



HM Inspectorate
of Probation

Professionalism in Probation

Dr Matt Tidmarsh

HM Inspectorate of Probation

Academic Insights 2022/11

NOVEMBER 2022

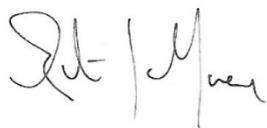
Contents

Foreword.....	3
1. Introduction	4
2. Professions, Professionalism, and Probation	5
2.1 Probation’s professional project.....	5
2.2 Transforming Rehabilitation: the ‘diminution of the probation profession’	7
2.3 Towards a relational future for professionalism: opportunities and challenges	9
3. Conclusion	13
References	14

Foreword

HM Inspectorate of Probation is committed to reviewing, developing and promoting the evidence base for high-quality probation and youth offending services. *Academic Insights* are aimed at all those with an interest in the evidence base. We commission leading academics to present their views on specific topics, assisting with informed debate and aiding understanding of what helps and what hinders probation and youth offending services.

This report was kindly produced by Dr Matt Tidmarsh, reviewing the literature on 'professionalism' and applying it to the probation service. After years of instability, the recent unification of the service provides an opportunity to refocus on the professional status of practitioners. It is vital that there is sufficient recruitment and that staff then benefit from ongoing investment, developing their professional knowledge, expertise and autonomy, so that they are able to deliver a high-quality service. At the same time, the history and culture of probation should be respected, embracing its identity as a relational, collaborative and person-centred service. Practitioners thus need to be empowered to develop positive relationships with people on probation and other key stakeholders. Within our inspections of probation services, we will continue to examine whether staff are being enabled to deliver a high-quality, personalised and responsive service for all people on probation.



Dr Robin Moore

Head of Research

Author profile

Dr Matt Tidmarsh is a Lecturer in Criminal Justice in the School of Law, University of Leeds. His PhD, on probation staff experiences of the *Transforming Rehabilitation* reforms, was completed at the University of Leeds. An expanded version of this work was published as a monograph, *Professionalism in Probation: Making Sense of Marketisation*, in August 2021. His research interests include professional identity, culture, values, and practice in probation, as well as how community sanctions and measures are represented in political and media spheres. His current research, *Making, unmaking, remaking: Professional identity and practice in the aftermath of the Transforming Rehabilitation reforms*, explores how professionalism can be better embedded within the service following unification.

The views expressed in this publication do not necessarily reflect the policy position of HM Inspectorate of Probation.

1. Introduction

The meaning of terms like 'profession', 'professional', and 'professionalism' are disputed. In a probation context, however, such contestation is seldom acknowledged; when mentioned, debates on 'professionalism' typically refer to what the service has allegedly lost. This literature typically draws on the ideal-typical tenets of professional status to highlight attempts to change probation's *ideology of service* (Robinson and Ugwu-dike, 2012); erode its *knowledge, education, and training* (Farrant, 2006); and constrain its *autonomy over work* (Fitzgibbon, 2007). The alleged demise of 'professionalism' was crucial to the mobilisation of the *Transforming Rehabilitation* reforms to probation in England and Wales. Professionalism in probation, it was argued, had been stifled by government interference; restoring it by establishing markets for low-to-medium risk offenders was vital to attempts to create an efficient, cost-effective service (Ministry of Justice [MoJ], 2010, 2013).

However, the detrimental impact of *Transforming Rehabilitation* on probation has been widely observed (e.g. HM Inspectorate of Probation, 2020a; National Audit Office [NAO], 2019; Tidmarsh, 2021a). For example, then-Chief Inspector of Probation Dame Glenys Stacey described how a transactional model of probation was 'fundamentally flawed' (HM Inspectorate of Probation, 2019a: 89). Indeed, the manner in which *Transforming Rehabilitation* 'downgraded' and 'diminished' the profession (HM Inspectorate of Probation, 2019a) influenced the decision to return probation services to the public sector, in June 2021 (HM Prison and Probation Service [HMPPS], 2021).

A commitment to enhancing 'professionalism' by improving the skills, knowledge, and standards of the workforce is, once again, a central theme in yet more probation restructuring (HMPPS, 2020a, 2020b, 2020c). This *Academic Insights* paper, therefore, reviews the academic literature on 'professionalism' and applies it to probation. In particular, it highlights the opportunities provided by probation unification to better embed professionalism within the service.

There is no definitional consensus within the sociology of the professions literature on who or what constitutes a profession, not least because professions are ever-changing rather than static (Freidson, 1994). Some have even considered attempts to define professions as counterproductive, for it masks how certain groups acquire and maintain such status (Larson, 1970; Macdonald, 1995). However, given both the historic (McWilliams, 1983, 1985) and contemporary (HMPPS, 2020a, 2020b, 2020c) emphasis on probation *as* a profession, some clarification is required. This paper adopts Freidson's (1994, p.16) understanding of 'professionalism' as:

'a way of organizing an occupation [...] It represents much more than only a status, for it produces distinctive occupational identities'.

Applied to probation, then, professionalism can be considered a way to organise practice around the *knowledge, expertise, and autonomy* of its staff that seeks to build upon an *ideology of service* premised on relationships with clients and others with a stake in its work. This *Academic Insights* paper argues that such a relational approach can both enhance professionalism and offset punitive cultures and rhetoric.

2. Professions, Professionalism, and Probation

Historically, the sociology of the professions was concerned with defining what a 'profession' was and identifying those who could claim 'professional' status (e.g. Carr-Saunders and Wilson, 1933). Such research typically presented the 'life history' (Abbott, 1988, p.37) of a particular occupation and analysed the extent to which it conformed to more established professions – namely, medicine and law. As the volume of these case studies increased, claims to professional status could be assessed with reference to several ideal-typical traits:

- a *mastery of abstract knowledge* learned through prolonged *education and training*, often within a university setting
- *autonomy* over the socio-economic and technical organisation of work
- an *ideology of service* which prioritised the client over professional self-interest (Macdonald, 1995).

Indeed, the most common academic use of 'profession' continues to be as a means to signify a special category in the division of labour, for which 'professional' characteristics function as potent sources of meaning and identity for aspirant occupations (Macdonald, 1995). While the relevance of these ideal-typical traits has been challenged within the sociology of the professions (see Freidson, 1970; Larson, 1977), they nonetheless provide useful benchmarks against which professionalism in probation can be judged. This section, therefore, traces the evolution of probation's 'professional project' (Larson, 1977), divided into the following three parts:

- the first part briefly highlights how the service came to acquire ideal-typical professional traits, along with how they have been subjected to challenge in recent decades
- the second part examines the impact of *Transforming Rehabilitation* on its professionalism
- the final part emphasises how professionalism in probation can be *remade* following the unification of services.

2.1 Probation's professional project

McWilliams's (1983, 1985, 1986, 1987) seminal quartet of essays on the professionalisation of probation comes closest to a 'life history' (Abbott, 1988) approach to the study of the service as a would-be profession. He documented how, over the first few decades of the twentieth century, the service came to exhibit ideal-typical professional traits. For example, after several decades of ad-hoc provision coordinated by the Church of England, the Probation of Offenders Act 1907 established probation as a public service with a clear mission, to 'advise, assist, [and] befriend' – words that constituted an *ideology of service* premised on relationships with those subject to supervision in the community. Religious influences on practice were gradually displaced by *social work knowledge* learnt through *education and training*, which proved the 'scientific' basis for *autonomy over work* delivered with people on probation. That McWilliams (1985, p.260) considered such knowledge, methods, and values the 'justification for claims of professionalism' hints at the importance of the acquisition of ideal-typical traits in shaping the service's professional identity and legitimacy (Tidmarsh, 2022).

Probation's 'professional project' (Larson, 1977) was consolidated in the postwar period, as the service was unequivocally recognised as a profession. The 1962 Morison Report, for example, recognised the probation officer as 'a professional caseworker, employing in a specialized field, skill which he holds in common with other social workers' (c.f. Jarvis, 1972, p.66). Given this institutional support, the service continued to expand: it assumed responsibilities for prisoners' pre-release 'throughcare', post-release 'aftercare', and community service (Jarvis, 1972). Between 1951 and 1981, the number of full-time, qualified probation officers increased from just over 1,000 to nearly 5,500 while the service's total caseload grew from 55,000 to approximately 157,000 (McWilliams, 1987). As such, imbued with state support for its knowledge, methods, and values, the probation officer was viewed as:

'an independent practitioner, supported and supervised in professional practice by the probation service hierarchy' (May and Annison, 1998, p.161).

However, the ideal-typical tenets on which probation's claims to professionalism rested have, in recent decades, been subjected to considerable challenge. This has occurred against the backdrop of several significant changes, including a more punitive socio-political climate; the rise of risk management practices; and numerous, centralising organisational restructurings oriented towards greater efficiency and accountability. Heightened political and media hysteria over crime (Downes and Morgan, 2007) heralded the emergence of 'tough on crime' policies and a significant increase in the prison population (Garland, 2001). As political confidence in the service waned, successive governments targeted the autonomy of practitioners, chief officers, and locally administered services (Robinson et al., 2012). The convergence of performance targets and National Standards (introduced in 1988 and 1992, respectively) and monitored via an intensification of audits have thereby limited practitioners' ability to exercise discretion (Mair and Burke, 2011).

Following the growth in those subject to criminal justice supervision, in prison and in the community, risk management practices became entrenched within probation. Following the abolition of social work training requirements for practice in 1995, risk has arguably become the dominant knowledge-base within probation (Tidmarsh, 2021a). While evidence indicates that practitioners have welcomed the greater consistency provided by risk assessment tools such as the Offender Assessment System (Mair et al., 2006; Phillips, 2016), for their use promotes 'defensible' decision-making (Kemshall, 1998; see also [Academic Insights paper 2021/14](#)) in ways that are not 'anti-professional' (Robinson, 2003), pressures to record information have nevertheless detracted from the time available to spend with people on probation (Tidmarsh, 2021b).

Since the turn of the century, the service has undergone numerous restructurings which have sought to enhance central control over services – such that, for staff, organisational change has become 'a defining characteristic of their professional existence' (Robinson and Burnett 2007, p.332). And yet, despite changes which have attempted to bring organisational culture into line with prevailing punitive ideology (Robinson and Ugwudike, 2012), probation's ideology of service has persevered. Mawby and Worrall (2013) have shown that several generations of probation staff are united through a shared value base centred on working *with* people. Indeed, research has consistently emphasised the durability of 'probation values' premised on a belief in the capacity of individuals to change (Deering, 2010; Robinson et al., 2016; Tidmarsh, 2020a). These values remain key to professionalism in probation, especially after the changes wrought by *Transforming Rehabilitation*.

2.2 Transforming Rehabilitation: the 'diminution of the probation profession'

As argued above, 'professionalism' was integral to the justifications given for the *Transforming Rehabilitation* reforms. This was primarily expressed in terms of professional discretion: top-down, bureaucratic state provision of services, it was contended, contributed to ineffective practice and the spiralling costs of justice, as practitioners were focused on meeting performance targets. Competing for services, by contrast, would spark the 'innovation' required to reduce reoffending and render probation more efficient (MoJ, 2010, 2013). The desire 'to unlock... professionalism' (MoJ, 2010, p.9) to improve performance thus sought to bring together the interests of diverse groups – the public, private providers, practitioners, and people on probation – with appeals to the superiority of the market over the state.

However, *Transforming Rehabilitation* merely continued the decades-long challenge to the ideal-typical tenets on which professionalism in probation was grounded – such that, in her final report as Chief Inspector of Probation, Dame Glenys Stacey lamented the 'deplorable diminution of the probation profession' (HM Inspectorate of Probation, 2019a, p.3). For example, the manner in which staff were allocated after the reforms spoke to the Government's view on *professional knowledge, education, and training* in the private sector (Tidmarsh, 2020b), with most qualified probation officers being shifted to the publicly-owned National Probation Service (NPS) – which was presented as a specialist body, 'drawing on the expertise and experience of its staff... and managing those who pose the greatest risk of harm to the public' (MoJ, 2013, p.4). Many experienced staff also left the service in protest at the reforms, leaving a much diminished 'pool of collective professional knowledge' (Kirton and Guillaume, 2019, p.12). That less qualified staff in the privately-owned Community Rehabilitation Companies (CRCs) were doing work formerly undertaken by qualified officers (HM Inspectorate of Probation, 2019a) meant the boundaries between Probation Service Officer and Probation Officer roles were blurred, part of an attempt to render services more 'efficient' through cheaper labour (Tidmarsh, 2020b). As such, the NPS were perceived, by many in the service and the wider criminal justice infrastructure, as the superior organisation in a 'two-tier' system (HM Inspectorate of Probation, 2017).

Relationships between staff and people on probation were not 'sufficiently protected' (HM Inspectorate of Probation, 2019a, p.9) after services were split. Some staff in Robinson et al.'s (2016, p.167) ethnography of the transition to employment in a CRC reflected on 'the pains of separation from service users with whom they had built good working relationships but who were now in the process of being transferred to the NPS'. Staff-client relationships were further exacerbated by the financial strains under which CRCs operated. Initial caseload estimates suggested that CRCs would supervise 80 per cent of people on probation, but the reality was closer to 60 per cent – in part because concerns over the CRCs' quality of services meant fewer were assessed as low-to-medium risk (NAO, 2019). The subsequent funding shortfalls resulted in 'substantial reductions' (HM Inspectorate of Probation, 2019a, p.74) in staffing in the CRCs. Accordingly, while organisational caseloads decreased, individual workloads *increased* (HM Inspectorate of Probation, 2017). One such implication is a *loss of professional autonomy*: practitioners in the CRCs were focused on meeting the 'fee for service' targets through which providers derived the majority of their

income, reducing the time available to build relationships with people on probation (Tidmarsh, 2020b, 2021b).

Relationships with other organisations also deteriorated under *Transforming Rehabilitation*. HM Inspectorate of Probation and HM Inspectorate of Prisons (2017) found that 'Through the Gate' provision was over-reliant on signposting to other agencies, particularly in the voluntary sector. Both the NPS and CRCs referred to such agencies, many of whom were external to supply chains, without being financially obligated to contribute to their delivery (NAO, 2019). This disincentivised many smaller voluntary organisations from involvement in probation while entrenching a 'tick-box culture' of monitoring (Clinks, 2018, p.24) among those that continued to deliver services, as downward pressures inhibited their ability to build meaningful relationships with clients and partners. The financial instability that characterised partnership working with the voluntary sector demonstrates how *Transforming Rehabilitation* damaged probation's function as a 'broker' between different social spheres (Senior et al., 2016). Dominey (2019) conceptualises probation relationships through notions of 'thick' and 'thin' supervision:

- 'thick' supervision refers to a productive relationship with the person on probation, embedded within the community
- 'thin' supervision is predominantly office-based, with poor links to the community.

Dominey concluded that, if probation is underpinned by networks of relationships, both among people and between people and organisations, then the *Transforming Rehabilitation* reforms pushed supervision in the CRCs 'in the direction of thin supervision' (Dominey, 2019, p.298; see also Tidmarsh, 2021b).

The contractual pressures faced by CRCs thus created barriers to realising *an ideology of service* in probation. Indeed, the ability to build relationships – with clients and other stakeholders – is at the heart of probation staff understandings of professionalism (Tidmarsh, 2021a). However, both supervisor-client and probation-community relations were diminished nationally as a result of *Transforming Rehabilitation* (HM Inspectorate of Probation, 2019a). The practitioners in Tidmarsh's (2020a) ethnography of a CRC, for example, struggled to reconcile client-centred values with caseload pressures and a heightened focus on performance targets. These 'thin' practices also permeated intra-organisation relationships, thereby impacting practitioners' capacity to develop professionally. Staff in Coley's (2020, p.237) study of a CRC valued supervision time with Senior Probation Officers; however, the combination of caseload pressures and staff shortages meant that staff supervision time was often 'compressed, offering less space for individual and personalised activities'. Likewise, in the NPS, Phillips et al. (2016) observed the 'relentless' emotional impact of working exclusively with high-risk offenders, for which practitioners did not receive enough organisational support or opportunities to reflect meaningfully on practice.

As such, *Transforming Rehabilitation* further undermined the wide range of relationships on which professionalism in probation is founded. Professional knowledge was lost in the CRCs, eroded by an enforced contractual focus on targets. An ideology of service persists within probation, but the convergence of increased workloads and the financial consequences of a failure to conform to performance metrics impeded the autonomy to enact such values. The

ways in which *Transforming Rehabilitation* failed to enhance professionalism in probation raises questions as to how the service can reclaim its ideology of service and the frameworks needed to recapture meaningful relationships with people on probation and other stakeholders. The next section, then, advocates for a relational, person-centred, and co-productive approach to the future of services.

2.3 Towards a relational future for professionalism: opportunities and challenges

In 2018, just four years after *Transforming Rehabilitation* was implemented, the Government announced yet more probation restructuring. Initial plans for the next iteration of services retained a commitment to a 'mixed market approach' (MoJ, 2018, p.3), with the Government pledging to work with CRCs to renegotiate contracts. However, after a consultation (MoJ, 2018), a subsequent response (MoJ, 2019), and several (draft) target operating models (HMPPS, 2020a, 2020b, 2021), it was announced that offender management would return to the public sector – a decision influenced in part by the Covid-19 pandemic. Probation was unified in June 2021: CRCs were terminated, with services divided between 12 regions and housed within the Civil Service. The Chief Inspector of Probation has warned that while unification 'is not a magic bullet for improving performance' (HM Inspectorate of Probation, 2020a, p.8), structural reform can provide the stability from which to rebuild. In this sense, it offers opportunities for the future of professionalism, but also challenges.

Among the challenges for probation as services are unified is the recent uptick in punitive rhetoric. For example, in September 2020, a white paper entitled *A Smarter Approach to Sentencing* (MoJ, 2020a) mostly contained 'tough' measures, including longer sentences for a variety of offences. As a result, changes to sentencing, alongside plans to increase police numbers and a prison building programme, have led the Ministry of Justice (2020b) to predict that the prison population could rise to 98,700 over the next six years. The likely impact of such punitive discourses on probation caseloads poses both organisational and individual challenges. At the level of the organisation, appeals to 'tough on crime' initiatives undermine public confidence in community sentences, for pro-punitive sentiments mean that probation services can struggle to gain credibility (Robinson et al., 2012). Probation staff, meanwhile, may experience difficulty in (re)articulating and realising a distinct ideology of service if individual caseloads increase – especially from within the Civil Service, if these values conflict with Government policy (Carr, 2020).

Caseload pressures can also be exacerbated by the challenges of recruitment and retention. A survey of 1,534 probation staff conducted by HM Inspectorate of Probation (2022, p.15) as part of their most recent annual inspection of services revealed that about half (51 per cent) thought their workloads were 'not so manageable'. Additional funding was allocated to recruiting 1,000 staff onto the Professional Qualification in Probation in 2021, the training pathway to become a probation officer, with another 1,500 in 2022 (HM Inspectorate of Probation, 2022). However, lengthy vetting procedures, the time taken to train new staff, and increasing resignations (HM Inspectorate of Probation, 2022) suggests that the benefits of recruitment and (re)professionalisation strategies will take time to realise. The role of the staff-client relationship in supporting desistance is salient within the probation literature (McNeill, 2006; Weaver, 2011); hence, it is crucial that staff, as the service's most valuable

asset, are the subject of ongoing investment. If, as argued above, professionalism in probation refers to a way of organising work according to knowledge, discretion, and the opportunity to realise distinctive, people-centred identities, then reduced caseloads and the greater provision of training can enhance professional skills and afford the space to deploy and reflect on such expertise.

Key to the plans to develop professionalism in probation is the creation of 'an independent statutory register for probation professionals' (MoJ, 2019, p.4), with the intention of (re)forging a common identity among all staff. This seeks to better recognise probation work as a profession, building upon similar proposals by HM Inspectorate of Probation (2019a) to bring the service into line with other certified professions, such as medicine. The register will mandate professional training, ensure that clients and the public are protected from gross negligence via debarment (MoJ, 2019), and provide 'access to high-quality, practical learning resources that... support day-to-day tasks' (HMPPS, 2020c, p.9). While, at the time of writing, there has been little progress on the professional register, it provides an ideal resource through which to (re)establish a clear ideology of service. Here, Canton's ([Academic Insights paper 2019/02](#)) analysis of the European Probation Rules (EPR) provides a framework within which to develop the professional register. Articulating values grounded in human rights and the minimisation of harms, he contends, is at the core of the EPR. Making such values explicit through the professional register can serve to instil a common identity among probation staff that was fractured by *Transforming Rehabilitation*.

And yet, while attempts 'to improve... professionalisation' (MoJ, 2020a, p.63) through appeals to its ideal-typical tenets have thus far been presented as vital to the future of the profession, McNeill (2019, p.145) states that an exclusive focus on staff betrays a 'tunnel vision in the supervisory imaginary'. He argues that the development of new ways of working 'begin in the wrong place' (McNeill, 2006, p.45) if the focus is on practice rather than how individual change occurs. As probation scholars have argued, professionals do not 'own' the process of desistance (Albertson et al., 2020); rather, its 'rightful owners [are] victims, offenders and communities' (Maruna, 2006, p.24). Relevant persons other than professionals can thus play a meaningful role in decision-making. This is supported by recent research which indicates that services can be improved if we enable meaningful citizen participation. HM Inspectorate of Probation (2019b) argue that service user involvement in service provision benefits staff by providing insights into how clients experience probation. Greater involvement in, and co-production of, services is a way to 'democratise engagement with service users' (Weaver, 2011, p.1045): learning about clients as individuals rather than cases, as one member of staff put it, enabled him to '*see the person behind the risk*' (HM Inspectorate of Probation, 2019b, p.15; emphasis in original). This suggests that probation professionals have an important role to play in reinforcing a sense of belonging in clients through a focus on *collaborative* relationships.

Restorative practice could represent a framework through which probation can better embed partnerships 'between the state and individuals, victims, families and communities as co-producers of justice' (Weaver, 2011, p.1048). Indeed, restorative theories around conflict ownership and the notion of justice as identifying and meeting stakeholders' needs (Christie, 1977) correspond closely with the literature on the desistance process (Maruna, 2006;

McNeill, 2006). Marder ([Academic Insights paper 2020/04](#)) notes that restorative practice comprises:

- values – including stakeholder participation, the goals of addressing and repairing harm, and a focus on cultivating positive relationships
- language – open, non-judgemental questions, encouraging emotional expression and reflection
- processes – including circles, family conferencing and mediation, through which the values are enacted.

Marder argues that better integrating a restorative culture within probation would 'actively build positive relationships with and among colleagues, clients and the community [and] enable those who hold a stake in a given issue to participate voluntarily in dialogue and decision-making around that issue' (Marder, 2020a, p.4). As the 2018 Council of Europe framework on restorative justice states, restorative practice has a wide range of applications across probation (Marder, 2020b). In this way, it holds significant potential for building relationships with victims and communities, promoting multi-agency work, and healing internal divisions (Tidmarsh and Marder, 2021).

That probation 'services are part of an ecosystem which is... suffering from declining investment' (HM Inspectorate of Probation, 2020a, p.6) heightens the need for 'co-productive' approaches – defined by Bovaird (2007, p.847) as:

'the provision of services through regular, long-term relationships between professionalized service providers (in any sector) and service users or other members of the community'.

Such an approach is supported by Rule 12 of the EPR, which states that probation services 'shall work in partnership with other public or private organisations and local communities to promote the social inclusion of offenders' (c.f. Canton, 2019, p.7). Relational approaches that involve people on probation, such as restorative practice and co-production, have the potential to expedite the acquisition of pro-social and non-criminal identities (Weaver, 2011). Unification provides an opportunity not only to re-centre probation as a public sector profession underpinned by knowledge and expertise, but also to build professional networks in the community. Here, the provision of time and training can enable staff to develop the links which can help them to realise a client-centred ideology of service.

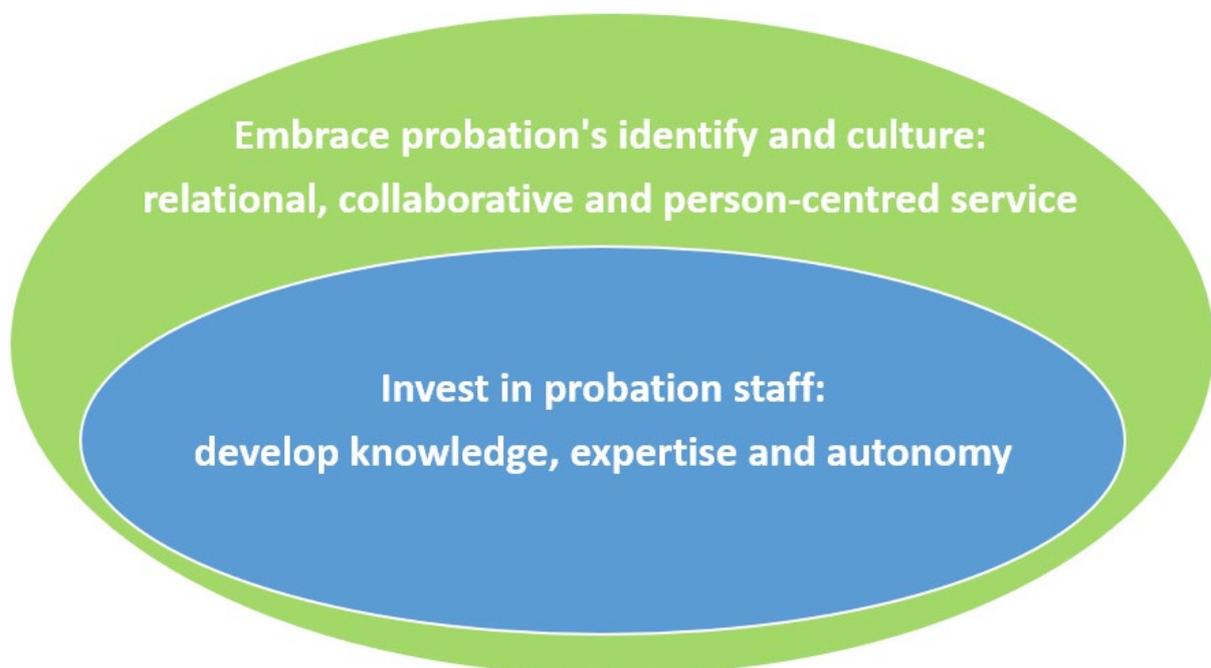
Perhaps the most promising initiative which emphasises the benefits of involving external stakeholders in service design and delivery is that of 'community hubs', introduced by some CRCs as a way to support multi-agency working with local health and welfare organisations. They are an innovation that staff and service users have generally received positively (HM Inspectorate of Probation, 2020b). Community hubs thus illustrate probation's potential for co-production, as the connective tissue that binds together different social spheres and the communities they represent (Senior et al., 2016). Albertson et al. (2020, p.6) suggest that the range of actors involved makes hubs 'well placed to affect structural impediments to desistance at the nexus of community, society and the individual'. Desistance literature emphasises not what is *done to* an offender in the course of a criminal justice sanction, but rather, the importance of acquiring positive internal narratives (Maruna, 2006). Remaking

the temporal-spatial and relational boundaries of probation practice by promoting 'enabling' structures can thus hasten the 'discovery' of agency (Albertson et al., 2020).

Unification, therefore, offers an opportunity to build on best practice. Investment in staff should be at its core:

- providing the foundations for upskilling professional knowledge and expertise
- improving autonomy to work with people on probation and build community links
- helping to develop the ability to reflect critically on practice.

A clear focus on enhancing the tenets of professionalism identified in this paper can thus help to rebuild an identity and culture within probation which is relational, collaborative, and, above all, person-centred.



3. Conclusion

After years of instability within probation, the potential for some stability as a result of unification is welcome. *Transforming Rehabilitation* has brought many of probation's underlying issues to the surface; its *essence* (Senior *et al.*, 2016), if not lost altogether, has been further tainted by the logic of competition and profit. The 'national service of second chances' (House of Commons Hansard, 2020), as the Shadow Secretary of State for Justice recently described probation, itself requires a second chance. Most staff within the new probation body will likely welcome the changes, while remaining anxious about the future (HM Inspectorate of Probation, 2020a) – especially, as Carr (2020) has observed, from within the unfamiliar institutional environment of the Civil Service.

The next iteration of probation should be reconstructed around the professionalism of its staff, its most valuable asset, with the goal of building and maintaining a wide 'network of relationships' (Dominey, 2019, p.284) at its core. A renewed focus on 'professionalism' is rooted in a recognition of the need to re-professionalise staff through knowledge, education, and training, and to engage them in an evidence-base. The benefits of this strategy will take time to realise, particularly because it takes place against an all too familiar backdrop of punitive criminal justice rhetoric and projections that prison populations will continue to increase (MoJ, 2020a, 2020b). A likely increase in people on the probation caseload could further hinder professional autonomy and an ideology of service. It is thus vital that further recruitment enables staff to spend more time with people on probation and to reflect critically on their practice. This, alongside resources like the professional register, can help to re-emphasise shared values and create a positive service identity into which new staff can be socialised.

Greater co-production with external stakeholders, too, can underpin a relational basis for a new 'professionalism' – one that respects the service's unique history and culture while emphasising its contemporary relevance as a social, legal and moral arbiter between people on probation, the state, victims and communities. This collaborative, bottom-up focus on *relationships*, between and among people on probation, communities and professionals, clearly overlaps with restorative practice (Marder, 2020a). Indeed, the new probation body could explore dialogic and restorative models to negotiate a new culture to which all staff buy-in. With sufficient institutional support and investment in the wider social infrastructure in which the service operates, probation staff can pursue a professionalism which is grounded in 'thick' (Dominey, 2019) relationships that help the new service to recapture its legitimacy.

References

- Abbott, A. (1988). *The System of Professions: An Essay on the Division of Expert Labor*. Chicago, IL: University of Chicago.
- Albertson, K., Phillips, J., Fowler, A. and Collinson, B. (2020). 'Who owns desistance? A triad of agency enabling social structures in the desistance process', *Theoretical Criminology*, 0(0): 1-20. DOI: 10.1177/1362480620968084
- Bovaird, T. (2007). 'Beyond engagement and participation: User and community coproduction of public services', *Public Administration Review*, 67(5), pp. 846-860.
- Canton, R. (2019). *European Probation Rules*, HM Inspectorate of Probation Academic Insights 2019/02. Available at: <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2019/03/Academic-Insights-Canton-Jan-19-final.pdf> (Accessed: 27 July 2022).
- Carr-Saunders, A.M. and Wilson, P.A. (1933). *The Professions*. Oxford: Oxford University.
- Carr, N. (2020). Probation renationalised: 'Another twist in the tale for the national service of second chances', *Probation Journal*, 67(3), pp. 193-197.
- Christie, N. (1977). Conflicts as property. *British Journal of Criminology*, 17(1), pp. 1-15.
- Clinks (2018). *Under Represented, Under Pressure, Under Resourced: The Voluntary Sector in Transforming Rehabilitation*. London: TrackTR.
- Coley, D. (2020). 'Probation staff supervision: Valuing 'me time' within congested spaces', *Probation Journal*, 67(3), pp.228-245.
- Deering, J. (2010). 'Attitudes and beliefs of trainee probation officers: A 'new breed'?', *Probation Journal*, 57(1), pp. 9-26.
- Dominey, J. (2019). 'Probation supervision as a network of relationships: Aiming to be thick, not thin', *Probation Journal*, 66(3), pp. 283-302.
- Downes, D. and Morgan, R. (2007). 'No turning back: The politics of law and order into the millennium', in: Maguire, M., Morgan, R. and Reiner, R. (eds.) *The Oxford Handbook of Criminology*. Fourth Edition. Oxford: Oxford University.
- Farrant, F. (2006). 'Knowledge production and the punishment ethic: The demise of the probation service', *Probation Journal*, 53(4), pp. 317-333.
- Fitzgibbon, D.W.M. (2007). 'Risk analysis and the new practitioner: Myth or reality?', *Punishment & Society*, 9(1), pp. 87-97.
- Freidson, E. (1970). *Profession of Medicine: A Study of the Sociology of Applied Knowledge*. New York, NY: Dodd, Mead & Company.
- Freidson, E. (1994). *Professionalism Reborn: Theory, Prophecy and Policy*. Cambridge: Polity.
- Garland, D. (2001). *The Culture of Control: Crime and Social Order in Contemporary Society*. Oxford: Oxford University.
- HM Prison and Probation Service (2020a). *A Draft Target Operating Model for the Future of Probation Services in England and Wales: Probation Reform Programme*. London: HMSO.

- HM Prison and Probation Service (2020b). *Update to the Draft Target Operating Model for Probation Services in England and Wales: Probation Reform Programme*. London: HMSO.
- HM Prison and Probation Service (2020c). *Probation Workforce Strategy*. London: HMSO.
- HM Prison and Probation Service (2021). *The Target Operating Model for Probation Services in England and Wales: Probation Reform Programme*. London: HMSO.
- HM Inspectorate of Probation (2017). *2017 Annual Report*. Manchester: HM Inspectorate of Probation.
- HM Inspectorate of Probation (2019a). *Report of the Chief Inspector*. Manchester: HM Inspectorate of Probation.
- HM Inspectorate of Probation (2019b). *Service User Involvement in the Review and Improvement of Probation Services*. Manchester: HM Inspectorate of Probation.
- HM Inspectorate of Probation (2020a). *2019/20 Annual Report: Inspections of Probation Services*. Manchester: HM Inspectorate of Probation.
- HM Inspectorate of Probation (2020b). *The Role of Community Hubs in Helping Deliver Probation Services and Support Desistance*. Manchester: HM Inspectorate of Probation.
- HM Inspectorate of Probation (2022). *2021 Annual Report: Inspections of Probation Services*. Manchester: HM Inspectorate of Probation.
- HM Inspectorate of Probation and HM Inspectorate of Prisons (2017). *An Inspection of Through the Gate Resettlement Services for Prisoners Serving 12 Months or More*. Manchester: HM Inspectorate of Probation.
- House of Commons Hansard (2020). *Probation Services. 11 June 2020*. Available at: <https://hansard.parliament.uk/commons/2020-06-11/debates/E848CEFB-BB7F-48C1-91FB-8EB95D6F8B8C/ProbationServices> (Accessed: 27 July 2022).
- Jarvis, F.V. (1972). *Advise, Assist, Befriend: A History of the Probation and After-Care Service*. London: National Association of Probation Officers.
- Kemshall, H. (1998). 'Defensible decisions for risk: Or it's the doers wot get the blame', *Probation*, 45, pp. 67-72.
- Kemshall, H. (2021). *Bias and error in risk assessment and management*, HM Inspectorate of Probation Academic Insights 2021/14. Available at: <https://www.justiceinspectrates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2021/12/Academic-Insights-Kemshall-1.pdf> (Accessed: 27 July 2022).
- Kirton, G. and Guillaume, C. (2019). 'When welfare professionals encounter restructuring and privatization: The inside story of the probation service of England and Wales', *Work, Employment and Society*, 33(6), pp. 929-947.
- Larson, M.S. (1977). *The Rise of Professionalism: A Sociological Analysis*. Berkeley, CA: University of California.
- Macdonald, K.M. (1995). *The Sociology of the Professions*. London: SAGE.
- Mair, G. and Burke, L. (2012). *Redemption, Rehabilitation and Risk Management: A History of Probation*. London: Routledge.

- Mair, G., Burke, L. and Taylor, S. (2006). 'The worst tax form you've ever seen'? Probation officers' views about OASys', *Probation Journal*, 53(1), pp. 7-23.
- Marder, I. (2020a). *Building Restorative Probation Services*, HM Inspectorate of Probation Academic Insights 2020/04. Available at: <https://www.justiceinspectors.gov.uk/hmiprobation/wp-content/uploads/sites/5/2020/06/Academic-Insights-Building-restorative-probation-services.pdf> (Accessed: 27 July 2022).
- Marder, I. (2020b) 'The new international restorative justice framework: Reviewing three years of progress and efforts to promote access to services and cultural change', *International Journal of Restorative Justice*, 3(3), pp. 395-418.
- Maruna, S. (2006). 'Who owns resettlement? Towards restorative re-integration', *British Journal of Community Justice*, 4(2), pp. 23-33.
- Mawby, R.C. and Worrall, A. (2013). *Doing Probation Work: Identity in a Criminal Justice Occupation*. Abingdon: Routledge.
- May, T. and Annison, J. (1998). 'The de-professionalization of probation officers', in: Abbott, P. and Meerabeau, L. (eds.) *The Sociology of the Caring Professions*. Second Edition. London: University College London.
- McNeill, F. (2006). 'A desistance paradigm for offender management', *Criminology and Criminal Justice*, 6(1), pp. 39-62.
- McNeill, F. (2019). *Pervasive Punishment: Making Sense of Mass Supervision*. Bingley: Emerald.
- McWilliams, W. (1983). 'The Mission to the English Police Court 1876-1936', *The Howard Journal*, 22: 129-147.
- McWilliams, W. (1985). 'The Mission transformed: Professionalisation of probation between the Wars', *The Howard Journal*, 24(4), pp. 257-274.
- McWilliams, W. (1986). 'The English probation system and the diagnostic ideal', *The Howard Journal*, 25(4), pp. 241-260.
- McWilliams, W. (1987). 'Probation, pragmatism and policy', *The Howard Journal* 26(2): 97-121.
- Ministry of Justice (2010). *Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders*. London: HMSO.
- Ministry of Justice (2013). *Transforming Rehabilitation: A Strategy for Reform*. London: HMSO.
- Ministry of Justice (2018). *Strengthening Probation, Building Confidence*. London: HMSO.
- Ministry of Justice (2019). *Strengthening Probation, Building Confidence: Consultation Response*. London: Ministry of Justice.
- Ministry of Justice (2020a). *A Smarter Approach to Sentencing*. London: Ministry of Justice.
- Ministry of Justice (2020b). *Prison Population Projections 2020 to 2026, England and Wales*. London: Ministry of Justice.
- National Audit Office (2016). *Transforming Rehabilitation*. London: House of Commons.

- National Audit Office (2019). *Transforming Rehabilitation: Progress Review*. London: Home Office.
- Phillips, J. (2016). 'Myopia and misrecognition: The impact of managerialism on the management of compliance', *Criminology & Criminal Justice*, 16(1), pp. 40-49.
- Phillips, J., Westaby, C. and Fowler, A. (2016). "It's relentless': The impact of working primarily with high-risk offenders', *Probation Journal*, 63(2), pp. 182-92.
- Robinson, G. (2003). 'Technicality and indeterminacy in probation practice: A case study', *British Journal of Social Work*, 33, pp. 593-610.
- Robinson, G. and Burnett, R. (2007). 'Experiencing modernization: Frontline probation perspectives on the transition to a National Offender Management Service', *Probation Journal*, 54(4), pp. 318-337.
- Robinson, G. and Ugwudike, P. (2012). 'Investing in 'toughness': Probation, enforcement and legitimacy', *The Howard Journal of Crime and Justice*, 51(3), pp. 300-316.
- Robinson, G., Burke, L. and Millings, M. (2016). 'Criminal justice identities in transition: The case of devolved probation services in England and Wales', *British Journal of Criminology*, 56(1), pp. 191-173.
- Robinson, G., McNeill, F. and Maruna, S. (2012). 'Punishment *in* society: The improbable persistence of probation and other community sanctions and measures', in: Simon, J. and Sparks, R. (eds.) *The SAGE Handbook of Punishment and Society*. London: SAGE, pp. 321-341.
- Senior, P., Ward, D., Burke, L., Knight, C., Teague, M., Chapman, T., Dominey, J., Philips, J., Worrall, A. and Goodman, A. (2016). 'The essence of probation', *British Journal of Community Justice*, 14(1), pp. 9-27.
- Tidmarsh, M. (2020a). "The right kind of person for the job'? Emotional labour and organizational professionalism in probation', *International Journal of Law, Crime and Justice*, 61, pp. 1-9.
- Tidmarsh, M. (2020b). "If the cap fits'? Probation staff and the changing nature of supervision in a Community Rehabilitation Company', *Probation Journal*, 67(2), pp. 98-117.
- Tidmarsh, M. (2021a). *Professionalism in Probation: Making Sense of Marketisation*. London: Routledge.
- Tidmarsh, M. (2021b). 'Transforming Rehabilitation: Probation practice, architecture and the art of distributions', *Criminology & Criminal Justice*, 21(1), pp. 72-88.
- Tidmarsh, M. and Marder, I. (2021). 'Beyond marketisation: Towards a relational future of professionalism in probation after Transforming Rehabilitation', *British Journal of Community Justice*, 17(2), pp. 22-45.
- Weaver, B. (2011). 'Co-producing community justice: The transformative potential of personalisation for penal sanctions', *British Journal of Social Work*, 41, pp. 1038-1057.

© Crown copyright 2022

You may re-use this information (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence or email psi@nationalarchives.gsi.gov.uk.

Where we have identified any third-party copyright information, you will need to obtain permission from the copyright holders concerned.

This publication is available for download at:
www.justiceinspectorates.gov.uk/hmiprobation

Published by:

HM Inspectorate of Probation
1st Floor Civil Justice Centre
1 Bridge Street West
Manchester
M3 3FX

The HM Inspectorate of Probation Research Team can be contacted via
HMIProbationResearch@hmiprobation.gov.uk

ISBN: 978-1-915468-38-3