that came with joint planning between supervisors and keyworkers. They identified many benefits of having all their community order appointments on the same day, for example: minimising time away from paid work, reducing the cost of travel to appointments and having a fixed weekly routine.

The cost of attending appointments, both in terms of time and money, was mentioned by just over half of the supervisee interviewees. It was an issue in both Ashfield and Birchwood. Some supervisees with jobs were taking time off work to comply with their orders; they felt the loss of earnings and were keen to schedule their appointments as efficiently as possible. For example, Terry arranged his appointments with his probation supervisor at the end of his day of unpaid work so that he only need be away from his business once a week.

For other supervisees anything that reduced their weekly spending on transport to appointments was very welcome and, therefore, being able to have two meetings in the same place or on the same day was popular. Some interviewees with past experience of probation supervision noted with regret that the probation service no longer offered the same level of financial help with the cost of reporting as in the past. Other supervisees suggested

that help with the cost of travel would be the best way of improving their experience of their community order.

Nick lived in the town of X and was travelling to appointments in Y with the drugs agency and Ashfield with probation.

JD: 'And if I was to ask you whether there was anything you would do to improve this order....'

Nick: 'Help with travel really. They used to help with travel for clients that had to attend here, but – as you're aware – it's not that cheap public transport now. People that are on benefits don't get much money at all and that's fortnightly [.....] I don't just have probation appointments, I have appointments to go to Y to see a doctor for prescribing. Then I have.....they don't do the prescribing in X so you have to travel to Y. From X to Y is just under £8 return for the train. Ashfield is just under £4. Nowadays that's a lot of money, especially for people that are on benefits. It is hard getting to probation appointments, so I think anyone you ask that question to would probably say exactly the same thing – help with travel.'

Howard gave a similar example, explaining that the worst bit of his order was finding the money to travel to appointments.

'Funding for trains/buses to wherever they send you. They keep sending me all the way to [place], so that costs a lot of money. It's two buses or an expensive train ride, so it is quite expensive to get to these places.'

Other supervisees appreciated the time-saving convenience of co-ordinated appointments even if this did not also bring them a financial benefit. Patrick had a disability and travelled free on the buses. He had appointments at the probation office in Birchwood and the alcohol treatment agency in T. He was trying to arrange for both appointments to fall on the same day.

'I'm going to sort out about that. So I don't have to do everything in two different days. I might as well put it on one day so it's come to Birchwood, go to T and then go home. That's easy, innit?'

His perspective was different from that of Emma in Ashfield. Her children were in care and she wanted to make sure that her community order appointments did not prevent her from attending meetings with social workers and visiting her children. She also voiced concern about the cost of meeting her obligations.

"Cos I've got other things at the moment, I have to get on the train a few times a week, three or four days out of a week, so it's quite difficult. Even though I've put this

on a day when I don't have anything, it's still quite a lot of money to get from Y to Ashfield.'

Concerns about the cost, in both time and money, of attending appointments were prominent for supervisees. This issue was rarely acknowledged by supervisors. HV was unusual in this respect when, in explaining that women offenders in Ashfield were positive about their experiences at the Women's Centre, she said

'It just seems to be working. Whether that's because it's away from probation as well – it's a nice environment. The only negative thing is because it's a place in Ashfield which is a bus ride away from here. Coming from [places other than Ashfield] – it's a train ride and then a bus ride – or a really long drive. But they are all turning up, so that shows something in itself. Because that could be their first reason "I can't get there, I can't afford to get there" whatever. But they are getting there, so that shows good motivation.'

Supervisees perceived the financial expense and constraints on time associated with the community order as punitive, a point that will be discussed in more detail in chapter 6. They were, therefore, pleased when supervisors arranged for different elements of their order to take place on the same day or in the same place. Supervisors explained that delivering the order in this way made it easier for the supervisee to comply; they did not argue that it reduced the punitive weight of the sentence.

5.6 Concluding Discussion

This chapter has described the practical routine, as experienced by both supervisees and supervisors, of community orders which include interventions from keyworkers from other agencies. It has identified issues which are of conceptual interest and have implications for the development of practice following the Transforming Rehabilitation reforms.

The supervisees in this study (allocated to tier 2 and tier 3 of the NOMS offender management model (NOMS 2006)) had, in general, relatively short sessions with their supervisor and, after the first four months of the order, were usually reporting to the probation office no more than fortnightly. A number of supervisees in this study had more than one supervisor during their first year of supervision. The importance of the relational aspects of supervision for improving compliance, encouraging engagement and supporting desistance (Ugwudike 2010; Rex 1999; McNeill 2006) is explored in more detail in subsequent chapters. The findings from this chapter provide the context for this discussion demonstrating that, for this group of supervisees, the supervisory relationship was quickly built and did not last for more than a few months.

This small study, drawing on examples from two probation areas, revealed great variety in inter-agency work. The spectrum extended from organisations working so closely with the

probation service that supervisors and supervisees almost thought of them as part of the probation service to organisations that provided services entirely on their own terms. This variety of provision led to very different experiences for supervisees. Some supervisees had their most significant interaction with their probation supervisor. Others had more important and longstanding relationships with drugs keyworkers or community psychiatric nurses. As a consequence, when supervisees talked about their experience of probation supervision in a multi-agency context they were not talking about the same thing.

Whatever their experience of inter-agency work supervisees tended to perceive their community orders as comprising separate strands. This did not inevitably lead to a sense of the order as fragmented or incoherent (factors which have been identified as contributing to negative outcomes (Corston 2007; NOMS 2006; Ugwudike 2013)) particularly if supervisors knew what was happening in all elements of the order and planned interventions in ways which minimised the practical demands on supervisees. This aspect of the supervisor's role (holding together the separate strands of the order) is explored in more detail in chapter 6. Co-location of workers, not necessarily at the probation office, was mostly welcomed by supervisees; it was seen as increasing the chance that staff were working together and, crucially, as lessening the burden, in both time and money, of complying with the order. This concern, about the cost of complying with a community order, was prominent for supervisees but rarely mentioned by supervisors.

The supervisors in this study valued the work done by other agencies, particularly when it brought specialist expertise or compensated for the lack of time that they could spend with the supervisee. They felt that they lacked knowledge about the resources and opportunities available in their local communities and were concerned that some options were being lost as a consequence of spending cuts. They viewed inter-agency work as most successful when effective systems were in place for communication and information exchange. Co-location with keyworkers from other agencies, while not a panacea, was identified as bringing a number of benefits. Co-location did not eradicate tensions caused by differing priorities and targets, but supervisors in this study supported the argument that it broke down differences in organisational culture and increased mutual understanding about roles and responsibilities (Senior et al 2011). Supervisors also stressed that the relational dimension of inter-agency work was important because positive relationships between workers helped navigation in places where agency policies and targets were at odds. The finding that worker characteristics (such as reliability and flexibility) matter in practice has parallels in research into other aspects of probation work (Dowden and Andrews 2004; McNeill and Weaver 2010).

The issues identified in this chapter have a number of implications for the development of practice following the TR reforms. The replacement of probation trusts with the NPS and

CRCs re-shapes the pattern of inter-agency relationships. CRC supervisors negotiate on behalf of supervisees as employees of new unfamiliar commercial organisations rather than as representatives of a well-established well-known public sector agency (Robinson et al 2015). The division of supervision and sentence management responsibilities between the NPS and CRCs opens a new front of inter-agency negotiation. Over time CRCs will adopt new approaches to the community supervision of low and medium risk offenders. If CRC supervisors find themselves with larger caseloads than their probation trust predecessors then they will have less time for relational aspects of the practice. These shifts of power between CRCs, the NPS and other providers of probation services, are explored further in chapter 8 and the findings from this chapter contribute to the recommendations for policy and practice in chapter 9.

This chapter has presented a picture of the practical routine of supervision in the context of the increased use of voluntary sector organisations and private companies in the delivery of probation work. It has set the scene for the accounts that supervisors give about what they are trying to achieve and that supervisees give about why they engage. It is to these themes, of purpose and compliance, that we turn in the following chapters.

6 The Purpose of the Community Order

One of the questions that this research seeks to answer is how supervisees understand the purpose of their community order and, in particular, whether they view their involvement with the probation service in a different way from their involvement with other agencies contributing to their supervision. The research contrasts this with the way that probation supervisors understand the purpose of their work in a multi-agency environment.

Community penalties are malleable concepts, responsive to shifts in the overarching debate about the purposes of punishment (Raynor and Vanstone 2002). While traditionally understood as a rehabilitative endeavour, the use of community penalties has also been argued on retributive, reintegrative, risk management and communicative grounds (Canton 2011; Raynor 2012; Rex 2004). Community penalties can be re-shaped and re-packaged to take account of the prevailing political climate, a feature that has enabled their survival in changing times while leaving them vulnerable to criticism on grounds of loss of principle (Garland 1997; Mantle and Moore 2004).

This chapter looks in detail at this question of purpose, exploring how it is answered by both supervisors and supervisees. The initial framework for this discussion is provided by Robinson et al (2013) who suggest four characteristics of community orders: managerial, punitive, rehabilitative and reparative. Findings from this research, with its focus on relatively lightly convicted low and medium risk offenders, show aspects of the first three of these characteristics in practice. The picture that emerges is of a community sentence regime that, while generally viewed as supportive and helpful, has a focus on keeping a check on offenders and managing the order in accordance with the requirements set down by the court. It is argued, by supervisors, that these checking and managing functions are distinctive attributes of probation practice.

6.1 The Managerial Community Order

Robinson et al (2013) describe the managerial approach to community orders as having been dominant in recent years. They identify, across Europe and North America, a number of developments that are emblematic of this approach, including the systemisation of criminal justice, the rise of partnership working and the discourse of offender management. As discussed in chapter 3, in England and Wales the NOMS offender management model (NOMS 2006) is a concrete example of this approach in action (Raynor 2012).

Organisational and policy change shapes and constrains the behaviour of supervisors but also leaves them with room to resist change and retain elements of the existing practice culture (Deering 2010; Mawby and Worrall 2011).

In this research, managerial concepts and perspectives were dominant, both in the accounts given by supervisors but also in the way that many supervisees talked about their orders. All

the supervisors described at least part of their work in managerial terms. Of the 38 supervisee interviewees, 24 used managerial terms or ideas at some point when talking about the purpose of their community orders.

This dissertation suggests that, in practice, there are a number of elements associated with a managerial approach to a community order. These are: supervisor responsibility for leading and co-ordinating the order, the checking and monitoring role of the supervisor and the tasks of risk assessment and risk management.

Probation Supervisors are the Lead Worker

One of the core features of the NOMS offender management model is the concept of one offender: one manager. The offender manager is variously described, in policy documents, as the accountable officer, the planner and plan owner, the director and the enforcer (NOMS 2006). The supervisors in this study certainly perceived themselves in this way, arguing that they were central to the supervision process and responsible for the contribution made by keyworkers from other agencies. They saw themselves as managing offenders and managing the contribution of workers from other agencies.

Almost without exception, supervisors used the language of accountability, ownership and control.

'The offender manager is the sole owner of the case.' (AM)

'..we're there holding it all together.' (DP)

'But the whole time I'd be that centre point of control.' (JW)

'I suppose you are the central hub.' (KA)

Statements about the lead role of the supervisor, such as the ones above, emerged in a variety of different ways during the interviews. Some were made in direct response to a question about the extent to which probation staff brought distinctive or specific skills to work with offenders in the community. However, similar statements were made by supervisors in the course of describing practice examples or when talking about their approach to joint work with other agencies. Only two supervisors did not explicitly explain their work in a way which suggested that they saw their role as central, with the ultimate responsibility and holding everything together.

Supervisors were much more likely to describe themselves as central to the supervision process than to set the supervisee in this position. Two supervisors, one more ambivalent than the other, did allow for a more central role for the supervisee.

'We have to look at the whole picture – what's going around. We put the individual in the middle.' (CO)

'It's about who runs this order. Ultimately, who is the gateway, the driver? The client is the driver, but who is the person that is...directing the requirements or the order?'
(KA).

KA went on to give a couple of examples of the way that he worked as the offender manager in cases involving inter-agency work before returning to his driving analogy.

'However, I am still the driver behind the client.'

Supervisors were asked a direct question about the way that inter-agency work affected the offender management task. Table 6.1 shows their responses.

Table 6.1 Supervisor Perception of the Impact of Inter-agency Work on Offender Management

If an offender is working with someone from another agency, this changes the things I have to do as an offender manager	Ashfield (n=9)	Birchwood (n=10)
In a significant way	4	2
In a small way	4	5
It rarely changes the way I work	1	1
It never changes the way I work	0	1
No answer given	0	1

Despite the range of answers to this question, the explanations that supervisors gave for their ratings shared a common theme. Supervisors agreed that working with other agencies added to the list of offender management tasks but did not remove any. There was less agreement among supervisors about the impact of these additional tasks on their workload.

'I'm still going to be working with my offender in the same way. However, I'm going to be taking on board the views and input that this other agency or worker is having with them.' (JW)

'We still have to do what we have to do.' (SJ)

AM, who answered that inter-agency work changed the things that she had to do as an offender manager in a significant way, was in a minority of one when she explained that this brokerage role reduced her workload.

'Yes, that would lessen the burden of spending time with them.'

Supervisors described their lead role in the offender management process in a way that is consistent with probation service policy (NOMS 2006). They also stressed the significance of their link with the sentencing court and the importance of their knowledge about the legal framework for community sentences. HV outlined this feeling of responsibility for the

administration of the order. Some of the 'extra appointments' to which she refers are formal requirements of the community sentence.

'I feel like I'm in charge of that person and everyone else is just extra appointments. I'm the main thing that they're reporting to. At the end of the day, I'm responsible, so if they are breached, if they haven't attended other appointments I'm the one who has to write it. So I need to be responsible so I know what I'm writing and be convinced with what I'm writing about.'

MC argued that being part of the criminal justice system gave the probation service its special status among the agencies contributing to the community sentence.

'I think because we are the criminal justice agency we are the lead partner in that partnership. Because we are, as the probation officer – I don't really like the term offender manager and I think we're going more back towards probation officers – as a probation officer, I'm in charge of that order. So if something goes wrong it's down to me, so I'm the lead partner in that relationship. And sometimes I do need to make that clear when I'm working with the other agency.'

Supervisors viewed themselves as necessarily the lead worker for community orders as a result of a combination of their relationship with the sentencing court and their knowledge about the delivery of court orders. This distinctive combination, of status and expertise, set the work of probation supervisors apart from that of keyworkers from other agencies.

This sense, of the distinctive contribution of supervisors to the process of offender management, was shared by many supervisees. They saw their supervisor in a central role controlling access to other resources and acknowledged the particular responsibility of their supervisor for the administration of the court order.

Alex spoke about the brokerage role played by her supervisor.

JD: *'And who's been the most important person of all the people that you've seen do you think?'*

Alex: *'FS. Yeah 'cos she's....she's helped me get everything else. Like through her to speak to the other people about all the different courses and other things for me to do. So yeah, if it wasn't for FS I wouldn't have got any of these and all the help that I've had coming here.'*

Howard made a similar point.

'When I started probation I did ask TK to put in a referral for it³⁴, 'cos you can go through probation to get to these services.'

³⁴ Howard had asked his supervisor to refer him to the community alcohol team.

Supervisors were also perceived as having particular power to enforce orders, including those elements delivered by other providers. Jude explained that his keyworker at the alcohol treatment agency was good because he listened and offered useful advice.

JD: *'Is he like a probation officer?'*

Jude: *'No, he ain't like a probation officer.'*

JD: *'What's the difference?'*

Jude: *'The difference is that my probation officer can send me to jail – and he can't. That's the difference.'*

In summary, probation supervisors perceived themselves as having a central role in the processing of community sentences, a perception which was not contested by supervisees. Supervisors felt accountable to the court for the administration of the sentence, including the contribution made by keyworkers from other agencies, and they controlled the access that supervisees had to other services. This is a managerial vision of probation work, with a strong focus on systems and processes. However, the influence of managerialism was also evident in accounts of the content of practice.

Checking and Monitoring: the Practice of Routine Reporting

The concepts of checking and monitoring emerged strongly in this research, from both supervisors and supervisees. Both words were used in a similar way, to indicate how the supervisor kept up-to-date about the supervisee's circumstances. This was usually achieved in face-to-face sessions and involved the supervisor asking the supervisee for information. Checking was often a passive activity, although it could lead to action if the supervisee asked for help or the supervisor was concerned by a change in circumstances.

For supervisors, checking and monitoring was a central part of the role. For example, when asked to describe her key tasks, FS said:

'I suppose there's the monitoring side – obviously making sure they attend appointments, taking them back to court or recalling them – there is the official side of what we do.'

A colleague answered the same question in a similar way:

'Monitoring their behaviour – we get arrest sheets every day, so seeing if they are on there. Monitoring their circumstances – if there are any changes like they're suddenly been made homeless or things like that.' (CO)

In Birchwood, SJ identified risk assessment as her first task, continuing *'And then I would say that, after that, we have to monitor the orders of the court, make sure they are adhering to them.'*

However, in addition to checking the circumstances of the supervisee, supervisors also felt responsible for checking the interaction between the supervisee and other agencies contributing to the delivery of the community order. Supervisors were not simply monitoring the service user, they were also monitoring the work of other providers.

Speaking about supervision in a multi-agency environment, DP described her role as

'To liaise with the partnership agency, to find out what's going on, attendance, what's taking place in sessions with them and basically keeping up-to-date with what their input is with the person I'm supervising. Not always easy.'

LB painted a similar picture of monitoring the work of other providers.

'To have regular contact and to discuss the progress being made, whether what was initially set out for them to, whether that's been achieved and how they are progressing, any problems that they might have and basically liaising – a word they³⁵ love to use and not thinking exactly what it means. Basically keeping in contact, talking and sorting out any problems there might be. Keeping track of progress.'

The majority of supervisees (30 of 38) also used the language of checking and monitoring when explaining their understanding of the supervision process. Of these, 13 talked of checking and monitoring in a descriptive and neutral way. For example, while Mo sounded a little weary about his community order, he was not complaining about his experience of supervision.

JD: *'So the sort of thing that VM normally talks to you about is?'*

Mo: *'Basically how I'm doing. How I'm getting on. What's going to be my next step. Same old things. Basically I've just got to come in here, sign on, they have to see me every two weeks, that's about it. Keeping out of trouble. That's it. That's all they want to know.'*

Tom described his supervision experience in very similar terms.

JD: *'And what sorts of things do you do in your appointments with GT?'*

Tom: *'Sit down and ask me what I've been doing, where I've been, how's your day been? Keeping out of trouble? Obviously, yes! Things like that really.'*

JD: *'So she checks up on you?'*

Tom: *'Yeah, checks up on me, yeah. And gives me another appointment to come back. That's about it.'*

³⁵ I understand LB to mean her probation service managers when she says 'they' here.

For this group of supervisees, interactions with their supervisor were neither rewarding nor unwelcome. Indeed, in a number of cases, the interaction simply did not amount to very much. For example, Niall had been talking about his alcohol treatment requirement.

JD: *'So that's one bit of your court order. You've also got the probation bit. What does that involve?'*

Niall: *'To be honest, the probation side of it ain't really..... it's not really that big of a thing really. I come in to see LB and LB is basically here to make sure that I go to these appointments and keep to them, you know.'*

Jeff viewed his probation supervision in a similar light.

'The probation order – I see FS once a month now and all that is normally is a general 5 to 10 minute conversation "what have you done? where's your housing? Anything we can do for you?" And you're on your way again. That's all really we do.'

A group of 11 supervisees described similar interactions with their supervisors but presented these in a more positive light. For these individuals, routine checking and monitoring was viewed as welcome because it represented care, interest or support. Having someone keeping an eye on you was not intrusive or patronising but, rather, evidence that your circumstances did matter.

Andrew was appreciative of the fact that his supervisor had intervened to ensure that he received a good service from the drug treatment agency. He described the point of the probation supervision element of his order like this:

'Just to check in and make sure you're doing what needs to be done. Like MC got on the phone and said "why's he not got his counselling? It's not good enough. Get him a counsellor." They phoned me that afternoon and said "Come in. We've got someone to see you tomorrow morning." I see the probation as just like check in and make sure – for MC – that I'm complying with my side of the order. For me – to use her if I'm not getting what I feel I should be getting from the order. So, that's the probation from my view.'

Tyler described the trio of his probation supervisor, JobClub worker and drugs agency keyworker as *'the greatest'*.

JD: *'Can you tell me a bit more about what they do that's really great?'*

Tyler: *'Er.....they just monitor me basically, just to see what I'm doing, and if I'm using drugs – which I'm not.'*

Rachel was subject to a community order with an alcohol treatment requirement. She also had regular meetings with social workers and mental health workers. This was her second community order in as many years. AS was her current probation supervisor, but not the

supervisor of the previous order. Immediately prior to this section of the interview, Rachel had been explaining how useful she had found the alcohol treatment requirement.

JD: *'Do you think you've needed to have the probation bit of the court order as well as the alcohol bit, or...'*

Rachel: *'Yeah, I do, yeah...'*

JD: *'What does the probation bit do?'*

Rachel: *'It.....it.....um..... Like coming to see AS and stuff, it keeps you in check that you're keeping to all your appointments. Not like it's a drag having to come down here, somebody checking up on you. Before I did feel like that's what it's like.'*

Similarly, Carl's experience had changed with a change of probation supervisor. His case had been transferred about three or four months into his order to a supervisor that he felt made him more welcome and was easier to talk to. He contrasted this approach with that of his previous supervisor, saying *'The other one was just talking to me "How are you doing? Keeping out of trouble?" Do you know what I mean?'* It is interesting to note that Mo (whose description of probation supervision as the process of checking the *'same old things'* was quoted earlier in this section) and Carl shared a supervisor and had experienced the same process of transfer. By contrast to Carl, and illustrating the importance of personal interaction in supervision, Mo was inclined to prefer his original supervisor to her replacement.

While most supervisees accepted the process of checking and monitoring as an inescapable part of their community order and described it in a positive or neutral light, a small group of five supervisees made more negative comments. Four of these explained that they found the process of routine reporting pointless and a waste of time. Jack's community order comprised a 12 month supervision requirement, a six month alcohol treatment requirement and 150 hours of unpaid work. At the time of interview he had just completed the alcohol treatment requirement and was about half way through his unpaid work hours. He was seeing his supervisor on a monthly basis for about half an hour. He worked full-time and his supervision appointments were in the evening. Jack viewed himself as someone with few problems and not in need of help. While describing his supervisor as someone easy to talk to, he was not positive about the purpose of his supervision.

'I don't see the point of it. I really don't. They don't get you to do anything. It's just basically saying "how are you?" "I'm fine, how are you? Come here again on the next date".'

By contrast, Curtis, Colin and Bailey were hoping that supervision would provide practical help and were frustrated to be on the receiving end of a checking process rather than

something more active. Bailey explained that he kept asking for help with housing and anger management problems.

'To be honest, I don't really see the point of coming here. They don't really do nothing here. They don't really give you no good advice or nothing. They just say "What have you been up to?" That's not really helping, is it?'

The fifth supervisee to speak negatively about the process of checking and monitoring was Steve. He was unique in expressing unhappiness about the intrusive element of monitoring. Steve was convicted of a sex offence and, as a result, his personal relationships were scrutinised by his probation supervisor along with the police public protection team. He expressed the view that these monitoring activities seemed designed to make it difficult for him to get on with his life.

One finding from this research is that, for low and medium risk offenders, much of the business of probation supervision consists of routine reporting. The supervisor checks that the supervisee's circumstances are not giving cause for concern and ensures that the sentence is being delivered as the court ordered which, in this multi-agency context, includes checking that the input from other agencies is in place. The supervisee reports as instructed and provides the supervisor with up-to-date information about his or her circumstances. This pattern mirrors that reported by Shapland et al (2012b p139); their respondents (a group with more extensive criminal histories than most of the supervisees in this study) described the content of their, often brief, meetings with their supervisors 'as "general stuff" (36 per cent) or "how I am managing" (24 per cent)'.

While some supervisees in this research viewed the checking and monitoring process as pointless or unhelpful and others saw it as providing an opportunity for guidance or support, the majority described routine reporting in neutral terms. It was the supervisory interaction that they expected or with which they were familiar.

This routine approach to supervision, with its focus on monitoring progress through the court order, illustrates one element of the managerial dimension of community orders (Robinson et al 2013). However, an important finding from this study is the extent to which, for many supervisees, checking and monitoring were viewed in a neutral, or even positive, light. Supervisees may not have had high expectations of their supervisors, but they appreciated the link with someone who expressed interest in their circumstances and could provide access to other services. For some supervisees the importance of the community sentence lay, not in the content it provided, but in the space that it created. A similar point emerges in the study conducted by Weaver and Armstrong:

'For some people a benefit of being on probation, then, was that the 'existence' of the probation order itself seemed to create a supportive, protective structure, a positively experienced constraint on their behaviour' (2011:16)

The supervisors in this study were meeting the expectation of the offender management model (NOMS 2006 p63) that offender managers will 'monitor implementation of plan'. Another offender manager task prescribed by the model is 'monitor the risk factors'.

Risk Assessment and Risk Management

Almost all the supervisors in this study identified risk assessment and risk management as key elements of their role, a finding that reflects the rise of the importance of public protection and risk management in official discourse about the work of the probation service (Kemshall 1998; Robinson 2003). In contrast, risk issues were rarely mentioned by supervisees. Eighteen of the 19 supervisors explained that one aim of the community order was to assess the risks posed by the supervisee and then take steps to reduce this risk. In line with probation service policy (for example, as set out in the offender management model) supervisors were concerned about a variety of possible risks: supervisees harming themselves or others (including probation staff or workers from other agencies) and supervisees committing further offences. Successful assessment and management of risk was necessary in order to protect the public from harm. Only one supervisor, a long standing Ashfield PSO, did not speak about risk assessment or risk management at any point in the interview.

A number of supervisors described their distinctive contribution to the process of risk assessment and risk management in terms that closely resembled statements from policy documents. ER, a PSO training to be a PO, when asked about the specific purpose of probation supervision in cases where the identified criminogenic needs were being addressed by external providers said *'Hopefully to manage risk, reduce reoffending, protect the public...'* Having listed the official purposes of probation supervision, she then added, *'and help to monitor them, engage them, or direct them, signpost them to other agencies.'* OG, also a PSO on the PO training programme, similarly offered the official line when asked about the purpose of supervision. *'The aims of the probation service are to reduce risk and reoffending and protect the public.'*

Longer serving probation staff also argued that risk assessment and risk management were central to the probation task. Elsewhere in his interview ND, a PO nearing retirement, had made clear his opposition to many aspects of government policy for the probation service and the wider public sector. His identification of risk assessment and risk management as central to the purpose of probation supervision did not come because he felt an obligation to express the official position.

Our specialism is risk assessment and management. That's basically it, I think. It really is that simple. I think that we kind of discover and rediscover that [.....] and, with the advent of privatisation, I think the fact that the thing that only we can do becomes more and more obvious – or it should do. It has – I think. Risk assessment and management is our bit. It's about the only bit left to us. Everything else has been hived off, fairly straightforwardly. And I think the risk assessment and management bit will be eventually, too. It's obviously always going to be last – but I think it will go.'

His colleague JW, another longer serving PO, was critical of some aspects of government policy but more optimistic about the future of probation work. He highlighted the importance of risk assessment and risk management.

'The point of probation has, over the last 10 to 15 years, developed itself, sold itself as the professionals in the assessment and management of risk for offenders – and a lot of work has gone into that. And I think we have become the experts in that, despite some of the tools we're forced to use.'

DP, an experienced PSO, also explained that dealing with risk was central to the probation task. *'I think it's obviously the knowledge of the criminal justice system that we have above most people. And it's the ability to manage and monitor risk that we probably have more so than other agencies. But that's probably because that's what our job is.'*

For supervisors, the concept of risk was at the forefront of their thinking about their work. For supervisees, while risk was not such a dominant theme, six spoke about it. They did this while explaining the experience of being on the receiving end of an assessment. In four cases the risk assessment was carried out by an agency other than the probation service; Curtis explained that the drug treatment agency did not view him as a *'high risk patient'*. Nick and Howard both had children who were the subject of child protection risk assessments. Nick accepted that his probation supervisor had to make a referral to the child protection team when he started to care for his son at weekends. Howard believed that complying with his community order would have a positive effect on the social workers' decisions.

Jason, whose community order included an unpaid work requirement, was unhappy that he was not allowed to leave the unpaid work site at lunch time to buy himself lunch. He was scornful of the explanation that this was to manage the risk that he posed to the community.

'If you go and rob someone at the shop when you're on your community service you're a bloody plonker, ain't you? That's what he said to me, "you might go and rob someone at the shop". I said "Well I'm here not for robbing people for one and, for two, I ain't an idiot".'

Steve and Peter disputed the probation service assessment that they posed a risk of harm. Both men were subject to community sentences following conviction for a sex offence. Peter had lost his job when the police public protection officer contacted his employer. Peter explained that this was his first experience of the criminal justice system and he often did not understand the process. Referring to Risk Matrix 2000, an assessment tool for sex offenders, he said:

'The other argument, the other thing that I really disagree with them about, they wrongly had the matrix test. It gives you an assessment. So they assessed me as high risk. I never really asked why or understood why. So that was the only thing that I didn't agree with but that's going to be changed eventually, so.....'

The fact that supervisees rarely used the language of risk when speaking about their supervision may be a consequence of the fact that this sample of interviewees was assessed as low to medium risk and, with the exception of the two men convicted of sex offences, were not subject to public protection processes. By contrast, their supervisors often had risk issues at the front of their minds. In a multi-agency context, the skills and practices of risk assessment and risk management were held up as *the* distinctive probation contribution.

Findings from this research support the argument that a managerial discourse is dominant in practice. Supervisors and supervisees offer many descriptions of supervision that are about processing: of people, of orders, of referrals, of appointments. The smooth running of court ordered sentences is a priority, contact between supervisor and supervisee is limited and expectations for outcomes are modest.

6.2 The Punitive Community Order

In England and Wales, the argument that probation supervision should be understood as a *punishment*, rather than as a criminal justice response standing *instead of punishment* dates back to the 1980s. The 1988 Green Paper *Punishment, Custody and the Community* formally branded community supervision as 'punishment in the community' (Home Office 1988). Robinson et al (2013) identify three factors that have encouraged politicians and policy makers to emphasise the punitive utility of community sentences: the need to find cheaper alternatives to custodial sentences, the increased interest in desert-based approaches to sentencing and the perceived rise in populist punitiveness. The first two factors, with their focus on cost-effectiveness and the place of community sentences as part of the wider sentencing system, point to an overlap between the punitive and managerial characteristics of community sentences.

The consequence of populist punitiveness on community sentencing has been an increase in policy and practice initiatives intended to increase the restrictions and reduce the flexibility inherent in these measures. In England and Wales, this includes measures curtailing

discretion about breaching supervisees who miss appointments, requiring those undertaking community service work to wear identifying clothing and increasing the number of requirements that can be added to a community sentence (Maruna and King 2008). Mair (2011) demonstrated that, while there was no sign that community orders were being overloaded with requirements, punitive conditions were being used more extensively.

The argument that community sentences must become more demanding in order to maintain public confidence was made to support the Government's probation service reforms (Ministry of Justice 2012) and, under the requirements of the Crime and Courts Act 2013, courts making a community sentence must include 'at least one requirement imposed for the purpose of punishment' or additionally fine the offender. The Government suggested that fines, unpaid work hours, curfews and exclusion orders provided a satisfactory element of formal punishment (Ministry of Justice 2013c). This political emphasis on the punitive aspects of community sentences continues despite evidence suggesting that public opinion is frequently ignorant of the work of the probation service, is often no more punitive than sentencers and is generally inclined to support rehabilitative measures (Hough and Roberts 2012; Maruna and King 2008).

All the supervisees in this study were subject to community orders with a '*creative mixing*' of requirements (Bottoms et al 2004:9). As the study was conducted prior to the implementation of the Crime and Courts Act 2013 some orders did not contain a requirement 'imposed for the purpose of punishment'. While many orders did include unpaid work hours or a curfew alongside supervision and treatment requirements, in other cases the requirements were a mix of supervision, groupwork and treatment options. This research provided the opportunity to explore the extent to which these supervisees, and their supervisors, viewed the various elements of their orders as punitive and to contrast this with the official discourse about punishment.

While supervisors frequently used managerial language to explain their work, they never used the language of punishment to describe its purpose. One supervisor (FS), for example, explained that the focus of the police was on prosecution and punishment, whereas the concern of probation work was '*what's going to happen after that punishment's over.*' By contrast, some (but not all) supervisees in this study did talk about punishment. Punishment was understood in two ways: as the consequence of being convicted (punishment in a retributivist sense) and as part of the experience of serving their sentence (the pains of probation (Durnescu 2011)).

Seventeen (of 38) supervisees described their community order as a punishment, in the sense that it was something imposed by the court in response to the commission of a crime. This was often linked with the notion of a community sentence being an alternative to custody. Clare, who had committed a violent offence, explained that her community order

was a consequence of her loss of temper. *'But I'm willing to do it because I know that what I done was wrong and I should be punished for it'*. Ed, who was in custody before receiving his community sentence, made a similar point. *'Yeah, it's a punishment, because I did something wrong and I went to prison'*. Nick was positive about the benefits that he was getting from both the probation and the drug treatment aspects of his order. Nonetheless he used the language of payback to describe the making of his order:

'So yeah this order it was just in the wrong place at the wrong time. So – a bit of a bummer – but have got to pay for what happened really'.

Other supervisees saw community sentences as alternatives to custody. This point was made concisely by David. *'But probation is just another sort of thing to keep you out of prison'*. Steve, who felt that the criminal justice system had taken an unreasonably harsh view of his behaviour, explained that he had been told that if he was convicted at trial he would be sent to prison. He chose to plead guilty to avoid this. He also explained that his family responsibilities made him unsuitable for unpaid work.

'And the only reason I'm doing probation is because they are not sending me to prison – and I think that it's because [of family situation] and this is the only sentence that they can give me that's on offer'.

Colin, who had failed to comply with a previous community sentence, believed that his drug problem provided the sentencing court with the justification that it needed to avoid a prison sentence.

'So they literally, the judges, they'd not got much of a leeway anymore. They really have to be sending me to jail. So I had to go and get a pre-sentence court report to tell them about my issues in my life and obviously I've got a drug addiction right.'

[.....] *'So, once the judge has read that, it was a sort of relief, I'd say – well a relief for them that they had something to fall back upon rather than putting me to prison.'*

Through this lens, the community sentence is a formal response to an offence. Supervisees perceived it as a lesser sanction than a custodial sentence and did not dispute the right of the court to impose it. The community sentence was a deserved consequence of their behaviour.

For some supervisees, the perception of their community order as punishment went beyond thinking of the order as a sanction for a criminal offence and included the sense that being on the order and complying with its requirements was a punitive experience. They spoke about the 'pains of probation' (Durnescu 2011; Hayes 2015). Seventeen³⁶ (of 38) supervisees

³⁶ This group of 17 overlaps with, but is not the same as, the group of 17 supervisees who described their order as punishment in the sense that it was a response to the commission of an offence.

described their order in these terms. The order was experienced as a punishment largely because of its inconvenience and its consequences for the routine of daily life and not, among this group of supervisees, because of the nature of the interactions with or interventions by staff. In Hayes's (2015) terms, the supervisees stressed the pains of liberty deprivation. Little distinction was drawn between probation supervision and input from other agencies. Both were seen in a similar light.

Community orders intruded on the routine of daily life because they involved appointments that had to be kept at unwelcome times of day or in inconvenient locations. Moreover, for supervisees with jobs, the requirement to attend for supervision often led directly to loss of income. Unpaid work requirements were viewed as particularly intrusive because, for working people, they combined lost earnings with curtailed precious leisure time.

'Does my head in..... it drives me mental. It is like a punishment. It might not drive other people mental, but it's the inconvenience. 'Cos I work all week and I have to come here after work. Or, on a Saturday, my time off, I have to go and do unpaid work again. And I do more hours than I normally do at work like for free. And, yes, it's a punishment. I ain't going to break the law again, put it that way.' (Jason)

'I leave work and I have to rush to get here. I just don't need it. I'd rather go home and relax and chill out – or go to the gym. Do you know what I mean? Do my own thing. On a Saturday, the unpaid work, I'm doing 6 days a week. I should be doing 5 days a week paid – not 6 days unpaid.' (Sam)

Carl's order did not have an unpaid work requirement. His requirements were 12 months supervision and a 6 month alcohol treatment requirement. He was employed in the building trade and, because he could not arrange his probation or alcohol treatment appointments sufficiently late in the evenings, had dropped down to working four days a week.

Carl: It's pissed me off because it's ruined my life, do you know what I mean? I've got a year of this and 6 months of doing that, so it's sort of, how can I say it, sort of rocked my boat. I have to do it. It's a punishment. I'd rather have done a month of, like an intense course and then walked away from it. Clever, innit, that I'm punished for a whole year?'

JD: 'And some people would say that they can't see that there's any punishment in probation at all – but you disagree?'

Carl: 'There is! It's because obviously you've got to be here, isn't it? I get my wages on a Friday and I'm a day short. That's a punishment, that's how I see it..... It's better than prison though, I suppose.'

Carl was not alone in arguing that a community order was onerous because it lasted for several months. Terry made a similar point explaining that he had completed his unpaid work hours quickly; he had been allowed to attend his unpaid work placement a number of

days each week if his paid employment was quiet. He had no similar way of speeding through his supervision requirement. He described this as a punishment because it was *'like working late every couple of weeks'* for a whole year. Although none of the supervisees in this study had the 200km journey to see their supervisor reported by Durnescu (2011), they shared with Durnescu's respondents the perception that one punitive element of the community sentence was deprivation of liberty.

In addition to the commitment of time, the financial cost of attending appointments with the probation service and other agencies (discussed in more detail in chapter 5) was identified as part of the hardship of the community sentence.

There was little sense from the supervisees in this research that they experienced their interactions with probation staff or workers from other agencies as a punishment.

Supervisees, for the most part, did not describe the conduct of their orders as humiliating or painful. They stressed that, while the practicalities of attending appointments were difficult, the staff that they met were warm and welcoming. First time supervisees explained that they had been very unsure what to expect of the probation service and were surprised and relieved at what they found.

'For probation, I see it as a punishment, yes, but it's not as bad as they make it out to be. When I first heard about probation I thought 'they're probably right little Hitlers in there and it's "you will, you will, you will" – no flexibility whatsoever'. But I've found that when they get to know you the flexibility comes in.' (Jeff)

That said, there were two aspects of the organisation of community orders that were, for some supervisees, experienced as demeaning or stigmatising: the identifying yellow tabards worn while completing unpaid work and the atmosphere in reception areas and waiting rooms. One supervisee (a man in his 50s with no previous convictions) identified the inconvenience and the stigma of his unpaid work requirement.

JD: *'Tell me a bit about the unpaid work bit of your order. You had 40 hours?'*

Joseph: *'That was painting and decorating. That was on a Saturday. All right, it was a hassle getting there. Especially the embarrassment of wearing them yellow tabards. Stigma....'*

He, too, went on to explain that, despite these difficulties, his experience was not worsened either by the unpaid work supervisor or the other members of the work party.

Joseph: *'It was all right. The supervisor – lovely bloke. The people there – you think "well, they're all aagghh!" But they're not. They're just stuck in a circumstance and they've been punished for it.'*

For a few supervisees the atmosphere in probation reception areas was the most uncomfortable aspect of their community order. However, this was not a universal experience. Supervisees expressed contrasting opinions about their experience of reception. For example, these two observations about arriving in the probation office come from female supervisees in Ashfield (where J worked as a receptionist).

'Well, I was brought up that you be polite to people. So there's people in there that are very nice and other people who are just "name, tick..." and I think that's rude.'
(Mary)

'J, on reception. He's like "Hi Sarah, how are you?" And that's it. Write my name down and I take a seat and that so, yeah... Where you come into reception and you see people at the back and they all say "morning". They are very friendly and that in there – and I think that's good.' (Sarah)

In Birchwood, only Colin described reception staff as rude. The predominant complaint in Birchwood was about the difficulty of getting through to the office on the telephone. Few supervisees spoke about their reception and waiting experience at other agencies. Those that did offered contrasting views. For example, the drug and alcohol treatment agency in Ashfield was singled out, by different supervisees, for both criticism and praise in this respect.

Both Durnescu (2011) and Hayes (2015) identify stigma as a pain of probation. Only four supervisees in this study described their community order as a painful experience because of the potential stigma of being identified as an offender. They explained that they wanted to avoid being seen going into the probation office or felt that they were being judged by other people waiting in the reception area. Steve, one of this group, was the only supervisee to imply that he sometimes viewed his interaction with his supervisor as a punishment.

'I think that I've been humiliated and punished enough by having to come here every week or two, every couple of weeks, whatever it is. And talking about my childhood and everything.'

Durnescu identifies 'forced return to the offence' as one of the 'pains of probation'. His study, drawing on interviews with 43 probationers in Romania, did not include those subject to the 'lowest level of supervision' (2011:533). The sample of supervisees in this study did include those subject to the lowest level of supervision provided in England and Wales (tier 2 of the offender management model³⁷). These supervisees did not find discussions with their

³⁷ Tier 1 of the offender management model is reserved for those individuals whose community sentence does not include a supervision requirement (e.g. those whose only condition is an unpaid work requirement).

supervisors intrusive and did not complain of being returned to past events they wished to forget. Steve, above, is an unusual member of the sample in that he was convicted of a sex offence and disputed his guilt. However, comparing and studying offender supervision practice across European jurisdictions is not straightforward (Beyens and McNeill 2013). Forced return to the offence may not be experienced as punitive by supervisees in this study because the offence itself was not a source of distress or remorse. However, other differences of supervisor practice and cultural context are also capable of explaining this finding.

Supervisees in this research, therefore, identified a number of punitive aspects of a community order. Their focus was on the negative impact of the order on their routine, their finances and earning capacity and their independence. Stigma and embarrassment were issues for a minority of this sample. Almost no one perceived their interaction with their supervisor as a punishment. Little distinction was drawn between input provided by the probation service and by other agencies; appointments needed to be scheduled and kept whoever the provider.

Before concluding this discussion about punishment, two further points remain to be made: probation was generally understood as a lesser punishment than prison and many supervisees did not view probation as a punishment at all. Only Jason and John, both in their early twenties, suggested that prison could be a better option than their community order. Jason made an ambivalent comment, acknowledging that he had never been in prison. John made the argument more strongly.

John: 'Definitely a punishment, yeah. I come down here, speak to someone for 10 to 20 minutes, but it's the hassle of having to come down here. I would say it's more harder than prison really.'

JD: 'Harder than prison because?'

John: 'Prison's too easy. It really is not a punishment.'

JD: 'So what's the hard bit of your order?'

John: 'I wouldn't say it's hard. It's just the inconvenience, having to go out of your own way, going out of your way to come down here.....'

However, apart from these two supervisees, everyone else who compared the punitive weight and tightness of prison and probation assessed prison as the heavier tighter disposal (Crewe 2011). Probation was a burden, but did not bear down and constrain in the same way as prison. The community order might be a punishment, but time in prison would have been worse.

'It is a punishment, though, coming to these. Not as harsh as what they could punish you with, I suppose. Obviously prison and tags and curfews and – they're a bit more punishment..' (Jack)

The supervisees interviewed by Weaver and Armstrong (2011) also described prison as punitive, particularly because of its disruptive impact on family life. Like the supervisees in this study, they acknowledged the demands made by community sentences but identified them as preferable.

Finally, a sizable minority of supervisees in this sample did not think of their community order in punitive terms. Fourteen (of 38) supervisees either explicitly rejected the suggestion that supervision was a sort of punishment or did not talk about punishment at all. Many of this group perceived that punishment and help were incompatible notions and were experiencing the various elements of their order as helpful. These three interviews excerpts are typical:

'You just think 'probation' – I'd never been on probation before – and you just think "oh probation, it's going to be a punishment and people are going to be like really talk down to you and think they're better than you". But I don't get that here. It's not like that.' (Clare)

'I'm not seeing it as a punishment. I'm seeing it as a, you know, as an opportunity to become a better person in society and without MC there I don't know whether I could accomplish my....' (Andrew)

'Well..... I suppose in the eyes of the law it is a punishment. But, I see it more as, I don't know how to express it really – like guidance, like help.' (Vince)

To sum up, contemporary community orders are required, in law and by politicians, to have punitive characteristics. Supervisors tended not to talk about punishment; they talked instead about risk and preferred to use managerial language to describe their controlling and constraining tasks. Supervisees did perceive themselves as punished and the punitive weight of their orders was increased with the addition of a variety of additional requirements.

For some supervisees, their order was a punishment because it was deserved as a result of their behaviour. Other supervisees described a number of the 'pains of probation'. In this study, of low and medium risk supervisees subject to less intensive forms of supervision, the most commonly expressed pains were the difficulty and expense of complying with a schedule of appointments lasting for a number of months. The pains of deprivation of autonomy, deprivation of time and financial cost (Durnescu 2011) were significant, the pain of rehabilitation (Hayes 2015) less so. Supervisees drew no discernible distinction between the demands made by probation supervisors and staff from other agencies: an inconvenient appointment was inconvenient whoever it was with.

A number of supervisees discussed the extent to which their community order was a help rather than a punishment. A minority perceived help and punishment as incompatible, arguing that they perceived their order as helpful and so not as punitive. However, Jude was closer to the majority view when, speaking of both elements of his order (probation supervision and an alcohol treatment requirement), he said

'Punishment, yeah – in my eyes. It helps you. It's a punishment that helps you.'

The idea that supervision should be a helpful thing links with the next characteristic of the community order: rehabilitation.

6.3 The Rehabilitative Community Order

The understanding that the probation service aims to rehabilitate offenders has existed and persisted through the history of offender supervision. The decline in political, empirical and academic support for rehabilitation during the latter part of the 20th century and the re-emergence of interest in evidence-based rehabilitative interventions and the instrumental use of rehabilitation as a risk management tool have been well documented (Raynor and Vanstone 2007; Robinson and Crow 2009; Robinson et al 2013). There is also evidence to support the argument that, while probation practice was influenced by changes in political rhetoric and public policy, probation practitioners continued to perceive at least aspects of their job in terms of providing help and facilitating change (Annison et al 2008; Deering 2010).

The concept of a community order as a vehicle for providing help emerges strongly in this research. Both supervisors and supervisees used the word help frequently to describe some aspect of the purpose or content of supervision. Every supervisee in the sample said something about the actual or potential help offered through the community order. This section explores the concept of help in more detail and asks whether the notion of help was linked, by the study participants, to the concept of rehabilitation. It also examines the way that the various elements of community orders, delivered by different providers, were perceived by those involved as more or less helpful.

Three different facets of help emerge: provision of practical assistance, the creation of a helpful environment and support for personal change. Both supervisors and supervisees gave examples of each of these in practice.

Practical Help and Assistance

The provision of practical assistance was particularly important to supervisees. Seventeen (of 20) supervisees in Ashfield and 14 (of 18) in Birchwood spoke explicitly about this. People explained that their community order was helpful because it was enabling them to access services or resources. They gave a wide range of examples, including being helped to claim benefits, find housing, gain qualifications and receive food parcels.

Much of this assistance was not provided directly by probation supervisors but by staff from other agencies. However, if the help was provided in a probation office or following a referral from a probation supervisor, supervisees tended to give credit to supervisors for making the arrangement. For example, in both Ashfield and Birchwood, assistance with housing problems was provided by employees of specialist voluntary organisations who spent time each week at the probation office.

Help with employment and training problems was provided in a similar way, with external agencies operating from probation premises. All the supervisees in Ashfield who had received a service from the ETE providers had positive things to say. They valued the practical help with searching for work, updating their CVs and obtaining a Construction Skills Certification Scheme (CSCS) card. One of the Ashfield ETE agencies provided funding for training courses and travel to voluntary work placements, assistance which was popular with the supervisees who had benefitted. Fewer of the Birchwood supervisees were receiving ETE services and more of them were in employment, but those who were unemployed viewed the possibility of practical help to get a training place or find work as a good thing about their community order.

Victoria was angry about her treatment by the police, court and mental health services. She was clear that she did not think that she should have been prosecuted. Her supervisor (OG) was in the process of referring her to the Birchwood ETE provider. In response to a question about what would make her community order more helpful, Victoria explained that practical help with employment would be welcome.

'I don't know.... I really don't know otherwise. I wouldn't say it's particularly useful for me. I mean, if she [OG] could find me work, then yes.'

Some supervisees saw their community order as an opportunity to receive help that was not otherwise available and were keen to make the most of this. Jeff described his supervisor and his ETE worker as people who could 'open doors' for him.

Howard was only a couple of months into his community order and, as a result of poor health, had missed some appointments. His supervisor (TK) had referred him to the training provider. Looking ahead, he was hoping for assistance with a number of problems.

'But where I've only just started it I don't see – other than the college thing right now – where I've only just started doing work with TK, I can't really say what there's going to be other than what's been offered so far. I can't really say anything else. I'll just have to wait and see what is going to be on offer – but I'd like to use whatever services are there, definitely.'

Alex was coming towards the end of her order. She explained that, at first, she had hated being subject to a community order but had soon changed her mind.

JD: *'What made that change do you think?'*

Alex: *'Because of the help that they give you. They offer a lot of help that you can't get anywhere else really. And it's really hard to get a job, to get courses, if you don't have money. It's really hard. I've got no qualifications or anything, so from coming here, they've helped a lot to change my life around for the better.'*

Supervisees valued practical help and viewed its provision as a benefit of community supervision. As a consequence, supervisees who considered themselves in need of assistance that was not forthcoming were negative about their orders. Bailey and Colin attributed much of their unhappiness with their orders to lack of help.

'They say they're going to give you meetings with housing people and that – but they told me that first time I come here and nothing's happened. I told them I want anger management courses, but nothing's happened. So they're not really helpful.' (Bailey)

'My last officer, I gave a few things what they could do for me, to help my life get on – and everything I gave to the officer they told me to do it myself and they didn't want to do nothing...' (Colin)

Help, in the form of practical assistance, was particularly important to supervisees. Seven (of 19) supervisors also spoke about help in this way, offering contrasting opinions. One supervisor made the argument that providing welfare services was the job of partner agencies and not the probation service itself. By contrast, two gave examples of occasions when they had provided practical help. The remaining four spoke in a more nuanced way about the provision of practical help, acknowledging its importance to supervisees and hence its usefulness to supervisors as a tool in the wider process of supervision.

'I think loads of officers go that little bit extra, whether it's sitting in interview rooms making contact with someone else or referring them to someone else, or trying to sort out their job, JobCentre, money... I think they appreciate that a bit.' (ER)

'I have to say that, sometimes, particularly with people who are in gangs, building trust takes time and often it's a process of little bits of information over a period of time – so they won't tell you everything all at once. And that comes just from showing some sort of understanding of maybe what the issues they may be going through at that time – maybe helping them sometimes is enough for them to gain trust with you.' (SJ)

The findings from this research suggest a tension between supervisees, who expect and value practical assistance as part of their community order, and supervisors, who think that providing a welfare role is not part of the task of the contemporary offender manager. However, the majority of supervisees were grateful for the practical help that they had

received while on their order. They appreciated the role of their supervisor in providing the help, whether this was done directly or through a referral to a specialist service.

A Helpful Environment

Supervisees and supervisors also spoke about helping as the opposite of hindering. That is, they suggested that the community supervision regime should be enabling rather than obstructive, flexible rather than rigid. A helpful environment was one in which supervisees felt that their personal circumstances were understood and taken into account and where they were made welcome and treated with respect. Supervisees perceived themselves as more likely to comply with helpful regimes, a point that is explored in more detail in chapter 7.

Twenty-eight (of 38) supervisees (14 in Ashfield and 14 in Birchwood) talked about the extent to which they experienced their community order regime as helpful. Their judgment was based on their assessment of the environment at both probation and at other agencies. A number of first-time supervisees specifically mentioned their initial uncertainty about what to expect. Peter explained that to start with, he did not know whether probation staff were permitted to take his 'side' and help him. Now, having become more familiar with the supervision process, he felt more at ease.

Supervisees cared about the way that staff spoke to them. Trish, speaking of her experience of probation supervision and the women's programme, said,

'I thought it would be more having constant goes at you and things like that, but it's nothing like that. They're here to help with any problems and discuss stuff.'

Trevor was positive about his probation supervisor (UL) and his alcohol treatment worker (E).

'I feel more comfortable with myself now than I have for a long time. Purely and simply because of UL, and E at the alcohol. They're very helpful, they don't judge anybody and I find that relaxing – rather than sitting here and being wagged a finger at.'

By contrast to Trevor, Carl was not convinced about the benefit of supervision, viewed his alcohol treatment requirement as unnecessary and was looking forward to the end of the order. That said, he still spoke positively about the environment created by his supervisor.

'But generally, [he] just makes you feel a lot lot better. I come in a couple of times feeling a little bit down and he sort of brightens me up a little bit.'

Mary, whose mental health problems made it difficult for her to leave the house, explained that the combination of the possibility of help and the personality of her supervisor (CO) was crucial in enabling her to comply with her order.

'I still feel I shouldn't be here – but that'll never change. I have no faith in the law now – full stop. But in one way it helps me, 'cos I don't get out a lot, I can't get out a lot –

so I have to come. But I'm ok coming here as I know, at the end of the day, they're here to help me. And she's a lovely person, CO.'

Supervisees appreciated welcoming staff who spoke to them in a non-judgmental manner. They also perceived their supervision as helpful when it was adjusted to take account of their personal circumstances. Curtis, who was required to keep appointments with probation officers, social workers and drug treatment workers, praised the scheme in Ashfield which enabled him to formally sign on as unemployed at the probation office rather than at the JobCentre. This scheme made it easier for him to manage his schedule but also left him feeling that he had been treated as an individual.

'They said that I could sign on here and I'd probably end up getting more help. They're more understanding with the other things that are going on in my life, like social services. If I go to the JobCentre and say I couldn't find work that day 'cos I was like busy sorting out the social worker they'd mark you off. Whereas here they understand things like that.'

Howard also felt that his supervision took account of his complicated circumstances. Speaking of his supervisor, he said

'She's pretty good as it goes. It's good to talk to her and that... She's quite understanding about what's going on in my life at the moment. It's quite beneficial seeing her. She's quite flexible with me because I've got so many commitments at the moment.'

The significance of the personalities of specific staff to creating a helpful environment for supervision can be seen in the way that different supervisees reached contrasting conclusions about the same service. For example, Sarah and Nick both had drug rehabilitation requirements and were attending the Ashfield office of the drug treatment provider. For Sarah, her drug treatment had been a disappointment. She saw different workers on each visit and found the atmosphere at the office clinical and unfriendly. By contrast, Nick spoke positively about the service and, in particular, of his keyworker.

'If there's any problems I have or any issues I need to try and sort out or there's a problem, I can contact my keyworker at any time and, if she can help me out in any shape or form then she will do.'

Sarah's negative view was unusual. Supervisees generally described their experience of the community sentence regime as supportive and respectful. This assessment applied to services being delivered by the probation service and by other agencies.

The importance of creating a regime that helped rather than hindered was understood by supervisors too. Nine of the 19 supervisors in this study gave a specific example of a way

that they sought to achieve this. For example, JY spoke about the need for clarity at the start of the order while HV explained how she liked to end a period of supervision.

'We're just encouraging them to see that we are there to help rather than try and annoy them for 12 months and be a burden' (JY)

'I say to people "once you leave, if you just need a bit of help or advice, ring!" – and they do. Whether it be if they want to get a job and need to know whether to declare convictions and things like that. We can help them with that sort of thing.' (HV)

Other supervisors spoke of going beyond the requirements of the offender manager role, for example by offering supervisees help with issues not narrowly related to their offending or by staying late to give supervisees more time. AM described this as *'going that extra mile'*.

OG gave an example of the flexible and responsive practice appreciated by supervisees. She described how she responded to a young woman in difficult circumstances. Instead of persisting with the formal thinking skills input planned at the start of the community order, OG focussed on the health, housing and financial problems that were significant to the supervisee. JW also spoke about the importance of demonstrating to the supervisee that *'you've got their best interests at heart'*. However, he added the warning that, given the size of his caseload, he could not provide all his supervisees with the same level of attention.

For the supervisees in this study, a helpful environment was one in which they felt welcome, not judged and able to get on with the practical routine of life. Like the supervisees interviewed by Weaver and Armstrong (2011) they valued the chance to keep their lives going. The approach and personality of supervisors and keyworkers was important in creating this regime. As discussed in chapter 5, relationships between supervisors and supervisees were quickly built and often short-lived. Nonetheless, supervisees talked about the way that supervisors made them feel welcome, were good to talk to and understood their difficulties. They recognised the authenticity of their supervisor's approach. These characteristics are among the inter-personal qualities identified as necessary for effective probation practice (Dowden and Andrews 2004; Trotter 2006).

The findings of this research show that supervisees, with few exceptions, felt that staff from probation and from other agencies created positive environments. Supervisees perceived staff as having their best interests at heart. This environment for supervision and the provision of practical assistance are two helpful aspects of community sentences. The third facet of help, and the one most obviously linked with the concept of rehabilitation, is that of support for personal change.

Support for Personal Change

The idea that probation officers work with offenders to help them change their lives and stay out of trouble has existed throughout the life of the probation service (Vanstone 2004). The

methods used in the pursuit of this goal have changed, along with the justifications for intervening in the lives of offenders in this way (Robinson and Crow 2009), but there is evidence that probation practitioners still believe that they contribute to the criminal justice system by helping offenders change their lives for the better (Deering 2010; Mawby and Worrall 2011). The supervisors in this research certainly perceived their role in this way.

All the supervisors indicated that supporting or helping the supervisee to change was part of their job. A number of supervisors suggested that believing in the possibility of change, while remaining realistic about human nature, was a core requirement of probation practice.

'I don't think you could do the work here if you didn't actually believe that people could change. But I don't mean change wholesale – because I think you have to be realistic that if you've got someone on a 12 month order you're not going to change their inbred habits during that 12 month order.' (DP)

JW, as part of describing the purpose of a community order, said,

'Helping that offender. For me, it's all about helping that person go through that change, that cycle of change, leaving past lifestyles behind.'

Supervisors viewed motivating people to change as a skill and described some of the techniques that they used in practice.

'Sometimes they don't believe they can change. Then it's about trying to help them understand that actually change isn't this mysterious thing – it's something everyone has to work with.' (BN)

'For there to be any kind of real change there has to be collaboration with the offender. They have to want to be coming in as well, rather than just turning up because they have to.' (OG)

Supervisors almost always made a link between helping people to change and helping people stay out of trouble. They did not suggest that helping people to change was a good thing in itself, rather it was part of the process by which people could achieve offending-free lifestyles. They demonstrated an instrumental and utilitarian understanding of rehabilitative sanctions (Garland 1997; Robinson et al 2013).

'It's about change and hope. Hope for that person's better future. That's what I hope for anyway. That, in some way, I do something that makes them jump out of one groove and into another – and move forward and not come back to us again.' (SJ)

'It's about trying to help them change for the better so that they are not going to reoffend.' (FS)

Two supervisors gave examples of referring supervisees for therapeutic help that was not linked to the aim of reducing reoffending. HV and RI (both PSOs) explained how they had

arranged counselling to help a supervisee recover from a past trauma. They viewed therapeutic counselling as a particular skill requiring specialist training; it was different from the way that they provided support and advice in supervision sessions. Non-directive therapeutic counselling has been seen as a task for partner agencies rather than probation supervisors since the managerial turn of the 1990s (Williams 1996). GT (a PSO with a counselling qualification) acknowledged that, as a probation supervisor, her work was shaped by the organisation's objectives. She described supervision as

'directive in terms of objectives and looking at what change is necessary. Whereas what I've learned in counselling is that they come with the agenda if you're a counsellor. Whereas in supervision, there is a focus to it.'

The supervisors in this research viewed reducing reoffending by supporting people to change as a key element of their role. Furthermore it was an element that they did not believe could be referred or signposted to other agencies; it was a distinctive probation contribution to the criminal justice system. For supervisees, the picture was rather different.

Many of the supervisees in this study did not see themselves as needing help to change. Those that did often highlighted problems with alcohol or drug use and identified the drug and alcohol treatment agency as the useful source of support and treatment. As a result, whereas all the supervisors talked about providing supervisees with help to change, only a minority of supervisees described their probation supervision in this way.

Nine (of the 38) supervisees explained that their probation supervision was helpful in the sense that it was changing their thinking or behaviour. Five of this group specifically spoke about probation supervisors who helped them reflect on past behaviour and one praised the group programme (Thinking Skills) he had attended.

'Thinking Skills, I think, that really made me see sense – to think about it, see where I'm going wrong, writing it all down, just seeing it there. That really helped me more than coming in to see probation.' (John)

'I've really reflected on my offence, not just in what I did but about how the other person would have felt too and, yeah, you know, despite having no convictions, no previous convictions, I've learned talking to someone – so I can only really benefit from it.' (Peter)

'Looking at things in other perspectives. And she makes you look – and when I was looking, I was "ok, yeah, there is other ways that can be done and that can be done and.."' Sort of opening up your mind a little bit more.' (Terry)

A further three supervisees acknowledged that one purpose of a community order was to help people stay out of trouble, but argued that this was irrelevant to them as they had no need of this assistance. Speaking of his sessions with his supervisor, Jeff said

'It's not a waste of her time but it's time she could be dealing with someone who's got much more issues than me.'

Sam had been negative about his community order throughout the research interview. In response to a question about whether he found it helpful, he said

'Not to me. Not to me. Because I know right from wrong. I know what to do and what not to do.'

For many supervisees it was the requirement to attend for drug and alcohol treatment, rather than for probation appointments, that provided welcome support for personal change. Fifteen supervisees (six from Ashfield and nine from Birchwood) acknowledged the help that they had received from a treatment agency as part of their community order.

I've got the support there, I've got what I need to get through. Whereas if I tried to do it on my own I wouldn't have had the medication and things. All of this to help me get better.' (Emma)

'At the moment, I'm pretty strong and I can say that I'm not going to use no drugs at all because I don't want to. But how that will be next week I don't know, so yeah... At this time the counselling is a good thing for me.' (Andrew)

Responding to a question about whether his drug rehabilitation requirement had been helpful, Vince replied

'Oh 100 per cent yeah. Amazingly yeah. It's turned my life around and that's genuine. It has turned my life around. So much so that I've asked them if I can do peer mentoring once I've finished and then become like a keyworker in a couple of years' time.'

Inevitably this enthusiasm was not shared by everyone required to attend for alcohol or drug treatment. Two supervisees (Luke and Carl) felt that they were being required to attend for treatment that they did not require.

'If I had a drink problem then, yeah, it would be helping me. But I ain't. I just made the wrong decision – got caught. Why would I be wanting to talk about drink for the next six months? It's like talking about rugby when you're not interested in rugby.'
(Carl)

By contrast, two others (Sarah and Bailey), explained that they had hoped to receive help that was not forthcoming.

'The whole point – well I think the whole point – of getting that order is for them to help you to try and kick your drug habit. Now, by me going in there and giving a mouth swab, how is that any help or support for me? It's not, not really, you know. I don't see any support there. A bit of one-to-one keywork, a bit of, you know, written work – what is my triggers? What triggered me to use drugs? Work with all that. But I've never done anything like that, so....' (Sarah)

The idea of being helped to change made sense to supervisees in the context of alcohol and drug problems. Supervisees expected this help to come from specialist treatment agencies and not from the probation service; for these supervisees rehabilitation was something that happened away from the probation office. The experience of the supervisees who were required, by the conditions of their community order, to attend for alcohol and drug services that they viewed as unnecessary, is explored further in chapter 7.

This research provides only a small amount of evidence that supervisees saw themselves as engaged in, or needing to be engaged in, a broader process of change. By contrast, for supervisors, the notion of probation supervision as support for personal change intended to reduce future offending was central and, crucially, argued to be a distinctive probation service contribution not capable of being contracted out to voluntary sector agencies or private providers. Chapter 7 examines the way that supervisors sought to encourage supervisees to use their order as an opportunity for change.

The relationship between a 'helpful' community order and a rehabilitative community order is not straightforward. Much of the focus in this dissertation, perhaps a consequence of the characteristics of the supervisees sampled (assessed as low and medium risk and spending relatively little time with their supervisors), is on help with practical problems. Some of this help is provided directly by probation supervisors, much comes from other agencies. The role of the probation supervisor as broker of interventions, evident in practice, is in line with the official conception of offender management (NOMS 2006).

Supervisors, to a much greater extent than supervisees, saw the community order as providing help for a life without crime. The tools used in this reformatory endeavour were, in addition to the provision of practical help, support for lifestyle change (particularly with respect to alcohol and drugs) and structured discussion intended to highlight the causes and consequences of offending behaviour. This is the 'what works' paradigm of probation practice, dominant since the turn of the century (McNeill 2006). In line with this paradigm, the supervisors' vision of rehabilitation was primarily instrumental: rehabilitation as a means of public protection and reduced reoffending.

From the perspective of the supervisee, a helpful community order provided practical assistance, support for personal change and an environment which did not hinder their ability

to get on with life. This helpful environment, important as much for the space it created as the content it included, was dependant on a supervisor who was welcoming, listened, understood and provided flexibility in response to personal circumstances. The community order provided supervised space; space in which the supervisees shaped their own lives, accepted assistance if they chose and, crucially, were subject to the expectation that they would stay out of trouble.

6.4 Concluding Discussion

The image of probation practice captured in this dissertation is substantially formed by managerial themes. From the perspective of supervisors, public protection, risk management and reducing reoffending are dominant concerns. The logic of offender management, with supervisors controlling access to the resources of specialist agencies while retaining responsibility for the administration of the order, is largely unchallenged. The consequence, for supervisees, of this managerial approach is of being on the receiving end of a process of checking and monitoring.

However, punitive and rehabilitative characteristics are also evident in the community orders in this research. From the supervisee perspective, Jude provided a typical summary of the purpose of the community order as '*a punishment that helps you*'. The community order is a punishment because it is a sanction imposed by the court in response to criminal wrongdoing. As a consequence, the checking and monitoring role of the probation supervisor is justified because the supervisor is accountable to the court for the administration of the punishment. This link, between sentencing court and supervising officer, is important in creating and maintaining the legitimacy of the community order (McNeill and Robinson 2013; Bottoms and Tankebe 2012). The significance of this link for compliance is explored in chapter 7.

The working relationships between supervisees and their supervisors and keyworkers had to be quickly built. However, despite the relatively transient nature of these relationships and the brevity of most meetings, supervisees valued the opportunity to talk, to be listened to and to receive assistance with practical problems. The majority of supervisees in this study viewed their community order as a source of practical help, a more positive finding than in some other studies (Farrall 2002; Shapland et al 2012b). This may reflect the characteristics of the supervisees in this study: low and medium risk offenders for whom help, rather than control, was the focus of supervision (NOMS 2006).

Probation supervisors and keyworkers from other agencies were equally likely to be identified, by supervisees, as able to create a helpful environment for the community sentence. The ability to create good purposeful relationships was not restricted to, or absent from, probation supervisors. The difference between these two groups of staff, from the supervisee perspective, lay in the probation supervisor's contribution to the managerial,

rather than rehabilitative, aspects of the order. While supervisors did not weave the strands of the community order into a single intervention (supervisees experienced different elements of their order as separate), they held the strands together.

There is very little evidence in this research of the reparative characteristics argued by Robinson et al to potentially offer '*more durable or secure sources of legitimacy*' (2013:332) for community sanctions. Supervisees almost never described their community order as an opportunity to redress the harm they had caused. Supervisors talked little about repairing or rebuilding links between offenders and the wider community. Both supervisors and supervisees focussed on the elements of the community sentence that took place in courtrooms, in probation offices and in treatment agencies. They talked about formal processes of referrals and requirements rather than the informal opportunities to build community links and social capital.

However, supervisees valued supervision that was flexible enough to allow them to meet their obligations to family, friends and employers. The community order was an opportunity for supervisees to maintain and improve their community links. Supervisors may not have been actively involved in this process, but supervisees knew that they were checking progress.

The practice approach evident in this research had more in common with the 'what works' than the 'desistance' paradigm (McNeill 2006). Supervisors justified their work on the grounds of reducing reoffending and protecting the public; the emphasis was on professional assessment of risk rather than collaborative work with the supervisee to identify obstacles to desistance. Supervisors were focussed on the offender management process, formal structured assessment and the effective administration of the court order. They spoke less about ways of encouraging desistance by developing supervisees' human and social capital.

That said, neither paradigm was firmly embedded in the content of practice. For this group of low and medium risk offenders supervision often comprised low-level monitoring and the provision of practical help, rather than the delivery of structured cognitive-behaviourally informed programmes (the 'what works' paradigm) or interventions intended to develop the supervisee's human and social capital (the 'desistance' paradigm).

The Transforming Rehabilitation reforms have changed the relationship between supervisee, supervisor, keyworkers and the sentencing court. Chapter 8 draws on the findings from this chapter to assess whether the new organisational framework is likely to enhance or diminish the rehabilitative, reparative, managerial and punitive characteristics of community sentences.

Having examined and contrasted the way that supervisors and supervisees understand the purpose of different elements of community orders, I now turn to issues of compliance and engagement.

7 Compliance and the Involuntary Client

This chapter is about compliance. The previous chapter explored the characteristics of community orders with multiple requirements, investigating what supervisees and supervisors saw as the purpose of the various elements. The focus of this chapter is on how and why supervisees comply with these requirements and the approaches used by supervisors to encourage compliance and engagement.

The chapter uses interview data to illustrate the styles that supervisees adopt when engaging with their orders and the techniques that supervisors believe are effective in improving this engagement. It argues that the status of the supervisee as an involuntary client (Williams 1996; Trotter 2006) is central to understanding compliance and develops the concept of the involuntary client in the light of differences in supervisees' interactions with probation supervisors and keyworkers from other agencies.

The chapter begins with the supervisee perspective. It analyses supervisees' motivational postures (Robinson and McNeill 2010) and examines how these postures are shaped by different organisational and relational contexts. The second part of the chapter focuses on the supervisor perspective and the task of securing the compliance of court-ordered supervisees with the multiple requirements of their community orders. In particular, the chapter examines whether supervisees are complying with the demands of different agencies for similar reasons or whether there is something distinctive about the claims made by the probation service.

The findings from this chapter have implications for the legitimacy, effectiveness and practice culture of CRCs. These implications are explored in more depth in chapters 8 and 9.

7.1 Compliance and the Involuntary Client: the Background

Trotter defines involuntary clients as people who *'have not chosen to receive the services they are being given. In fact, these clients might actively be opposed to receiving the service. They might believe that it is unnecessary and intrusive'* (2006:2). Trotter argues that, because legal and socio-economic factors constrain the exercise of choice, the distinction between voluntary and involuntary client is often not clear and best understood as a continuum. The supervisees in this study were ordered by the court to receive a period of probation supervision, making them involuntary clients of their probation supervisors. However, as outlined in chapter 5, they were not all involuntary clients with respect to other agencies. The research included supervisees at various points along the voluntary/involuntary continuum, for example the mentoring scheme in Ashfield only accepted referrals from supervisees who chose to opt for a mentor while unpaid work in Birchwood was only carried out as part of a court order.

Probation supervisees are involuntary *clients* and not simply the *subjects* of court-ordered monitoring because, as explored in the previous chapter, the helping characteristics of community orders exist alongside managerial and punitive characteristics. A community order is understood by supervisees and supervisors to offer benefits as well as impose control. Probation supervisors are responsible for supervisees' substantive compliance with helpful interventions not simply their formal compliance with court-ordered requirements.

Compliance with penal sanctions and regimes has received both theoretical and empirical attention (Bottoms 2002; Robinson and McNeill 2010; Ugwudike and Raynor 2013). Robinson and McNeill's (2010) model of compliance, introduced in chapter 3, shows compliance as a dynamic phenomenon and highlights the interplay between types of compliance, the mechanisms underpinning the compliance and the behavioural approach (motivational posture) of the supervisee. Robinson and McNeill (2010) argue that substantive and longer-term compliance are more likely in regimes perceived by supervisees as legitimate.

Ugwudike's (2010) research drew on data from interviews with supervisors and supervisees. She concludes that the quality of the supervisory relationship affects compliance because good relationships increase the power of normative compliance mechanisms and encourage supervisees to engage at a substantive, rather than simply formal, level with their orders. This finding builds on previous studies suggesting that, for supervisees, good quality supervisory relationships are those that are respectful, reliable and communicate genuine care (Appleton 2010; Rex 1999). In more recent discussion of her work, Ugwudike (2013) raises the concern that the discontinuities in supervisory relationships resulting from increased inter-agency working may impact negatively on compliance. This research investigated the extent to which this concern is borne out in practice.

7.2 Supervisees: Engagement Styles and Compliance

The supervisees in this research complied with their orders, and with the various elements of their orders, in different ways. Further, their approach to compliance shifted over time. Four different engagement styles were evident: keen, amenable, resigned and withdrawn. These styles are related to the motivational postures in the Robinson and McNeill (2010) model and share similarities with typologies of compliance developed in other penal settings (e.g. Crewe's (2009) categories of compliance with a prison regime). The development of a nuanced understanding of engagement styles has the potential to direct supervisors to appropriate ways of working with the range of differently motivated supervisees.

Supervisees with a *keen* engagement style welcomed and embraced the opportunities brought by supervision. They spoke warmly of the help they were receiving and explained that they kept their appointments because they wanted to, rather than because they were required or obliged. Supervisees with an *amenable* style similarly felt their community order

was beneficial, but, unlike those with a keen approach, amenable supervisees stressed their status as involuntary clients. They were inclined to explain that they were complying because of the threat of breach proceedings but, as they were on the order regardless, it was sensible to make the most of the opportunities available. By contrast, a *resigned* style of engagement was characterised by a sense of lack of choice and little expectation of positive outcomes. Supervisees with a resigned style of engagement were not necessarily angry about their community orders or negative about their supervisors and many kept their appointments very reliably. The final style, the *withdrawn*, is effectively a style of disengagement rather than engagement. Supervisees withdrew from their community orders by failing to attend appointments and ceasing their involvement in interventions and programmes.

These are four styles of engagement rather than four types of supervisee. Describing supervisees as having a resigned engagement style does not imply that they were approaching other aspects of their lives in a resigned manner. Categorisations of this sort have a number of shortcomings (Crewe 2009; Ritchie, Spencer and O'Connor 2003); they disguise the extent of change in the systems they describe and neglect cases which fall between types. In this example, engagement styles were identified from the accounts given by supervisees about the way they responded to the instructions and invitations issued by supervisors and keyworkers. The research captured these engagement styles on a particular day and with reference to specific interventions.

The Keen Engagement Style

Ten (of the 38) supervisees in this study had a primarily keen engagement style. Eight of these people were dealing with a drug or alcohol problem and viewed the community order, and specifically its drug or alcohol treatment requirement, as a source of vital and timely help. As a consequence of their enthusiasm, they were likely to continue their contact with the treatment agency beyond the period ordered by the court.

Nick was a 26 year old man who had been in trouble, and in and out of prison, for a number of years. He had a history of drug use and in the past had been a client of the Ashfield drug treatment service. He welcomed his current community order as an opportunity to re-establish his link with this service. At the time of the interview, he had completed the six month drug rehabilitation requirement attached to his community order but was continuing to attend sessions at the drug treatment service. Asked whether the legal requirement to attend for drug treatment had made a difference to him, he replied:

'It was a good thing – because where I slipped back into using drugs, where I was required to attend there for groupwork and one-to-one keyworking, it gave me six months opportunity to turn that back around to where I was before I got back in trouble again. It was a good thing really.'

Niall had also previously been a client of the treatment agency (in his case, the Birchwood alcohol treatment agency). He believed that the alcohol treatment requirement in his community order was a good thing.

'Like before I would pop in here and there but I wasn't really focussed on it. Like getting the order, you know, it made me go there more. Obviously, I know it was by law to go there but, if anything, it probably helped me a bit more having that order to do it.'

Niall's alcohol treatment requirement had expired but he continued to attend sessions with his keyworker.

'I'm going as a volunteer. I've volunteered to do it, like carry it on. But it's all for myself anyway. I don't see it as volunteering – I'm doing it for me.'

The two supervisees with a predominantly keen engagement style but without a drug or alcohol problem had both benefitted from the ETE provision in Ashfield. They had started training courses that they planned to continue independently of their community order. Clare explained that her motivation to attend the course came from the satisfaction she obtained from it rather than from a desire to avoid the negative consequences of failing to comply.

'If I don't go..... I mean I don't really think of it this way 'cos it's something that I do actually want to do and it's something that I enjoy doing so I don't really think about the bad side of it if I wasn't to go, you know.'

Supervisees with a keen engagement style tended to be enthusiastic about the intervention provided by the keyworker rather than the input from their probation supervisor. Sue was a clear example of someone engaging in different ways with different aspects of her order. She spoke positively about the help and support that she had received to address her alcohol problem both from her probation supervisor and from the Ashfield drug and alcohol treatment agency. Her alcohol treatment requirement was completed but she was sure that she would be able to contact her keyworker in the future if necessary. She argued that her community order had achieved its purpose and was now engaging with her probation supervisor in a style that was more resigned than keen. Her motivation to attend was to avoid breach proceedings and a return to court.

'Yeah, I'm finding it hard now. I feel like..... I'm not drinking anymore, I've got a job now and I feel like I wish I could come to probation less now.'

This research demonstrates that supervisees can adopt different approaches to the separate strands of their community orders. It also shows that these approaches are fluid, changing over time and in response to a variety of pressures. Curtis, now in his early 30s, contrasted

his current keen approach to his community order with a previous much less enthusiastic engagement style.

'Before I didn't really care. I've just seen it as a few more weeks, a few more months out of jail and I can carry on using drugs. I didn't give a toss, to be honest, whether I went to jail or not – but a few things have changed. I've grown up a bit, I've been off the drugs for a long time – fair enough I've had a re-dabble lately but nothing like I used to do – I'm not committing crime like I used to.'

Curtis was positive about the help that he was receiving from his probation supervisor, ETE worker, JobCentre worker and from the Ashfield drug treatment agency. Curtis's shift to substantive compliance with his community order was motivated by changes in his attitude and priorities; he explicitly linked this with growing up (reflecting the importance of maturation in the journey to desistance (McNeill and Weaver 2010)) rather than to any aspect of his interaction with his current supervisor and keyworkers.

At the time of the research interview, which took place 12 months into her supervision, Alex was keen about the community order and anticipated continuing with education and training beyond its expiry. Like Curtis, she too looked back to a time when her engagement had been much less enthusiastic.

'I mean, at first, when I first had to come, I hated it. I didn't want to come, and then I knew I had a year. I thought, "a year!". But actually 'cos I've just come in, done it and got advice and done all what I've had to do and more, it's gone quick and it hasn't bothered me about coming.'

Alex attributed this shift, from resigned to keen, to a combination of the value of the interventions provided through the community order and the welcoming friendly environment created by all the staff involved in her supervision: her probation supervisor, the probation workers leading the group for drink drivers and the leader of the Ashfield JobClub.

Further evidence of the fluidity of engagement styles comes from supplementary data gathered from probation service case records. These records, accessed in January 2014 about 12 months after the research interviews, show that some supervisees who were keen at the time of their interview subsequently disengaged from supervision. Emma, who was interviewed in the early weeks of her community order, spoke positively about the order, its drug rehabilitation requirement and her probation supervisor. She did not view her sentence as a punishment but as *'part of your circle to get better'*. Prior to receiving her community order she had not been a client of the drug treatment agency and she was happy that her drug treatment was court ordered.

'I did try and get help a while back but it just took a few months and I didn't really get anywhere, so it's good with the court order. It means that I have to go, but they let you choose the time you want to come and stuff.'

Emma did complete her community order, but records show a period of time during which she missed probation appointments and that these absences followed the transfer of her supervision to a new offender manager. Without a further interview with Emma it is not possible to know whether, from her perspective, the change of supervisor was responsible for this shift and if, when she resumed contact, she retained her keenness for supervision and drug treatment.

Niall, whose keen approach to his alcohol treatment requirement was discussed earlier, also experienced set-backs in both formal and substantive compliance with his community order. Probation service records show that, in the months following the research interview, Niall's problems with alcohol and drugs worsened, he began to miss appointments with his supervisor and he committed a further offence. As with Emma, without a further interview with Niall the explanation for these changes is not clear. A keen style of engagement at one point in the order does not guarantee longer-term legal compliance.

To sum up, the keen engagement style was defined by a combination of a positive assessment of the services provided by the community order and a motivation to attend because of the value of appointments (rather than to avoid sanctions for non-compliance). Supervisees adopted a keen engagement style to elements of their order that they viewed as rehabilitative, as providing support for personal change. Supervisees could engage keenly with those strands of their order that they found beneficial while adopting an amenable or resigned approach to other elements. The keen engagement style is similar to the motivational posture of commitment (Robinson and McNeill 2010) although for the supervisees in this research, the benefits of the order were more significant than their view of the authority of their supervisors and keyworkers in shaping their approach to compliance.

Supervisees with a keen engagement style also have some things in common with the group of prisoners categorised by Crewe (2009) as enthusiasts. In Crewe's typology, enthusiasts are ashamed of their past offending and committed to using their time in prison to improve their practical circumstances and rebuild their moral integrity. One parallel between enthusiastic prisoners and keen supervisees is a preponderance of drug or alcohol problems and a desire to make the personal change needed to leave these in the past. They also share a sense of '*moral voluntarism*' (Crewe 2009:162) arguing that their compliance was motivated by their own judgment rather than organisational constraint. Indeed, a number of the supervisees were participating, as voluntary clients, in drug and alcohol interventions their court-ordered requirement having expired.

The fluidity of engagement styles provides a challenge and an opportunity for supervisors and keyworkers seeking to engage supervisees at a substantive level with community sentences. The findings from this study indicate that a keen approach to a community order is most likely when a supervisee is committed to making personal changes, finds the offered intervention valuable and is positive about the support provided by workers. Supervisees with drug and alcohol problems are significantly represented in this group. The implications of these findings for the practice of supervisors will be discussed later in this chapter.

The Amenable Engagement Style

Twelve (of 38) supervisees had a predominantly amenable engagement style. The amenable style, in common with the keen style, was characterised by an appreciation of the benefits of community supervision. However, unlike those with a keen style, supervisees with an amenable style adopted a pragmatic or strategic approach to their orders with a focus on instrumental mechanisms of compliance.

Matt's approach to his order, stressing the compulsory nature of his supervision while acknowledging the practical benefit of attending the Ashfield JobClub, was amenable rather than keen.

'Keep your head down, try and get something out of it. So – attending – if you're going to get qualifications out of it, then that's a bonus. [.....] I come here, do what I have to do and then go home. I may not like it, because I have to travel to get here but I'd rather that than be in prison. I'd rather attend here and get qualifications out of it.'

Supervisees with an amenable engagement style were motivated to attend by the threat of breach action and potential imprisonment. For some, this threat was effective now having been ineffective for past orders because, as a result of growing older and taking on adult responsibilities, they had progressed further towards desistance (McNeill and Weaver 2010). Tyler explained that he had a poor record of compliance with previous sentences but intended things to be different this time

"Cos of my little boy and my little girl. That's the most important things in my life now.'

The threat of breach was not the only instrumental compliance mechanism. Some supervisees judged that evidence of a successfully completed community order could prove to be an advantage in the future; they strategically considered the longer-term benefits of an amenable style of engagement.

'If it ever come again that I had to go again to court and they wanted to know who my probation officer was I could call her in as a support for me or something. If they're thinking "we might put you down for this" and my solicitor says "get CO in, because

you've done well there." You might get probation or community service this time. Know what I mean?' (David)

Howard was talking about his groupwork at the drug and alcohol treatment agency when he said,

'Seems all right, seems OK. Everyone talks, everyone's got issues. Yeah, it seems all right. But it's what's required of me as well. I mean, sometimes I find myself doing things just to prove to the courts that I'm doing something, do you know what I mean? I do find myself having to do things sometimes that ain't relevant but I mean I have to do it. So – it looks good to the courts, it appeases social services, so I do it...'

Supervisees with an amenable approach to their order were prepared to go beyond formal compliance and were open to the idea that the services being offered by their supervisor or keyworker may be helpful. However, they were unlikely to continue their involvement with agencies such as drug and alcohol treatment providers beyond the expiry of the specific requirement in their community order.

Asked to explain his compliance with his community order, Andrew talked both about the benefits it brought him but also about the significance of the threat of breach action. His drug rehabilitation requirement included regular review meetings with the sentencing judge, something that was particularly significant for Andrew.

'If I don't [comply] I'll be in prison, won't I? You know, plain and simple. My recovery started before the order. I'll comply with the order because I don't want him to send me to prison. He sees I've made progress in my life and he's given me the opportunity to take on the DRR and carry on building my life up.'

Andrew's approach to his drug rehabilitation requirement was amenable; he was less positive about the probation supervision element of his order. Andrew argued that, given that he was complying well with the drug treatment agency, his probation supervision was superfluous. He suggested that this element of his order could be dropped, allowing his probation supervisor (MC) more time with other people. He explained that, at the outset of his order, MC had played a necessary managerial role setting up the service from the treatment agency. However, he could no longer see the benefit of his sessions with her and his style of engagement with this aspect of his order was resigned, motivated by the desire to avoid enforcement action.

Supervisees who hoped to benefit from their community order but were disappointed by the service they were receiving displayed an amenable but frustrated style of engagement. As described in the previous chapter, Sarah was dissatisfied with her drug rehabilitation requirement.

'But just going there, putting something in my mouth to get a swab and leaving the door. That's not doing anything. I thought the whole point of that was to work one-to-one to try and see what's making you reoffend or what's making you take drugs and something like that...'

Colin complained about two or three previous probation supervisors and said that he wanted to get the order *'out the way.'* However, he had not given up hope that the community order could be beneficial for him.

'Because I've got this, 'cos I've got it and they gave it to me – the judges, the law and that gave it to me – I'm going to take full advantage of it. And that's what I want to do.'

Probation case records show that, despite complaining about the service he was receiving and requesting changes of supervisor, Colin continued to attend appointments and ask for help. He simultaneously viewed his community order as an undeserved burden and a useful resource.

In terms of the motivational postures described by Robinson and McNeill (2010), the amenable engagement style is a posture of deference. Supervisees have capitulated in the sense that they accept the constraints of the community order. As discussed in the previous chapter, supervisees view the demands made by supervisors as justified because they are part of the court order. Supervisees with an amenable engagement style would be less likely to comply with arrangements which they saw as voluntary or instructions which they viewed as lacking authority.

The amenable approach also has elements of game-playing; the amenable approach is not a posture of defiance but supervisees do take account of the strategic benefits of complying with their orders. Like the 'pragmatists' and 'stoics' in Crewe's (2009) study, supervisees with an amenable engagement style complied with the demands of their sentence largely for instrumental reasons. However, the supervisees were less fatalistic and more optimistic than the prisoners; being subject to a community order provided more flexibility, freedom and choice than serving a prison sentence.

An amenable style of engagement was most likely when supervisees were convinced by the pragmatic benefits of compliance, open to receiving help, but ambivalent about committing themselves to personal or lifestyle change. A challenge for supervisors and keyworkers, therefore, is to create an environment that reinforces both the practical and rehabilitative benefits of compliance, reducing the chances that supervisees shift from an amenable to a resigned style of engagement.

The Resigned Engagement Style

The key difference between the amenable style and the resigned style is the extent to which supervisees perceived their community orders as potentially beneficial. The resigned style of engagement was characterised by little expectation of positive outcomes. Sixteen (of 38) supervisees had this as their predominant approach, making them the largest group in the research. These supervisees described complying with their requirements as something that had to be done and they looked forward to the completion of their orders. They were more likely to stress the managerial and punitive characteristics of the community order, rather than rehabilitative ones.

Supervisees with a reluctant approach to engagement tended not to challenge the legitimacy of their orders and many kept their appointments very reliably. They did, though, emphasise the compulsory nature of their attendance. Jason, age 22, represented this perspective.

'It don't really bother me who I see. It's got to be done. That's the only reason I'm here. I'm not here 'cos I want to be. I wouldn't be here otherwise. If it was optional, I wouldn't be here. So it don't really bother me what I do or who I do it with as long as it gets done fast.'

Luke, age 19, spoke negatively (although not at length) about the alcohol treatment, unpaid work and basic education elements of his community order. He also explained that this was his second community order, his first order having ended in breach action because he did not keep his appointments. He suggested that his community order would be improved if he had fewer appointments. He was asked about his current improved attendance.

JD: *'Why do you keep your appointments? I guess I'm quite interested in that.'*

Luke: *"Cos otherwise I'm going to get breached again.'*

JD: *'And it's not meant to be a stupid question, but why don't you want to be breached?'*

Luke: *'Because I don't want to go back to jail.'*

Supervisees with a resigned style of engagement were not necessarily angry about their community orders or negative about their supervisors. Indeed 13 (of 16) supervisees spoke in a broadly positive way about their supervisors, with comments ranging from warm to more neutral.

'She's been really good at understanding how I am.' (Mary)

'He's not done a bad job.' (Mo)

Despite his earlier comment about not minding which worker he saw, Jason was complimentary about his supervisor OG.

'OG's a lovely lady.....She listens, she praises me if I've done well.'

Victoria was subject to a community order with a mental health treatment requirement. She had been receiving psychiatric help before her conviction and, as a consequence, the treatment requirement made little difference to her. Her approach to the mental health treatment was amenable; but she adopted a resigned approach to probation supervision. She was also supervised by OG.

'OG's quite good you know. I've not had any..... I don't have any reason to fault her or anything. We just have our....the conversation. Probation – I'm expected to be here. That's that.'

Carl made clear that he liked the company of both his probation supervisor and the staff at the alcohol treatment agency; he enjoyed chatting to them. However, his attitude to attending appointments remained resigned.

'Got to do it. Yeah, so it's pointless me trying to skip it, week for week, because I don't fancy it. I'm not going to fancy it anyway. Just go and do it.'

Positive interaction between supervisor and supervisee was not sufficient to ensure an amenable or keen engagement style. However, the creation of a good supervisory relationship did play a part in shifting a resigned engagement style into something more positive. Alex, whose shift from a resigned to a keen approach was described earlier in this chapter, attributed some of this shift to the warmth of her interaction with her supervisor and keyworkers. Rachel was engaging amenably with her current supervisor, AS, but had failed to comply with a previous community order.

'AS's a really nice lady actually, I get on quite well with her. I was on probation a couple of years ago for a different offence and I had another community alcohol order. And even though my probation officer was nice, I didn't have that much of a connection with her as I do with AS.'

However, Alex and Rachel were in the minority. The supervisees in this research were interviewed some time into their community orders and the majority of those with a resigned engagement style, despite the services and resources on offer, had not shifted their approach.

Supervisees with a resigned style did not want to go beyond the minimum level of engagement that would satisfy their supervisor. They managed their commitment to the order by being aware of the detail of its requirements; they ensured a smooth passage through the order by keeping on good terms with their supervisor.

'I knew what I was ordered to do – go to [treatment agency] – but not to go to all these different bloody sessions. I mean – it's like one hour here, one hour there, one

hour here. I'm saying let's not take my whole life over. 'Cos I don't mind going in there, but I don't want to do what I don't have to do.' (Mo)

'I've got to do it, you know. That's the order I've been given, so you've just got to do it, haven't you? So obviously you've got to do it nicely. Get on with it, don't miss every appointment. I've only missed one appointment.' (Tom)

Only one supervisee said explicitly that he managed the demands of his order by being economical with the truth. Ed was subject to 12 months' probation supervision and a six month alcohol treatment requirement. At the time of interview, his alcohol treatment requirement was nearly at an end and he was looking forward to its expiry.

Ed: *'I'm just basically eating humble pie for six months and then, after this is done, I go back to the way I am again.'*

JD: *'So you're not expecting it to change you?'*

Ed: *'I'm telling them I want to cut down – but I don't. I'm just telling them what they need to hear to stay off my back at the end of the day.'*

Seven (from 16) of the supervisees with a resigned approach to engagement had a drug rehabilitation or alcohol treatment requirement. Ed was managing his relationship with the treatment agency by giving a false picture of his motivation to change and it is possible that other supervisees used this strategy too. However, supervisees were more likely to explain that they opted to say as little as possible or keep their sessions as short as possible.

'I go there for a drug test and I'm in there for two minutes. Do my test and get out.'
(Bailey)

JD: *'So the only thing you do there [the alcohol treatment agency] is in a group, is it?'*

Carl: *'In a group, talking for an hour, yeah. There's quite a lot of people got issues – like I only do a little bit of talking – let everyone else talk.'*

Mo, Tom and Ed, quoted above, completed their orders without breach action or reconviction during the life of the order. None of them expected any benefit from their community order and they managed their interactions with probation supervisors and other workers to ensure the order progressed smoothly.

A resigned style of engagement resulted in formal rather than substantive compliance with the community order. The predominant motivational posture (Robinson and McNeill 2010) was a mix of capitulation and game-playing. Supervisees accepted the authority of the probation service and other agencies and complied in order to avoid further sanction. However, they also used their limited power to manage their interaction with supervisors and keyworkers to minimise the order's demands. Their low expectations of the benefits of the order were based on practical judgments about the relevance and quality of the offered

services, rather than on a fatalistic or pessimistic attitude to themselves and the future. Crewe (2009) identified fatalism and pessimism as significant for the set of prisoners he identified as retreatist. In the community setting, supervisees who have no concern for or optimism about their own futures have the option to withdraw from supervision.

The Withdrawn (Dis)Engagement Style

The difference between a resigned and withdrawn engagement style is that supervisees who withdraw are not complying at a formal level and face sanction for non-compliance. The boundary between these two styles is blurred and contingent on shifts in policy guidance and practitioner behaviour. A supervisee who attends, as instructed, once a month engaging only superficially with the supervisor exhibits a resigned style of engagement. A supervisee who, having been instructed to attend once a fortnight, attends once a month engaging only superficially risks being judged non-compliant and prosecuted for breach.

As Robinson and McNeill (2010) note, probation service policies put a priority on formal compliance to the disadvantage of supervisees who want to engage with particular workers or specific projects but, for a variety of reasons, struggle to report as instructed. Supervisees who attend chaotically are not demonstrating a withdrawn approach to supervision, but are likely to find themselves sanctioned for non-compliance.

Capturing the perspective of non-compliant and disengaged supervisees is not straightforward. As discussed in chapter 4, I took steps to ensure that the supervisee sample for this research included people with a mix of views about their supervision and their supervisor. However, the research interviews took place in the probation office and so (at least on the day of the interview) all the supervisees in the study were engaging with the probation service at a basic level. The research did include supervisees who had withdrawn from previous periods of supervision, been subject to breach proceedings earlier in their current order or would disengage before the end of their current order.

The study also contained supervisees who, while maintaining contact with the probation service, had managed to withdraw (wholly or partly) from another element of their community order. As described in chapter 5 Colin, despite his drug rehabilitation requirement, was no longer keeping appointments at the drugs agency. Mo explained that his contact with the alcohol treatment agency was now limited to attending for a breathalyser test. He had been invited to attend group sessions but declined.

'I don't need to go to [alcohol agency]. I think they know that, so I'm just in and out of there. It's an order so I have to comply with it.'

Colin and Mo had arranged to disengage with one requirement of their order in a way that appeared acceptable to both the keyworker and the probation supervisor.

The close link between the probation supervisor and the sentencing court gave supervisees less scope to negotiate a withdrawal from this element of the community order. The common theme to emerge from supervisees who had disengaged from previous periods of supervision was that, at that time, they did not care what happened to them. They explained that, faced with drug problems and with outstanding criminal charges, there seemed no point in trying to comply with community supervision.

'Before I just didn't care what happened but now there's lots of things to stay out for.'
(Tyler)

At the time of the research interview, John's approach to both the probation supervision and ETE elements of his community order was amenable. However, at the outset of the order his pattern of reporting had been poor.

'I have missed quite a few, yeah, but then there come a time when I didn't really care. If they sent me back to court it didn't really matter. I've got court anyway, I think I'm going to prison anyway. Like it's only natural to really think "oh well, what's that going to do, it's not going to affect me in the slightest really".'

John credited his then probation supervisor for giving him a number of chances and was grateful to her for recommending to the court that he received a further community sentence.

'I did take a bit of the mickey really. Some of the times, yeah, I should have deserved to have a breach for that. But now, like, I'm really thankful....really grateful that she gave me that chance and now, for her, I want to be a success really.'

At the time of interview, John's supervision was being taken on by a new probation supervisor. He was about to start attending an anger management group and, as a result, it was necessary (in line with the policy for delivering programmes) to transfer his supervision to a specialist offender manager. Probation records show that, in the months after the interview, John's alcohol problems worsened and he missed appointments again; he also reoffended and was sentenced to a further community order.

Bailey, like John, could look back and reflect on a time when he had withdrawn from community supervision. He, too, used a fatalistic argument, explaining that he had given up attending appointments after being arrested for a further offence. At the time of the research interview, Bailey's engagement style had shifted from withdrawn to resigned.

'If I couldn't go to jail for it, I'd say "shove it up your arse". I wouldn't do nothing. I'd say "I don't want to do nothing". I have to do it, because the court's told me I have to do it.'

However, Bailey did not maintain this approach to his order. Probation case records show that he continued to have problems with substance misuse and further offending. He missed

appointments and, some months after the research interview, was back in prison. Instrumental mechanisms (the threat of court action and a return to prison) were not sufficient to secure his compliance and his resigned style of engagement was fragile.

John and Bailey's circumstances illustrate the dynamic nature of engagement styles and their complex link with internal motivation, external pressures and the framework provided by probation supervision. This research showed the majority of supervisees adopted an amenable or resigned approach to the requirements of their community order, complying predominantly because of the authority of the court. Supervisees who withdrew from supervision did not dispute this authority, but were no longer motivated by the threat of breach because they did not believe that this would worsen their already difficult circumstances. By contrast, the minority of supervisees with a keen engagement style, while also recognising the authority of the order, were driven to comply by internal motivation for personal change and development.

Identifying engagement styles contributes to the conceptual model of compliance with community sanctions by adding empirical weight to factors linked with supervisees' formal and substantive compliance. The approaches to engagement developed in this dissertation are applicable to low and medium risk offenders subject to community sentences with multi-agency input. The context for these engagement styles (explored in chapter 5) is routine supervision in which supervisors, supervisees and keyworkers have limited time to work together.

The existence of engagement styles that shift over time and in response to different interventions has implications for the practice of supervisors and the organisation of services. Supervisors can encourage a shift from formal to substantive compliance (from a resigned to an amenable or keen engagement style) by creating a community order regime which pays timely attention to the supervisee's practical problems and provides good quality interventions. Supervisees are likely to adopt a resigned approach, not an amenable one, to services that they do not find helpful.

Additionally, the research suggests that many supervisees (those with resigned and amenable engagement styles) would have been content with community orders that made very few demands on them. These supervisees were reluctant to go beyond formal compliance with their orders whatever the quality of the offered interventions.

There is a difference between the way that supervisees engage with the probation service and with other agencies, even when these agencies are delivering court-ordered requirements. Probation service supervision is seen as closely linked to the sentence of the court and the input from other agencies more focussed on addressing needs and problems. As a result, supervisees viewed their sessions with probation supervisors as unavoidable if

they wished to avoid breach, but perceived their interactions with keyworkers as more negotiable. Their compliance with keyworkers was less influenced by instrumental concerns. Supervisees responded positively to workers, both from the probation service and from other agencies, who communicated care and understanding. Good quality relationships were not sufficient to shift supervisees into keen or amenable engagement styles, but they played a part in this process. They were also important in maintaining the engagement of supervisees who approached elements of their order reluctantly.

These findings raise a number of issues for the work of CRCs including: the nature of the connection between the CRC and the sentencing court, the network of relationships created as part of the community sentence and the demands made of supervisees in terms of attendance and compliance. These points are explored in chapter 8.

This chapter now turns to the perspective of the supervisors and their role in securing the compliance of involuntary clients.

7.3 Probation Supervisors: Working with Involuntary Clients

As established in the two previous chapters, supervisors saw themselves as central to the offender management process and accountable to the court for the delivery of the community sentence. They emphasised their responsibility for risk assessment, risk management and reducing reoffending. Supervisors stressed the status of supervisees as involuntary clients (Trotter 2006) with one supervisor (MC) explicitly citing Trotter's work as a blueprint for her practice approach.³⁸

Supervisors took the view that, even in the context of the court order, supervisees were likely to be reluctant to take up services whether offered by the probation service or other agencies. Consequently they did not dispute the benefit of compelling supervisees to undertake interventions delivered outside the probation service. The majority of supervisors expected that supervisees would adopt a resigned or amenable approach to input from other agencies. Almost by definition, involuntary clients were assumed to be unenthusiastic about their experience.

Two supervisors (of 19) acknowledged that, for some supervisees, a referral to another provider could lead to keen engagement and sometimes to contact that would outlast the community order. HV talked about the experience of women supervisees who attended the Ashfield Women's Centre programme. She explained that the Centre's programme, with activities ranging from first aid training to art and dance, was open to women from all sections of the community.

³⁸ This was the only occurrence of a supervisor naming a specific example of probation practice literature.

“Cos our ladies have gone there and feel happy going there, they have now joined some of these courses and there’s counselling and all sorts there – and they’ve got involved in that. They probably wouldn’t have gone there otherwise or had the confidence to go in there on their own. But they feel quite comfortable in there now, as they’ve come there every week to see us.”

HV’s example is of keen engagement emerging from required attendance. By contrast, OG suggested that, in her experience, keen engagement could be more likely in cases where the supervisee was receiving services as a volunteer from the outset.

‘The offenders themselves are more willing because it’s something they’ve – not necessarily asked for – but something that they really want – rather than something that’s been imposed on them.’

Supervisors wanted to secure both formal and substantive compliance from supervisees. From the perspective of the supervisor, formal compliance was necessary to satisfy the demands of the court order while substantive compliance was required to meet the goals of risk management and reduced reoffending. Supervisors spoke about the importance of role clarification in securing resigned engagement, the techniques used to encourage amenable engagement and the distinctive approach of the probation service.

Expectations and Boundaries – Securing Resigned Engagement

Supervisors recognised that instrumental calculations were often at the forefront of supervisees’ decisions about compliance, accepting this as an inevitable consequence of practice with involuntary clients. They argued that role clarification (one of Trotter’s (2006) principles of effective practice) was a valuable tool to establish engagement and spoke about the importance of negotiating the supervision plan with the supervisee (a strategy advocated by Williams (1996)). Supervisors explained that they worked in an open way with supervisees, laying out the expectations of the supervision process and setting a clear framework for attendance at appointments with probation and with other agencies.

Eight (of 19) supervisors explicitly spoke about the importance of establishing roles, responsibilities and boundaries at the start of the order.

‘I think the biggest thing is – it’s almost like – I don’t want to sound patronising – but it’s almost like explaining to a child what you need and what you want. You have to be very clear about what’s expected. But also very clear about what they can expect from you. They have to know exactly what’s going to happen if they don’t comply with appointments.’ (OG)

JY showed the importance she attached to setting the framework for the order when she gave this as an example of an offender management skill. In response to a question about the skills and methods of supervisors, she said:

'Explain what's going to happen. Explain what we need to do. Ask them what they would like to do. Just try to engage them with the fact they are on an order and they.... We'll obviously be here for however many months and get them to see that it's useful and we can do things to help.'

However supervisors did not believe that setting clear boundaries would be sufficient to ensure formal compliance. Fifteen (of 19) supervisors explicitly described supervisees as individuals who were hard to help; they explained that, given that supervisees faced multiple problems and often lacked motivation and self-confidence, unreliable appointment keeping was very likely.

Much of AM's work was with supervisees subject to DRRs. She spoke about the challenge of maintaining engagement.

'And usually with the drug DRR we very rarely drop their attendances because they are so chaotic. So I don't – I myself have never dropped their attendances to less than fortnightly. Unless they are really stabilised and I see they are really helping themselves and trying not to use. But the more chaotic ones I hold onto at least weekly or fortnightly.'

As a consequence of offering weekly or fortnightly appointments to a group of supervisees with many needs, AM was providing them with regular opportunities to engage with support and practical help. Tyler, Nick, Emma and Sarah (all supervised by AM) spoke positively of their interaction with her. However, the greater the number of sessions offered over the life of an order, the greater the risk of missed appointments and formal non-compliance.

HV explained that she responded to supervisees with some limited leeway if they were late for appointments. She routinely reminded people of their appointments by text message. She contrasted her approach with that of the Ashfield drug treatment agency which, in her view, did too little to engage probation service users.

'A lot of these people have never had stability – and we can change it round. When we have people who, once they come with the text messaging and stuff like that, we can get that compliance and that attendance. But sometimes it just takes a little bit of effort on our part. To be honest, if I took their stance, and every time someone was five minutes late.... I'd probably have no one to see for quite a few days. "Right! No! A few minutes late – I'm not seeing them!"'

Supervisors set out to secure formal compliance with orders by setting clear expectations and explaining the consequences of missed appointments. They used instrumental mechanisms to secure engagement and responded flexibly to supervisees' difficulties with appointment keeping. However, they did not expect these mechanisms to be sufficient to

secure formal compliance in all cases and anticipated that some supervisees would withdraw from supervision.

Offering Practical Help and Building a Relationship – from Resigned to Amenable

Supervisors wanted to secure formal compliance and their aim was to ensure that supervisees were, at least, engaged in a resigned manner. However, supervisors were not satisfied with securing a resigned style of engagement. They wanted supervisees to be more actively engaged with their order because they viewed this as necessary to meet the aims of risk management and reduced reoffending. This is a point of difference between supervisors and supervisees; a number of supervisees were quite satisfied with their resigned style of engagement and would not have agreed with HV when she said,

'It's pointless people coming in and saying "yeah everything's fine, goodbye" and talking about the weather and... No-one's achieving anything like that.'

This sentiment, that effective community supervision depended on committed engagement from the supervisee, was shared by other supervisors.

'The relationship is central to the work that we do but the relationship on its own doesn't work, if you don't do anything else. It's no good having a nice chat and sending him on his way because that doesn't do anything except – you might send him away with a smile on his face – you need to do some focussed work.' (MC)

Supervisors tried to move supervisees into an amenable style of engagement through a combination of normative and instrumental compliance mechanisms. Important among these mechanisms were relationship building with the supervisee and offering benefits for compliance in the shape of access to practical help and useful resources. These two strategies show supervisors applying two more of Trotter's (2006) principles of effective practice: the relationship and problem solving.

As discussed in chapter 3 many studies link the quality of supervisor/supervisee relationships to outcomes such as good quality work, the effectiveness of interventions, improved compliance and support through the process of desistance (Robinson et al 2014; Dowden and Andrews 2004; Ugwudike 2010; McNeill and Weaver 2010). The supervisors in this study, like those in the research conducted by Robinson et al (2014), valued the relational dimension of their work. Robinson et al (2014 p129) list the following factors as important in relationship building: *'building rapport; treating the offender respectfully; listening; being open and honest; following up on promised actions; taking time to get to know the person; being consistent; involving the offender in setting goals; establishing boundaries; and building trust'*. Each of these factors was also identified by supervisors in this study.

'I've built a foundation with them where they know what I'm about. They usually trust that what I say is going to happen. I suppose that's another strand, where what I say in a session, that I would do, I tend to carry out.' (KA)

'In terms of working with people, listening skills are key – the ability to listen, reflect back and understand, the ability to empathise, to challenge sometimes – but in a non-direct way so not in an aggressive way – but to challenge inconsistencies in thinking possibly.' (PH)

'Building a working relationship is about equal respect, but also setting boundaries as well.' (GT)

'It's about providing that supporting network and demonstrating, more than anything else, that someone else cares. That you've got that input and you want to see the best for this person. You've got their best interests at heart. It's almost like saying that you can be bothered.' (JW)

While supervisors agreed about the importance of their working relationship with supervisees, they had different opinions about the difficulties inherent in the relationship and the extent to which it was a practice tool or a moral good. The probation officers in the sample, and particularly those with experience of working with higher risk cases, were more likely than the probation service officers to talk about the complexity of constructing and maintaining a good relationship. BN gave an example of her work in a case with child protection concerns.

'So it's about being really aware this person could potentially go on to commit harm – whilst also having quite a close relationship with them. Which is actually really difficult balance to strike because in order to work well with someone there has to be an element of trust between the client and the probation officer.'

The majority of supervisors (14 of 19) talked about the professional relationship as a practice tool, explaining that the relationship was needed to achieve goals such as attendance or the information gathering needed for risk assessment.

'Building a relationship is crucial, I think, to our role. 'Cos I believe we do risk management through relationships with the offender.' (LB)

'If you haven't got that relationship established from the beginning then you are going to find it difficult to keep abreast of all the changes. It's going to be difficult enforcing orders and people not turning up. I think you really need to have a humanistic side to you when dealing with people.' (OG)

The supervisor/supervisee relationship was perceived in instrumental rather than normative terms; it was seen as a way of meeting the goals of supervision and of encouraging

supervisees to shift to an amenable or keen engagement style. Three (of 19) supervisors, all probation officers with experience of work with higher risk cases, did make some link between the relational aspects of supervision and indicators of quality practice. However, they were in a minority. The dominant view was that good supervisory relationships, based on factors like listening, empathy and respect, were of central importance to probation practice because of their role in securing formal and substantive compliance.

Alongside building good working relationships, supervisors also wanted supervisees to feel that they were getting something of concrete benefit from the community order. Assisting supervisees with practical problems had a number of advantages: it was evidence of the supervisor's willingness to help, it showed that the supervisor's concern for the supervisee was authentic and it encouraged a collaborative way of working with the supervisee.

Supervisors identified the provision of useful services, often delivered by agencies other than the probation service, as another way of encouraging supervisees to adopt an amenable approach to supervision.

'I think that, at the start, you're open and honest with them. Sharing the ISP with them. This is what we have to do, but it's about you at the end of the day. What do you want to get out of it? You're on probation for the next year, two years, how long, whatever. Instead of it just being a waste of time, what do you want to get out of it?'
(ER)

TK argued that, if supervisees were not receiving help with practical problems, they would be reluctant to engage with probation interventions intended to assess and change their attitudes and behaviour. She highlighted the role of other agencies in providing that help, suggesting that supervisees who were receiving a useful input from another agency were more likely to engage with the offending-focussed intervention delivered by the probation service. She was clear that, in her view, offending-focussed work was the business of the probation service and could not be delivered by other agencies.

'We, probation by itself, if we didn't work with other agencies, I don't know what we'd then be able to offer that person. I think that people would feel that they're not taking anything away from it. I think that it's the practical things they feel like they're getting something from, but actually we know that they're getting something from exploring their backgrounds and things like that...'

Supervisees adopt an amenable approach to elements of their community order when, although primarily complying in order to avoid breach action, they judge that the intervention brings benefits. Supervisors encourage an amenable approach to engagement because they link this with a greater likelihood of reduced reoffending; they want supervisees to engage with the content of supervision in order to bring about changes in attitude and

behaviour. Supervisors try to achieve this shift in engagement by paying attention to the relational and practical dimensions of supervision.

The Distinctive Probation Approach

This research suggests that because supervisees are involuntary clients for a fixed length of time, there is a distinctive probation approach to compliance and engagement. Supervisors took pride in their ability to persevere with reluctant supervisees, to hold on to the unwilling and to keep working until the end of the order. From the supervisor perspective, a key difference between their work and that of other agencies was that probation intervention was time-bound rather than needs-led. Supervisors had to offer services for the duration of orders whether or not supervisees assessed themselves as needing help. They compared this with the expectations of keyworkers from other agencies whose background was in work with voluntary clients. Eleven (of 19) supervisors explicitly said something about this aspect of their work.

MC was comparing her practice with that of workers from other agencies when she said

'It's perhaps tempting to knock somebody off your caseload because they don't seem to want to comply. I don't know..... I don't know. Maybe we work harder at it because we know that they're on our caseload come what may. We can't just say "well you're not complying, off you go, we don't want you anymore!"'

CO made a similar point, contrasting the approach of the probation service with that of agencies that only offered supervisees a single opportunity to engage.

'They tend to think, "we did set up that appointment and then he didn't turn in or she didn't turn up" or you feel like they have already formed an opinion. Where we know that you have to keep chipping away – keep chipping away. You can't give up on these people, so you just tend to keep..... Sometimes it just feels as if you are bashing your head against a brick wall – but you keep going. Every now and again you see a little glimmer. You think "let's go with that glimmer".'

CO was not alone in speaking about the need for persistence in probation practice.

Persevering with supervisees who adopted a resigned approach to supervision and working patiently to find ways to motivate them was argued to be a distinctive probation contribution.

KA described the offender manager role as

'Getting them through, keeping them in services.'

Keyworkers from other agencies (including the Ashfield drug and alcohol service³⁹ and the Birchwood housing advice service⁴⁰) confirmed that they responded to missed appointments

³⁹ Data from informal interview (18/6/13) recorded in fieldwork notes.

by referring the supervisee back to the probation service. Neither agency would persist in offering a service to a supervisee who regularly missed appointments.

There is another consequence of time-bound interventions; not only are supervisors persevering with reluctant supervisees through the life of the order, they also have to plan for their contact to cease at the end of the order. Probation involvement may end at a time that is inopportune for the supervisee and all the agencies involved. BN gave an example drawing on her experience of working with a woman who was involved with the drug treatment agency and with child protection social workers.

'There was still this feeling, at the time of the case conferences, that "oh well, the probation officer's going to go then". So, I think that was also a misunderstanding about how difficult the situation was for me. I don't have a choice in the matter. The sentence has ended. People assume you think that's a great idea. I'd rather have worked with that case a bit longer.'

Supervisors perceived the ability to work with involuntary clients to be a distinctive skill. While recognising that other agencies brought welcome specialist knowledge and the possibility of support that would outlast the community order, they questioned the capacity of these agencies to be patient and persevering in the face of an indifferent or chaotic response. They expressed frustration at the difficulty of securing helpful interventions for hard-to-reach supervisees. PH and MC gave examples from work with community mental health services.

'They will offer an initial appointment, assessment appointment for somebody. If that person doesn't attend, they'll write to them and say "if you don't attend or contact us within ten days then we're closing your file". Now I think that's really terrible. Someone's waited for weeks, possibly months for an assessment appointment. They're unwell, they are usually quite chaotic and/or depressed and/or anxious and whatever it happens to be. Then to only offer them one appointment I don't think is so good in terms of when you're dealing with sick, vulnerable people.' (PH)

'I had numerous conversations with his mental health care coordinator – who just, from my point of view, couldn't seem to understand why he couldn't just get on a bus and go and see her. He wouldn't even talk on the phone to her because he said then he'd have her voice in his head for the rest of the day. He just couldn't do it and she couldn't understand that. She said "well he either gets on a bus and comes and sees me or I'm not going to help".' (MC)

⁴⁰ Data from informal interview (21/6/13) recorded in fieldwork notes.

Four supervisors specifically stressed that their relationship with supervisees was distinctive and beneficial because it lasted for the duration of the order.

'They don't always feel they are able to tell the teacher or the other person they are dealing with – 'cos they haven't got that close constant relationship with them.' (HV)

GT explained that she had learned the importance of maintaining a connection with supervisees.

'It's important for me not to lose that contact and engagement with somebody, because where previously I didn't see somebody because he was doing JobClub every week and he was doing really well, I saw him on a monthly basis. And things went downhill and he was arrested again – and he was quite angry because he felt abandoned by it all.'

From the perspective of supervisors, their commitment to persevere with unwilling, unwell or unmotivated supervisees was a distinctive element of probation practice. They argued that they had the skills and experience necessary to secure and then maintain at least a resigned approach to engagement from supervisees. They drew a distinction between the practice culture of the probation service, which valued the slow patient work of the supervisor, and that of other agencies which put more stress on the choices and actions of the supervisee.

7.4 Concluding Discussion

This chapter has examined the processes of compliance and engagement from the perspective of supervisees and supervisors. It distinguishes different engagement styles adopted by supervisees and the mechanisms used by supervisors to encourage formal and substantive compliance. It asks whether supervisees adopted a similar approach to compliance with probation supervision and to compliance with other elements of their order.

The findings from the chapter highlight the significance of the concept of the involuntary client. This concept provides the context for understanding the engagement styles and motivational postures adopted by supervisees as well as the strategies used by supervisors to encourage compliance. Work with involuntary clients is a distinctive task for the probation service.

From the perspective of the supervisee the existence of the court order is the principal factor driving compliance. The demands made by a probation supervisor are deemed legitimate because they are the practical manifestation of the requirements of a legitimate court order (Beetham 1991). Supervisees comply with probation supervision because they want to avoid breach action and a return to court. However, the findings from this research suggest that supervisees adopt a different approach to compliance with other agencies even when subject to a court-ordered requirement. Keyworkers are not linked to the sentencing court in the

same way as probation supervisors and, as a consequence, expectations and patterns of attendance are seen as more negotiable.

Having made the decision to comply, supervisees engage with their orders in a variety of ways. These styles are fluid and dynamic, with shifts driven by supervisees' assessments of the benefits of compliance and changes in their interaction with staff. The research findings suggest that supervisees who have a low expectation of the benefits of supervision are likely to adopt a resigned approach to engagement. A keen approach is more likely from supervisees who are actively engaged in a process of personal change. In this research, as identified in chapter 6 and again here, there was a difference between the majority of supervisees who assessed themselves as having few needs and the minority who were enthusiastic about the service that they had received (usually in relation to drink and drug problems).

The status of the supervisee as involuntary client shapes the input from the probation supervisor. In order to secure a resigned approach to engagement, supervisors set clear boundaries for and expectations of supervision. They explicitly deploy instrumental compliance mechanisms (Robinson and McNeill 2010). However, convinced by the link between substantive compliance and a reduced risk of reoffending, supervisors encourage supervisees to adopt an amenable approach by providing useful services and creating a positive working relationship. Positive working relationships are perceived to depend on factors including openness, understanding, listening, creating trust and being reliable. Supervisors create the relationship to advance the goals of reducing reoffending and managing risk rather than for broader normative outcomes; their practice reflects a 'what works' paradigm rather than a desistance paradigm (McNeill 2006)

The ability to build a positive working relationship in the context of a court order is, from the supervisor perspective, a distinctive probation contribution to multi-agency community supervision. Probation practice is shaped by an operational philosophy (Hardiker 1977) which values perseverance and persistence. Supervisors attach importance to skills and experience that aid work with involuntary clients and contrast the approach of the probation service to that of other agencies whose operational philosophy puts more stress on voluntarism and client choice.

The findings from this research have a number of implications for the developing practice of CRCs. The operational philosophy of CRCs will be shaped by a combination of structural and cultural concerns. At the structural level, it is significant that probation trusts had a closer relationship with sentencing courts than that available to CRCs. Both supervisor and supervisee attach importance to the supervisor's status as officer of the court. This status contributes to the supervisee's perception of the order's legitimacy. CRC supervisors are not officers of the court in the same way as probation trust employees. The contractual and

funding arrangements between CRCs and the Ministry of Justice also shape and constrain the services available to supervisees and, hence, affect supervisee perceptions of the potential practical benefits of supervision. For example, the payment by results mechanism incentivises CRCs to concentrate on producing the specified outcomes rather than prioritising supervisees on the basis of need or engagement style (Fox and Albertson 2012).

The practice culture of CRCs will be influenced by the values and behaviour of staff and by the targets set by the organisation. Workers transferring from probation trusts to CRCs may function as 'culture carriers' (Mawby and Worrall 2011) bringing a philosophical commitment to work with involuntary clients. CRC staff from other occupational backgrounds will come with a different perspective on voluntarism, compulsion and offender engagement.

These implications are explored further in the following chapters.

8 Fragmenting Probation?

Drawing on the findings set out in chapters 5, 6 and 7, this chapter develops a conceptual model of supervision in the context of the increased use of voluntary organisations and private companies to deliver probation work. I do this by first summarising the key themes from previous chapters and then applying them to the network of relationships that form the supervision process. Four models of supervision are presented: two developed empirically and two that illustrate the new structures for practice created by the Transforming Rehabilitation reforms.

8.1 Key Themes

This research suggests the following themes are key to understanding the process of probation supervision in a multi-agency context: inter-agency work, legitimacy and enforcement, monitoring, providing a service, community and relationships.

Inter-agency Work

Inter-agency work, from the perspective of both supervisees and supervisors, is explored in chapter 5. The research shows considerable variety of inter-agency work, with participants reporting differences in the extent of inter-agency communication and the co-ordination of different order requirements. Chapter 5 contains examples of supervisors and keyworkers working closely together but also cases where there was little evidence of joint work. Supervisees were most positive about inter-agency work that was well co-ordinated, where there was no duplication of input and where they did not have to keep explaining themselves to new people. Supervisors stressed the importance of communication, information exchange and mutual understanding between workers from different agencies. In cases where joint work was difficult, supervisors tended to attribute this to the shortcomings of partner agencies or workload pressures within the probation service. The research suggests that the quality of joint work depends on a combination of effective administrative processes (including adequate information technology), facilitating organisational cultures and amenable staff. It therefore supports the findings of other studies of partnership work in criminal justice (Senior et al 2011; Dawson et al 2011).

The findings in chapter 5 offer further support to the idea that joint work is improved when staff are based in the same building (Nacro 2009; Criminal Justice Joint Inspectorate 2014; Page and Gelsthorpe 2012). Supervisors saw co-location as leading to improved inter-professional relationships and to more effective, informal and honest communication. They had a probation service-centred view of inter-agency working and, as a consequence, tended to assume that co-location should happen at the probation office. However, two of the supervisors in this study (BN and KA) had experience which they both viewed positively of working as probation officers based in another agency: one in a multi-agency drugs team

and the other with a social services department. Supervisees valued the practical benefits of co-location, including the saving of time and money. They too were generally content that this should happen in a probation office, although a few supervisees argued for the benefit of seeing keyworkers in a community rather than criminal justice setting.

Supervisors valued input from other agencies particularly where it supplemented the expertise or resources available within the probation service. They all viewed inter-agency joint work as an important aspect of the offender management process, but tended not to describe it as a specific skill that required learning or practising⁴¹. The evidence, however, suggests that supervisors varied in their commitment and skill in this area of work. For example, the manager of the Ashfield mentoring service⁴² reflected that some supervisors made a lot of referrals to her agency, while others never referred at all. An alcohol worker from Birchwood⁴³ commented that some POs were more open, friendly and proactive than others. Others were reluctant to '*go the extra mile*'. She speculated that some POs were more interested in rehabilitation, others more interested in punishment.

Chapter 5 concludes that supervisees perceive their supervision as comprising a number of separate strands rather than as an integrated whole. For the majority (all but 5 of 38) this did not lead to an experience that was muddled or confusing, although it could lead to repetition and duplication. In part, this was because supervisees were clear that their probation supervisor was the lead worker for the community order and the person to whom they would take problems and questions. Supervisors too (as shown in chapter 6) saw themselves at the centre of the order. Although they were not weaving the separate threads of the community order into a single experience, they were actively holding the various strands together. This research, therefore, offers some reassurance that increasing the use of providers does not necessarily lead to ineffective fragmentation and, for supervisees, an experience of pass-the-parcel supervision (Robinson 2005; Ugwudike 2013; PA 2014). That said, it identifies that the quality of the offender manager's co-ordinating role plays an important part in the coherence of the supervisee's experience.

Legitimacy and Enforcement

A significant part of the legitimacy of community sentences, in the eyes of supervisors and supervisees, stems from the relationship between the probation supervisor and the

⁴¹ The Probation Qualifications Framework does recognise inter-agency work as a specific skill. The unit 'Develop effective working relationships with staff from other agencies' is a mandatory component of the vocational element of the Probation Officer qualification. See <http://www.sfjuk.com/wp-content/uploads/2013/04/PQF-Regulatory-Framework.-November-2013.pdf>.

⁴² Data from informal interview (28/6/13) recorded in fieldwork notes.

⁴³ Data from informal interview (17/6/13) recorded in fieldwork notes.

sentencing court. Supervisors see themselves as accountable to the court for the management of the order, and this includes a sense of responsibility for the contribution made by keyworkers from other agencies. Supervisees view the demands and requirements of their community orders as legitimate because they see them as the practical consequence of a legitimate court order. As shown in chapter 6, this sense of the order's legitimacy leads supervisees to accept aspects of supervision perceived as punitive. The relationship between sentencing court and supervising officer is important in creating and maintaining this legitimacy, which exists even in cases where supervisees feel that they have been dealt with harshly by the police or at the point of sentence. The close identification of the probation supervisor with the sentencing court limits the extent to which the legitimacy of the community sentence can ebb away (McNeill and Robinson 2013).

The legitimacy of the order, as discussed in chapter 7, also encourages supervisees to adopt at least a resigned approach to engagement with supervision. Supervisees are prepared to comply with the order, at a formal level, because they view the instruction to comply as reasonable and wish to avoid the possibility of enforcement action and a return to court. Some supervisees make no distinction between different elements of their order; they view all elements as court-ordered and therefore not negotiable. Other supervisees take a different view, complying (at least formally) with the demands of their probation supervisor while seeking to negotiate their way around other requirements of the order. For this group of supervisees, keyworkers from other agencies are not seen as embodying the legitimacy of the sentencing court in the same way as probation supervisors.

Checking and Monitoring

The theme of checking and monitoring as an intrinsic part of supervision was significant for both supervisors and supervisees. Chapter 6 shows that supervisors often had the managerial characteristics of community sentences at the forefront of their thinking. Managing risk and monitoring offenders were frequently identified as key tasks; supervisors tended to stress the process of administering the order rather than reflect on the content of supervision. As discussed in chapter 5, in this multi-agency context they saw themselves as responsible for monitoring the interventions delivered by all providers to ensure that the community sentence was being delivered as intended by the sentencing court. The dominance of the concepts of offender management and public protection on probation practice are clear (Raynor and Vanstone 2007). Indeed, for the supervisors in this study, offender management and public protection (achieved through skilful risk management) are distinctive and particular contributions that probation workers are able to make.

As shown in chapter 6, supervisees do not, in general, object to being on the receiving end of checking and monitoring activities. They expect to be accountable to their supervisor for their behaviour while on the order. Further, when this checking and monitoring is done in a

way that conveys care along with the prospect of practical help, some supervisees welcome this and perceive it as supportive. Supervisees value supervisors who listen to them and communicate concern for their circumstances. They appreciate interactions with staff that leave them feeling encouraged and less stressed. In this study only five (of 30) supervisees who spoke about checking and monitoring identified this as intrusive or a waste of their time.

Providing a Service

Supervisors and supervisees agree that one purpose of the community order is to provide the supervisee with a helpful service. Much of this help is expected to come from specialist agencies other than the probation service, for example drug and alcohol treatment providers, mentoring schemes and ETE programmes. As described in chapter 5, supervisors value the work of other agencies when this provides a service that the probation service cannot provide. However, probation supervisors do provide some services directly and this is appreciated by supervisees. Supervisees gave a wide variety of examples of the services provided directly by supervisors, including advice about managing financial problems, alcohol education, encouragement about healthy eating and challenging discussion about racist stereotypes and assumptions.

For supervisors the justification for providing a service was utilitarian, managerial and expressive (Robinson 2008). They saw the purpose of rehabilitation as to reduce reoffending, protect the public and communicate the need for change. ER was talking about the skills she used to motivate and engage supervisees when she said

'If an offender manager isn't using them skills then I don't think it will be helping the offender to change, to look at the reasons why they offend, to look at their risks. If they just come and sit here, "hi" and they've gone, I don't think that's helping them. In a way, you're cheating the community, you're cheating their order. I think having them skills helps the service user think about it, address the issue that they've got.'

Supervisors provided services with the intention of helping supervisees to change their behaviour. Additionally, as shown in chapter 7, they offered practical help as a means of developing substantive compliance and of shifting supervisees from a resigned to an amenable style of engagement; providing help was a means of establishing a working relationship with the supervisee and taking the first step towards rehabilitation.

Supervisees adopted a more practical approach to the concept of rehabilitation. Some spoke of receiving help in order to stay out of trouble, while others spoke about getting back on track, sorted out or being a better person in society. As shown in chapter 6, supervisees experienced elements of their community orders as punitive, but also expected help from their contact with supervisors and keyworkers. Thirty-one (of 38) supervisees spoke about their order as a source of practical help. Twenty-eight (of 38) supervisees explained that it

was important for supervision to be conducted in a supportive environment where they were welcomed, listened to and treated with respect. The supervisees in this study were, in general, more positive about their experience of supervision and its relevance to their circumstances than those interviewed in the first phase of Farrall's (2002) research.

One area of difference between supervisors and supervisees in this research was the weight attached by the two groups to the goal of behaviour change. Every supervisor indicated that supporting or helping the supervisee to change was part of the job; nine (of 38) supervisees described probation supervision as helpful in this way and 15 spoke positively about the service received from drug and alcohol treatment agencies. Twenty-three (of 38) supervisees were attending alcohol or drug treatment agencies⁴⁴ and a majority of this group saw their substance use as causing them problems in areas such as health, employment and family life. Substance misuse was a commonly occurring issue in this study and the area where supervisees were most likely to value help to change their behaviour.

The Concept of Community

A defining attribute of probation supervision is that it is an activity that takes place in the community. From the perspective of supervisees (as shown in chapter 6) one significant benefit of receiving a community sentence was that they had avoided a prison sentence. One principal motivator for complying with the community sentence (see chapter 7) was that enforcement action could lead to time in custody. The desire to avoid prison was shared by supervisees who had served custodial sentences in the past and by those who had no previous experience of prison. This finding echoes that of Weaver and Armstrong (2011). Community sentences were sometimes viewed as more onerous than short prison sentences, but they provided a 'supervised space' (chapter 6) in which supervisees could keep their lives going or get their lives back on track. Only two (of 38) supervisees voiced the opinion that they would have preferred a short prison sentence over the community order.

Supervisors described an approach to practice which was largely office-based and drew on formal contractual links with other providers. As explored in chapter 5 they valued the expertise of other agencies and acknowledged the importance of signposting supervisees to support that could last beyond the life of the community order. Supervisors also spoke, with regret, about their lack of knowledge of the formal and informal opportunities for supervisees in their local area and of their lack of time to research these. Eleven (of 19) supervisors talked about the benefits of making home visits, with three of these supervisors⁴⁵ specifically

⁴⁴ And it is likely (but unknown) that substance use was a problem for others in the sample too.

⁴⁵ For other supervisors, home visits were useful for supporting a supervisee in crisis, securing compliance with the order or gathering information to inform a risk assessment.

identifying that seeing supervisees in the community and outside the probation office environment improved the quality of supervision.

For the most part, the supervision in this research was taking place in offices rather than being embedded in the community and the community dimension of the community order (Bottoms 2008a) was poorly developed. The closure of probation offices in small towns and rural areas (Crawforth 2011) has increased the proportion of supervisees who travel away from their immediate neighbourhood to larger centres for appointments. For example, Emma lived in a town 16 miles north of Ashfield⁴⁶ and was one of the supervisees who spoke about the cost (in time and money) of attending appointments; arguably, in addition to these practical issues she was also missing out on the experience of being supervised in her local community.

The interplay between probation supervision and the wider community is complex. The community is potentially the source of resources and opportunities which, if shared with supervisees, can support pathways to desistance (McNeill 2006; McNeill and Weaver 2010). However, this process is constrained when supervisors lack the time or the skill needed to engage with informal networks and develop social capital. As argued in chapter 2, it is also made more difficult in communities which are fragile as a result of economic disadvantage, rapid social change and declining cohesion and trust (Fitzgibbon 2011; Burke and Collett 2015). Supervisors in Ashfield and Birchwood were concerned that financial austerity was reducing the ability of both public and voluntary sector providers to support vulnerable people.

Relationships – an Overarching Concept

The importance of relationships, between worker and supervisee and between worker and worker, emerged throughout the research. Supervision in a multi-agency context depends on a network of relationships not simply a supervisor/supervisee dyad. Chapter 6 explored the way that this network of relationships is experienced by supervisees as helpful or punitive. Chapter 7 assessed the significance of relationships in supervisees' decisions about compliance and engagement, and in the approach of supervisors to work with involuntary clients.

As shown in chapter 7, supervisors tended to identify relationships as tools, as a means of engaging involuntary clients and as a way of improving joint work with keyworkers from other agencies. That said, although supervisors did not see relationship building as an end in itself, they spoke about the way that quality relationships provided a foundation for effective and ethical practice (Canton 2013). The elements of a good relationship between supervisor and supervisee were identified (by supervisors) as: honesty on the part of the supervisor, the

⁴⁶ The probation office in this town was closed in the 1990s.

expression of empathy, the creation of trust, respect for the supervisee and the demonstration of genuine interest in the supervisee's life and circumstances. Supervisors explained that a good professional relationship led to an environment where the supervisor was able to raise difficult issues with the supervisee while remaining friendly and supportive.

Supervisors also pointed to the importance of the quality of their relationships with keyworkers from other agencies. From the perspective of the supervisor (see chapter 5) inter-agency work was improved if the workers involved knew each other and communicated informally. Personal interaction between staff was as important as formal systems and processes.

Supervisees said relatively little about the detail of their relationships with supervisors and keyworkers. Twenty (of the 38) supervisees selected the word 'nice' when asked for a description of the staff with whom they were involved. When prompted to say more about what it meant to say that a supervisor or keyworker was 'nice', a number of ideas emerged: 'nice' workers were friendly, were good to talk to, showed an interest and wanted to be helpful. As discussed in chapter 6, supervisees identified the chance to talk and be understood as one facet of a helpful environment for supervision. Positive comments about staff significantly outweighed negative ones. Some supervisees did make criticisms of previous workers, for example expressing unhappiness about drugs workers who seemed uninterested or probation supervisors keen to initiate breach action. For supervisees who were engaging with their community orders in a resigned manner (see chapter 7), interacting with interested and helpful staff made the supervision process easier and continuing engagement more likely.

As explored in chapter 5, the relationships between the supervisors and supervisees in this research were usually quickly built and short lived. They are better described as friendly and helpful rather than deep and therapeutic. Having been assessed as low or medium risk the supervisees were allocated a modest amount of time because they were not identified as priority cases. Consequently, their experience of supervision was different from that captured in other studies with a focus on, for example, life sentence prisoners (Appleton 2010) or offenders assessed as posing a high risk of harm (Digard 2010). The relationships in this study were more practical and less challenging. Nonetheless, for the supervisees in this study, the interest and care demonstrated by supervisors and keyworkers shaped the community sentence regime.

The involuntary status of the supervisee is a significant feature of probation supervision. Engaging involuntary clients, motivating them towards substantive compliance and persisting with them throughout the period of the court order emerge from this study as distinctive probation service contributions, part of the service's operational philosophy (Hardiker 1977). Supervisors sometimes spoke about this explicitly, but (as shown in chapter 7) they also

spoke about it implicitly as they described doing their job in ways that were in line with principles of effective practice for work with involuntary clients (Trotter 2006), for example by using strategies like role clarification, goal setting, humour, openness, empathy and perseverance. The fact that many supervisees also perceived supervision in this way suggests that probation supervisors were, as they asserted, putting this approach into practice at least some of the time.

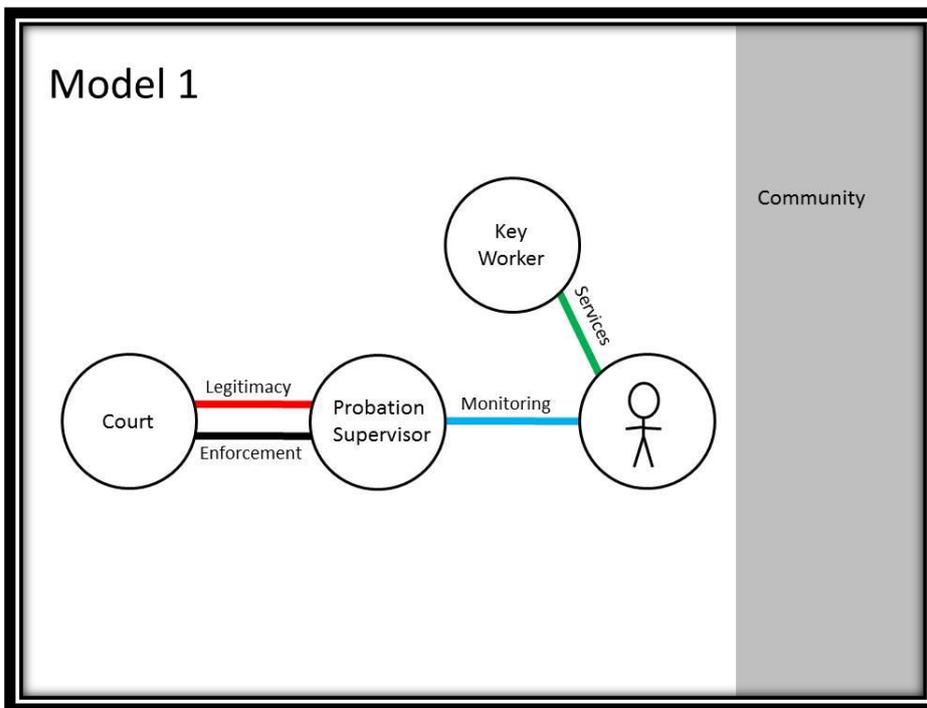
8.2 Four Models of Supervision

Community supervision in a multi-agency context is shaped by the interplay between the factors identified above and the relationships between supervisees, supervisors and keyworkers. The purpose of the following four models is to develop this concept by providing a visual illustration of this network of themes and players. Model 1 and Model 2 are contrasting versions of the supervision process evident in this research. Model 3 and Model 4 draw on this empirical work to present two possible shapes for the supervision work of the Community Rehabilitation Companies.

Model 1

Model 1 is a basic model of supervision. It is office-based and poorly linked to the resources and networks of the wider community. In comparison with Model 2, it makes fewer demands on the supervisor and is perceived by the supervisee as less helpful.

There are four actors in this model. The supervisee is drawn in the circle on the right. The diagram also shows the probation supervisor and a keyworker from another agency. Some orders, of course, have more than one person in a keyworker role. Drawing one keyworker helps with clarity but understates the complexity of community supervision. The fourth circle represents the court that made the order and will deal with any breach. The coloured bars linking the circles show the thematic connections between the actors. The community is the grey area to the right of the diagram.



In Model 1, the probation supervisor is linked to the court by a red bar (legitimacy) and a black bar (enforcement). The red bar represents the perception, shared by supervisees and supervisors, that the requirements of the community order should be complied with because they are laid down by a court. It is the sentencing court that, in the eyes of the supervisee, gives legitimacy to the probation supervisor's directions. The black bar represents the involuntary nature of probation supervision and the fact that, for supervisees, compliance is most often triggered by a desire to avoid breach action and return to court.

Model 1 shows a division of labour between the probation supervisor who is monitoring the supervisee (the blue bar) and the keyworker who is providing a service (the green bar). In this structure, the probation supervisor is solely undertaking management tasks: checking the supervisee's circumstances, making referrals and overseeing the supervisee's engagement with other agencies, keeping records and, in the event of apparent non-compliance, issuing warnings and commencing breach proceedings. As discussed above, supervisees often viewed this checking and monitoring in a neutral or positive light. However, checking and monitoring is not the same as helping and supporting. In this model, it is the keyworker fulfilling this function. Services (the green bar here) is used in a broad sense ranging from the provision of practical help to therapeutic intervention. For example, it includes help with housing and employment problems, interventions for drug and alcohol problems and community mental health treatment. This division of responsibility, between the probation supervisor as offender manager and the keyworker as provider of services, is the situation that AM was describing when, speaking of the role of other agencies, she said

'...the partnership agency tend to take on the stance where they're there to help the offender. It's their job to help the offender and we're the ones who are the enforcement agencies and we're the ones who are the bad ones as such.'

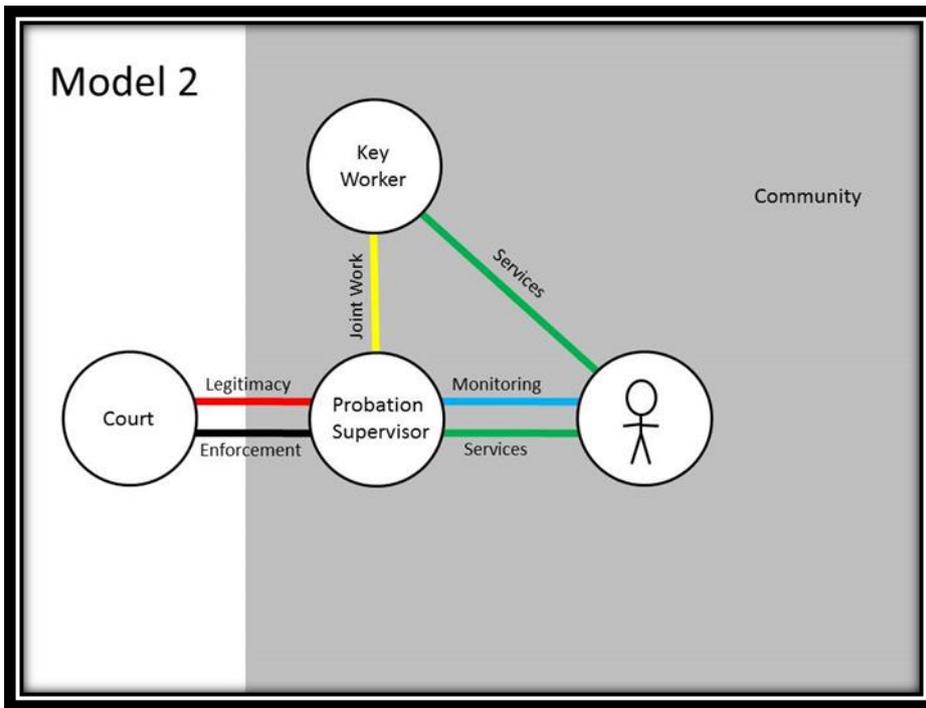
There are two further points to note about Model 1. First, there is no link between the probation supervisor and the keyworker. From the supervisee perspective, Model 1 is a community order where different elements of the order feel separate with no experience of supervision as an integrated whole. From the supervisor perspective, Model 1 is the type of supervision where liaison with other providers, for the reasons explored in chapter 5, is conducted at a superficial level or does not happen at all.

Second, Model 1 does not depict a sentence playing out in the wider community, drawing on the available social capital and building links likely to outlast the period of supervision and encourage desistance (Bottoms 2008a; Shapland et al 2012a). For this reason, the network of relationships in Model 1 is drawn outside the community (the grey stripe down the right side of the diagram) and without reference to it. Model 1 shows a style of supervision that is based in probation offices and firmly identified as part of the criminal justice system.

Nine (of 38) supervisees in this study described a Model 1 community order regime. For example, Niall was positive about the treatment that he had received from the alcohol treatment service and was continuing to see a counsellor there even though his ATR had expired. However as shown in chapter 6, he described the contribution of his probation supervisor as to check and monitor rather than to provide help. He identified that, should he fail to comply, his supervisor would take him back to court, with the likelihood that he would then be sent to prison. Niall explained that the two elements of his order (alcohol treatment and probation supervision) were separate and unconnected. This was also Jason's experience and a source of frustration for him: he had a problem with completing his unpaid work hours and poor communication between the private company delivering the unpaid work scheme and the probation service was delaying its resolution.

Model 2

A number of the features of Model 1 are retained in Model 2. However, Model 2 adds features, capturing concepts identified in this study as contributing to good practice. The bars indicating legitimacy, enforcement and monitoring remain. The central importance of the authority of the court and the inescapable responsibility of the probation supervisor for managing the community sentence continue.



The first difference between Model 1 and Model 2 is that the probation supervisor, as well as the keyworker, has a relationship with the supervisee that includes the provision of help (shown by the additional green bar linking supervisor and supervisee). This addition makes the point that the supervisee's experience of supervision is enhanced when all the workers involved are providing help. Supervisees expected practical assistance from probation supervisors and responded positively to a supportive environment. Supervisors viewed the provision of a service (that is, an interaction beyond monitoring) as an effective way of nudging supervisees into a more amenable, and less resigned, style of engagement. They argued that providing a service and being helpful were important aspects of the supervision process and ones from which they derived job satisfaction.

A second additional feature of Model 2 is the joint work taking place between supervisor and keyworker (represented by the yellow bar). This indicates that the supervisor and keyworker are supporting and enabling each other in their respective tasks.

The final additional feature of Model 2 is that supervision is embedded in the community. The interactions between supervisor, keyworker and supervisee are now contained within the grey area of the model. Supervisor and keyworker work for organisations with good community links and the process of supervision contributes to the re-integration of the supervisee into that community. The community represented in this model has both the resources and the willingness to support offenders seeking to desist from crime.

Four (of 38) supervisees described a community order regime best illustrated by Model 2. For example, John spoke about the help that he received from his supervisor, probation

groupwork staff and his ETE worker, as well as his limited sense that they worked together well.

JD: *'Do you think they work as a team to run your order or do you think they're all doing different bits and pieces?'*

John: *'I don't really know too much into it but anywhere that is going to be really successful should be working in a team, shouldn't they? And I have noticed that they do speak to each other.'*

In addition, as described in chapter 5, John's requirement to attend ETE sessions had led to regular voluntary work with an organisation providing meals on wheels, first of all assisting the van driver with deliveries and then working in the office learning about book-keeping. For John, supervision provided him with an opportunity to participate in and contribute to his community.

For Alex, Clare and Vince, the element of community re-integration in their supervision was more partial. Alex and Clare had both been encouraged to take adult education classes, an activity that took place away from the probation office and in the company of other adult students. Vince, who had adopted a keen style of engagement with his DRR, was considering how he could help other people in the future. As outlined in chapter 6, he had asked to be a peer mentor and hoped to train as a drugs worker.

The majority of supervisees (25 of 38) gave an account of supervision falling somewhere between Model 1 and Model 2. None of this group described supervision as an experience embedded in the community. In seven cases all the other elements of Model 2 were in place, these supervisees provided evidence of services delivered by their supervisor and of joint work between the staff involved in their supervision. For example, Rachel valued the practical advice, praise and encouragement that she received from her supervisor (AS) and described AS's involvement in multi-agency meetings with social workers and the community alcohol team.

The element of joint work between supervisor and keyworker was missing for ten supervisees. Some, like Emma as shown in chapter 5, regretted the lack of co-ordinated provision. Others, like Patrick, did not expect any co-ordination and had little interest in the process of their supervision. Patrick was supervised by ZR and spoke positively about the way that his sessions with her helped to keep him *'on the right track.'*

JD: *'And does ZR talk to the people at [alcohol treatment agency]?''*

Patrick: *'No, I don't think so. I ain't got a clue as it goes.'*

The remaining eight supervisees pointed to examples of joint work between supervisor and keyworker but did not identify their supervisor's role as extending beyond checking and monitoring. They described supervision as Model 1 with the addition of the yellow 'joint work'

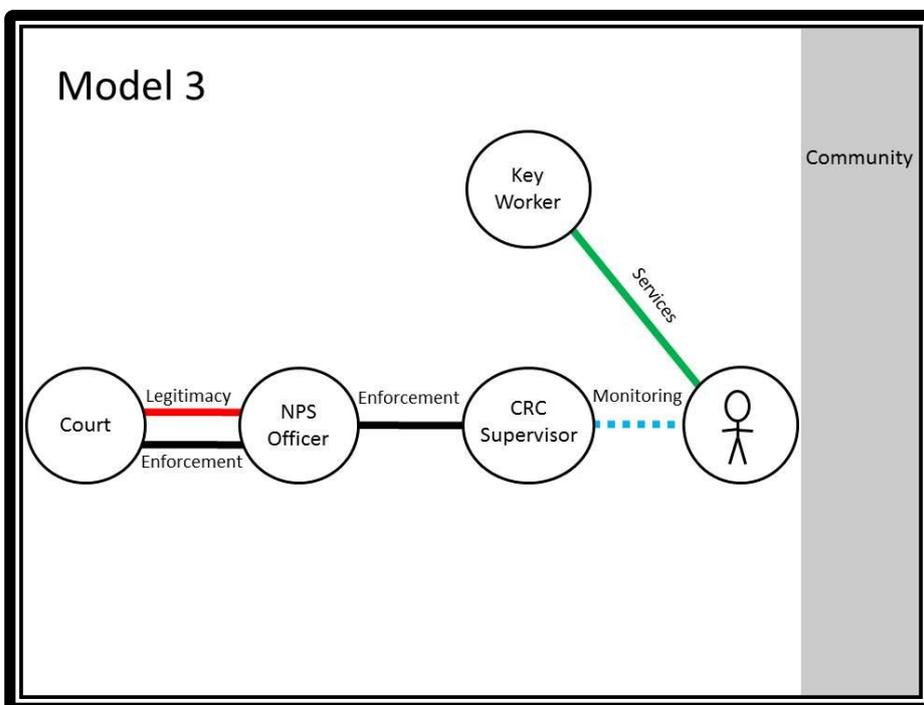
bar. For example, Jeff and David spoke positively about the way that their ETE sessions were linked with the other demands of their order but did not identify a role for their probation supervisor beyond checking and monitoring. They provided clear evidence of the integration of ETE provision into the offender management system at Ashfield.

'I have to see FS once a month as my probation officer but she deals with [ETE worker] all the time. So, if I can't get hold of one, it's better to get hold of the other. At least there's going to be some form of communication.' (Jeff)

Model 2, with its focus on joint work, services delivered by all workers and links to the community, is able to provide the three facets of help valued (as shown in chapter 6) by supervisees: practical assistance, helpful supervised space and support for personal change. It represents a better quality version of inter-agency supervision than Model 1.

Models 3 and 4

Models 3 and 4 are contrasting illustrations of the shape of supervision following the fragmentation of offender management inherent in the Transforming Rehabilitation reforms. They draw on Models 1 and 2, combining information about the practice and policies of CRCs with the concepts developed in this dissertation. Model 3 is a basic model. Model 4 contains additional features which, drawing on the findings of this research, increase the likelihood that supervisees will adopt an amenable or keen approach to engagement and find the supervision process helpful.



There are two differences between Model 1 and Model 3. The first is the additional circle and the second is the dashing of the blue bar between the CRC supervisor and the supervisee.

Following the TR reforms the role of the probation supervisor is split and shared between the supervisor employed by the CRC and the officer employed by the NPS. The CRC supervisor is no longer an officer of the court; CRC supervisors do not write court reports, advise courts about sentencing options or prosecute breaches. The CRC supervisor is not responsible for the initial assessment of risk. These tasks remain with the NPS. In cases where risk is assessed as low or medium, the case is transferred to the CRC for supervision. The CRC supervisor then has the job of managing the order. The link between CRC supervisors and the court (like the link between keyworkers and the court in this research) is mediated through another worker at another organisation. CRC supervisors are one step removed from the sentencing court. Traditionally magistrates played an important part in the governance of the probation service, for example as members of probation committees, boards and trusts (Canton 2011), but there is (and, given the conflicts of interest that would arise, can be) no comparable place for sentencers in the organisational structure of CRCs.

In Model 3, the bars of legitimacy and enforcement link the court to the NPS officer, but only the enforcement link continues through to the CRC supervisor. The enforcement link between the NPS and the CRC remains because the supervisee is still an involuntary client. CRC supervisors remain responsible for ensuring the proper administration of the court order, but can only return cases to court for enforcement action by referring them back to the NPS.

The legitimacy link has gone because, in Model 3, the supervisee does not identify the CRC supervisor as acting on behalf of the court. As shown in chapter 7, supervisees deem the demands of probation supervisors legitimate because these demands are the practical consequence of the court order. The demands of keyworkers from other agencies are not seen as stemming directly from the court and are consequently less compelling. Model 3 illustrates supervision in which the CRC supervisor does not have the authority that comes from representing the sentencing court and supervisees perceive the instructions they issue as negotiable. This reduction in the legitimacy of the supervisor's authority as perceived by the supervisee is likely to lead to worsened compliance and poorer engagement.

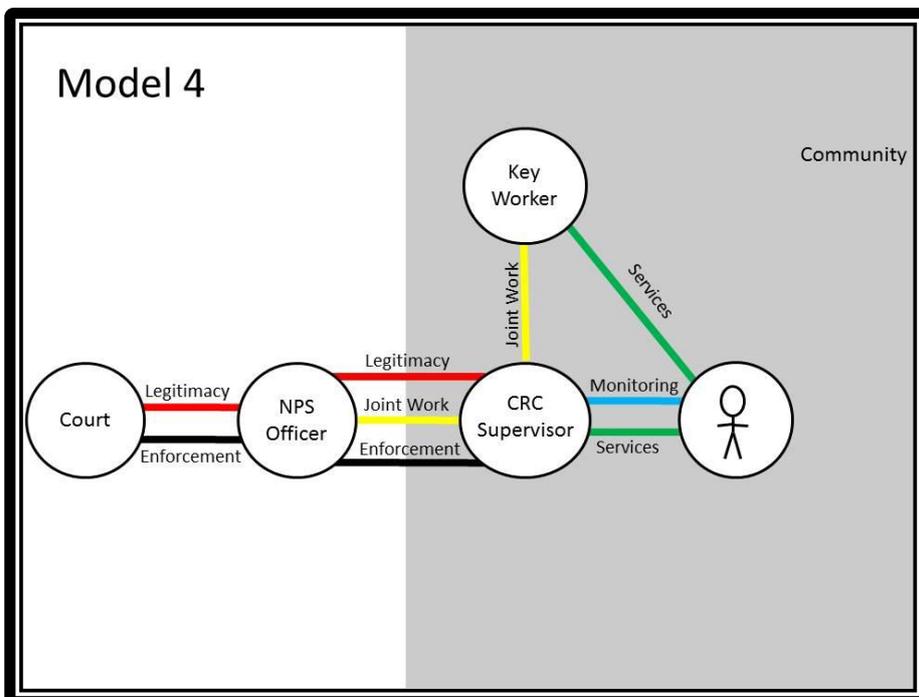
The blue monitoring bar in Model 3 is dashed to highlight the possibility that CRC supervisors will not undertake the checking and monitoring role in the same way as their probation predecessors. This outcome is possible for two reasons. First, as time passes CRCs will appoint supervisors who did not work for probation trusts and do not serve as culture carriers (Mawby and Worrall 2011). They may adopt a different approach to the offender management role. Second, early indications from CRCs suggest that supervision will be undertaken with fewer staff undertaking more routine reporting, including making use of group sessions and automated kiosks (Nellis 2014; Travis 2015). This will lead to a reduction in the time available for contact between supervisor and supervisee. These

changes have the potential to create a type of checking and monitoring that does not have the benefits identified in this research: for supervisees, the feeling that someone wants the best for them and, for supervisors, the sense that they are sufficiently close to the case to assess risk accurately.

In other respects, Model 3 is similar to Model 1. There is no joint work between any of the workers in Model 3 and the CRC supervisor is a broker, but not a provider, of services. Supervision is depicted as an office-based process with no emphasis on building community links.

The solid green bar between supervisee and keyworker indicates that community sentences remain an opportunity (often an involuntary opportunity) for supervisees to receive help with problems in areas such as drugs, alcohol, mental health, housing and employment. CRCs will look to the organisations in their supply chain to provide some of these services; other interventions will require referral to and joint work with private, voluntary and public sector providers external to the CRC. One of the justifications for the TR reforms is that they will increase the range of rehabilitation services provided by the voluntary sector (Ministry of Justice 2013b). Over the coming months, the sector will be monitoring the extent to which CRC prime providers operate in a way that enables this to happen (Davies 2015).

Model 4 incorporates the key themes outlined at the start of this chapter and applies them to the CRC context. As such, and in contrast to Model 3, it provides a best practice framework for CRC supervision.



Model 4 retains all the elements of Model 3 and adds a number of features. Unlike Model 3, the community order in Model 4 is perceived as legitimate by the supervisee. The CRC

supervisor is seen to be operating with the authority of the sentencing court, despite having lost the direct link with that court.

As in Model 2, Model 4 indicates a relationship between supervisee and supervisor that comprises the provision of practical or therapeutic help alongside the process of checking and monitoring. The CRC supervisor here has a relationship with the supervisee that extends beyond the administrative to provide services and support. This is the type of supervisory relationship identified, in this research and elsewhere (including Trotter 2006; Shapland et al 2012a; Ugwudike 2013), as necessary for a helpful intervention and likely to encourage the supervisee to comply.

Model 4 also shows supervision embedded in the community enabling the supervisee to build social capital likely to support the process of desistance. One test of the TR reforms will be the extent to which the new providers are able to build links between supervisees and local communities. Robinson (2013) suggests that a mixed picture is likely to emerge, with a few creative demonstration projects highlighting the strengths of the new arrangements standing out against a background of routine practice with large caseloads. Fox et al (2013) suggest that probation providers could learn from the use of personalisation in the social care setting. They argue that such approaches are compatible with desistance-focussed practice as they enable supervisees to design and co-produce their own services drawing, in new ways, on formal and informal community resources.

The yellow joint work bars are a crucial aspect of Model 4. There are two of them: one links the CRC supervisor to keyworkers from other agencies and the other links the CRC supervisor to the NPS officer. In this model CRC supervisors work effectively with other workers, ensuring that the supervisee receives a helpful intervention and the CRC supervisor is well placed to make accurate assessments of risk and need. These inter-professional relationships will not simply mirror the interactions between probation supervisors and keyworkers, but will reflect the new occupational culture and relative power of CRC workers.

Joint work between the CRC supervisor and keyworkers from other agencies is complicated by the creation of a market for probation services. CRCs have to position themselves to win future contracts and generate outcomes that trigger payments. In an environment of payment by results, organisations may be reluctant to attribute success to inter-agency endeavour. Agencies who are confident to share information and data with public sector providers like probation trusts may be wary about sharing it with private providers, particularly if they anticipate competing with that provider for future work. The CRC supervisors interviewed by Robinson et al (2015) expressed anxiety about maintaining inter-agency links with workers from other agencies who viewed the CRC as 'second class' probation and no longer part of the public sector criminal justice system.

The division of the offender management task between the NPS officer and the CRC supervisor creates a new inter-agency relationship. The findings from this research about the factors that support inter-agency work are as relevant to this inter-professional interaction as they are to joint work between supervisors and keyworkers. The NPS/CRC relationship began with some advantages: staff in both organisations knew each other well as they had been colleagues together in probation trusts and they were co-located in their existing offices. However, even from the outset, considerable disadvantages are also evident. Two of the most significant initial disadvantages are poor staff morale (Napo 2014; Brown 2015a) and significant shortcomings with computer systems (HMIP 2015). Workers explain that joint work between the NPS and CRCs is hindered by large caseloads, lack of goodwill, the announcement of compulsory redundancies in CRCs and the creation of formal processes for interactions that were previously undertaken informally. Staff working in CRCs no longer have access to the NPS computer system for case records and frequently feel that they are being asked to make decisions about supervisees without important information that, before the split, would have been straightforwardly accessible.

This research suggests that co-locating staff assists inter-agency work. The Target Operating Model, the document containing the official vision for the operation of probation services following the TR reforms, envisages that '*CRCs and the NPS will be expected to work collaboratively. It is very likely that this collaborative working would often be facilitated by some co-location*' (Ministry of Justice 2013d:46). However, in practice, the new owners of CRCs appear to be making plans to move staff away from existing shared offices to alternative premises (Brown 2015b).

Model 4 applies the findings from this research to the policy context of the CRCs. It is a version of supervision with rehabilitative and reparative characteristics. There are a number of steps that, despite their now fragmented structures, CRCs and the NPS can take to achieve a model of supervision that is closer to Model 4 than to Model 3 and these are discussed the next (and final) chapter.

9 Conclusions

This chapter begins with a summary of the research findings. It then identifies the implications of these findings for probation supervision and offender management and makes recommendations for policy and practice as well as for further research.

9.1 Summary

The purpose of this research was to explore how both supervisors and supervisees understand the process and purpose of probation supervision and offender management in the context of the increased use of voluntary sector organisations and private companies to deliver probation services. The objectives, as set out in the Introduction, were to examine:

- The contribution made by probation service supervisors to supervision and offender management.
 - Is this contribution distinctive or unique? How does it differ from that made by keyworkers from other agencies?
- The interactions between probation supervisors and keyworkers from other agencies.
 - What helps and hinders inter-agency work?
- How supervisors and supervisees understand the purpose of the community order.
 - Do they have a shared understanding of the purpose of the order? Are different elements of the order understood to have different purposes?
- Why supervisees comply with different elements of community orders.
 - Do supervisees adopt different approaches to compliance with different elements of their orders?

The Contribution Made by Probation Supervisors to Supervision and Offender Management

The empirical evidence from this study supports the argument that probation supervisors make a distinctive contribution because they take the lead role in managing the court order (chapter 6) and have a particular understanding of work with involuntary clients (chapter 7). Probation supervisors value input from other agencies: they know that these agencies offer skills and resources that benefit supervisees and cannot be provided by the probation service (chapter 5).

Supervisees acknowledge the distinctive authority of the probation supervisor, seeing the supervisor's instructions as a legitimate consequence of the decision of the sentencing court. Supervisees accept the checking and monitoring role of the probation supervisor and some supervisees (as shown in chapter 6) view this as an expression of care and support. Supervisees have different expectations of keyworkers, focussing on the provision of help and support.

The Interactions Between Probation Supervisors and Keyworkers from Other Agencies

As described in chapter 5, a wide variety of voluntary, private and public sector organisations work in partnership with the probation service. As a consequence, there is no one approach to inter-agency work. The nature of the interaction between supervisor and keyworker depends on organisational and procedural factors, but also on the character of the inter-personal relationships.

The evidence from this research is that inter-agency work benefits from: co-location of staff, informal time for communication, and opportunities (including training opportunities) to learn more about the priorities and resources of other agencies. Inter-agency work suffers when high workloads hinder the ability of staff to exchange information and share ideas.

How Supervisors and Supervisees Understand the Purpose of the Community Order

Empirical exploration of this theme (chapter 6) shows that managerial, punitive and rehabilitative purposes are identified by supervisors and supervisees. Supervisors emphasise the managerial aspects of probation supervision while supervisees point to the punitive impact of the loss of time, money and freedom associated with supervision. Supervisors and supervisees share the opinion that supervision should be a helpful experience but do not always agree about what it means to be helpful or why being helpful is important. Supervisees value the provision of practical assistance and prefer interactions that do not hinder their preferred routine. Supervisors focus on interventions that are intended to support personal change and reduce the likelihood of future offending.

Supervisees see the elements of their community orders as separate threads (chapter 5) and can, therefore, attribute different purposes to different elements. The contribution made by keyworkers is expected to be helpful (by providing practical assistance). More is expected from probation supervisors: in addition to being helpful their role is to be accountable to the court for the delivery of the community order.

Why Supervisees Comply (or do not Comply) with Different Elements of Community Orders

The issues of compliance and engagement are discussed in chapter 7. One key finding is that supervisees emphasise instrumental reasons for compliance; they want to avoid enforcement action and the risk of imprisonment or, and more positively, they want to benefit from practical assistance with problems or build a reputation as someone who can be relied on to meet obligations. The majority of supervisees adopted an amenable or resigned approach to engagement explaining that they attended appointments with supervisors and keyworkers only because these were compulsory.

Supervisees do not necessarily approach all elements of their order in the same way. They view appointments with keyworkers as more negotiable than appointments with probation supervisors because keyworkers do not have the authority that comes from being an officer

of the court. This fits with the operational philosophy (chapter 7) of agencies that value voluntarism and client choice. By contrast, probation service culture stresses the importance of persevering with the reluctant and motivating the resigned.

Understanding Supervision in the Multi-agency Context

As shown in chapter 5, for supervisees who are judged not to pose a high risk of causing serious harm, supervisory relationships (with supervisors and keyworkers) are quickly constructed, played out in brief interactions and short-lived. The research captured few exceptions and these were restricted to people receiving a long-term service from another agency that became a court-ordered requirement for the duration of the community order (for example, Victoria with the Birchwood mental health service and Nick with the Ashfield drug treatment service). The version of community supervision identified in this study is also office-based rather than integrated into neighbourhoods (chapter 8); it is a process of criminal justice rather than of reparation and restoration.

The models developed in chapter 8 show the nature of the links between the people and the concepts that comprise supervision in a multi-agency context. The contrast between Model 1 and Model 2 (and similarly between Model 3 and Model 4) demonstrates the impact on the quality of supervision when some key elements of the process are missing. These key themes, empirically developed, are: inter-agency work, legitimacy and enforcement, checking and monitoring, and providing a service.

Models 3 and 4 are possible frameworks for the supervision practice of CRCs. The evidence from this research supports Model 4 as more likely to produce community supervision that provides help to supervisees, encourages them to comply and leads to the diligent administration of the court order. The following recommendations, grounded in these research findings, point to ways in which CRCs can develop this approach to supervision.

9.2 Recommendations for Policy, Practice and Further Research

1. Maintaining the legitimacy of community sentences

As shown in chapter 8, a significant part of the legitimacy of community sentences stems from the bond between the sentencing court and the probation service. The new framework for supervision weakens the link between court and supervisor and, therefore, threatens the legitimacy of the sentence. To maintain the legitimacy of community sentences, CRCs and courts need to establish a dialogue. While it is not the role of CRCs to advise courts or to lobby for business, it is important that staff working in two key parts of the criminal justice system know about the priorities, constraints and processes of both organisations. In order to pass sentence and communicate clearly with defendants, sentencers have to know what a CRC-supervised community sentence involves. In order to exercise the authority of the court, CRC supervisors need to understand the legal framework within which they operate.

Communication between courts and CRCs could take place in a number of ways, including the use of social media, newsletters and leaflets. However, the findings of this research highlight the importance of personal contact between staff, for example at meetings, liaison committees and joint training events. Training programmes for CRC supervisors should contain a unit about the legal framework for community sentences (and community supervision more broadly).

2. Ensuring good quality inter-agency work with all agencies contributing to community supervision, including the NPS

The TR reforms have changed the inter-agency landscape in two important ways: by introducing competition for contracts and by creating the CRC/NPS split. CRC supervisors work in an environment that is more political and less straightforward than that of their probation trust predecessors. This research identifies the benefits, for both supervisors and supervisees, of well co-ordinated inter-agency work.

This study supports co-location as a means of improving inter-agency work. Co-locating staff from CRCs and the NPS is recommended to facilitate risk assessment and enforcement processes. If co-location is not possible, CRCs should consider having seconded NPS staff working from their premises.

CRC supervisors can also be located with keyworkers from other agencies, something that need not happen in a CRC office. The network of community women's centres provides a model where a range of services, including the statutory offender management function, are delivered from one place. The centres provide an opportunity for women offenders to join activities with women who have no history of offending and also to return for support beyond their period of supervision (Gelsthorpe et al 2007). Supporting the existing centres and extending this supervision model (of 'one-stop shops') to other groups of offenders is recommended.

As shown in chapter 5, IT systems should help, not hinder, inter-agency work. Improved case recording systems could provide CRC supervisors with the current and historical information required to assess risk while allowing staff from all agencies delivering the community sentence to enter and read information. Access to the internet in the workplace is necessary to enable supervisors and supervisees to access information, search for services, participate in learning opportunities and access professional networks.

Successful inter-agency work depends on people skills as well as organisational processes. The training and appraisal of CRC supervisors should include material on inter-professional communication and liaison reflecting the importance of joint work to effective offender management.

3. *Providing practical assistance in a helpful environment*

The provision of assistance to address the practical problems faced by supervisees is a key constituent of community supervision. Supervisees are frustrated when community sentences do not provide help with issues such as housing, employment and debt. For supervisors, helping with practical problems builds the supervisory relationship aiding the management of the court order.

As explained in chapter 6, community supervision is best undertaken in a helpful environment: one in which supervisees feel that their personal circumstances are understood and taken into account and where they are made welcome and treated with respect. Arrangements for supervision should be flexible enough for supervisees to manage the other commitments in their lives.

CRC supervisors need resources and opportunities that they can access on behalf of supervisees. Some of these will come from voluntary organisations with formal contractual arrangements with the CRC, other services will come from elsewhere in the voluntary, private and public sectors. It is important that CRC processes do not exclude organisations from outside the CRC supply chain. CRC supervisors need to know about and be able to make use of the full range of services available in their locality. CRCs could also pilot innovative ways of working, for example drawing on ideas about personalisation in service delivery and giving supervisees more control and choice about their supervision programme.

Supervisees with substance misuse problems should be a priority for CRCs. This research identifies this group of offenders as disproportionately likely to want to change their behaviour and to view their community sentence as an opportunity for this. Motivating and supporting this group to access treatment and then persevere with it brings a range of benefits (including in public health, crime reduction and child protection). 'One-stop shop' models may be particularly appropriate here, enabling supervisees to access a range of services (including substance use treatment and criminal justice interventions) at one centre, improving inter-agency work and avoiding duplication of input.

4. *Maintaining a focus on the quality of inter-personal interactions.*

As argued in chapter 8, a number of factors suggest that CRC supervisors will find it harder than their probation trust predecessors to build and maintain relationships with supervisees and keyworkers from other agencies: these factors include increased caseloads, operating models that depend on routine reporting and the use of automated monitoring systems. The findings from this research imply that CRCs should maintain a focus on the quality of inter-personal relationships between supervisor and supervisee and also between supervisor and keyworkers. These relationships play an important role in creating community orders that are perceived as helpful and encourage supervisee compliance (both formal and substantive).

CRCs should ensure that all supervisees have a consistent supervisor with whom they meet on a regular basis; this face-to-face contact is important and brings benefits. If reporting arrangements become more cursory, it is unlikely that supervision will offer anything that supervisees perceive as helpful or engaging. CRCs are adopting different practice models and operational philosophies from those of probation trusts; further research is recommended with the aim of learning more about the strengths and limitations of the emerging CRC occupational culture.

This research has also identified the importance of supervisor/keyworker interactions as part of the network of relationships underpinning community supervision. CRC prime providers should build as much stability as possible into their contracts with organisations in their supply chain. This will allow CRC supervisors to develop familiarity with and trust in keyworkers from other agencies.

5. Recognising the status of the supervisee as an involuntary client

This research identifies commitment to and experience in work with involuntary clients as a distinctive probation service contribution. The approach of CRCs is evolving from a starting position influenced by staff with previous work experience in probation trusts as well as by the prime providers' business plans and the practice models of the incoming voluntary sector organisations. These voluntary sector organisations have experience of working with vulnerable people in the community, but often not in circumstances where service users are required to engage.

Work with involuntary clients should be a theme of CRC organisational development activities. Workers transferring from probation trusts to CRCs may function as 'culture carriers' (Mawby and Worrall 2011) bringing a philosophical commitment to work with involuntary clients, but given the multiplicity of factors influencing the development of CRCs this is not sufficient to ensure that this key approach to supervision becomes embedded in the new organisations. Training programmes for CRC supervisors should contain a unit covering the skills and knowledge needed for work with involuntary clients. This would include input on role clarification, pro-social modelling, problem solving and relationship building (Trotter 2006).

9.3 Final Words

I began this research aware that the process of probation supervision involves more than a series of interactions between one supervisee and one supervisor; it is a potentially fragmented experience comprising contributions by supervisors and keyworkers from other public, private and voluntary sector organisations. As discussed in chapter 3, existing research has focussed on the supervisor/supervisee relationship with little investigation of the wider supervision network. The intention of the offender management model (NOMS

2006) is that the offender manager ensures that the offender experiences the sentence as a single, coherent whole. However as few studies have investigated supervisees' perceptions of supervision (Shapland et al 2012a) little is known about the translation of this policy into practice. The fragmentation of supervision and associated weakening of the relationship between supervisor and supervisee has been identified as a potential threat to the supervisee's compliance and to the legitimacy of the order (Ugwudike 2013; McNeill and Robinson 2013). This research has explored these concerns from the perspective of both supervisor and supervisee.

The supervisees in this study viewed the elements of their orders as separate strands rather than as an integrated whole, but they acknowledged the lead role of the supervisor in holding the threads together and acting as the link with the sentencing court. Probation supervisors were different from keyworkers because of this link with the sentencing court and, as a consequence, their demands were seen as more compelling and less negotiable. The community order had punitive characteristics because it was court-ordered and also because it constrained freedom and cost money and time. The predominant compliance mechanisms were instrumental rather than normative, but the order was viewed as legitimate.

Jude was not the only supervisee in this study to think of the community order as '*a punishment that helps you*'. The concept of help was important to both supervisors and supervisees; it was linked with, but separate from, ideas about rehabilitation or staying out of trouble. Supervisees were interested in practical help dealing with problems like housing, finance and employment; they gave examples of receiving this sort of help from both supervisors and keyworkers. Supervisors were particularly concerned with help to support behaviour change likely to reduce future offending, acknowledging that much of this help would come from keyworkers.

The organisation of probation supervision has changed rapidly and significantly since the fieldwork for this study was undertaken. The creation of the NPS and CRCs has further fragmented probation work and complicated the network of relationships underpinning community supervision. The findings of this research, and therefore the recommendations contained in this chapter, are relevant to the work of CRCs because community supervision remains an opportunity for supervisees to improve their circumstances while subject to the sanction of the court and constrained by the demands of supervisors. This study identified inter-personal interactions as key to delivering community supervision in a multi-agency environment and, consequently, its recommendations focus on issues such as staff training, inter-agency communication and skill in working with involuntary clients.

I end this dissertation knowing that CRCs will develop models of supervision that differ from those explored in this research. A new pattern of economic, political and cultural factors will shape interactions between supervisors, supervisees and keyworkers. This research has

sounded some warnings about future policy and practice: for example, that the legitimacy of community sentences will be reduced given the distance between the CRC and the court, that increased competition between agencies for contracts will impede joint work, that new operating models will reduce face-to-face contact between supervisees and workers, and that a commitment to work with involuntary clients will be lost.

The scope for further research to examine these concerns in practice is clear. Future research projects are needed to explore the developing operational philosophies of both the CRCs and the NPS. There are many questions still to be asked about the policy and practice of community supervision, exploring issues such as fragmentation, relationships, legitimacy and effectiveness. From the point of view of supervisees (the involuntary recipients of probation services) the quality of supervision shapes their experience of both help and punishment; it is more than a matter of academic interest.

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Appendix 1 - Consent Forms

Consent form for Supervisor Interviews

In the context of the increased use of voluntary sector organisations and private companies in the delivery of probation work, how do service users and staff understand the process and purpose of probation supervision and offender management?

Researcher: Jane Dominey PhD student. Institute of Criminology. University of Cambridge.
jad78@cam.ac.uk 07815 780472

The purpose of this study is to find out more about the process and purpose of probation supervision and offender management in cases where there is input from workers from different agencies. You will be asked about your experience of working with such cases. Thank you for your interest in the research.

The information that you give to the researcher will be held in confidence and the recording of your interview and any notes will be stored securely at the university. The researcher will not identify anyone in the reports that are written about this research so your views will be anonymous.

Participation in the research is voluntary. You can stop the interview at any time and you do not have to answer a question if you do not want to.

If you have any questions about the research in the future or want to opt out of the study please contact the researcher.

I agree to take part in this research.

Your name (in capitals).....

Your signature.....

Researcher's signature.....

Today's date.....

Consent form for Supervisee Interviews

Quality of supervision and offender engagement in the context of the increased use of voluntary organisations and private companies in the delivery of probation services

Researcher: Jane Dominey PhD student. Institute of Criminology. University of Cambridge

The purpose of this study is to find out more about the experience of being on a community order and being supervised by workers from more than one agency. Thank you for your interest in the research.

In your interview, you will be asked for your experience of your community order and your views about what is good and what can be improved. The researcher will also talk to the workers who supervise your order.

The researcher will also look at your probation records to get details about your current order.

The information that you give to the researcher will be held in confidence. The researcher will only share information with the probation service if there is a risk of harm to you or someone else – or if you say that you have committed or plan to commit a new crime. The recording of your interview and any notes will be stored securely. The researcher will not identify anyone in the reports that are written about this research so your views will be anonymous.

If you have any questions about the research in the future, please contact your offender manager who can put you in touch with the researcher.

You do not have to talk to the researcher. You can stop the interview at any time and you do not have to answer a question if you do not want to. This will not have any consequences for you or your community order.

If you want to opt out of the research in the future please contact the researcher.

I agree to take part in this research.

Your name (in capitals).....

Your signature.....

Researcher's signature.....

Today's date.....

Appendix 2 – Interview Guides for Supervisee Interviews

Original Interview Guide for Supervisee Interviews

Introduction

Thanks to participant for giving time. Repeat information about the research – and the importance of consent and confidentiality. Sign consent form and agree about recording. Any questions?

Factual information about current period of supervision

Type and length of order. Number of requirements. Name of offender manager. Frequency of appointments. How many different people have you seen or reported to as part of this order?

How do service users understand and experience their community orders?

1. Can you tell me what you see as the point of being on this order? (what is the purpose of your order?)
2. What are you personally getting out of being on this order? Are you doing the bare minimum to comply?

The web of supervision (drawn as diagram)

1. I would like to note down all the people that you think are part of your community order. We could start with you and your offender manager. (Don't assume that service user feels at centre of diagram)
2. Then can we add other workers who you have to see?
3. What about family and friends – do you have any friends or relatives who you think play an important part in your order.
4. Further prompts. What has been helpful? What has been unhelpful? Why?

What distinctions do service users draw between probation service staff and workers from the voluntary and/or private sectors? How do they assess the quality of the relationships that they have developed with supervisors and other workers?

1. Is there a worker that you have seen as part of this order who you find easy to work with? (For example, you can talk to them openly or they encourage you to try new things or help you with practical problems). If so, can you give me an example of a way that they are easy to work with?
2. Which of the workers do you think understands you best?
3. Do the workers get to know you as a person?
4. Is there a difference between appointments with probation and appointments with [name other agency]? Can you tell me more about this difference?
5. Do you think [name] would be a good probation officer/offender manager?
6. Who is helping or encouraging you to get through this order? How do they do this? (prompt for positive and negative examples of help)

Do service users see themselves as engaged in the supervision process and supported to make changes in their lives?

1. Do you feel as though you have a say in what happens to you on this order?
2. Do you feel as though you are treated fairly on this order?
3. How would you improve the way that your order works?
4. What would you organise in a different way?
5. Do you and (name particular staff) work together to plan what happens on this order?

Basic biographical information

Fill any gaps (e.g. age, race, gender) not covered in interview or available from case records

End interview

Thanks for participation. Reminder of information about storage and use of data and dissemination of findings.

Revised Interview Guide for Supervisee Interviews

Introduction

Thanks to participant for giving time. Repeat information about the research – and the importance of consent and confidentiality. Sign consent form and agree about recording. Any questions?

1.0 Factual information about current period of supervision

1.1 What sort of order are you on? When did it start and how long does it last?

1.2 What requirements does this order have?

1.3 Other things you have to do because you are on this order? (i.e. appointments you have to keep, places you have to go)

2.0 How do service users understand and experience their community orders?

Taking each part of the order in turn:

2.1 Tell me more about this part of your order. (i.e. what do you do? How often? What is the content of the sessions? Where do you go to do it? Who do you see?)

2.2 What do you see as the point of this part of your order?

2.3 What are you personally getting out of this bit of your order?

2.4 Do you think of this bit of your order as a punishment?

2.5 Does this bit of your order help you?

2.6 Are you treated fairly on this part of your order?

2.7 Do the different bits of your order fit well together?

3.0 The workers that you have seen as part of this order

What distinctions do service users draw between probation service staff and workers from the voluntary and/or private sectors? How do they assess the quality of the relationships that they have developed with supervisors and other workers?

3.1 Is there a worker that you have seen as part of this order who you find particularly easy to work with? (what makes them easy to work with)

3.2 Can you give me an example of something that they do that you think is good?

3.3 Is there a difference between the way that you get on with [this person] and the way that you get on with [other workers]

3.4 Do these people work together as a team to make your order run smoothly? Can you give an example of how this is done well or not so well?

3.5 You have been in contact with a number of different professionals as part of this order. What are the advantages of this? Does this have any drawbacks for you?

4.0 Compliance and Completion

4.1 Do you think that you are going to complete this order successfully?

4.2 Why do you want to complete the order successfully?

4.3 Do you find it easy to do what you are asked to do on this order? (explore for each bit of the order)

4.4 What would make it easier?

4.5 What helps you to come to the sessions?

4.6 Who encourages you to keep your appointments or join in the activities? (explore for examples of how they are encouraging or motivating)

4.7 Can you make any suggestions that would improve the way your order works?

5.0 End interview

5.1 Is there anything else that you want to say about your experience of being on this order?

Thanks for participation. Reminder of information about storage and use of data and dissemination of findings.

Appendix 3 - Interview Guide for Supervisor Interviews

1.0 Introduction and Background Information

Thanks to interviewee for giving time. This research is about the supervision of people on community orders who are tier 2 or tier 3 and working with other agencies as well as with their probation offender manager. This interview will be about what you do as an offender manager in these cases – and how and why you do it.

Agree use of language: offender or service user?

Repeat the importance of consent and confidentiality. Sign consent form and agree about recording.

What is your current role in the team? Any specialism? Range of work tasks?

Any questions?

2.0 The Process of Probation Supervision and Offender Management (i.e. what do you do?)

2.1 What are the key tasks for an offender manager working with this sort of case (i.e. a tier2/3 case with input from other agencies)?

2.2 To what extent is this different from the way that you work as an offender manager when there is no other agency contributing to the order?

2.3 Are there offender management tasks that can only be delivered by a worker from the Probation Service? If so, what are these?

To sum up:-

If an offender is working with someone from another agency this changes the things I have to do as an offender manager.

In a significant way/ in a small way/ it rarely changes the way I work/ it never changes the way I work

3.0 The Skills Required by Offender Managers and Other Workers (i.e. how do you work)?

3.1 How big a contribution do you think that the relationship between the supervisor and supervisee makes to the quality of probation supervisor?

3.2 What skills and methods do you use to build a relationship with an offender who also has input from other agencies?

3.3 Do you think that the skills and knowledge of probation staff overlap with the skills and knowledge of workers from other agencies? If so, in what ways. Can you give an example?

To sum up:-

To what extent do probation workers bring distinctive or specific skills to the supervision of offenders who are also working with other agencies?

To a considerable extent/to a limited extent/probation does not bring any specific skills

4.0 The Purpose of Probation Supervision in the Context of Input from Other Agencies (i.e. what is the point?)

4.1 What do you see as the purpose of probation supervision in cases where the identified criminogenic needs are being addressed by external providers?

4.2 In your experience do you and workers from other agencies tend to agree on the purpose of the community order? If there is disagreement, what is this about?

4.3 To what extent do you and workers from other agencies bring similar values to the supervision of offenders in the community? If there are differences, can you give an example?

To sum up:-

Do you see input from other agencies as:

- 1) improving the work of probation by bringing different skills and resources
- 2) supporting the work of probation by providing additional resources
- 3) undermining the work of probation by operating with conflicting processes and values
- 4) having no significant impact on the work of probation

5.0 End interview

Length of employment with probation service. Qualifications and training.

Thanks for participation. Reminder of information about storage and use of data.

Information about dissemination of findings.