

The reframing of a devolved Probation Service

Evidence submitted to the Commission on Justice in Wales by Professor Maurice Vanstone

Twenty years ago Mark Drakeford and I wrote and edited the book *Beyond Offending Behaviour* in which we argued that the probation service should adopt 'a dual strategy [...] of influencing systems as well as individuals' and that probation officers should actively intervene 'in the social worlds which their clients inhabit'. We acknowledged that probation practice should be concerned with helping people to change and reducing the harm caused by crime but asserted that it should heed social explanations of crime and focus on 'doing good in the lives of people who are themselves often deeply disadvantaged and whose life chances have already been damaged by poverty and poor quality, residual public services'.

I raise this now because I believe that the devolvement of Criminal Justice to Wales would provide a unique opportunity to reposition the crime reduction function of the Criminal Justice System within the context of broader social policy. For too long politicians have placed unrealistic expectations on the criminal justice system by wilfully ignoring limitations in its capacity to reduce crime. It is as if the answer to crime is more police, tougher sentences and more prisons rather than the amelioration of the social problems and injustices that contribute to criminal behaviour. Moreover, the credibility of the probation service as a public protection agency depends on it formulating a less individualised view of what public protection or public safety means. As an integral part of a newly aligned and devolved criminal justice system, it will not only need to maintain a commitment to evidence-based practice (as described by Peter Raynor in his submission) but should also find ways of contributing to the structural and environmental inequalities often faced by those people committing offences, thus heeding the demands of social justice. Put another way, it should focus on social capital or what Drakeford and Gregory (2010) call 'asset-based welfare'. This might entail closer engagement with local communities, making a contribution to preventative social programmes with local people (including victims) as well as the social networks of individuals involved in offending, and contributing to an enhancement of social resources through a focus on criminogenic factors such as poverty, accommodation/housing, alcohol and drug misuse, mental and physical health, and discrimination. Where appropriate this would include the development of

probation-based programmes aimed at reducing exclusion and marginalisation. Such a readjustment would require the recovery of traditions in probation work that involved understanding of the pressures and constraints under which those with whom it has worked live, but embedding those traditions in an evidence-driven professional culture. The demise of such work can be highlighted by the example of probation involvement in anti-discriminatory work: as Williams and Durrance (2018) reveal, while in 2001 there were four specific programmes for minority ethnic people now there are none, and work addressing the particular needs of women that included some of the most imaginative practice in the probation service's recent history seems to have suffered the same fate. One way of bolstering the recovery of those traditions might be to ensure that in reconstituted probation boards local communities and voluntary agencies engaged in asset-based welfare are represented.

My other contention in this brief submission is that in a newly constituted Welsh Probation Service local offices should be remodelled as Day Reporting Centres (DRCs) along the lines of successful schemes that have flourished throughout the United States in the past twenty years or so. Ironically, the DRCs, which have been used to reduce the prison population (for example in California following US Supreme Court ordered AB109 reforms) and provide among other things basic education, drug counselling, preparation for employment, and living skills, derive from the Probation Day Centres that operated in England and Wales for more than thirty years but were allowed to die by the last Labour administration. On the basis of a survey of all American States (Priestley and Vanstone 2015), it is estimated that 90,000 people pass through the centres annually. Obviously, that is a very small proportion of the American prison population but that does not invalidate the potential of DCRs to reduce overcrowding in Welsh prisons. Priestley (2016) reports that outcome studies vary in quality but 'confirm that they can get participants through demanding schedules of reporting, education and employment'. In America they are constituted in different forms but the model provides the opportunity to draw in the range of resources and partnerships conducive to the approach to probation work outlined above.

References

- Drakeford, M. and Gregory, L. (2010) 'Asset-based welfare and youth justice: making it local', in J. Brayford, F. Cowe and J. Deering (Eds) *What Else Works. Creative Work with Offenders*, Cullompton: Willan.
- Priestley, P. (2016) 'Rhetorical space in criminal Justice', in M. Vanstone and P. Priestley *Probation and Politics. Academic reflections from former practitioners*, London: Palgrave Macmillan.
- Priestley, P. and Vanstone, M. (2015) *DCRs - do they work? Review of outcome research*. Unpublished.
- Williams, P. and Durrance, P. (2018) 'Resisting effective approaches for BAME offenders in England and Wales: the triumph of inertia', in P. Ugwu-dike, P. Raynor and J. Annison (Eds) *Evidence-based skills in criminal justice. International research on supporting rehabilitation and desistance*. Bristol: Policy Press.

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