

Irish Probation Journal

Providing a forum for sharing theory and practice, increasing co-operation and learning between the two jurisdictions and developing debate about work with offenders.

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Irish Probation Journal

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working with offenders and victims and others to reduce offending.

Note

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First Edition, September 2004
Editorial

It is with great pride that we launch the first edition of the Irish Probation Journal. This is a significant development in the history of the Probation and Welfare Service and the Probation Board for Northern Ireland. We hope that the Journal will become an annual record of issues facing Probation staff in the two services. It is hoped the Journal will help the development of professional practice within the overall objective of reducing crime and the harm it does.

The Editorial Committee would like to thank all the contributors as well as the two services for making this Journal possible. We have also received good advice from our Advisory Panel and the Editor of the Probation Journal, Hindpal Singh Bhui. While the two services in Ireland have worked closely together for many years the impetus for this initiative arose from the Belfast Agreement (1998). One of the key outcomes of the Agreement was the Criminal Justice Review published in March 2000. There was a chapter devoted to cross-border co-operation and both services have continued to work even more closely together with the support of the Department of Justice, Equality and Law Reform and the Northern Ireland Office. This Journal is a concrete example of cross-border co-operation and a further example is highlighted in the article in this edition on the PROTECT N&S Project.

There is a variety of interesting articles in this edition, which we hope will encourage dialogue not only within and between Probation services, but also in the wider Criminal Justice arena. We have been provided with examples of good practice in Ireland but have also sought to introduce an international dimension with articles from Fergus McNeill (Scotland) and Jim Bonta (Canada). One important theme that emerges clearly through numerous contributions to this edition of the journal is the value of effective interagency co-operation. We would hope that this publication represents a practical step towards enhancing such co-operation. We also recognise that there are many important areas within Probation and Criminal Justice work which are not included in this collection of articles and hope that readers will be sufficiently motivated to ensure their particular interest is reflected in next year's edition.

Paul Doran, Probation Board for Northern Ireland
Vivian Geiran, Probation & Welfare Service
Joint Editors, September 2004

Homeless Offenders in the Community: The Issues and Challenges for Probation Supervision

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Summary Research and evaluation into probation practice has traditionally focused on the effectiveness of cognitive behavioural approaches when working with offenders. However, the focus more recently has moved towards examining the extent to which offenders' personal and social circumstances impact on probation supervision and emerging literature provides strong evidence linking improved social factors to desistance from offending. This paper is based upon a larger study of homeless individuals coming into contact with the criminal justice system in Dublin in 2003. Drawing on findings from a series of focus groups with Probation and Welfare Officers and Probation and Welfare Service records, it attempts to quantify the number of homeless individuals referred to the Probation and Welfare Service, examines the significance of the social and personal circumstances of these homeless individuals and focuses on the issues and challenges that emerge for Probation and Welfare Officers when working with such a client group. Overall, while both homeless and non-homeless offenders share many of the risk factors associated with offending, it is argued that homeless offenders present specific challenges given their marginalised existence and often chaotic lifestyles. The paper engages with the literature in questioning if the remit of probation work needs to be broadened to include a stronger focus on the community and those social factors most associated with desistance.

Keywords Homelessness, probation, offenders, community supervision, desistance

Introduction

Homelessness amongst individuals in the criminal justice system has a number of direct implications for the system at all levels, from the first point of contact with the police, to arrest, prosecution and charge, through to release from prison. Indeed, it is well documented that homeless individuals tend to be over-represented in the prison population. According to Carlen (1983) this occurs for two main reasons, firstly, homeless individuals have a higher reconviction rate than domiciled offenders and secondly their housing status may be instrumental in the court's decision to remand them in custody and sentence them to imprisonment. While a number of publications have focused on the issue of crime and homelessness (Carlen, 1996; Hagan and McCarthy 1997), the police and homelessness (Ballintyne, 1999) and ex-prisoners and homelessness (Hickey, 2002; McCann, 2003; Paylor, 1992), little attention has been given to the study of homeless offenders under probation or other supervision in the community. This is perhaps surprising, given that the issue of homelessness may have the most direct impact on the Probation and Welfare Service in the sense that they are tasked with working with such offenders in the community. Indeed, Bottoms et al. (2002:237) argue that it is difficult for probation officers to ignore 'the social dimension of crime' because '[they] are confronted with it, day in and day out, in the lives of offenders with whom they have to deal'.

Homelessness: Quantifying the Issue and Identifying the Causes

Prior to investigating the issues and challenges facing Probation and Welfare Officers when working with homeless offenders in the community, it is important firstly to highlight the difficulty of identifying homeless offenders within the criminal justice system. Baldry (2001) argues that fear of stigmatisation

and/or discrimination amongst homeless offenders leads to under-reporting, while Murie (1998) suggests that homeless individuals often provide the address of their parental or family home rather than disclose their homeless status. Furthermore, it is anticipated that while some individuals may not be homeless at the time of referral to the Probation and Welfare Service, they may subsequently become homeless. Farrall (2002:142) describes the social and personal contexts of offenders' lives as 'fluid', meaning that their circumstances are likely to change over the duration of their probation supervision period. Indeed, a growing body of literature on homelessness in the general population (Anderson and Tulloch, 2000; Fitzpatrick et al., 2000) identifies the notion of homelessness as a process and not as a situation. They describe it as 'the notion that individuals and households may move between being homeless, poorly housed and adequately/well housed' (Anderson and Tulloch, 2000:4).

The literature suggests that the key causal factors related to homelessness include family conflict (Smith et al., 1998); social isolation and poor social networks (Randall and Brown, 1996); a history of care (Anderson et al., 1993; Kelleher et al., 2000; Third and Yanetta, 2000); a history of abuse (Randall and Brown, 1999); age of first becoming homeless (CASE, 2000); previous imprisonment (Carlisle, 1996; Paylor, 1992; Yanetta et al., 1999); mental ill health (Feeny et al., 2000; McGilloway and Donnelly, 1996) and alcohol and drug mis-use (Deben and Greshof, 1997). The causal factors associated with homelessness mirror the risk factors identified in the literature as being associated with offending. This in no way suggests that all homeless people come into contact with the criminal justice system; rather it intends to demonstrate that the profile of homeless offenders is often similar to that of non-homeless offenders.

The Relationship between Crime and Homelessness

A number of studies (Banks and Fairhead, 1976; Ramsay, 1986) have noted a higher rate of reconviction amongst homeless offenders than those with more stable accommodation. In determining the relationship between crime and homelessness a key question relates to whether homelessness leads to offending or vice versa. The multiplicity and complexity of risk factors relating to crime and homelessness highlights the importance of not adopting one causation model. The most accurate assumption to be made is that crime potentially is both a cause and an effect of homelessness.

Ballintyne (1999) argues that while the rate of offending amongst homeless people, particularly rough sleepers is high, the motivation behind it tends to be need as opposed to personal gain. Similarly in her study of young homeless people, Carlen (1996) describes many of the crimes amongst young people as 'strategies of survivalism'. The notion of survivalist or necessity crime is also described by Palenski (1984). McCarthy and Hagan (1991) point out that young people are more likely to commit crime after becoming homeless as opposed to beforehand, while later research by the same authors found that living on the streets contributed to youth crime, arrest and imprisonment (Hagan and McCarthy, 1997). The evidence also suggests that the motivation for criminal behaviour is not always based on the acquisition of material goods. Indeed DiLisi (2000) outlines a number of categories of crime for which homeless people are arrested. These include crimes of violence; nuisance crimes; property crimes; traffic crimes; drug crimes and weapon offences.

Snow et al. (1989) outline a number of processes by which homeless people and rough sleepers in particular are more likely to commit an offence. These include engaging in criminal behaviour to survive on the streets; the criminalisation of street life including drinking in public; and the stigmatisation of street homelessness whereby the visibility and suspicion of rough sleepers as potential threats to community safety mean that they may be more likely to be formally processed for offences that may otherwise have been ignored. Regardless of the motivation for offending, the implication is that many homeless people

are likely to end up in the criminal justice system due to a combination of the risk factors, motivations and circumstances of their lives outlined above. Therefore, while the focus of this article is on the impact of homelessness on probation and welfare supervision, it is clear that it also impacts on all agencies of the criminal justice system.

Homelessness and Desistance from Offending

Whether homelessness precedes crime or occurs as a result of offending behaviour, a significant body of emerging literature suggests that accommodation difficulties are related to a higher risk of re-offending (May, 1999; Social Exclusion Unit, 2002) and a significant obstacle to desistance from crime for offenders (Burnett, 2004; Farrall, 2002). In Burnett's (2004) study it was found that more of those who persisted with offending, than those who desisted, thought at pre-release that they might have accommodation and relationship problems. It emerged that after release, those who persisted with offending were less likely to have satisfactory accommodation and stable relationships and more likely to be using 'hard' drugs than those who desisted. Farrall (2002) established from a quantitative analysis in his research that stable accommodation especially when combined with stable employment was associated with desistance. Farrall (2002) also found that those probationers who were most confident of desisting from offending were least likely to describe accommodation or finances as being problematic for them at the time of the offence.

By discussing the link between homelessness and desistance from offending, it is not to suggest that this is the only relevant factor. However, as Ramsay (1986) describes, one of the most basic needs to be addressed in order to promote desistance is housing:

Neither possession of a job nor having somewhere to live is necessarily going to rehabilitate any one, but, without either or these, a man's chances of "going straight" are very slim indeed.

As highlighted in the previous section, the underlying reasons for homelessness and offending are often complex and inter-related. Indeed, Burnett (2004) established that a key factor amongst those who persisted with offending was 'a combination of several other factors as potential obstacles to going straight' (ibid, 2004:163). These findings are supported by a range of other studies (Farrall, 2002; May, 1999; Raynor, 1998) which suggest that those with more problems were more likely to be reconvicted. The desistance literature points to employment and family formation as being particularly significant indicators of desistance from offending (Burnett, 2004). This does not bode well for homeless offenders, many of whom are alienated from their families (GLARG, 2000) and have difficulty getting a job due to the unstable and often chaotic nature of their homeless existence. This is particularly significant given that homeless offenders appear to be those least likely to have family support and most likely to experience social isolation (MacNeela, 1999).

Implications of the Desistance Literature

Implications of the desistance literature strongly suggest that more of a focus needs to be placed on the social circumstances of offending and 'the social environment in which offenders are taking decisions and acting upon them' (Rex, 2002:70). Indeed, increasing recognition has been given to the neglect of such factors in probation practice. For example, Raynor and Vanstone (1997:39) reflecting on the failure of the STOP intensive probation programme to sustain its achievements into the second year, point out that 'work on the thinking and behaviour of people who are at high risk of further offending [needs to be] complemented by attempts to assist them with the problems that they encounter in their everyday lives in the community'. Farrall (2004:201) found that the motivation of probationers and the social and personal circumstances of their lives were the most important factors in determining whether they faced and dealt with the obstacles in their lives which resulted in desistance. Furthermore, it was established from both the descriptions of officers and probationers that the social and personal context in which offenders

attempted to address their obstacles, largely determined the success or otherwise of their attempts (Farrall, 2002). This supports Rex's assertion that 'the social situations in which offenders find themselves seem central to their ability to deal with the personal and social problems that contribute to their offending' (ibid, 2002:72).

Methodology

Probation and Welfare Service records were used to quantify the numbers of homeless cases referred to the Probation and Welfare Service. These data consisted of tracking records for those referred to the service to the point of outcome (B forms) over a six week period between May and June 2003. In total 429 B forms were examined and analysed. It emerged that almost ten per cent (9.3%) of individuals referred to the Probation and Welfare Service over a six week period in Dublin were homeless. In many respects, this figure may be an under-estimation of the true number of homeless offenders because while it includes those of no-fixed-abode, living in hostels, bed and breakfast accommodation and transitional housing it is impossible to identify the 'hidden homeless' (i.e. those living temporarily with family or friends because they have no where else to go) (O'Sullivan, 1996).

In total nine focus groups were undertaken with Probation and Welfare staff in Dublin between May and August 2003. A series of small focus groups were held in seven penal institutions (involving between three and seven participants). Participants consisted of the Senior Probation and Welfare Officer and the Probation and Welfare Officer(s) based in each institution. In addition, two large focus groups were held with Probation and Welfare staff based in the various communities across Dublin. The purpose of the focus groups with community based staff was to discuss the impact of homelessness on effective probation supervision as well as to identify the gaps in provision for homeless offenders in the community. Prior to these focus groups, each of the 14 court/community-based Probation and Welfare teams were invited to discuss the issues related to the supervision of homeless offenders in the community within their own teams and to send representatives to one of the two focus groups. In total, almost 50 Probation and Welfare Officers were involved in the community and prison based focus groups.

Probation Supervision and Homelessness: The Challenges of the Social Context

Similar to other studies of probation (Farrall, 2002; Robinson and McNeill, 2004) it was clear that Probation and Welfare Officers in this study viewed the social context of offender's lives as highly significant. In essence, as Burnett (2004:171) describes, 'helping ex-offenders to identify, analyse and find solutions to their problems in living is precisely what probation officers have traditionally concentrated on doing'. Reflecting similar findings from Dane (1998), Probation and Welfare Officers recognised the importance of assisting homeless offenders find accommodation and access support services:

It is important that the solution to homelessness is seen as providing support and on-going support rather than bricks and mortar - it is about recognising that some people cannot survive alone without support.

Evidently, this is good probation practice as Raynor et al. (1994) argue that addressing need is central to effective supervision, because individual treatment aimed at challenging distorted thinking patterns is unlikely to succeed 'if an individual has a drug dependency, little money, no job and poor accommodation' (ibid, 1994:76). In spite of this, as the following discussion suggests, the extent to which Probation and Welfare Officers are able to translate the acknowledgement of offenders' difficulties into practice is impeded at a number of levels. Rex (2002:72) sums up the difficulties when she argues that:

it is one thing to identify and assess the personal and social problems that may have contributed to someone's offending, ... [it] is quite another to identify how that individual can be helped to surmount formidable social obstacles.

The particular difficulties that emerged for Probation and Welfare Officers supervising homeless offenders in the community included: the difficulties related to tracking and engaging with homeless offenders; the limited social skills of offenders; the limited 'social capital' of offenders; the challenge of inter-agency work and the limited resources to meet the needs of homeless offenders.

Tracking and Engaging with Homeless Offenders

Research suggests that engaging with offenders is an important aspect of probation supervision at the early stages (O'Mahony and Seymour, 2001) but also throughout the supervision process (Chapman and Hough, 1999). However, Probation and Welfare Officers in this study described how tracking homeless offenders was problematic given their lack of a stable address. They estimated that almost half of those offenders on supervision who were of 'no fixed abode' would fail to turn up for initial appointments despite being offered three of them, or alternatively they would turn up on the wrong day. Further challenges related to tracking, ranged from homeless probationers going 'missing' for a period of time, to difficulties related to them receiving correspondence about probation appointments while staying in temporary accommodation such as hostels and B&Bs.

Probation and Welfare Officers distinguished between the 'stable homeless' client and the 'chaotic homeless' client. They identified that the former group were able 'to manage their homelessness' and were also more likely to keep their appointments. In contrast, if an individual's lifestyle was chaotic and the homeless experience traumatic for them, officers thought that keeping probation appointments would not be a priority:

If a client is moving from hostel to hostel, we are way down their list of priorities ... homelessness flattens supervision.

The implication of these chaotic circumstances according to the Probation and Welfare Officers is that the focus of work is largely on crisis intervention. The significance of these findings are relevant, firstly, because previous research (Farrall, 2002:175) has linked 'the circumstances in which the probationers lived' and 'the actions (or inactions) of probationers themselves' to probation intervention having limited impact on offenders and their offending behaviour. Secondly, while the adoption of a 'stable lifestyle' amongst offenders has been linked to avoiding offending (Farrall, 2002), conversely, it suggests that a chaotic lifestyle is linked to persistence with offending. Overall, the failure to track and engage with offenders places them at greater risk of breach proceedings for non-compliance and as the literature on programmatic research suggests, reconviction outcomes are consistently bad for non-completers (Raynor and Vanstone, 1994; Wilkinson, 1995).

The Limited Social Skills of those on Probation Supervision

Probation and Welfare Officers identified the limited social skills or 'human capital' (Coleman, 1988:s.98 in Farrall, 2004a:57) of many homeless offenders as adversely impacting on their ability to access temporary accommodation or other support services. According to officers, the process of accessing any type of accommodation involves detailed paperwork, lengthy periods of waiting around and perseverance on the part of the client. A lack of the necessary social and coping skills to successfully negotiate the housing and other support systems potentially excluded those on probation from essential services:

Our clients often have little in the way of skills to present themselves. The frustration of sitting around and waiting day in day out is also difficult - it can often end in a brawl.

As identified above, the difficulty when supervising homeless offenders is that only limited cognitive behavioural work may be undertaken, given the often chaotic nature of their lifestyles. Despite probation intervention, the result is limited change and a continuation of the cycle of crime and exclusion. Furthermore, being excluded from services further serves to move offenders away from the path of desistance.

According to Probation and Welfare Officers, even when homeless offenders succeeded in accessing accommodation, their limited social and coping skills (human capital) had the potential to jeopardise their placement:

For drug addicted [homeless] offenders private rented accommodation rarely lasts, these offenders may be on the housing list and use private rented as a temporary gap, however, it rarely lasts because of drug addiction, it can sometimes last for a few days or up to a month but very often not much more.

Farrall (2002:216) describes how 'poor or inadequate human capital' makes maintaining a placement very difficult. This is of particular concern given that 'one of the most consistent findings of the literature on the termination of criminal careers concerns the successful resolution of obstacles to reform by the would-be desister' (Farrall, 2004:192).

The Limited 'Social Capital' of those on Probation

Hagan and McCarthy (1997:229 in Farrall, 2004a:60) describe social capital as:

[originating] in socially structured relations between individuals, in families and in aggregations of individuals in neighbourhoods, churches, schools and so on. These relations facilitate social action by generating a knowledge and sense of obligation, expectations, trustworthiness, information channels norms and sanctions.

Based on findings from the literature on homelessness, it is a reasonable assumption to make that homeless probationers are likely to have limited 'social capital' given that they may be alienated from their family and community (Randall and Brown, 1999) and experience social isolation and marginalisation (MacNeela, 1999). Probation and Welfare Officers have an important role to play in activating the social capital resources of the offender by acting as a link between them and their family or other agencies e.g. a housing agency (Farrall, 2004a). In essence, these actions, if successful are viewed as positive given the emerging links between desistance from offending, positive family relationships and stable employment and accommodation. Furthermore, previous studies on probation (c.f. Bailey and Ward, 1992; Rex, 1997) suggest more successful outcomes where probation officers support offenders with their goals, as opposed to using a prescriptive approach traditionally associated with the treatment model. Unfortunately, given the evidence presented above, it appears that Probation and Welfare Officers working with homeless offenders are often limited in the extent to which they can galvanise sources of social capital.

The Challenge of Inter-agency Work

It was clear from what Probation and Welfare Officers said that they experienced difficulties in linking offenders to relevant agencies. The challenges of inter-agency work are no where more apparent than when working with homeless offenders given their often chaotic lifestyle. One officer encapsulated the views expressed by many others in her description of the difficulties - 'if agencies don't know you the door is often closed - the fear amongst agencies is ... that you'll dump the client and disappear'. Another issue experienced by officers engaged in inter-agency work was the need to balance the client's independence with the partnership agency's request to provide support:

It is very difficult for clients to be allowed to access services by themselves - in order to get a place for a client it is necessary to get involved and guarantee support - while this is essential in most cases it prohibits the client from being independent.

This is a particular challenge for Probation and Welfare Officers given the evidence highlighting the need to 'engage WITH' as opposed to 'doing things TO and FOR people' (emphasis included) in order to avoid undermining 'democratic citizenship' (Watchel and McCold, 2001:129). Despite the challenges involved, Probation and Welfare Officers strongly advocated the importance and development of more formalised links between the probation service and housing and support services suggesting the development of a des-

ignated homeless team within their own service to build up expertise and develop inter-agency contacts and relationships.

Limited Resources to Meet the Needs of Homeless Offenders

Farrall (2002:219) argues that offenders on probation are likely to have limited resources, both personal (human capital) and 'in terms of the skills and knowledge which permeate the communities in which they live (their social capital). Therefore, it is likely that they will require assistance from a variety of statutory and voluntary organisations. Numerous homeless organisations (e.g. Focus Ireland, Dublin Simon Community) have identified the lack of essential housing and support services required to meet the needs of the homeless population in Dublin. According to Probation and Welfare Officers it can be even more difficult for offenders given their criminal history and stigma linked to their association with criminal justice agencies such as the Probation and Welfare Service. The difficulty of accessing resources appears to be further exacerbated depending on the types of offences committed by the homeless person. As one Probation and Welfare Officer described 'it is difficult to find accommodation for offenders generally and sex offenders come bottom of the pecking order'.

Probation and Welfare Officers described how limited accommodation and high rents in Dublin often meant that offenders could only avail of what they labelled as 'sub-standard' and/or 'unliveable' accommodation. The result was often that officers had great difficulty stabilising offenders in such accommodation given its poor quality. According to Probation and Welfare Officers, hostels were the only option for the majority of their homeless clients, despite them identifying such accommodation as unsatisfactory in terms of attempting to successfully work in 'stabilising' offenders in the community. The implications of these findings are particularly worrying in light of evidence from the desistance literature that suggests those individuals with limited stability of life circumstances and little stake in society do most badly in terms of reconviction. Based on this analysis, it would appear that the prospects for homeless offenders are bleak and the potential to address offending limited.

What the Probation Service can offer Homeless Offenders?

Given the challenges and difficulties outlined above, it is perhaps unsurprising to find that a previous study of probation staff and offenders found that resolving the obstacles to desistance from offending amongst all offenders often occurs separately or independently of probation intervention (Farrall, 2002). Such findings however should not lead to the conclusion that 'nothing works', in fact in the same study more positive findings emerged in relation to the impact of probation intervention. Farrall (2002:215) found that while the work undertaken by offenders on probation was of little direct assistance, 'the indirect impact of probation (i.e. naturally occurring changes in employment, accommodation and personal relationships) was of greater significance'. The indirect and positive impact of probation intervention has also been noted in other studies. Raynor (1998) provides a useful insight into how programmes can assist offenders with their personal problems. In an evaluation of the STOP intensive probation programme, improvements were noted in probationers self-reported personal problems despite the programme not focusing on the problems of individual offenders. In essence, the improvements related to the way in which the programme 'makes a systematic attempt to help people to acquire the cognitive skills and attitudes necessary for more effective problem-solving' (Raynor, 1998:11). In addition to the indirect impact of probation supervision, Farrall (2002) also found examples where the intervention by the probation officer was a 'significant factor in helping some probationers desist' (ibid, 2002:176). In particular, it appeared that when officers helped offenders to address practical problems relating to employment and family, it improved the chances of success in terms of desistance. Overall, it appears that the relevance of social factors in assisting offenders to overcome the obstacles to offending cannot be under-estimated; the

challenge for the probation service is to overcome the barriers which impact on its potential to address such factors.

The Way Forward

Chapman and Hough (1999) argue that while community-based sanctions can provide 'an opportunity' to the offender if the content is targeted to his/her criminogenic needs, they can also result in an unsuccessful outcome for the offender and service provider if appropriate interventions to meet these needs are not provided. Clearly, it appears from the above analysis that it is not a lack of knowledge amongst Probation and Welfare Officers about the significance of the social factors related to offending, nor an unwillingness to address these factors, but rather that probation intervention of itself is 'unable to get at the heart of the problem facing many of those on probation: low levels of social capital' (Farrall, 2004a:71).

Based on the evidence presented to date it would appear that the development of stronger inter-agency links between the Probation and Welfare Service and housing and other support agencies are central to effectively working with homeless offenders in the community. Indeed, Chapman and Hough (1999) argue that effective probation supervision must incorporate and work in partnership with other services including housing and employment agencies to reduce the risk of re-offending amongst offenders on supervision. That said, this paper has also identified the scarce resources available to finance housing and support services for homeless people in Dublin. In many respects, while stronger inter-agency links may lead to a more efficient and effective system of referral, without the physical resources to accommodate an offender and/or address his/her criminogenic needs such appeals are of little use. Neither the Probation and Welfare Service nor the plethora of services for homeless people have the necessary resources to build the type of social capital amongst offenders that appears to be so strongly linked to desistance (Farrall, 2002). Rather what is required is the political will to re-orientate the focus of criminal justice policy from custody to the community and make the 'strengthening of social capital ... one of the aims of social and criminal justice policy and accordingly the focus of much of the work undertaken by probation services' (Farrall, 2004a:71).

Conclusion

The NESF Report on the Reintegration of Prisoners (2002) suggests that one of the most effective ways of promoting an offender's reintegration is to reduce the risk of marginalisation in the first place and argues that assisting individuals to remain in the community increases their likelihood of abstaining from offending in the long-term. Underdown (2002:117) argues that 'the 'community' setting of 'community' penalties presents both special challenges and rich opportunities'. The challenges faced in supervising such a group are clearly outlined above, leaving the question of whether such offenders can be effectively engaged with in the community given their high level of need and the lack of corresponding resources to meet those needs? The 'rich opportunities' to which Underdown (2002) refers are, unfortunately, less obvious to see. However, the uniqueness of probation and what differentiates it from other sentences e.g. prison, is that it enables offenders to remain in the community to address the issues related to offending.

This paper has focused largely on the social factors and contexts of offenders' lives. This is not to lose sight of the relevance of cognitive-behavioural work, which in many respects is essential to developing an offender's thinking and coping skills (human capital). Rather, what is being suggested is that 'practice with identified offenders needs to be complemented by a commitment to a broader engagement with the social problems associated with crime and criminal behaviour, and with the community's response to them' (Raynor et al.,1994:107).

Appeals to community and to the wider social context of the community must take account of the limited resources generally available to support homeless offenders in the community. The overall conclusion is that a re-focusing of criminal justice policy is required, moving from an over-reliance on custody to an emphasis on community-based sanctions. This shift of itself however, will be insufficient without the political will to direct resources at services which have the potential to divert homeless individuals from the criminal justice system and especially the prison system. Without such change, it appears that we will continue in the crippling web of limited resources, frustrated professionals and a significant proportion of homeless individuals in the prison system that are essentially there on the basis of social need rather than seriousness of offence.

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Substance Misuse and Offending: An Innovative Partnership Providing Assessment and Treatment

Deirdre Murphy and Alistair Sweet

Summary The extent of drug misuse by offenders appearing before the courts has increased markedly in recent years. This paper presents an overview of a collaborative working partnership, between the Probation Board for Northern Ireland and the Northern Ireland Community Addiction Service, that seeks to provide assessment and treatment for offenders with substance misuse problems. The article outlines the nature of the service provided, the potential benefits for the offender, for the wider community and, through the process of inter-agency collaboration, for the organisations involved.

Keywords Drugs, partnership, assessment, treatment

Introduction

The extent of drug misuse in Northern Ireland has, according to recent research, increased significantly over the past 10 years (Northern Ireland Office, 1999). Previously, illicit substance abuse/dependence appears to have been relatively limited within Northern Ireland. The rise in substance misuse, particularly amongst young people in the 18 to 25 years age group appears to reflect an increase in the availability of illegal drugs. Official statistics indicate that in 1992 there were 610 arrests for drug offences, with 15.75 kilos of cannabis resin and 4,408 ecstasy tablets seized. In 2001 the corresponding figures revealed 1266 arrests, with 384 kilos of cannabis resin and 410,611 ecstasy tablets seized. In terms of illicit drug use and offending related behaviour, the Northern Ireland Crime Survey (NICS, 2001) reported that more than 26% of all NICS respondents admitted taking at least one type of drug at some time in their lives. This compares with 34% of British Crime Survey (BCS, 2001/2002) respondents who had ever used an illicit drug. The NICS also found that cannabis remains the most commonly used drug in Northern Ireland, followed by ecstasy. Whilst opiate use appears relatively low in Northern Ireland, further research will be necessary in order to gain a better understanding of the extent of the problem. Recent estimates suggest that there are approximately 700 to 1000 problem users in Northern Ireland (McElrath, 2002). Substitute prescribing for opiate users is due to commence in Northern Ireland from April 2004.

Background to the formation of the Service

In order to address the growing number of offenders presenting with drug related problems before the courts, the Rapid Assessment and Treatment Service for Drug and Alcohol Mis-users was established as a joint initiative between the Probation Board for Northern Ireland (PBNI) and the Northern Ireland Community Addiction Service (NICAS). This partnership is funded by the Northern Ireland Office (NIO), initially for a period of three years up to 2006. The purpose of the service is to provide a fast track assessment and treatment programme for offenders within the Greater Belfast area. Referrals to the programme come from the PBNI Assessment Unit at the pre-sentence stage, where there is an indication that offending behaviour is linked to drug misuse. Additionally, enquiries and referrals are accepted from field probation officers with regards to individuals subject to statutory supervision.

The Assessment Process

Following referral an individual assessment is carried out with the offender. The assessment may be conducted in either the community or custodial setting. The assessment process involves a semi-structured interview and employs a number of clinical questionnaires in order to measure the extent of dependency

that the individual has developed in relation to a particular substance or substances. As problematic alcohol misuse is often a key factor with offenders this is also assessed. It is now recognised that poly-drug abuse amongst this client group is the norm rather than the exception. Measurements are also taken during assessment for co-morbid depression and the level of motivation evidenced by the offender. The latter is based on the stages of change model.

As indicated above, questionnaires are administered by the interviewers during the assessment process. In order to measure the degree of dependence and the severity of dependence in relation to alcohol, the Short Alcohol Dependence Data (SADD) questionnaire, and a consumption rater from the Severity of Alcohol Dependence Questionnaire (SADQ) are employed. The SADD asks 15 standard questions, eliciting information from the respondent with regards to the physiological and psychological sequela of alcohol use. To measure illicit drug dependence, the Leeds Dependence Questionnaire (LDQ), a 10 question rater is used. Co-morbidity, particularly with regards to affective depression, is measured on a 21 question rater, the Beck Depression Inventory version 2 (BDI II). The Stages of Change (SOC) questionnaire, a 32 question self rating instrument, measures the clients attitudes towards making or maintaining change, specifically in relation to their substance use. Should dual diagnosis i.e. of a co-morbid psychiatric syndrome be suspected, referral to general psychiatric services can be made.

The Treatment Programme

Following assessment, provided that suitability for the treatment programme has been established, individual counselling sessions are offered. In the event that the individual is considered to be unlikely to benefit from counselling (e.g., high/low levels of illicit drug dependence, lack of insight or co-morbid psychiatric disorder), where possible onward referrals are made to other agencies e.g. inpatient detox, self-help groups and psychiatric services. The treatment programme, based on a cognitive behavioural model, examines the links between the individual's drug use and their offending behaviour. Cognitive behavioural therapy (CBT) focuses on cognitions, behaviours and an organised therapeutic process that places emphasis on the interaction between thoughts and subsequent behaviours. In practice the therapist attempts to illuminate 'dysfunctional' thoughts and perceptions that contribute to psychological problems. Motivational interviewing (MI) is also employed on a session-by-session basis in order to encourage individuals during the process of change. Counselling attempts to foster an active partnership between therapist and client whilst de-emphasising labelling, reinforcing positive change and offering support and advocacy where this is appropriate. Sessions are offered on a weekly basis over eight weeks and ongoing liaison with the supervising probation officer is maintained at each stage. There is scope for a limited number of additional sessions, if it is felt that these would benefit the client. This decision is made at a tripartite review meeting that involves the client, probation officer and programme staff.

Initial Observations

The Rapid Assessment and Treatment Service for Drug and Alcohol Mis-users has been operating since May 2003. To date 71 referrals have been made to the programme, with approximately half of these being assessed as suitable for treatment. Initial observations reveal some interesting findings in relation to those individuals being referred and presenting for treatment. As one might expect the majority of those referred are males, with less than a 5% ratio of females being seen. The mean age at presentation is 23 years and 7 months. The most common offences include armed robbery, theft, possession of drugs and possession with intent to supply. There is also a high prevalence of both motoring offences and motor theft. A significant proportion of offenders have been assessed whilst in custody and many individuals referred are assessed as high likelihood in terms of re-offending as identified in the ACE (Assessment and Case Management Evaluation) assessment document. High rates of recidivism and lengthy criminal

records are also evident. Low literacy skills and high levels of unemployment are also prevalent with this group.

With regards to substance misuse, poly-drug abuse is prevalent. Cannabis, ecstasy and benzodiazepines, invariably along with high levels of alcohol consumption, are prominent. Cocaine use appears to be more experimental, with crack cocaine less evident. There have, to date, been only a small percentage of the initial referral group presenting with opiates as the main problem drug. The common pattern of consumption arising is of the binge type, often occurring in concentrated cycles of three to four days use per week. Early results indicate high levels of dependency on alcohol, though only medium levels of dependency on illicit drugs. In addition, the individuals assessed to date evidence moderate to severe levels of co-morbid depression. Stage of change assessments indicate that the majority of those tested register a rating that indicates they are contemplators, with a degree of insight and awareness in relation to the effects of their substance misuse, and the negative consequences proceeding from this.

Conclusion

What has emerged most clearly at this stage of the programme are the potential benefits proceeding from the collaborative partnership between PBNI and NICAS. The latter agency has a lengthy history of providing expert assessment and treatment for those experiencing substance misuse problems. These skills, coupled with the resources and expertise in the local probation service have been utilised in order to implement an effective treatment and rehabilitation programme for probation clients. The benefits of close inter-agency liaison and partnership can not be over stressed. Most importantly it is hoped that the individuals presenting to the programme will derive benefit from it, most obviously in a decrease in rates of illicit drug misuse which could contribute to a reduction in re-offending. Such an outcome would, it is hoped, be felt throughout the wider community.

The Rapid Assessment and Treatment Programme has received some funding which will enable research and evaluation of the effectiveness of this form of intervention to be considered. It is intended that assessment results, in terms of levels of dependence, motivation, insight etc, will be measured at first appointment and compared at time intervals post treatment. Concurrently, key factors in relation to the linkage with offending behaviour will be examined. Given the encouraging response to the Rapid Assessment and Treatment Programme it is hoped that the service will expand and continue to meet the needs of offenders, courts and the community in general.

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Q: Have you worked hard to produce a piece of original research?

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*The Homeless Offenders Strategy Team (HOST):
An Interagency Initiative to Reduce Reoffending through Improved
Accommodation and Social Inclusion of Offenders*

Vivian Geiran Probation & Welfare Service

Summary Elsewhere in this journal, Dr. Mairead Seymour describes and discusses some of the practice issues that probation officers have to address in work with homeless offenders. The present paper outlines the relevant context and background to the work of the Probation & Welfare Service in relation to offender accommodation and sets out government policy in the area of homelessness, with specific reference to its impact on offenders. It then describes the development of the Homeless Offenders Strategy Team (HOST) as a specific initiative in this area. The experience of the project so far and future possibilities are also considered. Finally, some current and emerging strategic issues are identified, for future consideration. The discussion is confined here to adult offenders (18 years of age and older). Although they face similar challenges, service responses to those under eighteen are covered by separate policy and structures.

Keywords Homelessness, offender accommodation, supported housing, social inclusion, reduced reoffending, risk factors.

Introduction

On any day, there are something approaching 5,500 persons under the supervision of the Probation & Welfare Service (PWS) in the community and up to 3,200 persons in the custody of the Irish Prison Service (IPS). A relatively small but significant percentage of these people at any time may be homeless or at risk of homelessness. Lack of adequate or appropriate accommodation and associated difficulties are risk factors for offending and vice versa (Seymour & Costello, 2004). The Expert Group on the PWS (1999, 52) pointed out that ‘The Criminal Justice Administration Act, 1914 first established provisions for a residence requirement to be included in a Probation Order.’ The report also set out some of the conditions under which specialised offender hostels are more likely to be successful in reducing offending and recommended enhanced roles for such facilities and the development of designated bail hostels. Offenders in the community are often among those who experience social exclusion most. This marginalisation is likely to be further exacerbated where an offender is homeless. In particular, offenders returning to the community from penal custody have been identified as one of the groups specifically at risk of homelessness and attendant problems. The National Economic and Social Forum (NESF) Report on Reintegration of Prisoners (NESF, 2002, section 6.15; 88-89) acknowledged that:

Accommodation issues are complex for this group. They may not be able to return to the community from which they came or may have lost contact with their family, for example. Moreover, if they were on a social housing waiting list prior to committal, it is unlikely that they have been allowed to stay on the list and will have to reapply on release. They are also unlikely to have adequate financial resources to pay the market rate for private-rented accommodation. Even if this is not a problem, they may still experience difficulties in getting a landlord to accept them as tenants. Within the ex-prisoner cohort, particular groups whose accommodation needs are particularly severe include: women, sex offenders, single people generally and those with a history of substance abuse.

There are a variety of routes by which people may become homeless. There needs to be a similarly wide range of options available to prevent and redress homelessness, as well as offending, among offenders. Accommodation facilities and other services are already in place in a number of areas for those offenders who are homeless or at risk of homelessness. Recent policy documents (see below) have identified a need to ensure that such services and interventions are delivered in a co-ordinated, coherent and integrated way. Where vulnerable groups of persons are concerned, including certain categories of offender, accommodation in itself may be unlikely to resolve the problems faced by the individual. In addition to the provision of appropriate accommodation and support services, specialised interventions focusing on addressing offending behaviour and related issues are required. Duplication must also be avoided across service provision.

Definition of Homelessness

The official definition is set out in Section 2 of the Housing Act, 1988:

"A person shall be regarded as being homeless for the purposes of this Act if-

- (a) there is no accommodation available, which in the opinion of the authority, he, together with any other person who normally resides with him or who might reasonably be expected to reside with him, can reasonably occupy or remain in occupation of, or
- (b) he is living in a hospital, night shelter or other such institution, and is so living because he has no accommodation of the kind referred to in paragraph (a),

And he is, in the opinion of the authority, unable to provide accommodation from his own resources."

Homelessness can thus affect a wide range of individual citizens, including offenders in the community, as well as in custody.

Government Policy and Strategy on Homelessness

The Government has formulated a strategy for a comprehensive response to homelessness, incorporating the broad spectrum of matters relating to this issue including accommodation, health and welfare, education and preventative measures. This strategy is set out primarily in the two documents: *Homelessness - An Integrated Strategy*, (Government of Ireland, 2000) – hereafter referred to as ‘the integrated strategy’ - and the *Homeless Preventative Strategy*, (Government of Ireland, 2002) – hereafter referred to as ‘the preventative strategy.’ The response of the PWS to homelessness and related issues, as they impact on offenders within the wider community, is fundamentally informed by and founded on these two strategies, as well as being set in the context of the mission, strategies and business plans of the Service itself (PWS, 2001) and those of the Department of Justice, Equality and Law Reform (DJELR, 2003). The NESF Report on the *Re-integration of Prisoners* (NESF, 2002) has also made an important contribution to the approach taken in this area of work.

Homelessness - An Integrated Strategy

The integrated strategy, which might be described as the foundation strategy on homelessness, is predicated on the definition of homelessness as set out in Section 2 of the Housing Act, 1988. It set out a framework within which homelessness was to be addressed by a uniform approach and co-ordinated manner throughout the country. This overarching national strategy is overseen and co-ordinated by the Cross

Department Team on Homelessness (CDTH), led by the Department of the Environment, Heritage and Local Government, and including representatives of the PWS and IPS. At local level, local authorities were to convene homeless fora in their areas. These fora would assess local need and co-ordinate local/county responses to homelessness. In the greater Dublin area, the Homeless Agency fulfils this co-ordination role across the four Dublin local authority areas.

Statutory Responsibility

The integrated strategy recognises that the needs of individual homeless persons cross a number of organisational boundaries. Rather than placing statutory responsibility exclusively on either local authorities or health boards, the CDTH in drafting the strategy, concluded that what was required was a clarification of responsibilities of both primary statutory agencies, and the provision of services to discharge those responsibilities in an appropriate manner. The strategy (p30) recognises that:

both local authorities and health boards have key central roles in meeting the needs of the homeless, and that their involvement in this area should be on a joint basis along with the voluntary bodies.

The strategy (Section 6.2 p30), accordingly, clarified the roles of these statutory bodies as follows:

The responsibilities of the two sets of agencies will jointly cover the range of main needs of the homeless. Local Authorities will have responsibility for the provision of emergency hostel and temporary accommodation for homeless persons as part of their overall housing responsibility; health boards will be responsible for the health and in-house care needs of homeless persons.

The question of whether it may be desirable to amend statutory provisions to reflect this division of responsibilities may well be a matter to be considered in the future.

Funding for Homeless Projects

The integrated strategy (Section 10.3.2 p53) clarified the position in relation to the funding of services provided by voluntary bodies, in particular the provision of accommodation for homeless persons, stating that:

It is important that additional services are developed and supported. Accordingly, the Department of the Environment and Local Government, through local authorities, will fund the cost of settlement and outreach workers. With regard to accommodation, the Department of the Environment and Local Government will fund the cost of providing additional accommodation and the Department of Health and Children, through the health boards, will fund the cost of providing care, including in-house care.

No differentiation is made between any groups or categories of citizen that may benefit from such service provision (including offenders).

Prevention of Homelessness

The integrated strategy (Section 2.2 p7) recognised that: those leaving institutional care, be it custodial or health related are one of the principal groups at risk of becoming homeless.

One of the strategy's key recommendations is the need for preventative strategies targeting at-risk groups, such as those leaving custody. The document also refers to the need to develop and implement procedures to prevent homelessness amongst these groups. This objective was developed further in the preventative strategy, published in 2002.

The Integrated Strategy and the PWS

The integrated strategy set out two specific actions to be taken by the PWS to address homelessness among offenders:

- (a) Prevention of Homelessness; Action 1: Prevention strategies, targeting at risk groups, is an essential requirement for those leaving custodial or health related care and procedures will be developed and implemented to target prevention of homelessness amongst these groups. (p56)
- (a) Accommodation; Action 15: Prison management and the Probation and Welfare Service will, through sentence management and a pre-release process, ensure that appropriate accommodation is available to prisoners on release. Where a situation does arise where a prisoner is being released but is without accommodation, prior arrangements will be made to ensure that appropriate emergency accommodation is accessed. (section 7.5, p39 and p58)

Probation and Welfare Officers are assigned to all penal institutions in the IPS estate. Their work involves undertaking risk assessments and other evaluations on prisoners, addressing offending behaviour and related issues, as well as assisting individuals to prepare for release, including assisting in the identification of accommodation need and related issues, and where necessary, taking steps to reduce the risk of homelessness on release. This work includes making referrals to appropriate accommodation and other (e.g. housing support, training and education, health, psychiatric and addiction) service providers. The PWS is co-operating with IPS management in the development of an integrated system of positive sentence management (PSM). This will include due consideration of accommodation issues, homelessness prevention and related matters at all stages of the sentence planning and preparation for integration process. The implementation of PSM will go a significant way to addressing structural or systemic factors contributing to homelessness among prisoners.

The PWS already provides financial and other support to a number of community and voluntary bodies around the country that provide accommodation for adult offenders (male and female). In addition, three probation residences for younger male offenders (under 18 year olds) are directly funded by the Service. These are located in Dublin, Cork and Waterford. The PWS and HOST, in co-operation with others (especially the IPS) are involved in a range of initiatives to ensure that those being released from custody have appropriate accommodation on release. These include the development of assessment and referral protocols to house targeted numbers of offenders leaving custody in accommodation from local authority housing stock, as well as in supported transitional or long-term accommodation provided by voluntary organisations.

HOST is also working to maximise existing links and contacts with agencies such as (Health Board) Homeless Persons Units, Multidisciplinary Homeless Teams, (local authority) housing departments, settlement teams and so on, as well as strengthening links with non-statutory organisations working with ex-prisoners in the community. PWS area managers around the country are involved in working with local authority convened homeless fora (including the drafting and implementation of homelessness strategies

appropriate for each local authority's area). Where positive initiatives are pioneered in one location, these will be replicated in other locations as appropriate.

Homeless Preventative Strategy

The preventative strategy makes particular reference to difficulties facing people leaving institutional care, including those leaving penal custody. It is an important element of the Government's overall strategy on tackling homelessness that strategies and services are put in place where possible to prevent people from becoming homeless in the first place. A significant theme throughout the preventative strategy is the need to ensure that no one is released or discharged from state care without the appropriate measures in place to ensure that they have a suitable place to live with the necessary supports, if needed. This document (p10) recognises the present policy of the Service, which:

is centred around co-operation with and utilising the services provided by the local authorities and the health boards.

The document reiterates the respective responsibilities of both local authorities and health boards vis-à-vis the provision of accommodation for homeless adults and the provision of health and care needs, and confirms the funding arrangements in relation to the operational costs of providing accommodation for homeless adults i.e.:

the Department of the Environment and Local Government, through local authorities fund the non-care elements such as the salaries of non-care staff, heating, lighting, maintenance and upkeep, fixtures and fittings etc, as well as settlement and outreach staff. The Department of Health and Children, through health boards, fund the salaries of care and welfare staff involved in providing in-house care, while also meeting the health and welfare needs of homeless adults. (p6)

The Preventative Strategy and the PWS

The preventative strategy also recommended specific actions in relation to homeless adult offenders to be undertaken by the PWS and IPS including:

- (a) Action1: A specialist unit will be established by the Probation and Welfare Service to deal with offenders who are homeless and additional staff will be provided to assist offenders who are homeless.
- (b) Action 2: The Prison Service, together with the Probation and Welfare Service, will build and operate transitional housing units as part of their overall strategy for preparing offenders for release. Approval has been given for facilities in Limerick and Cork.

The multi-agency accommodation directorate was established in mid-2002 in the form of HOST (see below). It was intended that the transitional housing units referred to in the preventative strategy would be used for short periods either pre-release or immediately post-release until the prisoners in question secure more permanent accommodation. As well as those referred to in the preventative strategy, the NESF (2002) noted that a similar unit was planned for Mountjoy Prison in Dublin as part of the refurbishment of that complex. The latter may be reconsidered in the light of the possible relocation of the Mountjoy complex in line with recent Ministerial statements. Similarly, advancement of the transitional units in general has been delayed as a result of financial considerations and consideration of the possible redevelopment of a number of existing penal institutions. HOST and the PWS continue to work closely

with the IPS and other partner bodies in relation to these and other projects. It will be important to ensure that such projects proceed in a strategically planned way, on the basis of identified need, and that appropriate referral and support mechanisms are put in place, which will reflect best practice and adequately address the needs of all concerned, especially service users.

Establishment and Development of HOST

HOST was established in 2002 with Ministerial approval, on foot of the integrated and preventative strategies. The establishment of this small unit was also recommended in the NESF Report No.22 (NESF, 2002). HOST is a PWS led initiative, with an Assistant Principal Probation & Welfare Officer (APPWO) as Director, as well as a Senior Probation & Welfare Officer (SPWO), a senior administrative official on secondment to HOST from Dublin City Council (DCC) and two PWS administrative posts. The secondment from DCC has been with the support of the Department of the Environment, Heritage and Local Government (DEHLG). Effective, dedicated interagency liaison links have been developed with the IPS, and in particular with that Service's Regimes Directorate, as well as with local prison management, at governor and other levels. In particular, the link with Regimes Directorate has been through the nomination by IPS management of a senior Directorate official to liaise with HOST. Other stakeholders involved in the provision of accommodation and related services to offenders have welcomed the establishment of HOST. HOST's three-year strategy (2004-2007) was published in April this year (HOST, 2004). The unit is represented on the Cross-Department Team on Homelessness (CDTH), the (DJELR) Co-ordinating Group on Offender Integration (COGOI), the Board of the Homeless Agency (Dublin), and the (Dublin) Youth Homeless Forum.

The Work

HOST has a national remit. Its mission is:

To prevent and minimise homelessness among offenders by working in effective partnership with statutory and non-statutory bodies, thus contributing to reducing reoffending, promoting community safety and social inclusion. (HOST, 2004; 5)

To this end, HOST works to co-ordinate, on an interagency basis, strategies and interventions to prevent and eliminate homelessness and the risk of homelessness among offenders in the community and in custody, and by improving offender access to accommodation and services. HOST is a focal point for this integration and co-ordination between and among the various agencies and organisations concerned with homelessness as it impinges on offenders, as well as being in a position to influence the development of policy and best practice in this area. Some of this is done strategically, through bodies such as COGOI, the CDTH or the Homeless Agency. More operational initiatives include the drafting and negotiation of practice standards for probation residences for young offenders.

As well as providing a focal point and ensuring a co-ordinated, strategic approach to addressing homelessness as it impacts on offenders, HOST is active in identifying and redressing gaps in current accommodation and service provision, promoting best practice and appropriate interagency links, research, enhancement of data gathering and management information systems, as well as identification and sourcing appropriate accommodation for offenders. A range of HOST led projects are helping to develop improved access to accommodation for offenders in the social (local authority), voluntary (transitional/supported) and the private rented sectors. Support is also provided to local Service and inter-agency initiatives and to piloting specific interventions or projects with a view to subsequent replication more widely where possible. All this is undertaken to improve the quality of supervision of offenders and

to add value to the services provided by our partner agencies. In this way, public safety is enhanced by maximising the impact of pro-social protective factors including access to appropriate accommodation, thereby reducing risk of reoffending.

Offenders at risk of homelessness, whether in custody or in the community, do not constitute a homogenous group. Consequently, specific actions are directed towards ensuring the availability of appropriate accommodation for identifiable sub-categories that may present particular challenges. These include those on remand or serving short sentences, sex offenders, women offenders, young people, those who have been either continuously or repeatedly homeless over a long period of time, persons serving long (including life) sentences, and those with substance abuse or mental health issues. HOST is currently working on a number of relevant initiatives in this respect. There are proven benefits, as well as challenges, associated with the multi-agency team approach in addressing homelessness at both strategic and practice levels. Experience has also shown that this is a labour-intensive process, but one which can lead to improved co-ordination and integration of services and the development of best practice, which can then be replicated and embedded across and within organisations.

Challenging Issues

The following list (Table 1) includes some of the issues likely to have an impact on the nature and direction of probation work in relation to offender accommodation and homelessness, particularly at interagency level:

Table 1: Some Challenges and Dilemmas Facing HOST, the PWS and Others in Addressing Offender Homelessness

| Question or Issue | Manifestation |
|---|--|
| Defining 'homeless' and 'offender' | Both definitions frequently contested, with implications as to what bodies responsible for service provision, funding etc. |
| Numbers | Statistics on homelessness generally, as well as in relation to homeless offenders, disputed. Need for improved data collection – to show prevalence, incidence and flows/trends. |
| The offender agenda | Sometimes offenders not on general service provision agenda, or if they are, seen as a PWS/IPS/DJELR 'problem.' |
| Emphasis on 'prevention' of homelessness among offenders | This presumes that prior to becoming classified as offenders, the individuals in question had stable housing. This is not the case with a proportion of offenders, who are already homeless when in contact with the justice system. |
| 'Buildings' versus 'services' | The response to homeless offenders can be for new accommodation provision, rather than ensuring access as much as possible to existing provision. |
| Territorialism | This can operate in both directions, with services inclined to want to hold on to preferred areas of work, while inclined to shed others. |
| 'Cherry picking' | Perception that some services may set unrealistic access criteria, which serve to deny access to 'difficult' populations, including offenders – especially those with other challenging presentations (e.g. mental illness, drug abuse etc). |
| Fragmentation of services and funding | Need for improved interagency communication and co-operation, beginning with statutory sector. Also, new services should not be approved without comprehensive funding package (capital and current) being in place. |
| Local versus national control | Tension between move towards more centralised control of operations, while maintaining scope for local initiatives. |
| Role clarification, specialist versus generalist services | Especially for the PWS (and other justice agencies) – to what extent to be involved in social inclusion and general 'welfare' provision for offenders, as opposed to focus on more clearly 'core' business. |

A full discussion of these issues is beyond the scope of the present paper. It is hoped that most if not all of those included in Table 1 are self-explanatory and listing them may serve to stimulate ongoing debate and progress. The list of issues in Table 1 is also not exhaustive. As well as these, the work of HOST and others working to alleviate offender homelessness is subject to a range of influences faced by all human services, many of them internal organisational and strategic issues. These include ongoing resourcing (including budgetary and human resource) challenges, increased focus on value for money, research and evaluation of programmes for more effective practice, evidence based interventions and development of best practice, service standards and service level agreements. In addition, the national and local homeless strategies described above are due for review and renewal over the coming year. This process will provide an opportunity for HOST and the PWS to influence their development for the further improvement of service delivery to offenders and on behalf of all our customers.

Conclusion

The development of the homeless strategies and the measures put in place to address offender homelessness have provided unique opportunities for improved interagency co-operation and co-ordination in this endeavour. The PWS and its partner agencies have responded positively to the challenges, resulting, inter alia, in the establishment of HOST and in offender issues being considered and processed on the accommodation agenda, nationally and locally. According to Rungay (2003, 198):

The partnership ideal has spread beyond the strict concerns of crime control to affect other areas of social policy with similar implications for the probation service... planning and delivery of social housing by multi-agency consortia through an integrated funding system... is of particular interest for the probation service in so far as it combines the social welfare intention to support vulnerable people with the potential for enhancing the role of housing organisations in reduction of neighbourhood disorder and anti-social behaviour. It thus throws the dual role of the Probation Service into sharp relief.

The PWS has a long history of co-operation with other agencies, especially the IPS, but including Local Authorities, Health Boards and voluntary organisations, in the integration and resettlement of offenders in the community. Considerable commitment to addressing homelessness, specifically offender homelessness, has been evidenced by the generation and implementation of the homeless strategies and the establishment of HOST. The work of HOST, since its establishment, has gone some way to consolidating and strengthening the existing foundations of interagency working in this area. As well as improving interagency co-ordination in this jurisdiction, there may well be opportunities for further development in addressing offender accommodation issues through cross-border strategic, policy and operational co-operation.

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*Correctionalism, Desistance and the Future of Probation in Ireland*ⁱ

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Summary This paper argues that desistance research should provoke a reconsideration of the essential character of interventions with adults involved in offending behaviour. It begins by discussing broad accounts of the characteristics of late-modern penal systems as the background to an exploration of current developments in probation policy and practice. In particular, the discussion develops some contrasts between 'welfarist rehabilitation' and 'correctional treatment' as competing (but inadequate) paradigms for probation practice. In the context of these contrasts, the situation of probation in Ireland receives particular attention. Possible implications for practice of some important desistance studies are then developed, in order to stimulate discussion and debate about the extent to which desistance research might challenge the correctionalism that is emerging most clearly in England and Wales, but also in Scotland, Ireland and other jurisdictions. In the conclusion, bearing in mind persistent rumours about the possibility of organisational developments in Ireland that might mirror those in England and Wales, the prospects for more constructive developments are considered.

Keywords Correctionalism, Welfarism, Rehabilitation

Introduction

The main argument of this paper is that the findings of a relatively neglected and intriguing form of criminological research (into 'desistance' from offending) should provoke a reconsideration of the essential character of interventions with adults involved in offending behaviour. The analysis explores selective aspects of probation policy and practice in Ireland (both sides of the border), as well as in England and Wales and in Scotland. The paper begins by sketching aspects of the contemporary 'correctional scene', locating certain current developments in probation policy and practice within broader debates about the characteristics of late-modern penal systems. Set against this backdrop, the situation of the probation services in Ireland is briefly reviewed.

Having thus summarised some important aspects of the social, political and professional contexts into which the findings of desistance research have begun to be disseminated, the paper goes on to explore some of the key messages from the research. Possible implications for practice of some important desistance studies are then developed, in order to stimulate discussion and debate about the extent to which desistance research might challenge the correctionalism that is emerging in probation policy and practice in Ireland and in the UK. In the conclusion, I try briefly to explore the prospects for more constructive developments in Scotland and in Ireland.

The New Penology: From Rehabilitation to Correction

Recent accounts of the changing nature of penal systems and practices in late modern western societies highlight the significance of the shift from a 'penal welfarism' pre-occupied with the rehabilitation of offenders to a 'new penology' pre-occupied with the management of crime and risk (Garland 2001)ⁱⁱ. Though the story told in such accounts is rich and complex, most pertinent here are the implications of this 'penal transformation' for how we view and treat offenders. Feeley and Simon (1994) suggest that 'old penology' is essentially about individuals - their culpability, their guilt, the diagnosis of their deviance, discovering and applying the proper treatment. They observe that 'one of its central aims is to ascertain the nature of the responsibility of the accused and hold the guilty accountable' (p173). The 'new penology' in contrast focuses on groups, and is 'concerned with techniques for identifying, classifying and manag-

ing groups assorted by levels of dangerousness' (p173). Because crime is seen as inevitable and because individualised interventions are viewed with scepticism as to their efficacy, the new penology seeks cost-effective methods aimed at regulating groups as part of a strategy of managing and minimising danger.

For Garland (1996), these new strategies arise from the predicament of the late modern state: how can its political authority survive the limits of its ability to protect its citizens from crime? One of the state's responses to this situation is 'hysterical denial' in which there is an 'emphatic re-assertion of the old myth of the sovereign state' (Garland 1996, p449). From this there emerges a criminology 'of the alien other', different from 'us', a 'suitable enemy' for the state to expressively attack. This stands in stark contrast to the 'criminology of the self' which underlies more pragmatic adaptations in approaches to crime prevention and reduction. Here, the criminal is seen not as different from other citizens, not as a 'poorly socialized misfit', but as an 'illicit, opportunistic consumer', as 'situational man' (p451-2), whose opportunities to benefit from crime must be curtailed. As Garland notes, these differing criminologies have different uses:

'One is invoked to routinize crime, to allay disproportionate fears and to promote preventive action. The other is concerned to demonize the criminal, to excite popular fear and hostilities, and to promote support for state punishment. The excluded middle ground here is precisely the once-dominant welfarist criminology which depicted the offender as disadvantaged or poorly socialized and made it a state responsibility... to take positive steps of a remedial kind' (p461-2, emphasis added).

Rehabilitative ideologies and techniques had been central to what Garland (1996) describes as penal welfarism's 'solidarity project' and to probation's mission with regard to adult and juvenile offenders. Perhaps one of the court missionaries' enduring legacies was an essentially altruistic attitude towards the offender (Pease 1999). Originally, their souls were to be saved in their best interests. Then, their ills were to be diagnosed so that they could benefit from 'treatment'. Alternatively, they were to be diverted from custody and helped with their personal or social problems (Bottoms and McWilliams 1979). Whereas in these eras the supposed broader social benefits of this work in terms of reduced victimisation were a welcome and important by-product, in contemporary probation they have become the products.

Under this emerging formulation, the offender need not (perhaps cannot) be respected as an end in him- or herself; he or she has become the means to another end. He or she is not, in a sense, the subject of the order, but its object. As Garland (1997) argues, rehabilitation today is no longer an over-riding purpose, it is a subordinate means. As such, it is more carefully targeted, rationed and subjected to evaluative scrutiny. It is offence-centred rather than offender-centred; it targets criminogenic need rather than social need. Fundamentally, Garland (1997) argues that probation 'staff now emphasise that 'rehabilitation' is necessary for the protection of the public. It is future victims who are now 'rescued' by rehabilitative work, rather than the offenders themselves' (p6).

It might be argued against the novelty of this development that the 'rehabilitative ideal' (Allen 1981) has often been directed at society's interests rather than those of offenders. As McWilliams and Pease (1990) note, Archbishop William Temple in 1934 delineated the community's three purposes in administering punishment, in order of priority:

- (i) the maintenance of its own life and order
- (ii) the interests of individual members generally
- (iii) the interest of the offending member himself [sic] (Temple 1934, p22-3).

McWilliams and Pease (1990) stress however that historically probation's distinctive role within criminal justice and within rehabilitation has been focussed on the third purpose, without which, Temple (1934) argued, punishment deteriorates into vengeance. Thus, probation as rehabilitation served a moral purpose on behalf of society in limiting punishment and preventing exclusion by working to re-establish the rights and the social standing of the offender. Perhaps arguing against the tide of the times in England and Wales, McWilliams and Pease (1990) went on to prescribe the restoration of rights-based rehabilitation (as opposed to the utilitarian rehabilitation involved in treatment) as the central philosophical ideal of the service. Irrespective of the potency of their argument, the contemporary focus on public protection entails a quite different rehabilitative ideal, essentially utilitarian and correctional in nature.

Along with this ideological reformation of rehabilitation as a correctional endeavour undertaken in the public interest come recent organisational changes in the UK jurisdictions too complex to review here in any detail (Robinson and McNeill 2004). However, in Nelli's (1999) terms, the shift 'Towards "the Field of Corrections"' is an integral part of New Labour's modernization agenda for the criminal justice system. In England and Wales, the closer structural alignment of the newly centralized National Probation Service with the Prison Service in England and Wales has lately been cemented by the appointment of Martin Narey, former Director-General of the Prison Service as 'Commissioner for Correctional Services' (Harding 2003). At the time of writing, the impact of the far-reaching proposals in the Carter Report (Carter 2004) remain to be seen, but the Home Secretary has already enthusiastically accepted the proposal to establish a new National Offender Management Service, incorporating prisons and probation (Blunkett 2004). The name and the objectives of the new service clearly capture some of the characteristics of the new penology; it is a centralised endeavour, targeted at but not for offenders (the 'others') – rather it exists to manage them and in so doing to provide a service to the law-abiding public (the 'us'). Its objectives are to punish offenders and to reduce re-offending (Blunkett 2004, p10), affirming respectively the expressive and the instrumental aspects of the new penology, as well as its correctionalism.

To summarise the impact of the changing nature of penalty on interventions with offenders, Figure 1 (below) presents an ideal-type contrast of how such interventions might have been constructed under a purely welfarist ideology and of how they may be constructed under an unfettered correctionalism. This contrast is intended not to accurately describe any past or present state of penal affairs; rather its purpose is heuristic in highlighting and contrasting the implications of the two ideologies. It should be immediately obvious that neither paradigm is morally or theoretically adequate as a basis for work with offenders.

Figure 1: Ideal-type contrast of two paradigms for work with offenders

| | Welfarist Rehabilitation | Correctional Treatment |
|---------------------------------------|--|---|
| Causes of crime | Primarily structural: social and economic | Primarily individual/familial |
| Responsibility for crime | Primarily the state's | Primarily the offender's |
| Characterisation of criminal | Unfortunate individual for whom assistance is required | One of a deficient and/or dangerous group (classified by risk) from whom society is to be protected |
| Characterisation of practice response | Offender-oriented assistance and protection from further avoidance of damage by the 'system' | Public-oriented punishment, management and treatment |
| Characterisation of rehabilitation | Rights-based restoration of citizenship | Utilitarian re-education for citizenship |
| Practice focus | Diversion from custody, practical help, advocacy, seeking opportunities | Enforcing punishment, managing risk, developing skills through (enforced) treatment |
| Intended outcomes | Re-integration of the offender | Punishment of the offender and protection of the public |

Rehabilitation and Correctionalism in Ireland and Northern Ireland

The different systemic contexts for probation in Ireland and Northern Ireland might have been seen as a protective factor against the adoption of the crude reductionism of correctional approaches and of increasingly punitive penal politics. Although an analysis of the relevance of the accounts of penal transformation outlined above for Irish contexts is beyond the scope of this paper, at first sight the current organisational settings and histories of probation in these two jurisdictions might seem likely to at least inhibit the development of unfettered correctionalism.

In the south, probation was comparatively slow to develop, particularly as a professional service. Geiran (2004, forthcoming) provides an interesting account of the origins and history of probation in Ireland, noting that although the UK Probation of Offenders Act 1907 applied in Ireland, at the establishment of the Irish State in 1922, only one (female) probation officer was in post (in Dublin). The Dublin-based service grew slowlyⁱⁱⁱ covering both the metropolitan and juvenile courts; Geiran (2004, forthcoming) notes that the number of paid officers did not exceed 6 until 1961. That said, Geiran also stresses the role of members of a variety of voluntary societies (including the Society of St. Vincent de Paul, Legion of Mary 'associates' and officers of the Salvation Army) in providing services to the district courts (including

the supervision of offenders) until the late 1970s.

In 1962, following the publication of the report of an inter-departmental committee, the professional probation service was re-established in Dublin, though the scope of the activities of voluntary probation workers was simultaneously extended, with some voluntary societies receiving formal approval as voluntary probation organisations. The role of the professional service was expanded to include prison-based work (two prison-based probation officers were appointed in 1964) and the service was renamed the 'Probation and After-Care Service'. By 1969, the staff complement of the organisation stood at only nine, but significant expansion then followed another governmental review which resulted in the decision to appoint a Principal Probation Officer, three Senior Probation Officers and twenty-seven Probation Officers. The name of the service was changed at this stage to the 'Welfare Service'. Ongoing expansion then followed and a regional structure was established in 1979, accompanied by yet another name change, this time to the 'Probation and Welfare Service' (PWS)(Geiran 2004, forthcoming).

Whether the retention of 'welfare' within the service's official title is significant in setting the tone and character of the PWS's business is difficult for an outside observer to say. Although candidates for employment in the service have never been formally required to hold professional social work qualifications (for example, the CQSW or NQSW), Geiran (2004, forthcoming) notes that over the past twenty years, most probation officers in the service have in fact had such qualifications. Moreover, since 1963 recruitment adverts have conventionally stressed possession of a degree or diploma in social science as an essential or (more often) as a desirable quality, allied with relevant experience. However, Geiran (2004, forthcoming) also notes that although the first annual report of the PWS (1981) described it as 'a social work agency serving the courts, the prisons and places of detention and some special schools on a country-wide basis' (p9), since then there have been few references to the service's social work origins in official documents.

In Northern Ireland, the Probation Service developed along similar lines to England and Wales (see Vanstone 2004) with the original officers taking the role of court missionaries. The Probation and After-care Service was formally established by the Probation (Northern Ireland) Act 1950 under the Ministry of Home Affairs. Initially, no specific training was required, but during the 1960s some Northern Irish officers joined their English and Welsh colleagues in the Home Office training programme at Rainer House in London; others trained as social workers. As in the south, the Northern Irish service expanded dramatically during the 1970s. However, these were troubled times and when the Stormont Government was prorogued in 1972, the service technically came under the auspices of the Department of Finance until the 1982 order which established the Probation Board for Northern Ireland (PBNI)^{iv}. That order followed a government sponsored review which concluded that:

'if the service is to enjoy fully the confidence of the community, which will be essential if it is to carry out its work effectively, we consider that this can best be achieved if the community participates directly in the management of the service' (Children and Young Persons Review Group 1979, section 7.5).

Since the establishment of the PBNI, all probation officers in Northern Ireland have been trained as social workers; the Diploma in Social Work remains the core qualification. The Criminal Justice (Northern Ireland) Act 1996 (implemented in 1998), introduced significant changes to the work of the PBNI, including extension to the requirements for courts to consider pre-sentence reports; the probation order becoming a sentence of the court in its own right, as opposed to an alternative to a sentence; a new combination order including probation and community service requirements; and post-release supervision

licences for those convicted of some sexual offences. Though these recent developments mirror similar changes in England and Wales, the most interesting development in the 1996 Act was the introduction of a new sentence which was unique in Europe at the time. The Custody Probation Order, presaging more recent developments in England and Wales following the publication of the Halliday Report (2001), allows the court to reduce the time spent in prison if the defendant agrees to probation supervision on release. Similarly, in Ireland, the Children Act, 2001 provides for a range of revised sanctions for young offenders, including 'detention and supervision orders'. As the term suggests, these orders involve both periods in children's detention centres and, thereafter, periods of supervision in the community'.

These new sentences could be interpreted as simply further, albeit novel, efforts to reduce the population in prison/detention and, as such, as congruent with probation's history. However, they might alternatively be read as evidence of the blurring of the traditional distinction between community and custodial penalties which is increasingly evidenced in England and Wales. This is a blurring which combines with proposed organisational changes to suggest a steady drift in the direction of correctionalism (see McNeill 2004). Following the Belfast Agreement (1998), the Report of the Criminal Justice Review Group (2000) made 293 recommendations (all accepted by the UK government) which included, significantly in this context, the appointment of a Justice Oversight Commissioner who reports annually on the progress of implementation relating to the recommendations⁴. The peculiarities of probation's situation in Northern Ireland should caution against this appointment as reflecting any intended change in the organisation of probation (in the direction of close organisational links with the prison service). In the Republic of Ireland however, there are signs of an emerging preoccupation with seamless sentences and a more 'joined-up' justice system, reflecting current debates in England and Wales, and in Scotland. This preoccupation, in turn, has provoked much debate about the most appropriate organisational structures within which to deliver custodial and community based sanctions. For example, the Taoiseach's speech (Ahern 2002) at the launch of a National Economic and Social Forum Report on the Reintegration of Prisoners (NESF 2002) emphasised that the prison service and the PWS should take the initiative in developing more effective collaboration.

A correctional drift in probation policy discourses is also reflected in the fore-fronting of the language of risk and public protection. For example, the PWS's Strategy Statement defines the agency's mission as being to 'foster public safety and promote the common good by challenging the behaviour of offenders [and] advancing the recognition and use of community based sanctions, thereby reducing the level of re-offending' (PWS 2001:5). Although the promotion of community based sanctions may be seen as recognising and promoting the welfare of offenders (by meeting their offending-related needs by seeking to minimise the un-necessary use of prison), the PWS's mission is not primarily offender-oriented. Rather, in its focus on 'public safety' and 'the common good', it identifies the wider public as the intended beneficiaries of the service. The PBNI's current Corporate Plan (2002-2005), echoing similar policy statements in England and Wales and in Scotland (National Probation Service 2001, Justice Department 2001), forefronts public protection (alongside professionalism and partnership) as one of its three key themes. As with probation services in other jurisdictions (Robinson and McNeill 2004), this reflects the PBNI's closer involvement, in partnership with other agencies, in the assessment and management of risk, particularly with regard to more serious and potentially dangerous offenders. In Northern Ireland, closer working with other agencies also reflects significant changes in the political situation as a result of the peace process.

Though there is therefore perhaps relatively little evidence of any imminent or dramatic changes in service structures in Ireland (north and south), it may be instructive to examine the current debate in Scotland where, 'criminal justice social work' has been the responsibility of Local Authorities since the Social Work

Scotland Act 1968, despite being funded largely by the Scottish Office and, more recently, the Scottish Executive. The 2003 Election campaign for the Scottish Parliament signalled changes to the organisational context of probation in Scotland. The Scottish Labour Party's Manifesto election campaign in May 2003 (eight months ahead of the publication of the Carter Report (2004) in England and Wales) promised,

'We will set up a single agency – the Correctional Service for Scotland - staffed by professionals and covering prison and community based sentences to maximise the impact of punishment, rehabilitation and protection offered by our justice system' (Scottish Labour 2003).

The Partnership Agreement between Scottish Labour and the Scottish Liberal Democrats, published following the elections, moderated this position slightly:

'We will publish proposals for consultation for a single agency to deliver custodial and non-custodial sentences in Scotland with the aim of reducing reoffending rates' (Scottish Executive 2003).

COSLA (the Convention of Scottish Local Authorities) and ADSW (the Association of Directors of Social Work) responded to the Labour manifesto commitment by pledging to fight 'tooth and nail' against the proposed measures, arguing that there was no justification for such changes and no evidence that they would work to cut re-offending (The Scotsman, 9th May 2003). Following the election, they also commissioned a report from the International Centre for Prison Studies to explore whether the available international evidence supports the proposed organisational changes. A recent speech by the report's author suggested that:

'There is no evidence that particular organisational arrangements for the delivery of criminal justice provision in any one country lead to higher or lower use of imprisonment or affect re-offending rates. There is a strong argument for a close collaboration between the management of offenders in custody and in the community. There is also strong evidence that a clear national policy direction involving all players, allied to effective local delivery of services, is important. The need to make sure that offenders have access to the relevant facilities which already exist in the community is crucial' (Coyle 2003, p12).

While the debate and consultation has continued, the First Minister has repeatedly made clear that 'the status quo is not an option' (McConnell 2003, p21). That said, although it does appear that being governed by New Labour in London and Edinburgh has produced some predictable convergences of penal ideologies and related policy and organisational changes north and south of the border, the influence of correctionalism in Scotland is, thus far, somewhat more attenuated than in England and Wales (McNeill 2004, Robinson and McNeill 2004). Thus the striking of the balance between correctionalism and rehabilitation in practice in Scotland, and perhaps in Ireland, may yet prove more amenable to some of the evidence from desistance studies to which we now turn.

Supporting Desistance: Rehabilitation or Correctionalism?

This section of the paper draws heavily on earlier efforts to explore the relevance of desistance research for probation and youth justice practice (McNeill 2002, McNeill 2003, McNeill 2004, McNeill and Batchelor 2004). Here however, the focus is on assessing whether this research supports broadly rehabilitative or correctional paradigms for intervention with offenders. The preliminary argument offered here is intended to spark further discussion and debate. This seems important and necessary not just because

of the currently proposed organisational changes on both sides of the Irish Sea but because, despite the obvious fact that desistance from offending is arguably the key process which probation services exist to stimulate and support, the impact of the research on practice has been surprisingly muted.

Maruna (2000) provides one possible explanation for this by arguing that until recently theories of desistance have offered little specific assistance to practitioners as to what they should actually do to encourage change. However, he also notes that a similar problem around seeking ways to interpret and use research in driving policy and practice arises in connection with the much more influential 'what works' research, since:

...such research tells us little about individual differences among client experiences in the process... Every individual encounters and interprets unique social interactions within a program setting... every intervention consists of thousands of different micro-mechanisms of change... By concentrating almost exclusively on the question of 'what works', offender rehabilitation research has largely ignored questions about how rehabilitation works, why it works with some clients and why it fails with others. (Maruna 2000, p12, emphasis in original)

Maruna argues that desistance research can and should redress these deficits in the 'what works' research by identifying processes of reform and helping in the design of interventions that can enhance or complement offenders' efforts to change. Recognising the limitations of each form of research (both desistance and rehabilitation) on its own, Maruna proposes a marriage of the two; with the desistance research's focus on the success stories of those that desist offering an 'individual-level view' that, in partnership with the rehabilitation literature's identification of general practices that seem successful, can better inform understandings of the change processes involved. The need for such an individualised approach to exploring desistance is supported by studies that reveal significant age and gender differences in patterns of and reasons for desistance (Graham and Bowling 1995, Jamieson, McIvor and Murray 1999).

However, another reason for the muted impact of desistance research may be that this emphasis on the 'individual-level view', particularly in studies of narrative accounts of desistance, is arguably an inconvenient one for increasingly centralised services pursuing managerial agendas. Robinson's (2001) analysis of the appropriation of 'what works', originally a grass-roots practitioner movement, by the political centre in England and Wales (in the form of the Home Office's 'What Works Initiative') highlights the significance of the interactions between 'knowledge' and managerial power in the pursuit of 'evidence-based practice'. The centralisation and reification of 'what works' that she describes echo what Clarke and Newman (1997) have termed managerialism's 'isomorphic' tendencies; that is, its production and reproduction of uniformities of thought and practice. Perhaps as a consequence, according to some critics, aspects of the 'what works' research itself and of the assessment tools and intervention strategies developed to implement it have lacked sensitivity to diversity, for example in terms of gender and ethnicity (see, for example, Kendall 2002).

In the context of the National Probation Service for England and Wales, the problems of 'scalability' (Carter 2004); that is, of turning the small scale successes of pioneering programmes into effective standardised practices in large-scale public bureaucracies, are beginning to be felt. Neglect of the individual-level view (and thus of diversity) may be amongst the reasons for this. Arguably, underlying the problem of scalability is a misconception about the relative importance of programmes and processes in developing effective practice. The methodology of the meta-analyses used to generate evidence about 'what works' necessarily produce generalisations about the relationships between programme design, programme deliv-

ery and, crucially, programme effectiveness (for a review of these meta-analyses see McGuire and Priestley 1995). This produces two important problems. Firstly, though the pursuit of evidence-based principles is useful and necessary, it is an inherently homogenizing approach that predictably struggles to cope with the heterogeneity of offenders to which practitioners must respond on a case-by-case basis. Secondly, even at their best, 'what works' studies tend only to address questions about which types of rehabilitative programme seem to work better than others in which contexts and with which particular target groups. While these are important questions, they conceal a flawed underlying assumption; that it is the qualities of the programme that are at the core of the pursuit of effectiveness.

The research on desistance by contrast, particularly those studies that focus on ex-offenders' narratives (Burnett 1992, Maruna 2001), addresses a different and broader range of questions about how and why people pursue and achieve changes in their lives. Indeed, desistance studies generally recognise that desistance itself is not an event (like being cured of a disease) but a process. Desistance is necessarily about coming to cease offending and then to refrain from further offending over an extended period (see Maruna 2001). Moreover, these studies suggest that this process of change, as well as being inherently individualised, is also rich and complex, sometimes ambivalent and contradictory, and not reducible to the simplicities of applying the right 'treatment' at the right 'dosage' to cure the assessed 'criminogenic needs'. For example, although desistance studies have revealed that certain life events (like securing employment or becoming a parent) can prompt reconsideration of a criminal career, it appears that success in seizing such windows of opportunity depends on the subjective meanings that the individual concerned attaches to these life events (Farrall 2002). Neither these events nor individual's subjective interpretations of them are 'programmable' in any straightforward sense.

One particularly revealing contribution to the desistance literature is Maruna's (2001) recent study which explores the subjective dimensions of change by comparing the narrative 'scripts' of 20 persisters and 30 desisters whose shared similar criminogenic traits and backgrounds and who lived in similarly criminogenic environments. In the 'condemnation script' that emerged from the persisters,

'The condemned person is the narrator (although he or she reserves plenty of blame for society as well). Active offenders... largely saw their life scripts as having been written for them a long time ago' (Maruna 2001, p75).

By contrast, the accounts of the desisters revealed a different narrative:

'The redemption script begins by establishing the goodness and conventionality of the narrator – a victim of society who gets involved with crime and drugs to achieve some sort of power over otherwise bleak circumstances. This deviance eventually becomes its own trap, however, as the narrator becomes ensnared in the vicious cycle of crime and imprisonment. Yet, with the help of some outside force, someone who 'believed in' the ex-offender, the narrator is able to accomplish what he or she was 'always meant to do'. Newly empowered, he or she now seeks 'give something back' to society as a display of gratitude' (Maruna 2001, p87).

The desisters and the persisters shared the same sense of fatalism in their retrospective accounts of the development of their criminal careers, thus minimising their personal accountability for their pasts in a manner which is interestingly resonant of the welfarist rehabilitation paradigm sketched out above. However, in their accounts of achieving change and in their discussions of their future prospects, Maruna's findings may suggest that desisters have to 'discover' agency in order to rise above the structural forces that

bear down upon them. Maruna reads the desisters' retention of fatalistic accounts of their criminal pasts, in spite of their discovery of agency in their law-abiding present, as evidence of the conventionality of their values and aspirations and of the need to believe in the essential goodness of the 'real me' (cf. Sykes and Matza 1957).

The suggestion that this process of desistance and this discovery of agency may be prompted by someone 'believing in' the offender finds support in those studies which have explored the interfaces between desistance and probation intervention in the UK (Rex 1999, Farrall 2002). Rex (1999), for example, interviewed 21 probation officers and 60 of their probationers, 11 of whom were aged under 21 and one quarter whom were women. She discovered that probationers who attributed changes in their behaviour to probation supervision described it as an active and participative experience. Probationers conveyed the sense of being engaged through negotiation in a partnership. Given their recognition both of the need to sustain a decision to desist and of the possibility of relapse, probationers seemed more willing to 'embark' on desistance where they felt committed to and engaged in the supervisory relationship. In turn, '[t]his engagement seemed to be generated by the commitment, both personal and professional, shown by workers' (Rex 1999, p371). The 'mechanism' by which some probationers come to accept probation officers as role models, Rex (1999) suggests, may rely on 'the sense of obligation which the probation officers' support and encouragement seem to generate in probationers' (p378). She found that as many as half of the probationers she interviewed revealed feelings of personal loyalty and accountability towards their supervisors.

These findings are particularly telling because, until recently at least, the emphasis on the role of tools and programmes in developing effective probation practice has perhaps supplanted and marginalized more traditional concerns in social work with offenders around the quality of relationships involved in supporting change processes (Barry 2000, Batchelor and McNeill 2004, forthcoming). In some respects it may be that the problems of managing 'scalability' referred to above are also a product of the neglect of such human affects in the pursuit of programme effects. In Rex's (1999) study, it seemed that probationers could recognise and appreciate efforts to improve their reasoning and decision-making skills; perhaps the most common focus of intervention programmes to date. However, attempts to exert influence through cognitive approaches had to 'carry conviction in their eyes if they were to be effective' (p373). This conviction depended on the personal and professional commitment from workers discussed above^{vi}. Another prominent feature of probationers' accounts of positive supervision was probation officers' work to reinforce pro-social behaviour (Trotter 1999). Once again, the probationers acceptance of these attempts to influence them were generated by their ability to identify advice in this regard as evidence of concern for them as people; they were thus 'motivated by what they saw as a display of interest in their well-being' (Rex 1999, p375). Given these findings, the re-emergence of recognition of the significance of individual officer-probationer relationships in contemporary discussions of probation and youth justice practice is therefore an overdue, welcome and necessary development (Burnett 2004, Holt 2000, Hopkinson and Rex 2003).

Leaving the significance of processes and relationships aside, Rex's (1999) findings also relate to the content of supervision. The findings of her study suggest that attempts to address cognitive skills seem likely to be insufficient alone since the probationers also valued guidance with their personal and social problems at least as often. Rex (1999) summarises this aspect of work as strengthening social ties. Farrall's (2002) larger and more recent study of probation and desistance reached even stronger conclusions in this regard. Farrall (2002) explored the progress or lack of progress towards desistance achieved by a group of 199 probationers. Over half of the sample evidenced progress towards desistance. Farrall found that desis-

tance could be attributed to specific interventions by the probation officer in only a few cases, although help with finding work and mending damaged family relationships appeared particularly important. Desistance seemed to relate more clearly to the probationers' motivations and to the social and personal contexts in which various obstacles to desistance were addressed. Importantly, Farrall does not conclude that probation does not work:

'The answer to the question of whether probation works is a qualified 'yes'. In many cases the work undertaken whilst on probation was of little direct help to many of the probationers, however the indirect impact of probation (i.e. naturally occurring changes in employment, accommodation and personal relationships) was of greater significance' (2002, p213, emphasis in original).

Farrall is surely right in going on to argue that interventions themselves and evaluations of them must pay greater heed to the community, social and personal contexts in which they are situated, particularly given that 'social circumstances and relationships with others are both the object of the intervention and the medium through which ... change can be achieved' (ibid. p212, emphasis added). Necessarily, this requires that interventions be focussed not, as in the correctional paradigm, solely on the individual person and his or her perceived 'deficits'. As Farrall notes, the problem with interventions based on such shaky criminological foundations is that while they can build human capital, for example, in terms of enhanced cognitive skills or improved employability, they cannot generate that social capital which resides necessarily in the relationships through which we achieve participation and inclusion in society. Vitality, it is social capital that is necessary to encourage desistance. It is not enough to build capacities for change where change depends on opportunities to exercise capacities:

'...the process of desistance is one that is produced through an interplay between individual choices, and a range of wider social forces, institutional and societal practices which are beyond the control of the individual' (Farrall and Bowling 1999, p261).

To put this in another way in the light of Maruna's (2001) study, in order to discover agency, probationers need practical help in accessing and constructing alternative futures that are meaningful to them. For Farrall, this necessitates a re-thinking both of 'What Works' and of practice. He suggests that practice should be focussed not on 'offence-related factors' but on 'desistance-related factors'. An offence focus must, of course, be necessary and appropriate given that, within any justice context, it is offending which occasions and justifies state intervention. However, being only or overly offence-focussed might in some senses tend to accentuate precisely those aspects of an offender's history, behaviour and attitudes which intervention aims to diminish. It may also, in the correctionalism paradigm, tend towards identifying the problem as one of individual 'malfunctioning'. Being desistance-focussed, by contrast, implies a focus on the purpose and aspiration of the intervention rather than on the 'problem' that precipitates it. It also tends towards recognising the broader social contexts and conditions required to support change. Thus, where being offence-focussed encourages practice to be retrospective and individualised, being desistance-focussed allows practice to become prospective and contextualised.

In sum, even this brief analysis of some desistance studies exposes the futility of the drive towards assessing offenders as bearers of risks and of managing groups of offenders through programmes to address their identified deficits. Rather the desistance research requires modes of practice that can engage productively with the inherent complexities of the interactions between people's narrative constructions of their identities and the social and personal contexts of the change processes that they experience, as well as practical help in building alternative futures. Correctionalism, it appears, is an inadequate paradigm within

which to locate such practice because its understanding of the change process is too simplistic and because its neglect of social context marginalizes vital aspects of the process of rehabilitation. That said, the determinism and paternalism of welfarist rehabilitation seems no better placed to encourage the discovery of agency and with it the prospect of 'restory-ing' and restoring oneself.

Conclusion

One final and important implication of the desistance research requires some attention here. Maruna's (2001) study notes the importance for ex-offenders of achieving 'redemption' (in the sense of buying back their futures) through engagement in 'generative activities' which help to make sense of a damaged past by using it to protect the future interests of others. It seems significant that this 'buying back' is productive rather than destructive; that is, the right to be rehabilitated is not the product of experiencing the pains of punishment, rather it is the result of evidencing change by doing some social 'good'. In terms of working to support the reconstruction of identity involved in desistance, this seems to underline the relevance of the 'redemptive' opportunities that both community service and restorative justice might offer. No less obvious, by contrast, are the futility and counter-productiveness of penal measures that label, that exclude and that segregate and co-locate offenders as offenders. Such measures seem designed to confirm and cement 'condemnation scripts' and to produce 'persisters'. While the most inherently damaging measure in the regard may be imprisonment, it may also be that community penalties as constructed under an unfettered correctional paradigm might unwittingly frustrate the process of desistance in some respects. With regard to the penal measures that we chose to pursue, Maruna (2001) notes that, in some senses, societies get the offenders that they deserve. If the message sent by the nature and character of our penal institutions and interventions (and by public opinion) is that offenders are 'other', different, deficient, dangerous, unlikely or unable to change, fundamentally 'bad', beyond redemption and undeserving of help, then that message may become self-fulfilling.

In order to construct contemporary probation differently in the context of the correctional drift discussed above (and given the possibility of organisational changes for probation), it might be timely to review the case against correctional treatment; a case that has been made convincingly before, during earlier challenges to the character of the service posed by the loss of faith in the rehabilitative ideal. Bottoms and McWilliams' (1979) 'non-treatment paradigm' involved the retention but radical re-conceptualisation of four traditional aims: the provision of help for offenders, the statutory supervision of offenders, diverting appropriate offenders from custodial sentences and the reduction of crime. As new evidence about 'what works' emerged, this paradigm was criticised and revised in the light of new evidence about effective interventions, but significantly it was not rejected by some of the most thoughtful advocates of the new approaches (Raynor and Vanstone 1994). This was perhaps because the non-treatment paradigm was based as much on a carefully crafted critique of the moral problems posed by correctional treatment as by doubts about its efficacy. That such moral debates have become an increasingly marginalized aspect of contemporary debate perhaps reflects the post-modern condition, in which, to paraphrase Lyotard (1984), 'It no longer works because it is right; it is right because it works'.

Within what is arguably an increasingly amoral penal context, the desistance research may serve a particularly important purpose in re-legitimizing probation's original moral purpose: 'to advise, assist and befriend.' With a bittersweet historical irony, just as we seem set to progress (sic) towards 'the field of corrections', desistance research makes a necessity out of (some of) the enduring virtues of penal welfarism. In this respect, the initial findings of an ongoing study of how frontline workers understand and construct their practice are encouraging. In a recent co-authored paper (Robinson and McNeill 2004), I have presented some evidence from one such study which suggests that, although Scottish criminal justice work-

ers are prepared to adopt public protection as an over-arching purpose for their work, their willingness to do so may relate to the ways in which they are able to use this 'new' purpose to re-legitimate 'traditional' concerns and practices. Thus, for example, they often refuse to unhitch the interests of offenders from the interests of communities by arguing that meeting the needs of offenders is necessary in the public interest. Moreover, they often insist that the social work relationship itself is the prime vehicle for change and that supporting such change requires an approach which takes full account of and responds to its social and personal contexts rather than focussing narrowly on more obviously criminogenic needs and 'deficits'^{viii}.

On the basis of this limited evidence, the penal professional context in Scotland represents perhaps fertile ground for the development of more desistance-focussed practice, particularly when set alongside the retention of penal reductionism and improving the social inclusion of offenders amongst criminal justice social work's official purposes (Justice Department 2001). Irish and Northern Irish commentators will be best placed to assess the situations and prospects for staff and users of the PWS and the PBNI. That said, it seems clear enough that it would be deeply regrettable if, in following the example of a more-centralised and correctional NOMS in England and Wales, the Irish services weakened their traditional strengths of voluntarism, partnership, pro-active community involvement and the use of social work knowledge, values and skills, just as these strengths come to be re-legitimated by desistance research. In all three 'celtic' jurisdictions, the opportunities for capitalising upon the strengths and the potentialities of current practice in promoting desistance may depend upon the current or coming debates about the most appropriate organisational contexts for interventions with offenders. If these debates produce new or existing organisations that respond to 'populist punitiveness' (Bottoms 1983) merely by developing an increasingly correctional ethos, then significant opportunities and proud histories will be lost. However, if existing organisations or new organisations can retain, develop and re-focus those aspects of Irish and Northern Irish policy and practice which seem likely to best support desistance, then the possibility of a more constructive way forward may endure.

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ⁱⁱ Although Garland's analysis is based primarily on the US and the UK (meaning mainly England and Wales), the relevance of his arguments for Ireland should be clear.

ⁱⁱⁱ Geiran (2004, forthcoming) advises that the lack of professional appointments outside Dublin was justified on the grounds that numbers on supervision did not warrant it.

^{iv} The PBNI is appointed by the Secretary of State under the Nolan principles of openness and equality and has a part-time chair and up to 18 members. Probation services have, since 1982, been 100% funded by the Northern Ireland Office.

^v Likewise, in Ireland the Sex Offenders Act 2001 provides *inter alia* for court-ordered post release supervision of convicted sex offenders by the PWS.

^{vi} While this increasing coordination of criminal justice and the emphasis on risk and protection evidence penal changes similar to those in other jurisdictions discussed above, other initiatives reflect the particular social contexts and crime problems evident in the North. Perhaps most positively in this regard, the Criminal Justice Review Group (2000) also made strong recommendations concerning the integration of restorative approaches in juvenile justice which led to the establishment of a Youth Conferencing Service.

^{vii} The significance of these interactions between probationers' feelings about supervision and their supervisors and their response to supervision emerges further in the light of Bottoms (2001) recent work on 'compliance'. Bottoms explores four principal mechanisms underlying compliant behaviour (instrumental/prudential, normative, constraint-based and habitual/routine) linking them to different penal strategies. What is significant in this context is that Rex's (1999) findings highlight the importance of the officer's moral legitimacy in generating normative compliance from the probationer. Although there may be good reasons for using several mechanisms in pursuit of compliant behaviour, it might be that normative compliance offers the most secure basis for sustaining the desirable behaviour because it involves the internalisation of values, as opposed to merely contingent calculations of costs and benefits or the ongoing maintenance of external constraints.

^{viii} For a fuller discussion see Robinson and McNeill (2004) p289-293.

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Inspection of Probation and Offender Services in Northern Ireland.

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Summary This article outlines a brief history of inspection of probation and allied services in Northern Ireland, and sets out the current features of inspection as undertaken by the Social Services Inspectorate. It goes on to discuss imminent changes to the inspection of these services within the remit of the new Criminal Justice Inspectorate (CJI). The intention is to inform readers about the inspection process, and outline how inspection can be a positive exercise which adds value to professional practice. The article also examines some implications of establishing the CJI, and highlights anticipated benefits that should flow from the new arrangements.

Keywords Inspection, probation, criminal justice, voluntary sector, social work, change, Northern Ireland

Background

The first known inspection of the then NI Probation and After Care Service was undertaken in 1973 by the Probation Inspectorate for England and Wales. A planned follow-up did not take place because of the disturbed situation in Northern Ireland at the time. In their 1973 report the Home Office inspectors had identified the possibility of using the locally-based Social Work Advisory Group (SWAG) to assist with development of the probation service. Consequently the SWAG was asked to undertake a follow-up review of the Northern Ireland Probation Service to assist the Northern Ireland Office (NIO) in planning the service's future direction.

The SWAG Review was a full scale exercise that included an assessment of the work of fieldwork teams, prison welfare and after care, court work, community involvement, training, staff development, and recruitment, accommodation and support services. It preceded the 1979 Report into Legislation and Services for Children and Young Persons in Northern Ireland (The Black Report) which led to the Probation Board (NI) Order 1982 and established the Probation Board for Northern Ireland (PBNI). Meantime the SWAG itself evolved into the Social Services Inspectorate (SSI), in the late 1980s.

Throughout the 1980s and 1990s SSI undertook a range of inspections and other work with PBNI and criminal justice social work agencies, such as Training Schools and Attendance Centres. The criminal justice voluntary sector organisations have had less contact with SSI, though the Efficiency Scrutiny Evaluations that were undertaken have been significant in influencing their core funding arrangements with the NIO.

As SSI's primary focus was initially on juvenile offenders, the NIO accessed the services of Her Majesty's Inspectorate of Probation (HMIP) in relation to PBNI's work with adults. This relationship was not always productive, due in part to cultural differences and PBNI being benchmarked against probation services that operated in very different environments. The inspection experience of the early 1990s offers important learning as current plans for new inspection arrangements are formulated.

During the 1990s inspection evolved into a more sophisticated discipline, as PBNI and other inspected organisations were required to demonstrate increasing levels of effectiveness and accountability in order to justify receipt of public funds. With PBNI assuming a key public protection role, and moving towards greater integration with core criminal justice agencies, so SSI began to focus increasingly on matters such

as enforcement of statutory orders and the effectiveness of supervision, as well as value for money, corporate governance and managerial competence.

The Social Services Inspectorate (SSI)

The SSI is a specialist professional group comprising a Chief Inspector, an Assistant Chief and 10 inspectors (all primarily qualified as social workers, with a varied range of service delivery and management experiences), plus statistical and administrative support. It is located within the Department of Health, Social Services and Public Safety (DHSSPS). Two inspector posts are dedicated to criminal justice matters, one specialising in adult services, the other in youth services. Their role is to work with others to ensure that criminal justice services are responsive to the needs of the population of Northern Ireland, and allow the public to have confidence in them.

SSI does not have a statutory basis, though its Chief Inspector answers directly to the Minister at NIO responsible for criminal justice, and its criminal justice inspectors operate within the terms of two main pieces of legislation: the Probation Board (NI) Order 1982 (amended by the Criminal Justice (NI) Order 1991); and the Criminal Justice (Children) (NI) Order 1998. These give authority for inspecting all the services provided by the PBNI, probation hostels, the juvenile justice centre, attendance centres and the Youth Justice Agency (YJA).

SSI provides two services for the NIOs criminal justice services and criminal justice policy divisions: inspection and policy advice. There are differing views about the compatibility of inspectorates providing both these functions, and establishment of the Health and Personal Social Services Regulation and Inspection Authority (HPSSRIA) within the next few years may have implications for the role of SSI. In the meantime its primary role is to support ministers and government departments in all fields of social care, such as children, mental health and the elderly, as well as criminal justice, through undertaking inspections and providing policy advice.

(i) Inspection

SSI undertakes inspections of statutory criminal justice services provided by the PBNI and the YJA. The approach is to inspect against standards, and to help devise standards where none exist. These standards should show clearly what level of service is provided and how it is provided. The standards are derived from a range of sources: government policy, legislation and regulations, international conventions and best practice, supported by research findings and current values within criminal justice social work.

SSI undertakes thematic inspections e.g. the most recent exercises have been a review of the Custody Probation Order after its first 3 years in operation, and a pilot Serious Incident Reporting Scheme that probation and police jointly managed. It also conducts total inspections e.g. of all the services provided by a residential facility such as a juvenile justice centre, an attendance centre or hostels for offenders. The SSI website - www.dhsspsni.gov.uk/ssi - contains examples of inspection reports. Investigations into specific matters are occasionally commissioned by the Secretary of State or senior civil servants. However SSI does not usually handle complaints from the public or consider appeals against decisions taken.

Besides inspecting the work of PBNI and the YJA, SSI also evaluates voluntary organisations (currently the Northern Ireland Association for the Care and Resettlement of Offenders – NIACRO – Extern and Victim Support, as well as independent providers of hostels for offenders) which are grant aided by the NIO. "Evaluation" implies a lighter touch than inspection in terms of examining professional practice. This is appropriate as the voluntary sector organisations do not hold responsibility for supervising statu-

tory court orders, although they can contribute significantly to case management. Nor are they required to work to the same sets of standards as PBNI or the YJA. SSI evaluations of voluntary sector providers are only undertaken once every six years, with the aim of measuring the organisations contribution to the criminal justice system and their financial probity. However the SSI inspections alternate every 3 years with NIO-commissioned audits of the voluntary sector providers that are undertaken by private accountancy firms. Voluntary sector providers also work to a range of other accreditation, such as Investors in People and National Training Awards, engage regularly with SSI about a range of practice matters, and contribute feedback to inspections of statutory services.

(ii) Policy advice

While inspection reports obviously help inform policy development, SSI also provides advice about how policies in other fields of work, such as education and social services, affect criminal justice services, and about allocation of resources and achieving value for money. This role helps inform and facilitate the conduct of business between NIO and agencies which are involved in the delivery of criminal justice services. Current examples of SSI policy advice engagement include participation on the steering groups for Youth Conferencing and the new Juvenile Justice Centre, the Northern Ireland Strategic Sex Offender Management Committee, the accreditation body for prison and probation offending programmes, as well as involvement in a range of child protection fora.

SSI has been centrally involved in the review of professional qualification arrangements for criminal justice social work employees. It has also made an important contribution to development of the Northern Ireland Social Care Council (NISCC) during the past 3 years, and the associated introduction of registration for the social care workforce. This is a very important initiative: it is planned that staff working in probation and youth justice settings will be registered with the NISCC as part of the government's arrangements for ensuring improvement in the quality of services and providing greater protection for service users.

The Criminal Justice Inspectorate

The CJI was established by the Justice (Northern Ireland) Act 2002, following a recommendation of the Criminal Justice Review that reported in March 2000. The Review, which was initiated by the Belfast Agreement noted the importance of inspection as a tool for holding criminal justice agencies to account for their actions and for the proper expenditure of public resources. The Review recommended creation of a single, independent statute-based criminal justice inspectorate. It envisaged that the CJI, which is due to become fully operational by October 2004, would be an integral part of the process of building confidence and helping to normalise society in Northern Ireland following the 1998 Agreement.

Status of the CJI

The CJI is a non-departmental public body (NDPB). It is not part of the NIO or the Northern Ireland Civil Service, and its inspectors are to be CJI employees, although civil servants and others may work with it on secondment. The Chief Inspector has been in post since late 2003, and currently reports to the Secretary of State for Northern Ireland. The intention is that under devolved government the CJI will transfer to the Assembly Minister with responsibility for criminal justice. The primary aim of the CJI is to contribute in a significant way to the efficient and effective running of the criminal justice system, and help to guarantee that the system functions in an even-handed way. Thus it has an explicit political purpose, as well as providing a valuable mainstream criminal justice service.

Establishment of the CJI is a pioneering venture. No other country has as highly developed a framework of inspection as the United Kingdom, and no part of the United Kingdom is now as advanced as Northern Ireland in seeking to join up the inspection of its criminal justice system. The National Offender Management Service (NOMS) is currently being established in England and Wales, with the aim of integrating prison and probation services. This will have important implications for inspection arrangements there – and for their input to the CJI - as the current prison and probation inspectorates have different cultures and methodologies.

Scope of the CJI

The Justice Act provided a very wide remit for the CJI – it must carry out inspections of 20 named organisations, including most of those that comprise the main elements of the criminal justice system: i.e. probation, prisons, Youth Justice Agency and Public Prosecution Service. The Court Service is exempt for the time being, although it has agreed to participate in thematic studies conducted by the CJI on an equal footing with other agencies. The Police Service of Northern Ireland (PSNI), while included in the CJI's remit, reserves the right to be inspected by HM Inspectorate of Constabulary in the first instance. Notwithstanding these dispensations, the reality in practice is that establishment of the CJI has been welcomed by all of Northern Ireland's criminal justice agencies.

The remit of the CJI in relation to Northern Ireland's Health and Social Services Boards and Trusts is limited to inspecting 'activities relating to the keeping of children in secure accommodation under custody care orders' – these orders are not yet available to the courts. However Social Services, together with the PBNI and the voluntary agencies have a much broader interface with the criminal justice system in areas such as the safeguarding of children and the management of sex offenders in the community. Consequently the CJI will work closely with SSI and the Education and Training Inspectorate in these areas. Some of the remaining agencies that come within the remit of the CJI e.g. the Northern Ireland Tourist Board and the Royal Mail Group plc, are not strictly part of the criminal justice system. These have been included because they have significant investigatory and/or prosecutorial functions (generally in order to enforce regulations for which they are responsible) which bring them into contact with the criminal justice system.

While the CJI will be obliged to inspect all of these agencies, subject to certain restrictions, there is no obligation to inspect them all with equal rigour and frequency. The favoured approach is that specific inspections should concentrate on the core agencies, and that inspections of other bodies should either be commissioned ad hoc, as the need arises, or they should be inspected collectively through thematic studies that address their common concerns. There is no explicit requirement upon the CJI to inspect criminal justice voluntary organisations, and consideration needs to be given to their incorporation within the cycle of inspections. This is particularly true for those organisations that receive core NIO funding, and which fulfil roles with offenders and their families, with victims and in the crime prevention field.

Other monitoring organisations

The CJI is specifically precluded from inspecting where an agency is already subject to an adequate inspection regime. It is mindful of the number of other monitoring and regulatory bodies that operate in Northern Ireland e.g. the Oversight Commissioners who monitor reform of the criminal justice system and the Patten reforms to policing; the Police Ombudsman; the Northern Ireland Audit Office and the Human Rights Commission. It will have to liaise carefully with them in order to avoid duplication of effort, and to avoid burden on the inspected agencies.

This raises a strategic question about how far the CJI should undertake work itself or should simply co-ordinate work done for it by others, and there are implications for the staffing and resourcing of the Inspectorate. The Justice Act has granted the Chief Inspector an exceptional degree of independence and wide-ranging powers to make use of other Inspectorates under his auspices - he can delegate any of his functions to other inspectorates, including SSI and HM Inspectorate of Probation. Given the extent of its remit the CJI could not provide in-house expertise in all the disciplines involved.

At the same time it needs to have sufficient expertise to participate in inspections and to be assured that the inspection is being conducted to an acceptable standard. It is therefore envisaged that a degree of in-house capability will be required, with around ten professional staff in total, providing core experience and expertise in the main fields of criminal justice work: policing, prosecution, custody, and probation and youth justice. However all members of the inspection team will also be required to be versatile and to engage in inspections outside their field of expertise.

Contrast and Commonality between SSI and the CJI

The status and roles of SSI and the CJI differ in some important respects:

- SSI is a professional group located within an existing government department, whereas the CJI is legislatively established as an independent inspectorate in its own right.
- SSI combines inspection with a policy advice function, whereas the CJI's role is exclusively centred on inspection.
- SSI is entirely locally based, and undertakes practically all its own inspection work (apart from small commissions to sessional inspectors or consultants), whilst the CJI intends to delegate significant elements of its work to inspectorates from other jurisdictions.
- Because of the distancing of the criminal justice system from a large section of Northern Ireland's population over the past 30 years, and the CJIs dedicated criminal justice focus, the CJI is expected to deliver confidence-building – an important political output that has not been required of SSI.
- A further consideration in relation to the probation service is that, whereas current SSI inspectors are entirely drawn from the same professional discipline as probation staff (social work), the CJI will incorporate staff from a range of backgrounds.

Notwithstanding the differences – which are mainly structural - between SSI and the CJI, there are fundamental similarities of approach and philosophy in terms of a range of matters. Some of the key similarities include

- the purpose of inspection;
- styles and methodologies of inspection; and
- the underpinning principles for inspection.

Purpose of inspection

The UK concept of inspection is unusual by international standards. Military inspection is understood world-wide, as is inspection for hygiene or health and safety. But inspection in the UK public services has developed into a more broadly based family of activities going beyond auditing or monitoring alone. It is about improvement as well as checking, yet is neither consultancy nor a part of the apparatus of management. The essential characteristics of independent statutory inspection are:

- that it stands apart from the management structure;
- that it reports publicly, without fear or favour, on its own authority, and
- that its work is based on evidence collected in the field, not on desk research or speculation.

Inspection takes account of the principles for the inspection of public services promulgated by the Cabinet Office in 2003, namely that public services inspection should:

- pursue the purpose of improvement;
- focus on outcomes;
- take a user perspective;
- be proportionate to risk;
- encourage self-assessment by managers;
- use impartial evidence, wherever possible;
- disclose the criteria used for judgement;
- be open about the processes involved;
- have regard to value for money, including that of the inspecting body; and
- continually learn from experience.

Inspection is subject to ministers, who fund inspectorates out of monies voted by parliament. It is legitimate for ministers to indicate the issues they would like to see examined, and inspectors are required to work in accordance with government policies – it would be out of order for them to make recommendations which were contrary to those policies. But subject to that inspectors are expected, and permitted to report as they find, even if the findings do not reflect well on government departments or agencies.

Styles and Methodologies of inspection

A multi-disciplinary approach has been applied to inspection by SSI for many years, and the CJI intends to maintain this practice. Medical and nursing colleagues, inspectors from the Education and Training Inspectorate and staff from Health Estates have all contributed to SSI inspections. In keeping with the Citizen's Charter and Government policy, inspection teams now include independent lay assessors where possible. They take a particular interest in the views of the people who use the services so that these are given due weight in inspection reports. Development of lay engagement is particularly important within the Northern Ireland criminal justice system due to the antipathy that many people have felt towards the system during the Troubles. It is an area where the voluntary sector have traditionally been successful, particularly through their involvement of volunteers in a variety of criminal justice roles.

An Inspectorate is best assessed by the quality of its reports, and the CJI will pay considerable attention to the form of the reports it issues. They are intended to be short and readable, with all technical detail and background material which is only of interest to the specialised reader rigorously excluded and made available instead on the CJI's website. The CJI will use its website to post all its reports and supporting material, although it will not rely exclusively on electronic publication, which would reach only a proportion of the target readership. The aim is to establish clear advance agreement about publication arrangements, and produce balanced reports which encourage good performance and assist improvement, rather than to assign blame for shortcomings.

The CJI will continue SSI's practice of making systematic efforts to obtain feedback about the inspection process from agencies and other stakeholders, as well as seeking any evidence that the work of the inspectorate has contributed to improved outcomes for the public. The inspectorates which will work with the CJI all have their own remits and methodologies, and different practices in reporting and following up

their inspections. For example the prisons inspectorate in England and Wales has a remit to inspect the treatment and conditions of prisoners from an offender centred perspective. This is an interesting task for an inspectorate that comprises many staff who were formerly employees of the prison service, especially and their reports can excite public controversy and media interest - e.g. the March 2004 report into their findings at Wakefield prison. In contrast the probation inspectorate has a remit to inspect the quality of probation services' work. While also reporting publicly, it tends to generate less publicity for the probation services that are being inspected, a factor that is welcomed by senior managers who find their inspection reports sufficiently challenging without the added pressure of a media spotlight.

In Northern Ireland the CJI will need to harmonise a variety of inspection practices, though there will continue to be necessary differences of approach in certain areas of inspection. For example, unannounced inspections are a feature of prisons and juvenile justice centre inspection, but they are not common in other services. Both SSI and the CJI promote self-assessment by inspected agencies, in the belief that agencies should internalise the drive towards improvement, and develop a capacity for rigorous and perceptive self-criticism. This and follow-up inspections, to ensure that recommendations are indeed implemented, are key features of methodology that will continue in the transition from SSI to CJI.

Principles of inspection

Evidence of the following 5 criteria are sought in each inspection by SSI and the CJI:

- Openness and accountability;
- Partnership and co-operation with other agencies of the criminal justice system;
- Even-handedness, including respect for human rights and equality in all the dimensions prescribed by s.75 of the Northern Ireland Act, 1998;
- Learning, looking for feedback and contributing to policy improvement; and
- Results (including improvements in effectiveness and value for money) and outcomes in relation to Government objectives.

In addition, for as long as it may be relevant, the CJI intends to examine a sixth element:

- Normalisation, or the extent to which each agency is adjusting to a more normal pattern of operation in line with the normalisation of the political and security situation in Northern Ireland.

In planning its programme of work the CJI has proposed the following priorities, in order of importance:

1. Impact on crime / re-offending / public safety / protection of children;
2. Impact on public confidence in the fairness and effectiveness of the criminal justice system;
3. Possible effect on policy decisions or political outcomes;
4. Amount of public money or other resources at stake.

In terms of their own conduct and management both SSI and the CJI aim to serve as examples of the good practices which they foster, and adhere to the following principles:

- Conduct inspections and report with honesty and impartiality, basing their findings upon evidence;
- Be open about their practices and procedures, and about the expectations against which judgments are made;

- Publish all reports and make all papers freely available, subject to the normal exceptions for security and personal information;
- Encourage self-assessment, and make improvement the main purpose of all its inspections;
- Work in a non-adversarial, consultative and interactive way, collaborating wherever possible with other agencies and Inspectorates;
- Aim to minimise the demands they make on those inspected;
- Treat people courteously, fairly and without discrimination, valuing diversity and promoting equality in accordance with s.75 of the Northern Ireland Act;
- Monitor and evaluate their own performance from the perspective of value for money;
- Welcome and be responsive to any complaints or other feedback from the agencies inspected.

Whilst each inspectorate works to develop a capacity for self-criticism among the management of the agencies, they also check - for example in the prisons and youth custody institutions - that standards of safety and decency are being maintained. In addition they cast light on the operation of the criminal justice system so that the public can understand what is being done in its name, and can participate in an informed debate about criminal justice matters.

The Future

As SSI and the CJI negotiate their future joint working arrangements it has been agreed that in the interim legacy inspection programmes will continue, and one or two additional items will be built into the programme of other Inspectorates. Some major cross-cutting thematic – at least one in each six month period - will be led by the CJI. At the time of writing it is difficult for many of the other UK-based inspectorates to be clear about their plans much beyond the current year because of major impending changes with the establishment of the NOMS.

The content of each year's inspection programme emerges from consultations between the NIO, criminal justice minister, and statutory and voluntary criminal justice organisations. The CJI intends to continue this process, and augment it with an annual stakeholder conference. The aim is that there should be some inspection work undertaken in each year in relation to each of the main areas of the criminal justice system.

Current and planned inspections by SSI and the CJI for the 2004 and 2005 calendar years include:

- Inspection of the Juvenile Justice Centre for Northern Ireland once it has become established in new premises;
- A thematic review of the Multi-Agency Procedures for the Assessment and Management of Sex Offenders (MASRAM), and their potential for development, which is being led by the CJI;
- A review of diversionary schemes for young people, including voluntary organisations;
- Review of provision for girls who are detained in custody;
- A full announced prison inspection;
- A review of delays in completion of court proceedings.

Conclusion

Northern Ireland's criminal justice system is undergoing radical change in a number of areas at present, and during 2004 this change will extend to incorporate its inspection arrangements. SSI has established a culture over the past two decades that blended social work-based inspection with policy advice. This will now develop into a more explicit inspection-only, criminal justice focus with establishment of the

Criminal Justice Inspectorate. The challenge is for the CJI to retain SSIs strengths, and build upon them, particularly the shift towards self-assessment and collaborative inspection. The CJI has undertaken useful preparatory work during the past year, and subject to taking proper account of Northern Ireland's unique criminal justice context, its philosophy and approach are promising.

The CJI will therefore have considerable relevance for PBNI, the YJA and organisations in the voluntary and community criminal justice sectors. Inclusion of PBNI in cross-agency thematic inspections reflects its closer integration with other statutory criminal justice agencies, and provides opportunity for modelling its public protection practice. As for voluntary sector criminal justice organisations, engagement with the CJI would represent an opportunity to demonstrate their unique contribution to the criminal justice system in terms of pioneering services that support statutory interventions with offenders, and offer value for money.

Cross-border cooperation among criminal justice agencies is developing within Ireland. While establishment of the CJI will generate increased engagement with specialist inspectorates in England and Wales, SSI and CJI would also be keen to share learning and experience with providers of probation and offender services in the Republic of Ireland, as new inspection arrangements become more firmly established during the next few years.

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PROTECT N&S – A Cross Border Initiative

David Williamson PROTECT N&S Project

Summary The PBNI and PWS have joined together to establish a cross border project under strand 5.2 of the PEACE II EU funds. The Project aims to contribute to the process of peace and reconciliation through improving community safety. The article outlines the thinking behind the Project, its implementation and proposed actions as well as looking at how the two services might work together in the future.

Keywords Co-operation, best practice, training, partnership

Introduction

The Belfast Agreement of April 1998 committed the UK government to instigate a review of the criminal justice system in Northern Ireland, and to act on the recommendations arising from such a review. In the terms of reference for the review one target area was an examination of the "scope for structured co-operation between the Criminal Justice agencies on both parts of the island" (The Belfast Agreement – Policing and Justice, Annex B). This is the genesis of the joint initiative between the Probation Board for Northern Ireland (PBNI) and the Probation and Welfare Service (PWS), which led to the establishment of PROTECT N&S. The Criminal Justice Review reported in March 2000 and, following a consultation process, a Government response was published in November 2001 and an implementation plan put in place. In June 2003 an updated Criminal Justice Review Implementation Plan was published, outlining the progress made to date. At this time a Justice Oversight Commissioner (Lord Clyde) was appointed to track the implementation process and report on progress, and in his 2004 report the Commissioner notes that: "One example of work to align standards across core business areas is the Probation Board and [Probation and] Welfare Service project PROTECT N&S". (Criminal Justice Oversight Commissioners Report 2004, p.163) The report makes other references to the work that PROTECT N&S will be undertaking and it is the aim of this article to detail not simply the background to the project but also lay out its objectives and to offer some thoughts as to how such a project may contribute on an ongoing basis to the work of the two Probation agencies.

Background

The PEACE II initiative of the European Union has a number of strands, among them 5:2, which is administered by the Special European Union Programmes Body (SEUPB), and concentrates on improving cross-border public sector co-operation. It is under this strand that PBNI and PWS submitted an application for 30 months funding for a project aimed and impacting on reoffending and consequently community safety by promoting best practice in probation through sharing knowledge and experience, both between the two Probation services and also internationally. The Project summary that comes from the original application to SEUPB for funding outlines the project goals well:

The rehabilitation and re-integration of offenders requires that they take personal responsibility to take steps to stop offending and to make reparation. It also requires a response from the community, which recognises that communities also have a role to play in the reduction of offending. The Probation Board for Northern Ireland and the Probation and Welfare Service in the Republic of Ireland wish to maximise the opportunity provided by peace to begin to understand, share and develop professional approaches to assist in the effective management of a range of offenders... We intend to develop practice guidelines, best practice programmes and establish projects in border counties evidencing this, albeit that the impact will be on an All Ireland basis.

At the heart of the action the Project is charged in relation to its funding with making a contribution to fostering Peace and reconciliation on the island. SEUPB monitor the work and seek evidence of this being part of the focus of the project. The choice of the Project name PROTECT N&S, while representing a concept in relation to the role of Probation is also an acronym (Probation Reducing Offending Through Enhanced Co-Operation and Training). It was felt that this again accurately reflects the goals of the project and sets real priorities for its operation. For both PBNI and PWS this is a time of major change, both within the organisations and also in terms of the place of the organisations in the wider criminal justice systems both north and south. In a new political environment on the island and at a time when crucial questions of operation, standards and relationships are explored in other papers in this issue of the Irish Probation Journal, the establishment of PROTECT N&S offers a chance for the two Probation services to explore, at a structural level, the potential benefits of co-operation. The Project also offers an opportunity for staff at all levels to look at best practice, to consider their work in a wider context and, for border teams, to have the possibility of increasing the range of available resources on the ground. This seems like a massive workload and a set of ambitious goals. The challenge for PROTECT N&S is to make itself relevant to staff and to provide a real contribution to Probation work throughout the island, both in terms of staff on the ground and at an organisational level. How do we propose to do this?

When PBNI and PWS began to consider establishing this project, steps were taken to talk to Probation staff in both agencies about what particular practice issues they had, what areas of their work provided the most concern and would benefit from exploring best practice on a cross border and international basis. Arising from this came six broad offender areas or issues that it was felt could provide the focus for one of the core activity areas of the Project. These areas (Young Offenders, Drug Dependent offenders, Alcohol related offending, Sex Offenders, Domestic Violence, and Dangerousness) will be addressed initially through six focussed seminars for Probation teams, which will look at best practice but will also consider how the work of staff in border areas can be enhanced in terms of working with such offenders and with such issues. Having these seminars though, without seeking to sustain learning or enhance practice on an ongoing basis, will make the exercise limited and inherently flawed.

In June 2004 the Project held an initial seminar with PBNI and PWS teams in Enniskillen and outlined some of our thinking about the six focussed areas. This very successful introduction to the teams showed us that the Project should serve a real need and also demonstrated that staff on the ground are keen to develop their own practice and to become more effective in their practice. When we considered, for instance, the area of domestic violence, a stimulating debate over sanctioned and non sanctioned interventions as well as the possibility of accessing services on a cross border basis followed. When we hold our first offence focussed seminar in the coming October it will be on domestic violence and it seems that this can be an issue that we can look at both at practice, theoretical and strategic levels.

Recognising the need to put in place sustainable actions, the Project has also been charged with implementing two cross border projects aimed at putting into a practice context some of the learning that comes from the seminars. These projects should be understood not as separately or independently funded activities but rather actions that can be internally managed by the two Services and do not necessarily have budgetary implications. The first of these is to be established in 2005 in the border areas and their success is dependent on the success in linking to staff on the ground as well as with partner agencies in the respective criminal justice systems.

PROTECT N&S is also to run two major conferences, one in 2005 and one in 2006, which will be open

to PBNI and PWS staff. These conferences are seen as not only a platform for disseminating on a wider basis work done but also providing a forum for discussing the wider issues that are common to the two Probation services. The running of these conferences represents a major challenge both in terms of the practical work to be done but also in terms of how such conferences should be focussed. One might consider, for instance, that in a census of February 2004, 18% of caseloads within by the Probation and Welfare Service were female offenders while the PBNI figures for 2003-4 showed only 5% of caseloads comprised female offenders. Why should there be this disparity and in what way has the PWS reacted to this and what are the implications of such figures? Questions such as this, which have wider implications, might well be an area for exploration in a conference setting.

This bears a relationship to another of the tasks of the Project, which is to attempt to identify emerging areas of work and developing crime trends and to begin the process of looking at whether these are jurisdiction specific or not and in what way they will potentially impact on the work of the two services. In Northern Ireland there has been a great deal of concern about the growth of drug misuse and drug related offending. This is seen naturally as a matter of concern and all services in the criminal justice system are looking at how they might best respond. PROTECT N&S, building on the experience of the PWS and its partner agencies are well positioned to be a resource for PBNI and other services in relation to organisational and structural responses in certain areas (e.g. in relation to the issue of drug misuse it might be a useful exercise for PBNI staff working in areas with a developing opiate problem to spend some time with PWS personnel looking at how services have developed, including the pilot Drug Court in Dublin) and also in terms of practice level responses. Equally, as PBNI look at the positive figures in relation to reductions in car crime, and also in recidivism among drink drivers (see relevant contributions to this edition of *Irish Probation Journal*), there may well be lessons for the PWS in what programmes and interventions might garner most successful outcomes. Identifying and responding to changes in patterns of crime can be most effective when it is a shared activity, because it is by pooling knowledge and experience, which are a key resource, that we can impact most positively.

This brings us back to the core activity of dissemination of best practice across the two services. Beyond events such as the seminars and conferences, PROTECT N&S will work as a networking resource and activity. Bringing together management and staff at a range of activities and with focussed sharing of experience, we can build on the set pieces. If one goes back to the issue of drug misuse it might be a useful exercise for PBNI staff working in areas with a developing opiate problem to spend some time looking at how services in the Republic work, and what are the practice issues. Equally with both organisations making positive contributions to responses to domestic violence then PROTECT N&S can act as a conduit for sharing the experience and looking at strengths and weaknesses in different approaches. This also ties in to the agreed target of the project in relation to interagency and international staff exchanges.

Ongoing dissemination will also be aided by two other ventures. When the Project is formally launched in Armagh on 13th September 2004, it will mark the going on-line of the PROTECT N&S website, which will be a resource for staff both, with news of upcoming events and activities in the two organisations and also further afield. The website will also provide access to the *Irish Probation Journal*, allowing a broader access to this exciting venture between the two services.

Thus the Project sees itself as making an ongoing contribution to the PWS and PBNI, and indeed to the wider criminal justice world. In addition to the senior management team that will oversee the project, the two services have established an Expert Panel drawn from key statutory and voluntary agencies. This provides the project with not only an opportunity to gain from being able to meet with the panel but also

offers the two services the opportunity to present its actions and thinking in a constructive and influential environment. Overall PROTECT N&S offers a genuinely exciting and truly innovative potential to run on after funding under PEACE II ends; contributing in an ongoing way to the work of PWS and PBNI, and by extension to the goals of a safer society.

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Effective Practice – State of the Art (or Science?)

Dr. James Bonta Solicitor General's Office, Canada

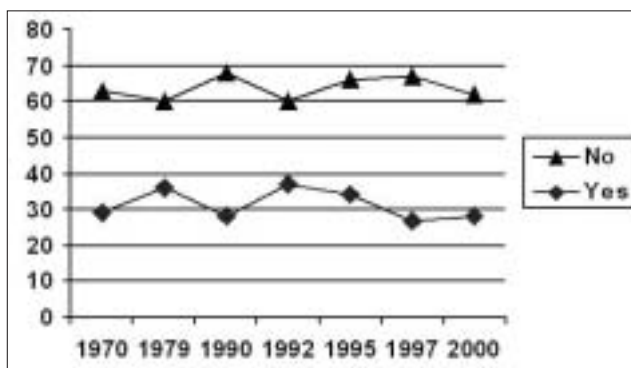
This paper was delivered by James Bonta in Cardiff at the March 2004 Conference on "Personal Effectiveness in Working with Offenders", run by the Cognitive Centre Foundation. The Editorial Board are grateful to Dr. Bonta and to Mr. Peter Davies of the Cognitive Centre Foundation for their permission to reproduce this paper here. We also appreciate the general support both Jim and Peter have given to the establishment of the Journal.

Keywords Effective practice, evidence based, rehabilitation, risk assessment, criminogenic need.

Introduction

Thank you Peter Raynor for your kind introduction. I would also like to thank Peter Davies and the Cognitive Centre for inviting me over here.

Figure 1: Is there anywhere in your neighbourhood that you are afraid to walk at night ?



(Roberts 2001)

I want to introduce the general topic that I am going to speak about with this slide. The question asks, "Is there anywhere in your neighbourhood that you are afraid to walk at night?" This is a standard question from international surveys conducted on the fear of crime. When that question was asked over a period of thirty years in Canada, about one-third of Canadians said that they were afraid of crime in their immediate neighbourhood. When you look at the data internationally, for those of you who are interested, out of fifteen countries, Canada ranks twelfth, and England and Wales seventh in terms of fear of crime. So, even though in Canada, it's an issue for a third of Canadians, it's more of an issue in this country than in my own country.

I'm beginning with the assumption that all of us here would like to see crime reduced. I understand that in England and Wales they have actually set targets – 5% reduction in recidivism. So, what I hope to do today is provide you with an overview of the different ways we can go about trying to reduce recidivistic crime. I am not just going to try and describe what we can do in terms of reducing crime or recidivism, but I am also going to speak about how well some of these different approaches work. Of course, it shouldn't be a surprise to anyone here that I'm going to conclude that it is rehabilitation, or treatment programmes, that make the difference in terms of reducing crime. I will then follow up and speak a lit-

tle bit about how well we are adhering to good correctional practices. I am not going to speak too much about this because I am expecting that people like Chris Trotter will provide a more in depth discussion of the issue.

Now, let me introduce three general approaches to reducing recidivism: correctional quackery, efforts to deter offenders, and rehabilitation. They all have different underlying rationales and theoretical perspectives.

Table 1

| APPROACH | RATIONALE |
|-----------------------|-----------------|
| CORRECTIONAL QUACKERY | COMMON SENSE |
| HURT, THREATEN | DETERRENCE |
| ENCOURAGE, REWARD | SOCIAL LEARNING |

Correctional Quackery

Let's begin with the first approach to reducing crime – Correctional Quackery. Here's a definition of Correctional Quackery: "Interventions that are not based on any theory or knowledge and/or that have not been evaluated". The characteristics of Correctional Quackery are that evidence, evaluation, and research are minimised. "I don't need to do this evaluation, I know it works. I know, it's just plain common sense, doesn't anybody understand that?"

Figure2

- Examples of Correctional Quackery**

 - Music/Drama/Art/Horticultural Therapies
 - Acupuncture
 - TM "Refining the breath"
 - Pet Therapy
 - Diet – too much/little copper/milk/sugar
 - Men required to dress as women
 - Vision training

Here are some examples of Correctional Quackery in our business. We throw into these a group of various therapies such as music therapy, drama therapy, art therapy, and the like. I am not saying that these kinds of interventions do not have some usefulness - they may have. Actually, they may have some usefulness in terms of creating relaxing leisure activities. However, here we are talking about reducing criminal behaviour. We have an example such as art therapy where the programme asked sex offenders to draw their offence. Now think about this - giving paedophiles the chance to relive what they did through their art. There is also a programme in the Netherlands where offenders are exposed to pop music. Pop music – like what's that going to do? (It's supposed to increase their empathy skills). We also have acupuncture, which may help in some kinds of pain relief situations. It may do something for drug cravings, but to

reduce criminal behaviour? How is sticking pins in your body going to reduce break and enters?

I like this one – Refining the Breath, which is a six-session intervention that teaches you how to properly breathe, the goal being to oxygenate every cell. Wow – talk about criminogenic needs – you’re going to have fully oxygenated cells, and then you’re magically going to be prosocial! In New Jersey, there was a programme that, in 1993, cost US\$3/4 million. Offenders were forced to dress up in women’s clothes. It’s incredible the pictures from this project – you have the Dolly Parton look, the Madonna look, etc. The idea was to tear down their machismo. To do so, they had to be put on some nice high heel shoes and a pretty dress. In 2001, there was a Judge in the state of Ohio who sentenced two offenders with the condition that they dress up as women.

Here’s my favourite example of Correctional Quackery: Vision Training. You get a bunch of juvenile delinquents together, and put them on a trampoline with little glasses. They put letters on a screen, and ask the kids to jump on the trampoline, try to focus on what’s on the screen, and read out the letters. They say that by focussing your vision, it’s going to make you a better person. I think it just helps these delinquents sharpen their visual acuity so that they can see the police coming sooner. So, these are some examples of the kinds of things that people do, or have done. Correctional Quackery – no solid evidence. None of these programmes are ever subjected to evaluation, but people do them because it just makes plain sense!

Deterrence

The second general way of reducing crime is the deterrent approach. I take the United States as an example of where they have adopted a deterrent intervention approach wholeheartedly.

Table 2

| |
|--|
| <p style="text-align: center;">To Hurt and Threaten; Punishment in America</p> <ul style="list-style-type: none">• Correctional Population<ul style="list-style-type: none">o 1/4 of the worlds prison populationo 6.7 million under correctional supervision (3% of adult citizens) • 3,557 awaiting death penalty<ul style="list-style-type: none">o Texas executes 3 per month <p>(2002)</p> |
|--|

The United States has one-quarter of the world’s prison population. Of course, the question is how well does it work? Before I tell you how well it works, I have to introduce you to the kinds of knowledge that I am going to use to try to convince you of certain ideas.

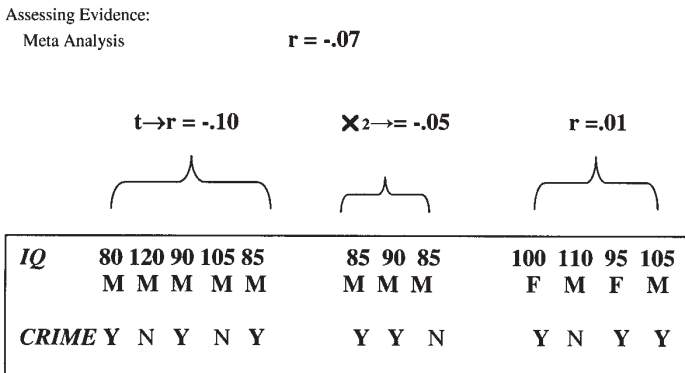
One of the traditional ways we have gone about trying to assess evidence is to do what we call a narrative literature review. I’m sure that everyone in this room has, at least at one point in their education, done this. You know, you do a review essay, go out into the libraries, collect information, and then write up what you think is happening or going on. The problem with the narrative review is that there is a fair

amount of subjectivity in how you take the information from a certain study, how you interpret it, how much weight you assign to certain kinds of results, and so on. Consequently, a lot of different things can happen.

A few years ago, I worked with a group on the relationship between mental disorder and criminal behaviour. When we started our review, we looked at a number of other people who had done a review of this literature, and from our three reviews, each reviewer ended up with different conclusions. It was just astounding. We read the same group of studies, and one author concluded, "Oh yes there's a relationship between mental disorder and crime", another reviewer said, "There is no relationship", and a third reviewer who read the same information ended up concluding, "I don't know". This reflects a problem in the accumulation of knowledge when you use the narrative approach. It is very hard to get precise ideas, and draw conclusions as to what is really happening in areas that are of interest to us.

For the last twenty years, and certainly in the last ten years, what has developed is a new way of reviewing the literature on topics of interest to people. The reviews are called meta-analyses, and here is an example of what meta-analytic reviews of the literature try to do. In this example, the interest is intelligence and crime, "Is there a relationship between IQ and criminal behaviour?"

Figure 3



Let's suppose that you find three separate studies looking at the relationship between intelligence, or IQ, and criminal behaviour. Within a specific study, you have information on whether or not the person is criminal – YES/NO, and you have information on his or her intelligence – various IQ scores. Now, when you read the studies, you will find some sort of summarisation of the findings. The summary of the findings is usually presented in statistical terms. There are different statistics such as a t test, F test, and so on. The r statistic stands for a correlation coefficient, which I will explain briefly.

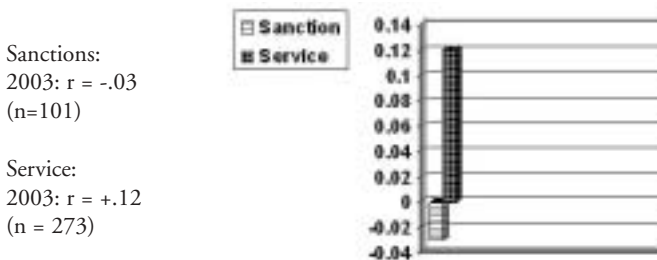
What a meta-analysis does is take the core statistic from an individual study and transforms it into what is called a common statistic. Everything in this example is transformed into the correlation coefficient, r. Once you do that, you can summarise all of three studies and produce one simple statistic that summarises the relationship. Now, for those of you who are not into statistics, and I'm one of those who find it horribly boring, all you have to keep in mind, is that a zero means that there is no relationship. If you see a r=+1.00, that's the highest number you can get, you know that either the author is lying, or there's

a typographical error because you just don't get that. An easy way for many people to think of the correlation coefficient is in terms of percentages. Roughly, suppose the final correlation is $r = -.07$, you could say that there is a negative relationship. The minus means that the less intelligent you are, the more likely you are to be a criminal. If the relationship was positive, it would mean that the smarter you are, the more likely you are to be a criminal. Here it is negative, which is generally what we find when we look at IQ and crime. You can think of $r = -.07$ as you have a 7% increased likelihood of engaging in criminal behaviour. Meta-analytic reviews give much more precise estimates, and better controls over subjectivity no matter what the results are, whether good, bad, or indifferent to your own personal beliefs. You calculate statistical terms, and put them into your overall analysis. There's no picking and choosing in terms of what you would like to talk about.

Coming back to the deterrence approach that I described, the United States and a lot of countries have policies that are pretty well driven by these sorts of views, but what is the evidence? Well, I've been very fortunate over the years to have established a working relationship with Don Andrews and others, and in 1990, we published a meta-analytic review of the treatment literature. Within that review, we also looked at punishment, as we wanted to compare its effectiveness in reducing crime with those of various rehabilitation approaches. We've been building that database and the latest results that we have are from last year.

There were 101 studies of sanctions (i.e., getting tough and punishment). The overall relationship was slightly negative, $r = -.03$. Another way of looking at this is that getting tough or providing sanctions was actually associated with a 3% increase in criminal behaviour. On average, delivering human services on the other hand, was associated with a 12% reduction in criminal behaviour. This finding is based upon 273 studies. It's pretty clear from the evidence that if there is anything that does not work in reducing recidivism, it's deterrence, or get tough approaches.

Figure 4



There is yet another way of looking at the whole issue of punishment. A couple of years ago, Paula Smith, Paul Gendreau and Claire Goggin did a review of the literature on getting tough with offenders. When you put people into prison, whether they are adults or juveniles, it is associated with a 7% to 9% increase in recidivism. Longer sentences for adults are also associated with an increase in rates of recidivism. Intermediate sanctions, which are things like intensive probation supervision without any services, electronic monitoring programmes, or fines all hover around zero. There is basically no effect. Without services, we hardly find any effect. We can ask the question, "Why doesn't getting tough, or punishment work?" I think if you talk to people on the street, it seems to make so much sense that punishment would work, but why doesn't it? If we take a very careful look at the punishment literature, or the psychology

of punishment, it becomes readily apparent why punishment does not work. I find it just amazing that, when you look at the correctional research on the effectiveness of deterrence and punishment, you never see any reference to the hundreds of laboratory experiments on punishment.

When you go to the literature on the psychology of punishment, there are studies on the effects of shocking rats, pigeons, monkeys and people. Looking at the conditions under which it works gives you a good idea of when and how punishment works. Let's suppose for a moment that you actually want to have punishment work. What is it then that you need to do to have it work?

Checklist for Effective Punishment

1. Inhibits behaviour – does not teach new behaviour
2. Vary punishments(few universal punishers)
3. Immediate
4. Appropriate intensity
5. Type of person works best with
 - a. Non impulsive, future oriented
 - b. Average to above IQ
 - c. Minimal punishment history
 - d. Cautious, avoids/minimizes excitement

First, what you have to keep in mind is that all punishment does is inhibit, or suppress, behaviour. It cannot teach new behaviours. This is just impossible. There is no theory, no rationale, under which punishment can teach new behaviours. Let's translate this knowledge to our offender population. What kind of prosocial behaviours do they have? In many cases, they have very few prosocial behaviours. So now, how is punishment going to teach them prosocial behaviours?

As animals and people can become habituated to punishment, what you need to do is vary the punishers. You also have to keep in mind that there is no universal punishment that works for everybody. Well, there might be one or two, but even physical punishment for certain individuals is not punishment. Physical punishment for a masochist, for example, is not punishment. Punishment also needs to be immediate. If it's going to work, or if it's going to suppress a behaviour, it has to come right after the behaviour. I ask you, do we have in our criminal justice systems - swift justice?

To be effective, punishment has to be the appropriate intensity. On the one hand, too little punishment doesn't have an effect, and doesn't make an impression on a person. Too severe punishment on the other hand, leads to all kinds of other problems, ranging from learned helplessness, to the freezing of behaviour, and to retaliatory aggression. If you come down too hard on a child, what might happen? Rebellion, or aggression. "It's unfair what you did, your punishment is too strict, too hard on me". You have to get it just right. In a laboratory setting, you can adjust the voltmeter to precise settings. To do that in the natural social world, in our criminal justice systems however, is not that easy.

What kind of person does it work best with? Now, as I show you these characteristics, think of your typical offender and how well he or she fits the profile. Punishment works best with non-impulsive, future-oriented people. If you punish such individuals, they stop, think about it, and next time they find themselves in a similar situation, they think, "Oh yeah, if I do this, I'm going to get punished for it." It also works best with people who haven't been punished often. Essentially, punishment works best with peo-

ple like you and I. It doesn't seem to fit very well the profile of our offender population.

To summarise, we have to keep in mind that punishment only suppresses behaviour. So, if you do not provide prosocial alternatives that are reinforced, encouraged and rewarded, you are not going to get very far. The way punishment is applied in our criminal justice systems is without any attention to criminogenic needs or offender risk. Everybody who commits similar crimes pretty well gets the same kind of punishment. For sanctions to work however, they have to be immediate, inevitable, and unavoidable, keeping in mind that criminal behaviour for some individuals is often highly reinforcing. People get rewarded for it very quickly, and sometimes even receive a big payoff. So, getting caught once after ten break and enters doesn't offset the other nine times someone got away with it.

Offender Rehabilitation

What do we have that appears to work in reducing criminal behaviour? The answer is providing human services. The way I have presented the results, treatment and services are undifferentiated. All treatment studies that we found were thrown into this general pot of stew. There is no differentiation in terms of the different kinds of treatment that people are exposed to. This has been a problem for fifty years when people first began reviewing the treatment literature. For example, in Kirby's 1954 review of the treatment literature, treatment was defined as either a counselling programme, providing probation as opposed to prison, or giving people the death penalty. These were all viewed as correctional interventions. There was no differentiation between the contexts within which services were delivered. By context I mean social contexts such as comparing probation with prison. But what is it that people do within that particular probation service? What is it that workers do within that specific prison service? This is what is important.

Martinson, who in 1974, published his famous review of the treatment literature, concluded that treatment for the most part didn't seem to be effective. One of the good things that came out of Martinson's literature review was that people started trying to differentiate between the different types of treatment, and were no longer asking the question, "Does treatment work or not?" but instead, "What kinds of treatment can have an effect on offenders?" In the 1970s and 80s, people began to make these kinds of differentiation, and so we could start seeing patterns emerging from the literature. In 1990, Don Andrews, Bob Hoge, and I published a paper, which even today is my favourite, and I think, most important paper. In it, we talk about the pattern of results emerging from the treatment literature. From these results, we developed principles of effective intervention. Let me talk about these principles briefly. This first slide reflects the pattern of results obtained when you examine the treatment literature. I will give you an example of a more recent study that we did of a treatment programme in Newfoundland. We divided offenders into low and high risk offenders, and created two treatment groupings, namely low, or in this particular case, no treatment, and a fairly intensive, four mornings a week, cognitive behavioural type of programme.

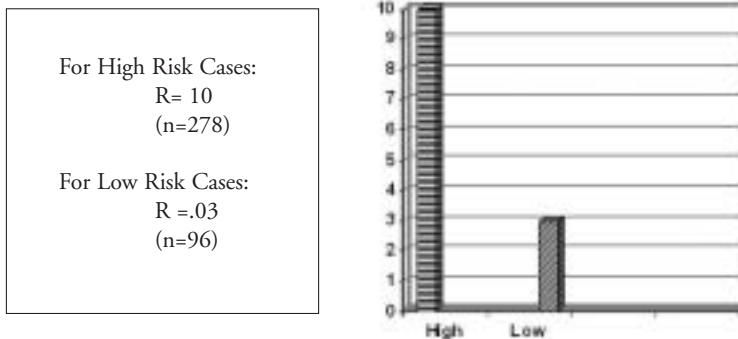
What the numbers show here are the recidivism rates after one year. Of low risk offenders who received minimal/no treatment, 15% reoffended within one year. Those low risk offenders who ended up in the treatment programme for various reasons, actually got worse – 32% recidivated. With regard to the high-risk offenders, 51% of those who didn't receive any treatment recidivated one year later, while the recidivism rate of those who received the intensive treatment programme was 32%. As a whole, treatment worked under the condition that it was provided to the higher risk offenders.

Table3: Risk and Treatment (% Recidivism)

| Study | Risk | Treatment | |
|----------------------------|------|-----------|-----------|
| | | Low | Intensive |
| O'Donnell et al (1971) | Low | 16 | 22 |
| | High | 78 | 56 |
| Baird et al (1979) | Low | 3 | 10 |
| | High | 37 | 18 |
| Andrews & Kiessling (1980) | Low | 12 | 17 |
| | High | 58 | 31 |
| Bonta et al (2000) | Low | 15 | 32 |
| | High | 51 | 32 |

If we look at the complete treatment literature, we find this general pattern of results over and over again. When treatment is applied to higher risk offenders, you have on average, a 10% reduction in recidivism. Providing treatment to lower risk offenders in contrast, produces a very minimal 3% decrease in recidivism. For the most part, we go around and say to people, "Try to avoid delivering treatment to low risk offenders because it really doesn't do much more than take up your time and perhaps waste money".

Figure5: Treatment by Risk



These kinds of findings led us to our first principle, which is called the risk principle. According to the risk principle, you have to take into account the risk level of the individual and deliver the appropriate level of service based on that risk. Higher risk offenders are provided a more intensive allocation of resources and correctional treatments and lower risk cases receive minimal levels of supervision and intervention. This principle also implies that if you want to do good programme planning, you need to have a reliable and valid way of assessing the offender's risk.

Traditionally, there have been two ways of assessing an offender's risk. The first is what is often referred to as the clinical approach. The assessor sits down with the offender, has a nice little chat with him or her, maybe reads some notes and files, and at the end of the day says, "In my professional opinion, I think

the guy is high risk, or medium risk, or whatever". This is one approach, which has been around a very long time. It really is an unstructured collection of information.

Table 4: The Need for Reliable Risk Assessment

Clinical Approach

- > Unstructured collection of information
- > Subjective interpretation of information

Evidence – based approach

- > Structured, uniformed information collection
- > Information empirically related to criminal behaviour

Contrast this clinical approach with the evidence-based actuarial approaches. These latter approaches relate to the collection of exactly the same information about an offender, which can be scored in such a way as to allow specific estimates to be made about the likelihood of criminal behaviour. In other words, there exists empirical research or evidence regarding the predictive validity of the instrument. When you compare the clinical and the evidence-based approaches, there is absolutely no contest in terms of which one is better. We know how to do better assessments, we have a literature out there that tells us, but what are we actually doing? Here is an example of two recent surveys. The first one was conducted by Jennifer Boothby and Carl Clements, and surveyed correctional psychologists in the United States, asking them what assessment tools they were using, and what they were doing to assess offenders. 87% used the MMPI, 20% the Rorschach, and 14% other projectives. Only 12% reported using evidence-based actuarial assessments.

Table 5: Sorry State of Risk Assessment

| Test | Usage(%) | |
|-------------------|---------------------------|------------------------|
| | Boothby & Clements (2000) | Gallagher et al (1999) |
| MMPI/MMPI – 2 | 87 | 96 |
| Rorschach | 20 | 36 |
| Other Projectives | 14 | 28 |
| Actuarial Risk | 12 | 3< |

Now, with regard to the first survey, psychologists may say that I am not just assessing risk, but also other kinds of things such as treatment needs and so forth. The second survey however, was conducted on state parole boards in the United States, asking what kinds of assessment instruments were being used to assess offenders for parole release. In this situation, I think risk prediction becomes important. We nonetheless find similar results. Less than 3% of the state paroling authorities said that actuarial evidence-based risk assessments were being used. As a whole, there really is a huge disjoint between the research literature and what is being practiced.

With regard to the issue of treatment dosage, or how much treatment is necessary for certain kinds of offenders to make a positive difference is an area where research is needed. We really have no clear guidelines as to the amount of programming that is required to achieve the greatest likelihood of success.

Lipsey, in his review of juvenile delinquents, estimated that at least 100 contact hours were needed to make a difference. His estimate however, was based on very rough judgements as to how much treatment was being provided to juvenile delinquents.

Guy Bourgon and Barbara Armstrong will be publishing a paper that will provide the first precise guidelines on the issue of treatment dosage. I'll try to explain this table to you.

Table 6: Risk and Treatment (% Recidivism)

| LS/CMI Risk Level | Hours of Treatment | | | |
|-------------------|--------------------|-----|-----|-----|
| | 0 | 100 | 200 | 300 |
| Low (0-22) | 28 | 12 | 17 | - |
| Medium (22-30) | 44 | 34 | 30 | 17 |
| High (30+) | 59 | 62 | 36 | 38 |

Bourgon & Armstrong (in Press) ; at least 200 hours

Offenders were administered the Level of Service/Case Management Inventory. We have three general risk levels here: low, medium and high. Then we have different dosages of treatment: essentially, no treatment, and 100, 200 and 300 hours of a cognitive behavioural type of intervention. The follow-up period was one year. According to the results, 28% of low risk offenders who received no treatment recidivated. If they received 100 hours of treatment, which represents a relatively low dosage, 12% recidivated. Low risk offenders who received more treatment started showing bad trends.

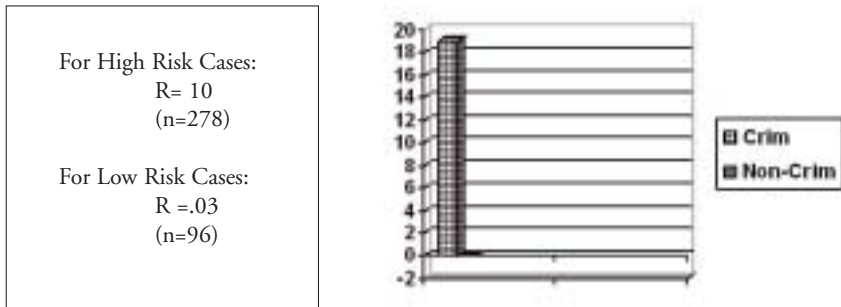
As for the medium risk, the recidivism rate with 100 hours of treatment went down from 44% down to 30%, that is, there was a 34% reduction in recidivism. For medium risk offenders with 300 hours of treatment, the recidivism rate was 17%. With higher risk offenders, you can see that 100 hours of treatment is clearly insufficient to have an impact. You start seeing changes at 200 and plus hours. I think most of you know that there are two types of needs that offenders may have: criminogenic and non-criminogenic. Basically, criminogenic needs are related to criminal offending, whereas non-criminogenic needs could represent problems such as low self-esteem that are unrelated to criminal behaviour. What's important to remember is that, in order to make a difference, treatment programmes need to target criminogenic needs. When treatment programmes target criminogenic needs, they clearly show a difference, on average, a 19% reduction in recidivism. Targeting non-criminogenic needs such as anxiety or poor self-esteem on the other hand has no impact on criminal behaviour.

Table 7: Needs and Dynamic Risk

| Criminogenic | Noncriminogenic |
|--|------------------------|
| Procriminal attitudes | Self esteem |
| Criminal Associates | Vague Feelings |
| Family Affect/Discipline | Physical training |
| Anti social Personality (self control, anger) | Group cohesion |
| Work training with Job | Increase ambition |

This leads us to the second general principle, which is called the criminogenic needs principle. Once again, to correctly adhere to this principle, it is important to do proper assessment. Your assessment instrument, I would contend, should include dynamic risk factors, or criminogenic needs. I think that the more recent instruments have this type of combination, and include not just static or historical risk factors, but also criminogenic needs.

Figure 6: Targeting Criminogenic Needs



Finally, I'm going to talk briefly about the third principle, which is illustrated by the results from this study of juvenile delinquents and their families. There are four different kinds of interventions and we have the percentages who recidivated for each intervention. The only type of therapy that made a difference was the behavioural intervention, 26% recidivated compared to the no treatment recidivism rate of 48%. Psychodynamic therapy actually made people worse. By just providing people with treatment, you cannot assume that they will get better. There are different kinds of treatment, some of which make people worse. Behavioural treatments, by and large, are associated with reductions in recidivism, on average of 23%. The third principle, the responsivity principle, therefore talks about matching the treatment intervention, or the type of treatment, with the characteristics of the individual.

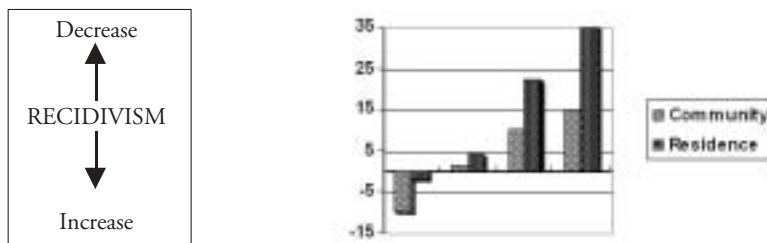
Table 8: Family Therapy and Recidivism

| Therapy Type | N | % Recidivism |
|-----------------|----|--------------|
| Behavioural | 46 | 26 |
| Client Centered | 19 | 47 |
| Psychodynamic | 11 | 73 |
| No Treatment | 46 | 48 |

Why do behavioural interventions work? Think of your typical offender who is concrete-oriented, not highly verbal nor particularly insightful, and who needs to be doing things. Those are the characteristics of your typical offender. Now, what are the characteristics of behavioural treatment? They are fairly structured, active kinds of intervention that involve role-playing and behavioural homework exercises. This provides a good fit between the characteristics of the individual and the type of intervention that is provided. The typical offender will benefit little from a verbal therapy that involves abstract notions and insight. This is what we refer to as the general responsivity principle. The most effective approaches to deal with offenders involve cognitive or behavioural interventions. We also talk about the specific responsivity principle, which relates to the other characteristics of the individual such as gender, mental disorder, and anxiety that can affect how you deliver the treatment programme.

To summarise, we have three general principles, the risk, need, and responsivity principles. What I now want to turn our attention to is adherence to these principles, "How well do treatment programmes actually follow the principles just outlined?" Adherence to only one of those principles is associated with a slight decrease in recidivism. When you start delivering programmes that follow two of the three principles, you see dramatic improvements in effectiveness, and where you have all three principles adhered to, that's when you get the biggest "bang for your buck", and this is especially true when the programmes are delivered in the community

Figure 7: Adherence to principles by Setting



The point I am trying to make at this juncture is that, by and large in the treatment literature, it is rare to find programmes attending to all three principles. Programmes tend to be delivered in a hit and miss fashion. What we are relatively good at is attending to the risk principle. For the most part, we deliver programmes to the higher risk individuals rather than the lower risk ones. We are however not very good at targeting criminogenic needs. In only approximately half of the programmes do we see evidence of

appropriate criminogenic needs being targeted. We are still at the point that behavioural programmes are the minority in most studies.

Transferring Knowledge to Practice

To summarise, the evidence shows that rehabilitation programmes can work. We have a pretty good idea of what is required in many of these programmes in order to make them work, but in practice, we are not following this knowledge-base very closely. To illustrate this point, I am going to talk about a study that we have just completed where we examined whether people were actually doing what they should be doing. It was published in January and is available on our website. If we are engaging in effective correctional practice, we have a number of questions to ask ourselves, which derive from the three principles. Are we actually varying our services, and making distinctions between the risk levels of the offenders and how much time and intervention we give them? When we are actually speaking with offenders are we addressing his or her criminogenic needs, and are we using behavioural techniques to try to bring about changes?

What we did was to go into a probation service, and try to identify best practices in case management. Probation officers were doing a risk/needs assessment as part of their intake, but were they taking the information from their risk/need assessment and using it? Also, what were they actually doing with offenders? We audio taped their supervision sessions, and ended up with about two hundred audio taped sessions of everyday interactions between probation officers and their clients. How well was the risk principle being applied in probation practice in Canada? On average, the client was seen once a month for twenty-three minute interviews. What we found was that, although the higher risk offenders were being seen more often, there was no differentiation between the lower and the medium risk who were seen equally as often and for as long a period of time.

Do we vary supervision in proportion to risk level?

- On average, probationers seen 4.3 times during the first three months of supervision
- The average length of an interview was 23 minutes
- High risk offenders were seen more often than low and medium risk but no differences between low and medium risk offenders

Next, we examined how criminogenic needs were addressed. After applying a risk/need assessment instrument, probation officers prepared an Intervention Plan. As the next slide shows, 40% of the offenders, for example, had a substance abuse problem. For these offenders, a plan for addressing the problem was evident in 80% of the cases. Similarly, 24% of probationers had accommodation problems, but only 17% of them had a plan to deal with it.

Table 9: Do our Interactions Address Criminogenic Needs?

| Need identified | Prevalence | Plan? |
|-----------------|------------|-------|
| Substance Abuse | 40 | 80 |
| Employment | 41 | 10 |
| Emotional | 23 | 71 |
| Family/Marital | 53 | 19 |
| Accommodation | 24 | 17 |

When we reviewed the audiotapes, for those offenders with family and marital problems, we found that probation officers discussed these problems in 90% of the cases. Peer problems and procriminal attitudes were infrequently discussed (21% and 9% respectively).

Table 10: Discussing Identified Needs

| Need | % |
|---------------------|----|
| Family/Marital | 90 |
| Substance Abuse | 78 |
| Accommodation | 57 |
| Employment/Academic | 57 |
| Peer Problems | 21 |
| Attitudes | 9 |

Another thing that we looked at in the rehabilitation literature is the importance of relationship and structuring skills. What sort of impact does that have on recidivism? According to a recent meta-analysis, both relationship and structuring skills are necessary to bring about change in offenders. Correlation coefficients are significantly higher, $r=.34$ and $r=.30$, when you find relationship and structuring skills, compared to when they are absent.

Table 11: Core Correctional Practice

| CCP | Present (n) | |
|---------------------|-------------|----------|
| | no | yes |
| Relationship Skills | .11 (260) | .34 (13) |
| Structuring Skills | .09 (235) | .30 (38) |

We coded for evidence of relationship skills in the audiotapes. What we found is that probation officers are very good at prompting and encouraging offenders to try things.

Table 12: Relationship Factors (%)

| Prompts | Intake | 6 mths |
|--------------------|--------|--------|
| Prompts/Encourages | 97 | 96 |
| Empathy | 48 | 22 |
| Warmth | 46 | 48 |
| Firm but Fair | 46 | 24 |
| Enthusiastic | 27 | 40 |

We also retaped their sessions at six months. We can see that prompting and encouraging kinds of behaviour were still evident six months later. Evidence of empathy towards the client however decreased. Firm but fair also showed a decrease, while enthusiasm actually increased. Let's now look at structuring skills such as prosocial modelling, effective reinforcement, and disapproval. In this regard, the research literature indicates that they are very important.

Table 13: Structuring Skills

| Skill | Present (n) no | yes |
|-------------------------|-------------------|----------|
| Modelling | .10 (236) | .28 (37) |
| Effective Reinforcement | .11 (258) | .31 (15) |
| Effective Disapproval | .12 (265) | .30 (8) |
| Problem Solving | .10 (228) | .25 (45) |
| Community Advocacy | .11 (228) | .16 (45) |

Once again, we find probation officers not engaging in the structuring skills that the research suggests are important. Very few instances of prosocial modelling were observed, and in about two thirds of the cases, we found appropriate reinforcement being given.

Table 14: Behavioural Influence (% any)

| Variable | Intake | 6 mths |
|---------------------------|--------|--------|
| Prosocial Modelling | 17 | 15 |
| Prosocial Reinforcement | 68 | 72 |
| Antisocial discouragement | 20 | 18 |
| Homework assigned | 28 | 24 |
| Practice | 22 | 24 |

Antisocial discouragement. This occurs when the offender says, "Sometimes I need to steal just to make ends meet", and the probation officer says, "Well, I don't agree with you on that, let's talk about it some more". What is done in most behavioural programmes such as practice, assigning homework, and so on was infrequently observed in the audiotapes.

Probation officers cannot be therapists for all kinds of problems, and all kinds of cases. Everybody recognises that there is a need to go out and use community services to help with case management. We coded for various types of community resources to see how they were used. Basically what we found was that community resources were not fully used. What we have is a picture of probation officers who tends to be relatively passive in their use of community resources as if the expectation was on offenders to do it. That's like saying, "It's enough for me to say where they can get the help, then they have to follow through". At a six-month reassessment, we found for the most part little change over the course of probation supervision.

Table 15: Use of Community Resources (%)

| Variable | Intake | 6 mths |
|------------------------------------|--------|--------|
| Any Referral/reference | 55 | 24 |
| Resource named with information | 41 | 26 |
| PO monitors use of resource | 50 | 46 |
| PO follows up with resource/agency | 10 | 2 |
| Assistance to overcome obstacles | 2 | 4 |

When we look at the general probation literature, and at the few studies that try to examine the effectiveness of probation as opposed to other correctional sanctions, we generally find that probation supervision doesn't seem to make much of a difference. I think that our data, and those from other investigators, indicate why probation is not having as big an impact as it could or should have. What we are planning to do this summer is to link all the information we have on prosocial modelling, problem solving, and the like, to recidivism. Considering the last audiotape was done fifteen months ago, we are now in a position to do a one-year follow-up. Our plan would then be to develop a training curriculum for probation officers. Our study is not meant to be critical of what probation officers do, but to provide a handle as to where they are and what kind of training, education and support they need to do a better job at providing case management and supervision. In closing, we have evidence, a knowledge base is out there, which gives us effective strategies for dealing with recidivism. Hopefully, it's time that we abandon the old, ineffective ways we've been doing things.

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Educating Offenders on the Dangers of Drink Driving

Jimmy Moore Probation Board for Northern Ireland

Summary The article details the development of a programme addressing drink driving behaviour. It covers the referral process, course content, uptake of the option, some comment on effectiveness and a summary of the challenges ahead. The programme is an excellent example of the impact collaborating statutory and voluntary organisations can have in reducing the risk to the general public from drink driving.

Keywords Offenders, public safety, challenge reality, distorted thinking, changed behaviour

Background

Drink driving is a serious problem in Northern Ireland. A snapshot showing the degree of the problem is seen in the five-week period from 25th November 2003 to 31st December 2003. 478 people tested positive. Of these, 47% were at least 2x over the limit. This has serious implications for all who use the roads in Northern Ireland. In 2003, 37 of the 150 deaths on Northern Ireland roads were attributable to alcohol.

The Road Traffic Offenders (Northern Ireland) Order 1996 gave courts a new sentencing option for dealing with drink drive offenders. The court can make an Order that an offender's period of disqualification be reduced by up to 25% on satisfactory completion of a Courses for Drink Drive Offenders (CDDO) programme. The Department of the Environment (DOE) for Northern Ireland must approve this course. Since 1998 the DOE has invited the Probation Board for Northern Ireland (PBNI) to deliver the CDDO programme. An initial pilot ran from 1 April 1998 until 31 December 2000 in the Petty Sessions District of Belfast and Newtownabbey. The pilot period has been extended to 31 December 2005 and is now available to all courts throughout Northern Ireland.

Process

The magistrate may offer an offender the opportunity to attend a CDDO programme if convicted of any of the following offences:

- Driving or being in charge of a vehicle when unfit to drive through drink or drugs; or
- Driving or being in charge of a motor vehicle with excess alcohol; or
- Failing to provide a specimen of breath, blood or urine) for analysis.

Offenders involved in incidents involving injury or death are excluded from referral. In practice, referral has been for alcohol rather than drugs related driving. The latter, however, is recognised as a growing problem that will warrant further consideration in the near future. At this stage, it is not considered appropriate to mix the two referral sources.

Referral to CDDO is at the discretion of the magistrate. The course is intended for those convicted of drink driving for the first time. Although judicial discretion does not prevent magistrates from referring repeat drink drive offenders, including those with broader offence histories, PBNI has discouraged such referrals, as these are likely to distort research. It is up to the offender, or legal representative, to ensure that the magistrate has all the relevant facts to enable an informed decision on referral to be made. The offender decides whether or not to accept the offer of referral.

Courses

The purpose of the courses is to educate offenders on the dangers associated with drinking and driving and to help them avoid repeat offending. Particular emphasis is given to challenging the distorted thinking that it is possible to drink even small amounts and drive safely. The participant offender profile is very wide ranging, covering all social backgrounds. The term 'offender' is deliberately and explicitly used – a 'reality shot' that experience shows is often hard to accept given that most participants will not have any previous convictions.

Courses run in nine, weekly, two-hour sessions and cover a range of issues, including:

- Information about alcohol and its effect on the body, on driving ability and on behaviour;
- A detailed analysis of personal drinking patterns and how they relate to the driving offence;
- The impact drinking and driving can have on victims and their families;
- Alternatives to drinking and driving;
- Personal strategies to prevent repeat offending.

PBNI currently delivers these programmes in its premises in Belfast, Ballymena, Armagh, Londonderry and Omagh. A non-refundable fee of £100 has been set (increasing to £150 from 1 June 2004) to cover the cost of running the courses. Payment is required in full at time of enrolment. Places are available on a 'first come first served' basis. On satisfactory completion a participant will be issued with a Certificate of Completion. This certificate can then be sent to Department for Vehicle Licensing in Northern Ireland (DVLNI) as evidence of eligibility for the reduction in the period of disqualification as stated in the original Certificate of Conviction.

In addition to two PBNI staff, sessions are delivered by DOE Road Safety Officers, PSNI Traffic Branch and victims' organisations (Campaign Against Drink Drivers or Road Trauma Support Group). A high premium is placed on consistent input and delivery of the programme sessions wherever the course is delivered. To this end, PBNI staff operate from a uniform manual, with initial training and shadow learning, practice review and updates for all deliverers. Similar arrangements are being made for standardising of all partner agencies' inputs.

It is a requirement that participants attend all sessions, arrive without alcohol taken and fully participate in the programme. The Northern Ireland Court Service provides the alcohol level for each participant to PBNI. This information is essential to facilitate dealing with participants' potential denial, minimising, and rationalising of their drink driving behaviour, particularly in their detailed individual offence analysis that they are guided through by PBNI staff.

Detailed participant feedback is sought at the end of each course. This provides opportunity for individual participant comment on the entire programme, each agency's input and the content and style of session delivery. Feedback has been consistently very positive and systematically used to develop the programme. A recurrent theme is the particular impact of the victim awareness session. This is delivered in a direct but non-judgemental style.

Uptake

In the first 3 years of the pilot scheme approximately 500 people were deemed suitable by the courts to participate in the programme. From this figure approximately 150 registered and completed the programme, a take-up rate of 30%.

Figures for 2003 show the following:

- 2,450 people were convicted of drink driving. Of these 1096 were deemed suitable for referral (approximately 45 %). The take-up rate was 30%.
- 32 courses were run throughout Northern Ireland, 12 in Belfast, 5 in Londonderry, 5 in Ballymena, 9 in Armagh and 1 in Omagh.
- 358 people attended these courses. 343 successfully completed (96 %). Of the remaining 15, 12 are currently attending a course, 2 dropped out and 1 person died. 86% of course participants were male with 55% aged between 21 and 40 years.

The DOE are currently investigating ways of making the course better known with a view to increasing the take up rate. This is in addition to the hard-hitting TV commercials regarding drink driving.

Does It Work?

The North Committee recommended the introduction of drink drive rehabilitation schemes in 1988 and described two main ways in which success could be evaluated:

1. Attitude change
2. Reconviction rates

Results from pre and post course attitude questionnaires and alcohol quiz sheets have shown a marked increase in knowledge about alcohol and its effects on the body. During 2003, on average, scores increased by 2.1 points out of 10. Immediately after attending a course, offenders reported attitudes to drinking and driving had also changed positively. In particular, they were more willing to strongly disagree that driving when over the legal limit doesn't increase the likelihood of an accident, providing a car is driven carefully.

The main criterion for judging success is whether participants are less likely to reoffend (within three years) than those who do not attend. In GB it was found that, after six years, offenders who had completed a drink drivers course were two and a half times less likely to be reconvicted of a drink driving offence than those who did not. It should be pointed out that the courses in England vary considerably. Following extensive evaluation, the GB scheme was expanded nationwide from 1st January 2000. Courses are run by a variety of different statutory and voluntary bodies, with differing programme length, content and costs (fees ranging from £60 to £250). This clearly varies greatly from the Northern Ireland experience with one multi agency course provider and one set fee.

To date, it has not been possible to monitor the reconviction rate of offenders convicted of drink drive related offences in Northern Ireland due to delays in accessing relevant data. However, it is intended to commence reconviction research in Northern Ireland during 2004. PBNI looks forward to this research and is optimistic about the outcome given the positive increase in awareness and improvement in attitudes to drinking and driving.

The Challenges

Drink driving remains a serious problem in Northern Ireland. It is clear from the CDDO pre course questionnaires that there is much distorted thinking and mythology about the relationship between alcohol and driving ability in the public at large. CDDO participants have regularly suggested in light of their learning that the driving theory test should have required knowledge about the dangers of drinking and driving. Other countries have a zero tolerance of drink driving and there is a view, increasingly expressed

by victims organisations and others, that the existing limit in Northern Ireland is still too high, even without the option becoming zero tolerance.

Particular challenges in running CDDO are:

- While steady and significant growth of the CDDO scheme is very encouraging it is also very resource challenging for all the agencies involved. Such has been the growth in demand that almost 44% of the total completions since 1998 were in 2003 alone. PBNI are exploring the employing of appropriate sessional workers to expand the availability of course deliverers.
- Reconviction research – on the basis of ongoing attitudinal research over the life of the programme in Northern Ireland and figures from England, PBNI looks forward to the outcome of research later this year.
- Maintenance of high quality programme delivery and ongoing development of the programme in response to participant feedback, emerging information and widening of provision into new geographical areas.
- Ongoing communication with the judiciary and solicitors/barristers to develop their knowledge of the scheme and ensure referrals are within appropriate criteria.

Conclusion

The Course for Drink Drive Offenders is an excellent example of agencies from the statutory and voluntary sector working together to protect the public. Research strongly suggests that this scheme can reduce the likelihood of an offender committing further offences. All the participating agencies have acknowledged how successful, from their perspective, this has been, but more importantly the participants have clearly demonstrated an increased awareness and improvement in attitude. It is believed that this course is contributing to making a difference in protecting all members of the public from potential harm.

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*Matching Offenders and Programmes:
The Responsivity Principle at work in the Cornmarket Project for Offenders,
Substance Misusers and their Families in Wexford*

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Summary In recent years, a perception among relevant agencies (statutory and community/voluntary) of an increase in the availability of drugs such as heroin and cocaine in Wexford has seen a correspondent increase in anti-social and criminal activity. It is also against this backdrop that the Cornmarket Project has developed. This article briefly describes the development of the project, and its programmes. It elaborates the theoretical basis of the work undertaken with offenders, drug misusers and their families in the project, emphasising in particular the importance of the responsivity principle, or matching service users to appropriate programmes and vice versa, in work with offenders.

Keywords Offending, drug misuse, probation, community project, motivation, responsivity, motivational enhancement therapy, stages of change.

Introduction

Thoughts of Wexford in the southeast corner of Ireland are apt to conjure up images of the tourism oriented "sunny southeast" label. Indeed, that part of Ireland does have an above average rate of sunshine and continues to be a popular holiday destination for both Irish and foreign holidaymakers. However, a look beyond the tourist vista reveals that Wexford also has an above average rate of unemployment (at 6.5%). And on a nationwide deprivation index (where a score of ten means a county is among the most deprived 10% in the country) Wexford scores 6.6% (Wexford County Development Board, 2002). In addition, it would appear from anecdotal evidence that those areas in Wexford that experience the highest levels of social deprivation also experience a higher level of crime, problems associated with substance misuse and general anti-social behaviour.

Wexford has a population of over 104,000 and like many other parts of Ireland, substance misuse and attendant criminal activity are not new. Problems associated with the misuse of alcohol and other drugs such as cannabis and ecstasy are amongst the issues that initially led to the establishment of the Cornmarket Project, a community based project for offenders, substance misusers and their families, by the Wexford Area Partnership. From the outset the Wexford Area Partnership was determined that the project should embrace a multi-agency approach to the issues of substance misuse and criminality. As a consequence, the management committee comprises representatives from thirteen statutory, non-statutory, voluntary and community based organisations and groups, including: the Community Development Initiative (FAB), the Community Based Drugs Initiative, the SAFE Community Project, an Garda Síochána, the Department of Community Rural and Gaeltacht Affairs, the Probation and Welfare Service (PWS), FÁS (the state training agency), Youthreach/County Vocational Education Committee, Wexford Town Council, the Wexford Council of Trade Unions, the Ais Éirí Treatment Centre, the Wexford Money Advice Budgeting Service and the Wexford Area Partnership. The Cornmarket Project offers a countywide service.

The Department of Justice, Equality & Law Reform (DJELR), through the PWS, have funded the Cornmarket Project in Wexford since 2001 on a three-year pilot basis. The project was developed out of an existing Wexford Area Partnership initiative established in 1999 that provided counselling and support

for substance misusers and their families. From the outset, the core elements of the original service have remained i.e. accessible, free and confidential support for service users. However, the involvement of the PWS allowed for the development of a broader programme for those involved in anti-social behaviour. The objectives of the Wexford Area Partnership's Social Inclusion Plan 2000-2006 are:

- To foster public safety and promote the common good by positively influencing the behaviour of offenders,
- To create conditions whereby local community sanctions offer a realistic alternative remedial action for those in conflict with the law,
- To cause offenders to address their anti social offending behaviour (including substance misuse), and
- To support offenders in pursuing a crime-free way of life and enhance access to mainstream services by providing them with pro-social skills, while taking into account their specific difficulties and lifestyle issues.

These aims are in line with those of the PWS (PWS, 2001) This shared vision and value base facilitated the development of interagency co-operation through the project.

Founding and Underlying Principles

In establishing the Cornmarket Project, the Wexford Area Partnership was anxious to ensure that the project was targeted specifically at those who were seeking help for their substance misuse and/or criminal behaviour issues but who could not or would not access help or make progress through other established services. In some cases this had arisen through exclusion from other mainstream services in the past because of anti-social behavioural problems, or failure to meet the wider criteria for access in the first place. Therefore, from the start there was an emphasis on working with the most socially excluded and vulnerable, and those who could not, or would not, gain access to other programmes. Moreover, the project accepted from the start that it was likely that a great deal of motivational work would have to be done in a planned way with service users in order to effect meaningful change. Consequently, it was likely to be more effective to work with these individuals, initially at least, "where they were at" i.e. targeting resistance to change.

Research over the last decade or so into various treatment methodologies for offenders, particularly those aimed at reducing reoffending, has led to much debate about "what works" (e.g. Farrall, 2002; McGuire, 1995 and McNeill, 2002). Emphasis has been placed on a number of key practice principles, including those of risk, need, responsivity and professional discretion (Connolly, 2000). The **risk principle** states that the intensity of the treatment intervention should be matched to the risk level of the offender. The **need principle** distinguishes between criminogenic (i.e. factors linked directly to offending) and non-criminogenic needs. The **responsivity principle** proposes that styles and modes of treatment and service must be closely matched to the preferred learning styles and abilities of the offender. According to the **professional discretion** principle, having reviewed risk, need and responsivity considerations as they apply to a particular offender, there is a need for sound professional judgment (Kennedy, 2000) in such work. Therefore, programme effectiveness depends on matching types of treatment/interventions and workers/therapists to types and needs of individual service users.

Given the foregoing, the Cornmarket Project operates on the basis that in order for its programmes to be effective, the following criteria must be met:

- Counselling and intervention programmes are delivered as part of a planned process, based on individual care plans, agreed in consultation with the service user.
- Interventions are delivered by trained and clinically supervised staff. (For example, all programme staff are trained and competent in Motivational Interviewing).
- Where a participant has been or is involved in criminal behaviour, primacy is placed on addressing criminogenic risk and need factors.
- All staff are expected to be enthusiastic, engaging, flexible to the needs of service users, and be able to work in an anti-oppressive way, and using professional power appropriately.
- Staff are expected to model pro-social norms and are trained to recognise anti-social thinking, feeling and behaviours and to suggest and demonstrate concrete positive alternatives.
- Staff act as advocates on behalf of service users when accessing progression routes to other programmes and services as appropriate but will at all times ensure the development of individual self-efficacy (ability and belief in one's own ability to bring about change).

While much of the what works literature has focussed on risk and need principles (see above), the importance of the responsivity principle in interventions to reduce reoffending among offenders has probably been relatively neglected. The remainder of this article outlines the work of the Cornmarket Project and describes other practice principles and frameworks that inform that work, particularly those linked to the responsivity principle foundation of the project. These are: (a) Differentiated Treatment Matching, (b) the Stages of Change Model, (c) Motivational Enhancement Therapy and (d) Motivational Interviewing.

The Programme

Since the establishment of the Cornmarket Project in October 2001, 423 individuals (up to the end of March 2004) had attended for counselling/intervention, or otherwise participated in project programmes. Fifty four percent of those were either direct referrals from the PWS, or had otherwise come to the attention of the Garda through involvement in criminal behaviour. A further 480 people received other supportive intervention during the same period. A comprehensive independent, external evaluation of the Cornmarket Project is being undertaken during 2004, with findings to be published by the end of the three-year pilot, in September 2004.

The Project has two distinct levels of structured intervention with offenders in accordance with the above approach:

- Strand One (*Counselling & Support Programme*) is primarily for low risk offenders who usually do better without intensive supervision or treatment/intervention and respond positively to counselling interventions designed to elicit and enhance their own motivation for change.
- Strand Two (*Stabilisation Programme*) is the structured day programme and rehabilitation element of the programme and is designed for higher risk offenders in order to maximise reductions in recidivism.

Progression onto and through the programme for new participants typically includes:

1. Attendance at strand one for a minimum of four counselling sessions based on a Motivational Interviewing approach (see below),
2. Introducing offenders to the concept of a care plan and designing it with their input,
3. Moving offenders if appropriate to strand two and gradually introducing offenders to the

cognitive behavioural materials used on the programme to address criminogenic issues,
4. Advocating on behalf of offenders who have stabilized their lifestyles and wish to move on to other mainstream providers of programmes or into the labour market.

Although group work forms an integral part of the Cornmarket programme, considerable emphasis is placed on meeting the individual needs of the offenders attending strand two.

Family Support

In general, this article describes the approach to working with those who have been referred to our project for reasons of criminality and anti-social behaviour. However, the Cornmarket Project also offers support to the families of such service users. Our work to date in Wexford has indicated that criminality and substance misuse can leave family members other than the offender feeling isolated as they struggle to "cover up" and cope with the dysfunctional behaviours of an offending family member. When families are confronted with the reality of problematic substance misuse, they usually try to cope as best they can, successfully or otherwise. Often regarding themselves as somehow guilty for the behaviours of those involved in substance misuse and criminality, they may see themselves as "failures." This type of perception among non-offending family members, allied to the offending behaviour of the individual, can become a self-defeating vicious circle.

For these reasons the Cornmarket Project views work in supporting family members as an integral part of its overall programme. To this end the project offers both one-to-one support and a fortnightly family support group where an experienced facilitator helps participants to explore their own feelings and develop self-help coping strategies. These interventions are undertaken with a view to helping non-offending family members support moves by offenders towards pro-social attitudes and behaviour. In May of 2004 14 people were availing of the family support service. For some of these their family members were already direct service users at the project, while others were attending even if the family member with the substance misuse or criminal behaviour problem had not, or would not, engage with the programme.

Responsivity: (a) Differentiated Treatment Matching

It is understood that if sufficient attention is not paid to the principle of responsivity in particular, then intervention and treatment programmes for offenders can fail. The primacy of the responsivity principle for practice in the Cornmarket Project pointed to the need for "differentiated treatment matching," which is also informed by research based on classification of individuals and relevant specific issues. Barriers to adequate responsivity in work with offenders, such as cognitive and intellectual deficits, social skills deficits and "readiness to change" deficits have often not been properly addressed in work with drug misusing offenders in the past. This could mean that a programme or intervention is pitched too far ahead of an individual's abilities and understanding at that particular time. To this end, the assessment process for allocation into the appropriate Cornmarket programme strand is seen as vital. This process includes assessment of:

1. Offending behaviours and reasons for referral to the programme,
2. Risk assessment, including risk of re-offending,
3. Level of current substance misuse (both drugs and alcohol),
4. Any link between substance misuse and offending,
5. Cognitive ability assessment (including literacy and numeracy), and
6. Perception of willingness and readiness to address substance misuse and/or criminal behaviours.

Responsivity: (b) Stages of Change

Another important feature of the Cornmarket Project programme is the use of the Stages of Change or Trans-theoretical Model (see Table 1 below). This model (Connors et al, 2001) is used by project staff in gauging offender readiness and/or willingness to address their offending related behaviours. The five stages of change identified are; precontemplation, contemplation, preparation/determination, action, and maintenance:

Table 1: Stages of Change

| Stage | Characteristics of Person at this Stage |
|---------------------------------------|---|
| Precontemplation | The offender is not considering the possibility of change and does not think he/she has a problem. Individuals typically perceive that they are being coerced into treatment to satisfy someone else's need. If the offender does not participate in treatment then there is little probability that recidivism can be reduced or that the risk level of the offender can be managed effectively. |
| Contemplation | Characterised by ambivalence; in other words, offenders may simultaneously, or in rapid alternation, consider and reject reasons to change; are aware that a problem exists, but not ready to commit to a change strategy. |
| Preparation/ Determination | A combination of intention and behavioural criteria. May report having made some small behavioural changes and reduced offending behaviours. |
| Action | Have made a commitment to change and engaging in actions to bring about change; i.e. actively doing things to change or modify their behaviour, experiences, or environment in order to overcome problems. Typically involved in counselling and/or a programme. |
| Maintenance | Working hard to sustain the significant behavioural changes made and actively working to prevent minor slips or major relapse. This stage is not static – dynamic, particularly when the individual is exposed to high-risk situations. The problem is not that offenders do not change, but rather that they do not maintain changes. |

Offenders in the Cornmarket programme at the precontemplation and contemplation stages benefit from consciousness raising and environmental re-evaluation strategies that provide them with an understanding of the impact of their unhealthy behaviours on themselves and others and help them to realise that behaviour change can be an important part of a new pro-social identity. Those in the preparation/determination stage benefit from intervention strategies that reinforce self-efficacy, that is, the offender's ability to choose and to make a commitment to change. For those in the action and maintenance stages, techniques such as reinforcement management and encouraging participants to seek and use social support to assist them in sustaining positive change are used. These include increasing the rewards for positive change and decreasing the rewards from the old behaviours, using counter-conditioning to substitute healthier alternative cognitions and behaviours and stimulus control to remove the cues to engage in the unhealthy behaviour.

Responsivity: (c) Motivational Enhancement Therapy (MET)

The project uses a modified (to suit local needs) version of the MET (Miller et al, 1995) approach as a theoretical underpinning and model for its programmes. MET is an evidence-based intervention to

achieve maximum positive and sustained behavioural change, thus ensuring a reduction in substance misuse and consequently, in recidivism. At the heart of this approach is a commitment to differentiated treatment matching. In this regard, offenders and substance misusers are not viewed as a homogeneous group who will all respond positively, and simultaneously, to a "one programme fits all" approach, but rather as unique individuals requiring tailored responses. In this model motivation may be operationally defined as "the probability that a person will enter into, continue, and adhere to a specific strategy" (Miller and Rollnick, 2002).

Moreover, in this approach, motivation is seen as dynamic and, therefore, opportunity exists for the therapist/practitioner to help motivate the offender. The project worker, counsellor or other practitioner must strive to create effective motivational choices in order to increase the probability that offenders will respond favourably to probation supervision. If interventions are not matched as closely as possible to the service user's perception regarding their behaviour, resistance to change may in fact only be increased. Prochaska and Diclemente (1984), the originators of this model, specify experiential and behavioural processes that support and sustain individuals at each stage.

Responsivity: (d) Motivational Interviewing

The majority of referrals to the project could be placed (initially at least) in what might be described as the "reluctant client" category. However, historically, some treatment and intervention programmes in Ireland for substance misusers and offenders, presuppose that participants are motivated and prepared. Motivation issues may be frequently cited among reasons for dropout, failure to comply, relapse and other negative programme outcomes. For example, in a study of dropouts from the Cognitive Skills, Anger and Other Emotions Management Programmes (Stewart and Cripps, 1999), the reason most commonly identified by programme delivery officers, for offenders dropping, was under the category "lack of motivation."

If increasing a substance misusing offender's motivation to address change through participation in the programmes offered by the Cornmarket Project is an important contributor to reducing recidivism, the next step is to identify what factors influence motivation. The factors that have been the subject of review through much research in human services generally may be classified according to five key areas (see Table 2): client and therapist characteristics, therapeutic relationship, service/client matching and environmental supports. Among the dynamic client characteristics linked to motivation are the client's recognition of the extent of problem severity and the client's self-efficacy.

Using the principles of Motivational Interviewing (MI), Cornmarket Project workers understand that lack of motivation to change is not a trait, rather motivation is fluid and can be influenced. MI (Miller and Rollnick, 2002) is a client-centered approach that strategically directs offenders to examine, explore, and resolve the ambivalence they have about their behaviour. It works with the service user's own agenda to consider change, exploring the resistance substance misusers and offenders have to change, including working creatively with an individual's attachment and ambivalence to certain behaviours. Originally developed for work with addictive behaviours, many probation and other workers are now familiar with the techniques of MI being used in the criminal justice arena, where it has proved helpful in challenging and facilitating change in offending behaviour (Ware and Byrne, 2001). In this regard, all therapists, project workers and practitioners engaged by the Cornmarket Project are specifically trained and competent in the use of Motivational Interviewing techniques.

The main purpose of Motivational Interviewing is to help an offender stuck at a certain stage of change to move on to the next stage, or to revisit the previous stage if they have moved on prematurely (Bailey et.al, 1998). Techniques to achieve this include both directive and non-directive open questions, reflec-

tive listening, affirmation, eliciting self-motivating statements and the use of summary. The offender is encouraged to take responsibility for his or her own decision-making. By helping offenders explore and resolve ambivalence about problem behaviours, service users can be empowered to help build their motivation and so promote positive behaviour change. Where MI may not be appropriate at times with individual offenders, cognitive-behavioural counselling aimed at structured relapse prevention also forms an integral part of Cornmarket's overall MET programme.

Staff that are empathic, experienced and knowledgeable, supportive, and provide advice and expectation of positive outcome are consistently linked to positive outcomes. Matching service users with programmes, linking level of complexity to the capacity of the individual, and building in a progressive skills attainment approach, aids in increasing self-efficacy and reducing information overload. Finally, organisational aspects of the Cornmarket Projects programme such as immediate access to help, continuity of care, and providing a "menu of options," matching programmes to participant needs, positively influences motivation for treatment, change and compliance. Measures to increase motivation and treatment compliance among substance misusing offenders, and used by staff in the Cornmarket Project, are summarised in Table 2:

Table 2: Factors Influencing Motivation

| Motivation Factor | Offender Intervention or Service Provision |
|--|--|
| 1. Client characteristics (problem severity, confidence that he or she can change) | Individual or group interventions that help offenders recognise the impact of their problems, support self-efficacy and teach relapse prevention |
| 2. Therapist/Staff characteristics | Recruit and train staff who meet the characteristics of effective interveners: enthusiastic, competent, encouraging self-efficacy, empathic, model pro-social beliefs and values |
| 3. Therapeutic (staff-offender) relationship | Establish mutually agreed-upon goals. The relationship should be supportive but directive |
| 4. Service/Service User matching | Provide programmes that are structured, skills based, progressive, not too cognitively complex |
| 5. Environmental supports | Provide an environment that supports change, notes and encourages efforts to change, identifies other sources of support outside the programme: provide access to a range or 'menu' of options to assist in change |

In addition, using Motivational Interviewing in interventions with substance misusing offenders incorporating a number of individual and group sessions over a period of eight to twelve weeks, has (anecdotally to date) recorded enhanced responsivity by increasing motivation to address criminogenic risk factors among Project participants.

Conclusion

Substance misusers are not all alike; nor are all staff, settings, or treatment programmes. Indeed, the first report of the Drug Court Planning Committee (1999) recommended "the provision of services and rehabilitation programmes capable of being tailored to meet the individual needs of each offender." The matching of service users with appropriate programmes and practitioners, and practitioners to the groups that best match their skills, can improve the effectiveness of probation supervision and community based

programmes for offenders. Best practice with regard to responsivity begins with good assessment. Gauging motivation level, cognitive ability, personality traits, and maturity is essential for the development of successful intervention plans.

The Cornmarket Project, in association with the Probation and Welfare Service, strives to implement best practice based on the outline of the above model and approach, ensuring the welfare of service users and the safety and well being of the wider community. Of course, the true impact of adherence to responsivity and other motivational factors on treatment and interventions with substance misusing offenders can only be determined by examining recidivism rates, probably in conjunction with other indices, over extended periods of time.

In Ireland, as the discussion on non-custodial sentencing and supervised community sanctions continues, the principle of responsivity, which includes the appropriate matching of service users to programmes and staff, and the identification of factors that might mediate the effectiveness of treatment and intervention services, merits further exploration. The numbers of offenders and family members using the Cornmarket Project services would appear to be an indicator of some degree of success. At the time of writing, the outcome of an initial evaluation of the pilot phase of the project is awaited. In conclusion, if those who attend and actively participate in the Motivational Enhancement Therapy (MET) programmes offered by the Cornmarket Project, achieve lowered recidivism rates compared to those who do not, then the efficacy of this evidence-based approach will have been demonstrated. Thus will the success of the Cornmarket Project be measured through this exciting and challenging three-year collaborative pilot project.

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'On an imaginary lead': Defensibility and Post-Release Supervision of Life-Sentenced Prisoners by the Probation and Welfare Service

Mark Wilson Probation & Welfare Service

Summary This paper considers the Probation and Welfare Service's post-release supervision of life sentenced prisoners within the context of current policy and practice. The following is a description of some aspects of current practice in such post-release supervision and reflects attitudes of a number of key players in the process, including Probation and Welfare Service personnel and life-sentenced prisoners. A profile of life-sentenced prisoners on supervision in the community is also provided. Questions are asked as to how defensible is current practice and suggestions are made as to how it might be improved. This paper is based on research for a dissertation undertaken as part of a Masters Degree in Public Service Management at the Institute of Public Administration, Dublin. The methodology employed includes an examination of primary research, including a literature review, analysis of questionnaires and personal interviews.

Keywords Temporary release, public protection, defensibility, risk assessment, risk management.

Introduction

I can understand people, like victims' families. I can understand them not wanting people like me to walk, when their relation is not going to ever celebrate Christmas or birthdays. I celebrate Christmas, birthdays and loads of other things, but there is somebody, whose life I took, who is not. My dad passed away, he did, last year. And Christmas was absolutely...it wasn't horrendous, it was different. It was very quiet, it was very sad. There was happiness in it as well. And I miss him... and I miss him terribly - I missed him a lot over Christmas. And in missing my dad over Christmas I suddenly realised my victim's family are probably still missing her.

(Quotation from a life-sentenced prisoner interviewed by the author).

The publication of the report (Olden, 2001) of the inquiry into the killing of a woman by a life-sentenced prisoner on temporary release, once again sparked the debate as to whether such prisoners should ever be released. Also it has focussed minds on the nature of the supervision of released offenders serving life sentences for the most serious offences. Life imprisonment is the most severe form of punishment available to the courts under the law. A mandatory sentence for murder, it is also the maximum sentence for other serious offences such as kidnapping and rape to name but two. A life sentence has a symbolic significance in the mind of the public. It is likely to be regarded as the appropriate retributive punishment for those who commit the most serious crimes (Jones, 2000; 108). The centrality of the protection of the public also lies at the heart of all decisions of life imprisonment, symbolising the State's determination to protect its members from grave harm (Coker, 1985, 198).

Present government policy dictates that, in the majority of cases, persons sentenced to life imprisonment will be considered for release at some stage during their sentence. Unlike in some other jurisdictions, the courts in this jurisdiction do not impose a minimum set period, which must be served in custody by the life-sentenced prisoner, except in capital murder cases. The trial judge can and sometimes do recommend a minimum period to be served. In reality:

A life sentence means, not that the offender will be imprisoned for life, but that he will be liable to imprisonment for life. As a rule, murderers are released on licence having served a certain number of years imprisonment, but may be recalled at any time for breaching a condition of their release or committing a further offence. (O'Malley, 2000; 402)

Temporary Release

Consideration for release of a life-sentenced prisoner is given much thought and involves a process where a substantial amount of information is gathered from a wide variety of sources and a comprehensive risk assessment is carried out. The Parole Board, which is appointed by and reports to the Minister for Justice, Equality and Law Reform, considers this information and then makes a recommendation to the Minister. Release, if considered appropriate, can only then be granted by the Minister. When granted, the offender continues to serve the life sentence, but does so in the community. His/her continued freedom is conditional upon keeping within a strict set of conditions. Offenders are also assessed on an ongoing basis to ensure that they do not pose a risk to society. The responsibility for assessing this risk and for monitoring the offender's behaviour is charged to the Probation and Welfare Service (PWS).

Policy in this regard is in keeping with international agreements. In 1996 the United Nations stated, in relation to establishing penal policy for life imprisonment, that each state should:

Provide each prisoner with the possibility of release, upon the fulfilment of certain conditions framed by law. (United Nations, 1996)

The terms of reference of the Parole Board, include the provision that it review cases of eligible life sentenced prisoners, after seven years have been served, but excluding cases of some offenders including those convicted of capital murder. In its deliberations the Parole Board has available to it, as well as the original book of evidence from the trial (if prepared), reports from the prison, An Garda Síochána, PWS, Psychological and Psychiatric Services, and any other source deemed appropriate. Having considered all relevant documentation, and having interviewed the offender, the Board makes a recommendation to the Minister. Factors considered include:

- Whether a release would constitute a threat to the community?
- Is it reasonable to grant Temporary Release at this particular stage in view of the nature of the crime committed?
- Does the offender warrant Temporary Release having regard to behaviour while in prison?
- Are there any compassionate grounds which merit special consideration?

If and when the Minister sanctions the release of a life prisoner, a plan of release is prepared. This includes periods of Temporary Release (TR) from custody, as defined by the Criminal Justice Act, 1960 and the Criminal Justice (Temporary Release of Prisoners) Act, 2003. TR is a system whereby prisoners can be released for periods of time from custody. It can range from a matter of hours, to day release, weekend release or full release. Conditions are attached which stipulate various restrictions and in the case of the life-sentenced prisoner, full co-operation with the PWS is a fundamental requirement.

Seán Aylward, then Director-General of the Irish Prison Service (IPS), noted, in relation to life sentenced prisoners:

Conditions imposed on offenders on temporary release vary but may include reporting at regular intervals to the Gardai, restrictions on where they may work and live, restrictions on who they may associate

with and or/directions regarding consuming alcohol, attending counselling or continuing medication regimes. While a small number of these people do return to prison due to breaches of conditions, the vast majority of them do not re-offend and become successfully reintegrated into society. (Observations of Director General, IPS, on the Olden Report: Olden, 2001)

Supervised Temporary Release

In April 2002, when this research was carried out, there were 105 prisoners in custody serving life imprisonment. They represented 4.4% of the prison population (Irish Prison Service, 2001; 70). Some had been in custody for a very brief time, others in excess of 30 years. Five of these prisoners were female (total female prison population 93). The PWS is charged with responsibility for supervising life-sentenced prisoners in the community and in this it follows the United Nations Standard Minimum Rules for Non-Custodial Measures (United Nations, 1990). These standards (the ‘Tokyo Rules’), define the purpose of such supervision as being:

To reduce re-offending and assist the offender’s integration into society in a way which minimises the likelihood of a return to crime.

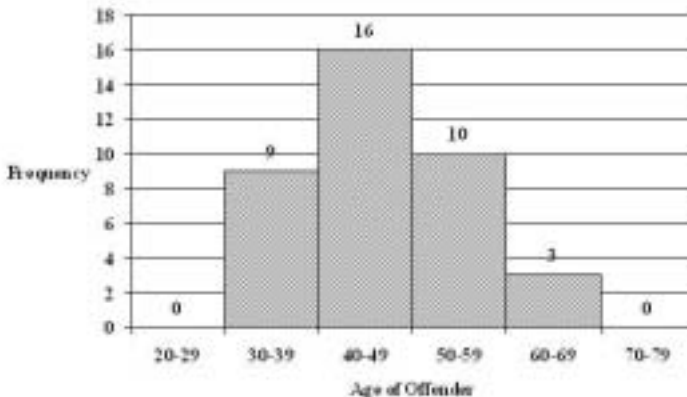
(United Nations, 1990, 10: 1)

The author sought the views of Probation and Welfare Officers and a sample of life-sentenced prisoners on release in the community in regard to their experience of this process. Of particular interest was the Probation and Welfare Officers’ perspective on risk assessment and risk management.

Offender Age Profile

Questionnaires were issued to all community based Probation and Welfare Officers. Completed questionnaires in relation to forty life-sentenced prisoners under supervision in the community at the time, representing 71% of those under supervision in the community were received. All were serving sentences for murder and two of the forty were women. The age breakdown of thirty eight of this sample is shown in Figure 1 (relevant values not returned in respect of two prisoners):

Figure 1: Age of Life-Sentenced Prisoners in the Research Sample under Post-Release Supervision (2002)



The following table indicates the number of life-sentenced prisoners in the research sample released over a thirty year period:

Table 1: Year of First Release from Prison for Life-Sentenced Prisoners on Post-Release Supervision and Average Time Spent in Prison

| YEAR RELEASED | NUMBER RELEASED | AVERAGE TIME SERVED (YEARS) |
|----------------------|------------------------|------------------------------------|
| 1971-1975 | 1 | 3 |
| 1976-1980 | 3 | 7.6 |
| 1981-1985 | 5 | 8.75 |
| 1986-1990 | 1 | 8 |
| 1991-1995 | 17 | 11 |
| 1996-2001 | 13 | 13 |
| Total | 40 | |

The Experience of Supervision

The chance of me offending again is very small. It's a stupid question... you have as much chance of committing another offence as me.

(Life-sentenced prisoner interviewed by the author)

This statement was made by an offender who, when interviewed, considered himself to be at low risk of re-offending. His probation officer however assessed him as potentially at high risk of generalised re-offending. The effectiveness of post-release supervision hinges on the probation officer's ability to assess the level of risk a life-sentenced prisoner poses to the community. Within the task of post-release supervision, the centrality of effective risk assessment cannot be over emphasised.

The Role of the Supervising Probation Officer

In terms of risk management, Probation and Welfare Officers interviewed were asked if they viewed supervision of a life prisoner as different from the supervision of any other offender. Three main issues were identified:

1. Seriousness of the offence - all Officers interviewed were very aware of the nature of the offence committed and had varying degrees of anxiety resulting from this. These stemmed from the anticipated consequences of the offender re-offending (both for any victim/s and for the supervising Officer), personal safety issues and the high-profile nature of the case.

2. Supervisory relationship - due to the long-term nature of the supervision period, Officers were aware of the need to maintain a balance between monitoring the offender and retaining a supportive relationship. One Officer noted that the role of the Probation and Welfare Officer is not as clear-cut as in other supervision cases. He believed there was no identified task or contract to be completed, with the probation officer simply fulfilling government policy by his/her generalised involvement with the offender.

Table 2: Level of Co-operation with Supervision as Assessed by Probation and Welfare Officers

| Level of Co-operation | Number of Offenders |
|------------------------------|----------------------------|
| Very Good | 21 |
| Good | 8 |
| Average | 5 |
| Poor | 4 |
| Very Poor | 0 |
| Total | 38 |

3. Impact of long-term imprisonment – Officers believed the negative impact of imprisonment created additional obstacles to the reintegration of the offender. Some of the impacts identified by Officers in offenders included:

- Shattered confidence
- Anxiety
- Isolation/depression
- Reduced ability to socialise
- Reduced ability to gain employment
- Negative attitude towards authority
- Increased dependency on others
- Fear of being alone
- Inability to cope with lack of structure

One Officer noted that the supervising Probation and Welfare Officer may be one of few people who knows the offender's whole story. As he/she attempts to rebuild his life, it is the probation officer who can offer support, who has an understanding of the offender's past, but also an understanding of the potential risks which may be a cause for concern.

The Offender's Perspective

When the six life prisoners were interviewed for the research, they were asked about their understanding of the purpose of post-release supervision. One summed it up as:

I'm on an imaginary lead. You're on the other end of it. You can let the lead out from time to time, or when you want to, you can pull the whole bloody thing back in.

The notion of being kept in line is one many life-sentenced prisoners share:

She does a good job keeping me in line, to give her her due, she keeps me straight about my drinking. I see it more seriously the way she puts it.

Another believed the reason for post-release supervision was political:

So if a life-sentenced prisoner killed again the Minister could say – 'this will never happen again' - or 'we did everything in our power' - and he could list all the things that were done. He could say – 'we could do no more than that unless we keep them locked up.'

The attitude of the life-sentenced prisoners, towards supervision, was primarily one of acceptance and a belief that probation officers are simply doing their job:

I can understand why I have to be supervised. I took a life and was sentenced to life. Until my life ends I will have contact with the Probation and Welfare Service.

Or as another put it:

You can't wander around with a dirty life.

Another life-sentenced prisoner's view was less positive:

There is a lack of trust... you're compelled to see your probation officer but don't want to. He may be the nicest person going...eventually you say that you will give them their hour of power and go in and yap away, but when you leave the whole thing [offence] comes back on top of you.

Three of the life-sentenced prisoners saw a value in post-release supervision. This centred around the offender not wanting to return to prison:

Seeing my probation officer keeps me on my toes. If he wasn't there I could get too complacent.

Two others were more ambivalent, reluctant to acknowledge a benefit in something which was imposed on them. Life-sentenced prisoners found the quality of straight talking particularly important in an effective probation officer. They believed that, be it good or bad news, it was important to know what was happening. Other qualities identified by life-sentenced prisoners were directness, respect, trustworthiness, supportiveness, and a non-patronising attitude:

Someone who can listen, someone you can talk to, relax with, not always with the pen in their hand.

One life-sentenced prisoner said, insightfully:

A lot has to do with myself and the way I conduct myself and the way I live my life.

The fear of returning to prison appeared to be a strong motivating factor in regulating the attitudes and behaviour of the life-sentenced prisoners interviewed:

There have been occasions where there has been trouble. Because I have the good sense to know that if I get involved I am going back in [prison], regardless of how many other people are involved.

The avoidance of trouble is seen as paramount:

The last thing I want to do is to go back to prison, I can't live like others and take life as it comes as they do.

Four of those interviewed expressed high levels of anxiety when going back to the prison periodically to sign the TR forms, fearing being kept in custody again. One life-sentenced prisoner, whose TR was not renewed when he called to the prison and he was kept in custody, described the experience:

It was worse than when I was sentenced...it was two days before Christmas...I got no explanation from anyone....I had all my presents bought and everything.

Asked if the offence they committed, or being under supervision, impacted on their lives today, some of the prisoners expressed the following opinions:

You're not totally free...you have to take more into consideration than others...I don't want to drag my partner and child into this. My biggest problem is when my daughter gets old enough to understand, how do I tell her about the offence?

When you come out of prison you're leading two lives and I suppose to some point today I'm still lead-

ing two lives, because there are people who know where you've come from and there are people who don't know where you've come from. Some people in my opinion couldn't be trusted to be told.

It holds me back. It would hold me back from a personal relationship.

One respondent expressed empathy for the victims' families in a powerful way. The victim perspective he took was expressed as follows:

I can understand people, like victims' families. I can understand them not wanting people like me to walk, when their relation is not going to ever celebrate Christmas or birthdays. I celebrate Christmas, birthdays and loads of other things, but there is somebody, whose life I took, who is not. My dad passed away, he did, last year. And Christmas was absolutely...it wasn't horrendous, it was different. It was very quiet, it was very sad. There was happiness in it as well. And I miss him and I miss him terribly - I missed him a lot over Christmas. And in missing my dad over Christmas I suddenly realised my victim's family are probably still missing her.

On the evidence gathered in the study, the purpose of supervision clearly has different meanings for the different players. Control, reintegration, support and the need to address offending behaviour are among them. For life-sentenced prisoners themselves, they appear to accept 'that which they cannot change', being simply grateful to remain out of prison.

Effectiveness of supervision

What measurements can assist in evaluating the effectiveness of post-release supervision?

- The number of life-sentenced prisoners who have killed again while under supervision?
- The number who have been convicted of further serious offences (such as offences against the person)?
- The number who have been convicted of any further offence?
- The number recalled to prison?

If interventions (directed at the life-sentenced prisoner throughout his prison term and during post-release supervision) are successful, what behavioural or attitudinal characteristics, and changes, should be evident? Certainly there would be an expectation that the offender take responsibility for his offending behaviour and demonstrate a commitment to leading a law-abiding lifestyle in the future. An understanding of the factors, which place the offender at risk of further offending, would also be desirable. Motivation to reintegrate into and become actively involved in the community would also be welcomed; as would commitment to gain the skills needed to contribute positively in that community. To achieve such sought outcomes would require assessment and management of the reintegration potential of the offender from the point of sentencing through to and after. As the PWS is charged with the task of post-release supervision, it is appropriate that it take a proactive, leadership role in this regard, identifying targets for change, initiating programmes and contributing to multi-disciplinary work in penal institutions and in the community.

Defensibility

The responsibility on Probation and Welfare Officers in supervising life sentenced prisoners is significant. How does an Officer ensure he/she makes correct decisions along the assessment and supervisory path? Kemshall cites an extremely useful term, used by Carson (1996), describing the concept of 'Defensibility':

How decisions are evaluated with hindsight after negative outcomes have occurred, and whether decisions can be considered to be 'reasonable'. As Carson notes, whether a responsible body of co-profes-

sionals would have made the same decision. This is particularly pertinent for those agencies who carry out risk assessments in the public eye, and where risk assessment failures can be very costly to organisational credibility. (Kemshall, 2001: 21)

The concept of 'defensibility' provides a context within which the supervising Probation and Welfare Officer can consider his/her decisions, and allows an organisation such as the PWS to assess the decision-making ability of its staff. Services, such as the PWS, must be prepared to consider the issue of defensibility. However, is an approach, so cautious in its outlook, sufficient as a rationale for policy-making? 'Defensibility' demands that a service consider current systems and procedures, not only at the operational level, but also at management and strategic levels.

Kemshall outlines the elements needed, for a decision to be 'defensible' (see also Monahan, 1993):

A defensible decision is therefore made when:

- All reasonable steps have been taken;
- Reliable assessment tools have been used;
- Information is collected and thoroughly evaluated;
- Decisions are recorded;
- Staff work within agency policy and procedures; and
- Staff communicate with others and seek information they do not have.

How can 'reasonable' be defined? The Collins English Dictionary defines it as: 'showing reason or sound judgement.' Probation and Welfare Officers generally have a comprehensive professional training, completed prior to taking up employment and work in a Service with a long history of successful supervision of offenders in the community. Officers' clinical judgement is based on such training and experience, the quality of which was evident during the interviews conducted. Concerns, when identified, appeared to be brought appropriately to the attention of line management. Evidence available to the author (primarily experiential and anecdotal) suggests that the clinical judgement used by Probation and Welfare Officers is of a high standard and Officers demonstrate the appropriate use of line management. At the time of the initial research there was a limited body of policy or procedures in relation to the supervision of life-sentenced prisoners available to PWS personnel. There was also no comprehensive, structured risk assessment system in operation across the organisation. These earlier deficits are now being addressed. There is also the need to further develop systems of information exchange with other appropriate agencies, which would also enhance accountability.

'Defensibility' then, in essence centres on risk assessment and risk management:

Risk Assessment: The policy of releasing life-sentenced prisoners into the community inherently involves risk. The most effective form of risk assessment is a combination of clinical judgement and actuarial risk assessment tools. The LSI-R (Level of Service Inventory-Revised) system, devised in Canada, is being introduced nationally in 2004. This will increase the ability of Probation and Welfare Officers to assess individual offenders' generalised likelihood of reoffending. Equally, best practice concerning risk management reinforces the principles of 'defensibility':

Risk Management: The transition from custody into the community needs to be as seamless as possible. Specified levels of probation officer-offender contact, combined with specific conditions of release, need to be supplemented by an effective supervisory relationship formed between the life-sentenced prisoner and the supervising officer. Staff require guidelines identifying Service policy and procedures, particular-

ly in circumstances where the offender's behaviour is a cause of concern. Supervision of life-sentenced prisoners is difficult work, requiring experienced staff and appropriate service training and support from line management. Perhaps consideration should be given to the introduction of Multi-Agency Risk Assessment Panels, for the co-ordinated management of high risk offenders in the community. Effective risk management might also benefit from a senior Probation & Welfare Service manager having overall responsibility for co-ordinating reintegration work with life-sentenced prisoners.

The creation of a dedicated life-sentenced prisoner unit in the PWS, with overall responsibility for the development of services regarding life-sentenced prisoners is a proposal which might be considered. From the time the judge passes sentence, until the offender's death, the life-sentenced prisoner remains a prisoner, whether in custody or on temporary release. There is a certain logic therefore, to the proposal that rehabilitative responsibility for this group falls to one planning and operational unit.

Benefits, which might accrue from this proposal include:

- Development of the identified practice standards/guidelines for staff
- Identification of appropriate training needs
- Development of improved risk assessment systems
- Co-ordination with senior personnel in key agencies/departments (Department of Justice, Equality and Law Reform, An Garda Síochána, Irish Prison Service, Victim Support, local authorities etc.).
- Development of community supports at a local and national level (such as accommodation, employment, training or social activities)
- Public profile of this area of work
- Assimilation of relevant research and international 'best practice.'

Discussion

This article has noted how a vast amount of information and expertise surrounds the initial decision to release the life-sentenced prisoner into the community. In the course of its deliberations, the Parole Board may receive submissions from a variety of sources (see above), as well as considering the Book of Evidence and any comments passed by the trial judge. Then, in contrast, once the offender is released, responsibility transfers primarily to the Probation & Welfare Service and indeed to one Probation and Welfare Officer to supervise the offender on a day to day basis and ensure public safety. At present, this Officer uses his/her clinical judgement and consults with his/her line manager as appropriate. Risk assessments and management rely heavily on the Officer's assessment, interviewing technique, case management skills, professional judgement and experience. Collateral information is collated, and community agencies are consulted to develop a supervision plan designed to manage and reduce the offender's risk of re-offending. It is suggested that there is a need to develop these procedures, thus increasing the effectiveness of post-release supervision, particularly given the harm involved in the original offence and the high profile given to many such cases.

This article has made suggestions for change so that the weight of responsibility for decision making might not fall to the same extent on individual Probation and Welfare Officers. Regular formal review of life-sentence cases at Assistant Principal Probation and Welfare Officer level, the use of objective actuarial risk assessment tools, the centralising of responsibility for this offender type, and the use of multi-agency fora for risk management and public protection are some proposals for the future. Liaison with both statutory and voluntary agencies providing a service for an offender (accommodation, drug/alcohol treatment, training etc) is a key part of a probation officer's role. At present, there is no requirement that

life-sentenced prisoners receive any priority when such services are required, even when needed to manage a high-risk situation. Probation & Welfare Officers are largely dependent on personal contacts or the goodwill of service-providers. Also, there may be no formal, written arrangements for the transfer of information between services. Only by bringing relevant services together in a co-ordinated way can public protection be given the attention it deserves. This, in fact, is the approach taken when considering the offender's first release from custody. It is clearly logical to extend and deepen such inter-agency co-operation to maximise the risk management potential of any plan formulated to ensure public safety.

Conclusion

Every probation officer's worst nightmare is that an offender he/she is supervising takes a life. This fear is yet greater and more real with a life-sentenced offender. The daily decision not to return the offender to custody carries with it the constant possibility of this fear being realised. To cope with this ongoing anxiety probation officers must be able to justify to themselves, their employer and, to society at large that they have made informed decisions, followed guidelines and procedures and at every step provided the most effective supervision possible. This article has considered the process of supervision of life-sentenced prisoners from the perspective of the prisoner and the probation officer. Public protection, viewed against a backdrop of defensibility of decisions in a risk environment, requires the highest possible probation practice standards.

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Old Problem, New Solution: The Belfast Non Violent Relationship Project

Jane Kremer Non Violent Relationship Project

Summary This article reports on a multi-agency approach for dealing with domestic violence in the Greater Belfast area. Drawing on the experience of earlier statutory intervention programmes in Northern Ireland and elsewhere, the project incorporates a voluntary group programme for male perpetrators with an ongoing support programme (individual and group) for partners and training events for young people. The development of a multi-agency approach is not without difficulty but early indications suggest that the effort can be rewarding and highlights the value of adopting a 'joined-up' intervention strategy.

Keywords Domestic violence, male perpetrator programmes, inter-agency intervention, partner support, multi-agency approach.

Introduction

The launch in October 2003 of the UK Government's latest initiative addressing domestic violence in Northern Ireland demonstrated an ongoing commitment to tackling violence in the home. The consultation document entitled 'Tackling Violence at Home' indicated that much needed to be done while at the same time challenging all statutory and voluntary bodies, 'to co-ordinate their work and shape it to produce a comprehensive cross cutting strategy - a joined up approach to addressing this blight in our society' (p5). Over the last ten years each agency has sought to tackle domestic violence from within its own perspective, often developing good practice guidelines that determine the scope, direction and limitations of its individual practices. Equally many have sought to foster partnerships with other organisations, both statutory and voluntary, and these multi-agency initiatives have begun to improve the effectiveness and efficiency of intervention with families where domestic violence is prevalent.

Since 1994, the Northern Ireland Domestic Violence Forum has provided a sound platform for various agencies to share and discuss their own unique experiences of domestic violence, and to develop working practices that aim to improve the coordination and delivery of local services to women and children experiencing domestic violence. It is within this climate of inter-agency work that a genuine belief has grown that no one agency will have all the answers and solutions, along with a realisation of the complexities associated with tackling domestic violence. In Belfast the enthusiasm for inter-agency co-operation, alongside the realistic potential for future development, culminated in 2003 with the formation of the Non-Violent Relationship Project (NVRP). However in order to appreciate the uniqueness of this initiative, its aims and its functions, it may be useful to set the scene by considering the problem that it attempts to address.

Domestic Violence.

Domestic violence is a crime and it is also a repeat crime. Rarely are incidents of violence one off events - a frequently cited statistic is that on average a woman is abused approximately 35 times before she seeks help. Only 10% of domestic violence involves an isolated event; nine in ten involve systematic beatings often with escalating violence (Hanmer and Stanko, 1989). Domestic violence, as with other repeat forms of victimisation including burglary and racial attacks, requires that three minimal elements are present in order for it to happen and continue - a suitable victim or target, a motivated offender and a lack of a social, or capable guardian. It is only when one element is changed that the pattern of repeat victimisation is broken (Cohen and Felson, 1979).

The Capable Guardian

For the incidence of domestic violence to become less prevalent there is a need for the state and all its agents to embrace the mantle of capable guardian. It is undoubtedly true that society's response to domestic violence has changed over the last thirty years and with a major impetus to change coming from the feminist movement. Within Northern Ireland, the Family Homes and Domestic Violence (NI) Order 1998 has improved the legal protection available to victims while the response to victims of such violence is improving as a greater understanding of its manifestation and impact continues to develop. However while the issue of domestic violence is less likely to be hidden behind closed doors, changing the personal attitudes and belief systems that are instrumental in perpetuating the violence is, in the immediate future, likely to prove more difficult. Until society as a whole believes there is no excuse or justification for domestic violence to be perpetrated then individual attitudes are unlikely to change and in turn the role of capable guardians will remain under-developed.

The Suitable Victim

For the last 28 years Women's Aid in Northern Ireland has been providing advice, support and refuge for women who have survived domestic violence. Through this service women are given the opportunity to explore alternatives to living with abuse and are given the opportunity to make decisions that can impact positively on their lives. These particular women are no longer 'suitable victims'. While this work has been undertaken in conjunction with many other agencies (for example the Police Service of Northern Ireland, social services, housing executive etc) its remit of working solely with women is seen as always limiting the potential to significantly reduce the problem. Women's Aid, while constantly and often effectively challenging the myths and attitudes that perpetuate domestic violence, is dedicated to providing a victim-focused service and hence is not likely to have an impact on the behaviour of the perpetrators themselves. Women will often move out of abusive relationships when they are provided with appropriate support, realistic options and a legal framework that affords them a degree of safety. Perpetrators, on the other hand, who have not been challenged can remain motivated to re-offend, and may move on to their next 'suitable victim' at the earliest opportunity.

In the absence of effective guardians and with an ongoing accessibility to 'suitable victims', the key to breaking the cycle of repeat victimisation rests with the perpetrator and the need to effectively challenge his abusive behaviour. Traditionally, society's response to domestic violence has been to focus on the woman and offer support with the hope of empowering her to make positive changes. An unintentional consequence of this strategy has been to downplay the perpetrator's responsibility for his violence while simultaneously blaming the victim for her continued status as victim, 'I've done all I can and still she refuses to leave her violent partner.'

The Motivated Offender

In 1997 the Probation Board for Northern Ireland (PBNI) developed a programme that specifically aimed to reduce offending by adult male domestic violence perpetrators. This programme took its lead from earlier projects, including CHANGE (1989) and Lothian Domestic Violence Probation Project (LDVPP; 1990) in Scotland, intervention projects that have been shown to have a significant and positive effect on the incidence and frequency of subsequent violence along with a range of other controlling behaviours (Dobash, Dobash, Kavanagh & Lewis, 1996).

Men Overcoming Domestic Violence (MODV) engages male perpetrators in a group work programme of 23 sessions, run over a six-month period. The focus is on the perpetrator and his abusive behaviour, using the techniques of adult learning rather than therapy. Only by exploring and accepting responsibil-

ity for his own abusive behaviour could each participant gain a clear notion that his behaviour was wrong and unacceptable, and therefore make it possible for him to change. The process of referral has been normally through the courts as part of a probation order or by other statutory agencies. However in some instances (as and when places become available) then perpetrators can attend voluntarily. Women's Aid has also supported this work. For example, an undertaking was made that as an integral part of the programme a joint Women's Aid and probation visit would be made to the partner of the perpetrator, offering information advice and support. The benefits of providing this joined-up approach to domestic violence has become evident overtime, each organisation using its area of expertise to create an environment within which women and children can be afforded greater safety and protection, alongside the important message that violence in the home is no longer acceptable.

Since the launch of this programme seven years ago, its content has remained consistent but the programme has grown significantly in stature. Demand for places on the programme has steadily increased and, as a consequence, voluntary referral places, particularly in the greater Belfast area, have become rare. The programme content has been updated twice and the programme has been extended by one week. The programme has also been approved by PBNI/NI Prison Service approval process. Research has confirmed the efficacy of this approach and has indicated, for example, that 'group work programmes for male perpetrators are more likely to be effective than individual work' (Home Office Research Development and Statistics Directorate January, 2000).

Enthused by the success of this approach to tackling the problem of violence in the home, the possibilities for developing related projects began to be actively explored over recent years. With the focus of PBNI in the Belfast area having to be on perpetrators who had been convicted of a crime, there was a realisation of the need to offer all perpetrators the opportunity to look at their abusive behaviour, whether or not they had been caught and convicted. By and large, as experience has shown, domestic violence remains a hidden problem with women rarely bringing charges against the men who have assaulted them. Indeed many women who experience domestic violence say that they want help rather than punishment for their partners, and an intervention that would provide help would appear to meet this need. Against this backdrop, and following lengthy discussions involving various agencies, in early 2002 a joint application for funding was made to the Belfast Regeneration Office by PBNI, Women's Aid and North and West Belfast, and South and East Belfast Social Services Trust. The funding application was eventually successful and the Non Violent Relationship Project (NVRP) was born.

The Non Violent Relationship Project (NVRP)

Once funding had been secured, the partners were tasked with putting theory into practice. This involved developing ideas as to how the programme of work could be operationalised, managed and staffed. The Non Violent Relationship Project itself finally commenced in August 2003 when three workers from Women's Aid, probation and the social services trust (two women, one man) were seconded to the NVRP team for a period of 22 months. The recruitment of both male and female facilitators was seen as essential for the integrity of the programme, demonstrating to perpetrators a harmonious and equitable gender working relationship and ensuring that the risk of male collusion was minimized. The day-to-day management of the project is the responsibility of the PBNI, with overall project management remaining with the steering group. The steering group comprises representatives of all participating agencies (and the Northern Ireland Office) and meets on a bi-monthly basis throughout the duration of the project. The aim of the project is straightforward; to reduce the level of domestic violence in targeted households in the Greater Belfast area (population of approximately 500,000). Recognising that in order to tackle domestic violence effectively a multi-faceted approach is crucial, the project team developed a three-

pronged strategy that challenges perpetrators of domestic violence, supports partners of those perpetrators and also provides a preventative education programme for young people. While PBNI in Belfast continues to provide corrective group work programmes for men who have been court mandated this programme has provided a similar programme but for voluntary perpetrators. Despite being a voluntary programme great external pressure has usually been brought to bear on these men to encourage them attend. Their motivation to attend is usually related to issues regarding child protection or the fear of losing a relationship. This pressure overcomes their inherent resistance to the intervention, fuelled by shame, denial, ambivalence, and embarrassment. Men rarely hold their hands up and take responsibility for their violence nor do they agree to attend a programme unless there is a degree of overt or covert pressure. In 1992 the Probation Board invited men in an area of Belfast to come forward to join a group addressing abusive behaviour but not one person turned up.

It is still very early days for the project, but already it is apparent that tremendous progress has been made. Publicising the project was a priority for several months in order to raise awareness of the project's aim, objectives and remit among both statutory and voluntary organisations. Two group-work programmes for men have now started, with referrals to date coming mainly through either the social services or probation offices. The first group completed its 24 week programme in May 04. This group started initially with eleven participants but eventually comprised a core of six with an average attendance rate of over 90%. The second programme commenced in February 04; nine men were assessed for the group and a total of seven started. (Of the two men that did not start, one failed to turn up for the first session and appeared to lack any motivation to attend. The second man's referral was withdrawn in consultation with the referring agency due to an ongoing court case and the availability of subsequent information that suggested the programme was inappropriate at such time). Assessment procedures use interview techniques to consider risk, attitudes, extent of minimalisation and denial, mental health issues and alcohol / drug related concerns. Those who are not deemed appropriate for the programme at this stage of their lives are screened out.

Partner Participation in NVRP

The partners of all the men who are assessed as suitable for the programme are offered support. This can be one-to-one in her own home or once a fortnight when a partner support group is held. The safety of women and children remains of paramount importance throughout the programme; it is only by listening to, consulting, supporting and providing women with appropriate information about the perpetrator programme that the overall success of the project can be evaluated. What women tell us about how safe they were at the start of the programme, and how safe they feel following the intervention, must be the most salient measure of success, and without doubt the value of the programme will ultimately hinge on what these women tell the project about their lives.

It is the engagement of partner participation as an integral element of the project that singles out the NVRP as a truly 'joined up' approach. Engaging the partners of perpetrators in existing programmes has remained an elusive goal. For example, take up of support services offered through Women's Aid has been limited, and yet all agencies involved clearly see how crucial their participation is. When instigating change in one element of a family dynamic (i.e. the perpetrator) there will inevitably be an impact on other family members and children. This change it is hoped will be for the better but experience has shown this might not always be the case. Working closely as a team the NVRP discuss and challenge all decisions regarding referral suitability, progress on programme, risk assessment, child protection and overall evaluation. The Women's Aid representative in the team takes responsibility for incorporating the woman's feelings and perspectives at all stages of the project, and for feeding back to the women any con-

cerns. In this way women may make informed decisions regarding their future and safety.

With regard to the success of this approach so far the partners of all the perpetrators starting the programme have been contacted initially by letter, all but one partner has been visited in her own home on at least one occasion and ongoing regular support continues to be provided individually and during meetings of the partner support group. Consequently the sharing of information between all players remains a key feature of the NVRP and is probably its greatest asset. In turn any future evaluation of the project will be qualitative and quantitatively rich - all concerned, whether perpetrators, partners, facilitators of the programme, partner support workers or referrers provide the information and feedback required for a joined-up and genuinely integrated approach to tackling domestic violence.

What remains to make the picture complete is the challenge of prevention. The experience of workers when listening to young people discussing relationships demonstrates that some continue to believe that violence towards a partner is acceptable in some situations. Challenging and changing these attitudes among the young and not-so-young alike is important when aiming to prevent violence. Not enough is known about how to change attitudes but education is important in helping to mould the attitudes of young people. Working with young people in schools and youth clubs, looking at the issues of healthy and unhealthy relationships, is one of the aims of the NVRP and this work is now moving from the planning stage to implementation as members of the team embark on a series of training events with young people across Greater Belfast.

In conclusion the NVRP remains in its infancy but so far it has demonstrated that collaborative working can provide a platform for open, honest and reflective discussion from the steering group itself to the workers on the ground. Early indications suggest that this joined-up approach translates into effective and responsive intervention strategies that work and that in future may well be held up as a model of good practice. It also connects the motivated perpetrator, the 'suitable victim' and the social guardian in a symbiotic relationship that may historically be judged as an effective way forward in the battle to rid society of the blight of domestic violence. We continue to travel hopefully.

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Making an 'IMPACT' on Car Crime in West Belfast

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Summary This article describes the Inclusive Model of Partnership Against Car Theft (IMPACT), an interagency initiative which brings together partners from the community, voluntary and statutory sectors in a unique attempt to contribute to the reduction of car crime in West Belfast.

Keywords Car Crime, partnership, strategy, public protection, intervention, diversion, prevention, empathy.

Background

Car theft is not unique to Northern Ireland, Belfast or indeed any particular area within Belfast. Its harmful effects are felt and shared right across Northern Ireland and further afield. As car owners, road users, pedestrians, taxpayers and citizens we are all susceptible to the adverse and costly affects of this particular crime. Some communities however bear a heavier burden than others. This burden is evident in the multiple human tragedies measured by death and serious personal injury as well as the destruction of private property by way of thousands of motor vehicles each year. Add to this the enduring widespread community suffering that diminishes 'quality of life' issues such as being unable to sleep at night due to the fear and noise of speeding vehicles or having unsightly, burning hulks of cars littering the local landscape and we begin to see the scope of the problem. Such a burden is unquestionably evident in the greater West Belfast community, where statistically, a disproportionate level of stolen car 'activity' happens. Whilst car crime is a significant problem in West Belfast the number of young people involved in this type of crime are very small relative to the total population of young people living in the area.

Quantifying the problem;

In terms of the scale of the problem in West Belfast, in 2000 to 2002 alone, there were 1,653 car crimes¹ in West Belfast. The latest available validated figures for cars recovered in West Belfast relate to 2000 – 2001, the figure was 3,119 and the number of arrests for car crime was 178. The financial cost of this (estimated on the 2000 – 2001 data) is approximately £14,971,200². Over this past 25 years at least 43 people within Northern Ireland have lost their lives as a direct result of car theft activity. The link to West Belfast is that the majority of those who have lost their lives were from West Belfast or else the drivers of the vehicles were from that area.

At a Northern Ireland wide level, the scale of the problem is enormous – "a conservative estimate for the cost to society in Northern Ireland by those involved in car crime is £80m per year"³.

The gravity of the problem in West Belfast was further underlined by the responses, IMPACT's independent evaluators, Research Evaluation Services, received in response to a telephone survey⁴ of IMPACT stakeholders (n=140). The survey indicated peoples' fear of the problem and found that:

- 96% (of respondents) rated the car crime problem in West Belfast as a serious or very serious problem.
- Almost two thirds (65%) said that they believed that car crime was more of a problem in 2003 or somewhat more of a problem now than it had been five years ago.
- Over two thirds (67%) indicated that the nature of car crime had changed. The supporting comments suggested that car crime had become more sophisticated (e.g. creeper burglaries),

and that car crime is now associated with higher levels of aggression, violence and deaths than before and that younger people including more girls, are now becoming involved.

Working in Partnership;

West Belfast has endured high levels of car crime activity for many years. Various initiatives have endeavoured to tackle the issue to varying degrees of success. Many such initiatives have involved the statutory sector working in partnership with the community in an effort to divert young offenders from car crime. The most recent project to be set up in an effort to tackle car crime was established in 2001. Prior to that the level of car crime activity had increased and the community sector within the area demanded that the statutory agencies address the issue. The Probation Board for Northern Ireland, (PBNI), an agency with a long track record of working in partnership with local communities across Northern Ireland in seeking to address issues relating to offending behaviour and crime reduction, responded to this challenge.

PBNI convened a series of meetings to which representatives from a number of key statutory agencies were invited. This group of individuals went on to become the project development group and was comprised of partners from Health and Social Services, Education and the Criminal Justice sectors. They, together with local community sector representatives and in consultation with representatives from the police began to lay the foundations for what would become the Inclusive Model of Partnership Against Car Theft (IMPACT) Project. Additional financial support to launch, maintain and evaluate the project was secured from the Northern Ireland Office.

At the outset of the IMPACT Project two fundamental and guiding tenets were agreed by all the participating agencies and partners as prerequisites in any serious attempt to build solutions to the problem of car crime. It was necessary firstly, to secure a multi-agency response bringing together a range of multi-disciplinary skills and resources to focus on the problem. Secondly, it was deemed critical that local community representatives enter into a partnership with the statutory sector agencies in managing the resources and direction of the project. The IMPACT project began to build up a staff team in June 2001. The full compliment of staff were not in post until November 2001. The full time, dedicated staff team was made up of a Probation Officer, Juvenile Justice Worker, Youth Worker, Social Worker, three Project workers, Project Administrator and an Operational Manager. In addition to the full time staff, a part-time project Co Ordinator was appointed and tasked to liaise with the Police Service for Northern Ireland and to service the complex management structures agreed, in addition to core project tasks and duties.

A Strategic Solution Focussed Approach;

The direction of the work undertaken by the project has been influenced by both 'offender literature studies and practice' and by previous local projects that dealt with the issue. After careful consideration it was

¹This includes, thefts, attempted thefts, unauthorised takings and attempted unauthorised takings and vehicle tampering/interference.

²This is based on a Home Office average figure of £4,800 per stolen car i.e. (£4,800 x 3119) = £14,971,200. This is likely to be a grossly conservative estimate.

³Source: Letter from Superintendent Gerald Blaise Murray, PSNI Operations Manager (Lisburn District Command Unit) to Andersonstown News, printed 31 May 2003.

⁴In May 2003, RES conducted a telephone survey of 140 stakeholders of the IMPACT project. The focus was on getting views from those who had direct experience of the project's work i.e. the young people, parents, community influences, teachers and youth workers. Almost half of the sample (44%) was made up of young people who had taken part in the IMPACT programmes and their parents/carers. Throughout our report, we refer to the "telephone survey". This is intended to mean the survey carried out by RES in May 2003 unless otherwise specified. The level rose by 21% between the Baseline Year and Year 1.

agreed that the IMPACT project would adopt a 'strategic approach' and that it would channel its efforts at three broad levels targeting both those involved in and those vulnerable to becoming involved in this type of offending behaviour. This entails;

- Preventative work with those 'vulnerable' to becoming involved in such behaviour,
- Diversionary work with those on the 'margins' of this behaviour, and
- Interventionist work with those 'actively' engaged in car crime.

Prevention...

- Developed a preventative awareness programme for delivery in primary and secondary schools and youth clubs. These are key packages which can and will be used by others working in this field.
- Delivered the preventative awareness programme in schools and youth clubs, with very high levels of completion:
 - 15 local schools. This involved 128 classes and over 2,500 pupils – 95% completion rate.
 - 29 local youth clubs. This involved 33 programmes involving 340 young people overall – 91% completion rate.

Diversion...

- Delivered 8 diversionary programmes – 79 participants. These programmes have achieved excellent completion rates (86%).
- Delivered 6 community programmes in response to local community consultation – involving 42 young people overall (65%).

Intervention...

- Delivered 18 Car Crime programmes in Hydebank Young Offenders Centre and Lisnevin and more recently Rathgael Northern Ireland Juvenile Justice Centre for Northern Ireland. A total of 132 young people commenced these programmes and there was a high completion rate (74% on average).
- Carried out 5 statutory juvenile programmes involving 15 young people overall (65% completion rate).
- Carried out 4 statutory adult group programmes involving 22 individuals overall (59% completion rate).
- Recruited, trained and deployed 5 mentors from within the local community.

The 'What Works' philosophy applies to all three areas of work and two central points are emphasised in working with young people, firstly creating an awareness and empathy for victims and secondly, exploring the consequences of behaviour for both those involved in car crime and for the wider community. In practice, this means working in environments ranging from young offender centres, youth centres, probation offices, primary and post-primary schools to community-based premises and street locations in detached methods of work.

What has IMPACT Achieved?

The baseline year was the 2001/2002 financial year. IMPACT became operational in October 2001. Since the baseline year, there has been an overall decline in the level of unauthorised takings by 92% (up

to the end of March 2004). Unauthorised takings is the specific type of car crime which IMPACT was set up to address.

The decline in the level of unauthorised takings is significant, but IMPACT cannot take sole credit for such a marked reduction. Indeed it is impossible to apportion credit to any one of a number of agencies. A number of key organisations / initiatives which have an interest in dealing with car crime have operated in West Belfast during the following times;

- Police Service for Northern Ireland – Auto Crime Team (ACT) – Operational since July 2002.
- Families Bereaved Through Car Crime – Operational since March 2002.
- Operation Clean Up – Operational between March and June 2002 and March 2003.

There may be other factors which are beyond the scope of this article which have contributed to this dramatic decline in car crime. Whilst it might not be feasible to discern empirically the contribution of one player from another the author suggests that it is reasonable for IMPACT to take credit for having made a credible contribution to the reduction. The 92% decline in unauthorised takings significantly exceeds the Northern Ireland Office target of 10% as agreed with the Northern Ireland Office at the outset of the project. The decline in cars recovered, currently 47%, appears to be moving in a similar⁵ direction.

The Second Phase;

The IMPACT project is presently at a critical stage. Three interim evaluations have been completed in relation to the project to date all of which have evidenced considerable achievement, particularly in relation to the final strategic objective which tracks the number of cars stolen from within West Belfast and stolen cars recovered within the area. Research Evaluation Services are currently in the process of completing the final evaluation which will report on the work of the project up to the end of March 2004.

IMPACT has continued in a revised guise beyond the end of March 2004. The Northern Ireland Office have agreed to fund the project for a further two year period with a view to mainstreaming the project thereafter. Most, but not all of the seconding agencies have further committed to second staff to the project and we are currently in the process of agreeing a set of revised strategic objectives. The project has also recently received public recognition in the form of 'The Aisling Award' for community safety and in particular the work undertaken on behalf of the project by the mentors. Several weeks later the project received an International Community Justice Award in the 'Public Protection' section at the 2004 National Probation Conference in London.

The IMPACT project remains committed to working across a range of sectors and in equal partnership with local communities in building solutions to the problem of car theft. We remain committed to the notions of shared arrangements, collaboration and partnership. We have demonstrated over the life time of the project that together with determination, resolve, mutual understanding and prolonged effort, the problem of car theft can be prevented and reduced. The IMPACT project remains committed to working for the realisation of that goal.

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Peadar King's book is part of a series from Liffey Press called Pressure Points in Irish Society, which the series editor, Malcolm Maclachlan, sees as "developing new perspectives on an existing debate or presenting new data that can enlighten our thinking". The books are to be contemporary and accessible and "if necessary controversial". Peadar King states that he is writing both for those working in the area of drug prevention and harm reduction and for those who "share a curiosity not just about drugs but also about global interconnectedness, neo colonialism and human rights suppression/oppression". He believes that many of those engaged in frontline work and in policy formulation need to develop an understanding of the wider issues that surround drug use – a question of "locating and contextualising" their work.

King summarises the complexities of the issues arguing that it "is clear that the centuries old desire for psychoactive substances, whether as an act of desperation or celebration, will always remain part of the human condition.....there is no King Canute." In between the introductory setting out of the issues and the brief summary chapter lie three chapters dealing with "The War on Drugs", "Drug Users, Perception and reality", and "Strategies and Interventions". The work covered in the first of these is more comprehensively covered elsewhere, most notably in Davenport – Hines book *The Pursuit of Oblivion* (2001). King's work, however, considers the complex these matters in an Irish context and he discusses how the continuing debate between the protagonists of prohibitionism and legalisation have informed the response of the Irish State to the dramatic rise in the consumption of drugs in Ireland. He is preoccupied with the United States and its foreign and domestic policies in relation to drug consumption. A genuine world view becomes somewhat limited in scope because of such preoccupations and ultimately weakens the points made. While our world view and policy debates are hugely influenced by the US is not beyond doubt but perhaps there is more to be gained by developing an understanding of how other countries, such as those in Asia, are dealing with the issues of production and consumption. King alludes to the differences between Dutch and UK approaches to drug issues and alludes to an inverse relationship between punitive approaches and usage levels. Complexity is however the watchword. The relatively low drug use levels in Sweden run alongside strict controls and state directed treatment as favoured interventions.

The Chapter on perceptions and realities in relation to drug users is stronger though the work done by King in the past on gender issues permeates the chapter. He cogently argues that "how one names the user will largely determine how one responds to their needs" and he explores the diversity of experience of drug users. This is a review that those working in Probation can read with interest, especially as we move towards an increasingly diverse and multicultural society, and as concepts of equality are increasingly debated and where actions become equality proofed. Some of the exploration is however in need of support in terms of referenced research. The section on the Travelling community seems to be based on 1999 research by Hurley, but King then goes on to draw a consequential relationship between discriminatory practices against Travellers in pubs and hotels and cannabis use. He then compares travellers to Puerto Ricans in New York, excluded from the mainstream economy and choosing the drug trade as a means of economic advancement. King distances himself from the perspective of there being "negative others" who maliciously and deliberately seek to increase drug use and dependency, criticising the use of race in the construction of drug demons, but at the same time he suggests that "entrepreneurial drug dealers" will no doubt be able to identify the victims of "ghettoisation and enforced idleness.....(resulting from) the pres-

ent governments asylum and housing policies. These "negative others" appear to have been a creation of the state, though this does not seem to allow for the entrepreneurial spirit that exists in marginalised communities that does not end up following this path. One of the challenges that a critique such as Kings faces is how to explain when people succeed against adversity, what qualities and conditions foster constructive positive choices, and therefore how can these be enhanced. A consideration of this will allow King greater latitude in relation to considering personal choices and responsibility.

In the fourth chapter King considers strategies and interventions. Here there are summaries of broad responses such as harm reduction alongside descriptions of specific interventions, some from Ireland and some from abroad. It covers a huge range of both and offers a view of actions that can be taken at both macro and micro level. It offers some interesting information but I am not sure that it fits with the rest of the book and might have been better considered in an expanded format as a separate piece of work. It also lacks a critical analysis of the interventions and approaches, reminding us of the need for a vibrant critique of the range of responses to the issue of drug use in Ireland, both North and South.

Overall Peadar King has met his target of accessibility in his writing and there is no doubt that the debate on drug use requires oppositional perspectives, and this book provides some range to the debate. Ensuring that we retain as much relevance to Ireland as possible is important in that debate. As Northern Ireland begins to deal with a growing drugs problem, and looks to learn in some way from the experience in the Republic, the book comes at a good time. For Probation Officers central to the debate is making particular sense of the complex interrelationship between offending and drug use. While not its main focus *The Politics of Drugs* makes some contribution to that debate and to contextualising our work

David Williamson
Senior Probation and Welfare Officer

Probation Journal

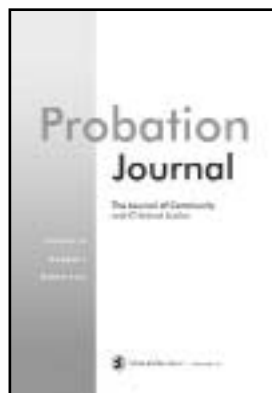
The Journal of Community and Criminal Justice

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General Information & Guidelines for Contributors

Aims and Scope: The Irish Probation Journal is a joint initiative of the Probation and Welfare Service (PWS) and the Probation Board for Northern Ireland (PBNI). It aims to provide a forum for sharing good theory and practice, increase co-operation and learning between the two jurisdictions and develop debate about work with offenders on the island. The Journal will seek to reflect the views of all those interested in the wider criminal justice area in an effort to protect the public and manage offenders in a humane and constructive manner. The Journal aims to publish material which is both of a high quality and accessible to a wide readership. Contributions are welcome from practitioners, academics, policy-makers and representatives of the voluntary and community sectors. Each article submitted will be considered by an Editorial Committee composed of PWS and PBNI staff, assisted by an Advisory Panel drawn from a range of areas of practice and expertise.

Irish Probation Journal is not limited to probation issues and welcomes submissions from those interested in the wider justice arena (e.g. prisons, police, victim support, juvenile justice, community projects, voluntary organisations). Articles which inform the realities of practice, evaluate effectiveness and genuinely enhance understanding of difference and anti-oppressive values are particularly welcome. The Journal is a peer reviewed publication. Each article is assessed by the Editorial Committee consisting of probation practitioners with varying areas of special interest and experience. Articles submitted may also be referred to members of the Advisory Panel for consideration.

Notes for contributors

Promoting Anti-Discriminatory Practice: Irish Probation Journal is committed to encouraging a diversity of perspectives, and welcomes submissions which genuinely attempt to enhance the reader's appreciation of difference and to promote anti-discriminatory values and practice.

Originality/Suitability: Submissions will be considered on the understanding that they are original papers that have not been published or accepted for publication elsewhere. This does not exclude submissions which have had prior limited or private circulation, for example in the writer's local area, or as a conference paper or presentation.

Types of submissions:

Articles: Normal length around 3,000-5,000 words, though contributions up to a maximum of 7,000 including references will be considered. Apart from full-length articles, shorter Comment and Practice Note pieces are welcome.

Comment: An opportunity to write more informally and express opinions on any topic appropriate for Irish Probation Journal. Ideally around 1,000-1,500 words including references, 2,500 words maximum.

Practice Notes: The opportunity to describe a recent piece of practice, practice-related issues or recent practice developments in brief. Ideally around 1,000-1,500 words including references, 2,500 words maximum.

Research/Reports: Accounts of recent empirical research, analysis, conference papers or working party reports drawing attention, if possible, to the availability and price of the full report or document, sight of which would be appreciated (normally around 400-500 words, but up to 1,000 words is acceptable). Please supply these as email attachments (or on disk).

Resources: Short accounts (50-100 words) of handbooks, videos, group work exercises, advice and information guides, etc. Please send a sample copy of the item if possible, as it may be possible to review it more fully.

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Preliminary Consultation: If you are considering a possible submission or are considering basing an article on an existing report, dissertation, etc, please feel free to get in touch with one of the editors or any member of the editorial committee. We will be pleased to read the original and give an opinion prior to the full assessment process.

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More detailed guidelines for contributors are available from the Editorial Committee on request and should be followed when making submissions.