

With reference to
relevant literature
discuss the history

Literature



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The history of the probation service, although relatively short lived has gone through some major changes. Throughout this essay I shall discuss the history of the service and look at its changing role with the use of relevant literature. There have been a number of distinct phases in the development of the probation service in England and Wales from 1876 up until the present day. These are outlined as the missionary phase, the welfare phase, a decline of treatment/diversion from custody phase and most recently a public protection phase (Chui and Nellis, 2003, p.).

I shall outline and discuss each of these phases and alongside explain the changing role of the probation service and what its goals and aims are in the present day. Between the years 1876 - 1930's was known as the court missionary era. In 1876 Frederick Rainer (a printer from Hertfordshire) was appalled by the cycle of 'offence after offence' and 'sentence after sentence' which he saw in the courts that he gave a five shilling donation to the Church of England Temperance Society so that 'something might be done' (Whitfield, 1998, p. 11).

From activities of philanthropic individuals such as Rainer the Church of England Temperance Society appointed police court missionaries to supervise and reform individuals who had become subject to alcoholism, poverty and despair which in turn led to their petty offending. The missionaries' aim was largely to reform rather than to punish individuals and withheld the belief that people had a capacity to change. Offenders at this time were placed under informal supervision if they showed the likelihood of reform.

This gave opportunity to 'prove' themselves: hence the term probation (Raynor, 2002, p. 173). The birth of probation followed in 1887 when the Probation of First Offenders Act came into place, giving the missionaries identity and recognition for work undertaken with offenders. The missionary phase led into the welfare phase of probation history. In 1907 The Probation of Offenders Act was implemented and at this time the act had made probation available to all criminal courts. During this era there was an apparent move away from the religious missionary ideal towards a more professional based service however the main values still laid in tact.

A probation officers role was mainly to 'befriend' the offender and to ensure that they observed and recognised what they had done wrong within society, and to take responsibility for their actions. The early account of the history of the probation service has recently been developed and it seems that there is a more complex understanding of its origins as a pose to its orthodox accounts. Vanstone (2004, p. 35) cites (May, 1991) arguing that 'probation developed as the direct result of 'struggles between various forces' and at a time when there was increased concern about moral degeneration amongst a section of the working class'.

Therefore probation developed as a result of a relationship between elitist classes and working classes and essentially was involving social order and to a large extent controlling the lives of working class people. Factors such as these have largely been neglected within the research of the history in the probation service. The welfare phase saw a period of growth and change through the introduction of the Criminal Justice Act 1948 and during this

period there was an apparent shift from the religious missionary ideals toward a more social work role. This shift was mainly influenced by the introduction of the 'treatment model'.

Probation officers at the time became trained experts in diagnosing, assessing and intervening in the social and personal factors assumed to lie behind offending behaviour, and in advising magistrates with social inquiry reports before sentence was passed (Chui & Nellis, 2003, p. 5). The aims of the treatment models were to find out underlying knowledge and psychology of an offenders behaviour. The treatment of an offender at this time was mainly carried out on a one to one basis and was aimed at trying to cure an offenders' anti-social behaviour as a pose to the original idea of saving souls.

As Whitfield (1998, p. 14) explains 'the probation officer had come to be seen as a professional caseworker, using skills developed in common with other social workers, but applied in a specialised field'. With this specialised knowledge and professionalism of a probation officer, offenders would be able to be reintegrated in to a community and not be judged or punished. The welfare phase developed and moved into the 1970's and it was said that the 60's and 70's was the 'hey day' of the probation service (Chui & Nellis, 2003, p. 5).

Responsibility for probation officers increased at this stage, they gained more responsibility for aftercare and resettlement and in addition caseloads expanded. Some responsibilities were reduced such as the supervision of juveniles and their families. Moving from the welfare phase leads us into the third phase within the history of probation. During this period there was

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criticism and doubt being placed on the impact of 'treatment models'. Robert Martinson published an article named 'What Works? Questions and Answers about Prison Reform'.

The report produced a negative assessment of the effectiveness of a whole range of treatment provision, which was generally taken to conclude that, in fact nothing works; or not very much at all (Whitfield, 1998, p. 15). 'Nothing Works' as pointed out by Martinson came about as a result of limited evaluation and research of what probation officers and the probation service actually did at that time. In fact not much evidence was available to support their work and more important little evidence to support outcomes of the treatment of offenders.

Criticisms like these according to Chui & Nellis (2003, p.) 'brought about a diminished confidence in the rehabilitation of offenders and made the probation service realise that the community supervision of offenders would need a new rationale if to survive as a credible approach in criminal justice'. This era saw an introduction of alternative options to custody of an offender. The 1980's largely saw a diversion of offenders from custody and in turn saw interventions in the use of community service. The 1972 Criminal Justice Act introduced community service and at first was put into practice on an experimental basis in numerous pilot areas.

This was done with the reason being if a community service option would work in practice it would give offenders who otherwise would be sent to prison an opportunity to prove themselves. This was illustrated by Raynor (2002, p. 1177) who explained that the 'community service research agenda

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was about effects on systems rather than people, and a complete departure from the 'treatment' agenda'. The Conservative Party in 1979 had different ideas to move the probation service forward. At the time there were 54 probation areas that the government had limited control over.

Each of the areas were self-governed with their own individual management styles. The Conservative government were attempting to take control and were trying to gain an increased desire for central control over the probation service. It was in 1984 when the Home Office issued a Statement of National Objectives and Priorities (SNOP) in order for the probation service to gain a more responsible and structured framework. The objectives however were without success as some probation workers resisted to the new structure.

The resistance however made the government want to succeed more in gaining control and one of its main purposes was a review of the whole probation service. The main development of this period was the influence of managerialism. In 1992 the first National Standards were introduced for national planning. Managers alike responded to the government's aims and objectives in a positive light. More emphasis was placed on the need for probation officers to be social work trained and anti discriminatory practice was introduced.

One of the main challenges for the government was to be seen as 'tough on crime'. Within this period according to (Worrall, 1997 & Brownlee, 1998) cited by (Chui & Nellis, 2003, p. 8) 'the era of 'advise, assist and befriend' was well and truly over'. One of the milestones within probations' history was the introduction of the Criminal Justice Act 1991. The act itself was a

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groundbreaking and forward thinking piece of legislation. It seemed there was a repositioning of the probation service where more emphasis was based on control rather than the care of offenders.

This period could be seen as signalling the end of the welfare model of criminal justice. Whitfield (1998, p. 17) explained that the act 'recognised prison as negative and expensive and sought to develop-through 'punishment in the community'- a new philosophy whereby offenders would receive their 'just deserts' or punishment proportionate to the seriousness of the offence'. Probation orders became sentences in themselves and often with added conditions. This was a way of trying to increase faith in community penalties and was targeted more at 'protecting the public' and 'reducing crime'.

The more recent era of change took place between 1992-2001 where the election of the Labour Government reorganised the probation service into a more centralised workforce. One of the main aims during this period was to merge the prison and probation services more closely together. It was also priority that the probation service should be challenging underlying attitudes and behaviour that throw offenders back into crime. The emphasis at this time was placed on evidence based practice and cognitive behaviourism and concentrated on cognitive behavioural techniques.

These new ideas became known as the 'What Works' agenda. During this phase there was more emphasis placed on setting targets and auditing continuous improvement, which alongside led to an increase in the managerial side to the service. Moving into the Millennium the aims of the <https://assignbuster.com/with-reference-to-relevant-literature-discuss-the-history/>

National Probation Service as outlined in (NPS for England and Wales 2001) cited in (Chui & Nellis, 2003, p. 12) are 'protecting the public, reduce re-offending, the proper punishment of offenders in the community, ensuring offenders' awareness of the effects of their crime on its victims and the public, and the rehabilitation of offenders'.

These aims are still in effect to the present day within the Probation Service. In August 2001 a publication named the 'New Choreography' was a strategic way to change the probation services way of working with offenders, the new style probation was more tightly managed and regulated. One of the major influences leading us to the modern day probation is the influence of the Carter Report (2004). The report explored ways of managing offenders and identified structural problems that the prison and probation had in working together.

The report concluded that: the progress made over the last few years could best be developed by introducing a radical new approach to the management of correctional services. In particular, the report recommended: tough and rigorous sentences, a new role for the judiciary, a new approach to managing offenders and improving contestability or competition within the corrections market' (Home Office, 2005, Background to NOMS). It can therefore be said that the introduction of contestability is a main influence in driving up performance within the probation services future.

It was following the Carter Report that the National Offender Management Service (NOMS) was introduced. Noms was implemented as a way to examine the probation organisation and its management and to ensure that

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we have the best service possible in the supervision of offenders. According to the Home Office (2005) in 'Noms Structure' 'there will be a separation between offender managers (who will manage, supervise and administer all offenders through their planned sentence), and those working in services and interventions to change behaviour and circumstances of offenders or providing other services vital to the sentence and public protection'.

A question could be put forward at this stage as to whether the introduction of Noms could signal the end of the probation service. It is more likely that the future will see more of a drive to use private and voluntary sectors in order to maximise the service that Noms and probation provides. In conclusion to the history of the probation service and its changing role it is clear that there have been a number of structural changes in its 100-year history.

One of the main changes within the probation from its early history has been the development of a more professional organisation. There is now more influence from government interventions and an apparent increase in managerialism. The emphasis in the present day is concerned with following National Standards and much more importance is placed on implementing these standards in practice. Some of the early aims of the probation service still lie firmly in tact such as the rehabilitation of offenders and withholding the belief that people have the capacity to change.

Other aims have developed and have become of paramount importance such as protecting the public and awareness of offender's crimes on victims. In the present day probation service there is little scope for probation officers

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to decide how they would like to work with offenders due to the introduction of accredited programmes and minimum standards to follow. However these changes are implemented as a way to drive up performance and move the probation forward positively & optimistically into the future.