

Maurer School of Law: Indiana University Digital Repository @ Maurer Law

Articles by Maurer Faculty

Faculty Scholarship

1972

Cross-Sex Supervision in the Probation and After-Care Service

Phyllida Parsloe

Indiana University School of Law - Bloomington

Follow this and additional works at: <http://www.repository.law.indiana.edu/facpub>

 Part of the [Criminal Procedure Commons](#), and the [Criminology and Criminal Justice Commons](#)

Recommended Citation

Parsloe, Phyllida, "Cross-Sex Supervision in the Probation and After-Care Service" (1972). *Articles by Maurer Faculty*. Paper 2187.
<http://www.repository.law.indiana.edu/facpub/2187>

This Article is brought to you for free and open access by the Faculty Scholarship at Digital Repository @ Maurer Law. It has been accepted for inclusion in Articles by Maurer Faculty by an authorized administrator of Digital Repository @ Maurer Law. For more information, please contact wattn@indiana.edu.

CROSS-SEX SUPERVISION IN THE PROBATION AND AFTER-CARE SERVICE

PHYLLIDA PARSLOE (*Indiana*)*

THE 1967 Criminal Justice Act made it legally possible for male probation officers to supervise female probationers. This legal change was both the outcome of a growing interest in the service in what is sometimes called cross-sex supervision, and has also resulted in focusing more attention upon it. This article intends to look at some of the facts about cross-sex supervision, to consider something of what it means for the officers concerned, and thus perhaps to encourage more discussion.

For a period in the development of the probation service the supervision of women probationers by male officers was forbidden by the Probation Rules, although this was not the original position. Most of the first police court missionaries were men and they supervised women and children as well as men. A few women officers were appointed and they concentrated upon work with women and children, but the Departmental Committee in 1909 reported that, in dealing with adult women offenders, male officers were "often as successful [as], sometimes perhaps more successful" than their women colleagues. However, an increasing number of women were appointed as probation officers and in 1925 the Criminal Justice Act stated that where possible a woman officer should be available to each court. Finally in 1933 the Criminal Justice Act provided that girls and women must be supervised by women officers, and this remained the position until 1967. Now once again male officers may supervise women offenders and, like the earlier missionaries, are "sometimes perhaps more successful." What we still know all too little about is when and why they are successful.

The position about women officers supervising men has been dictated by custom rather than by law. There has never been a legal bar, presumably because in the early years no one envisaged such a possibility; in fact traditionally women officers did not supervise men; they worked with women and girls and with boys up to some ill-defined point in their teens, after which they were thought to need "a male influence." Although there may have been isolated instances of women officers supervising men before, it was in the

* Associate Professor of Law, Indiana University; formerly at London School of Economics.

1960s that what might be called a trend began to develop. In London where, unlike some other parts of the country, male officers were usually in shorter supply than women officers, some women were appointed to carry men's caseloads. This idea of giving a woman a whole caseload of men does not seem to have been continued. It is now more likely that women, especially in London, will have a small proportion of adolescent boys and men in a caseload predominantly of women and girls. It seems likely that the practice of cross-sex supervision varies in different areas and that it is related more to problems of recruitment than to a thought-out policy of matching the needs of the offender with the skills and sex of the officer. However, a practice which began out of administrative necessity may well offer the possibility of greater flexibility in meeting clients' needs.

In order to get some up-to-date view of the practice of cross-sex supervision in England and Wales, in June 1969 questionnaires were sent to 95 principal probation officers; 53 replies were received. This represents replies from 56 per cent. of the probation and after-care services. The replies to the questionnaire were based on the work of 1,441 male officers and 544 female officers. The total number of male officers in post in June 1969—the latest date at which figures were available—was 2,262 and of female officers was 859, so that the officers whose work is covered by the replies represent 56 per cent. of male officers and 63 per cent. of female officers. Since the questionnaire did not cover caseloads it is not possible to conclude that the officers carried a similar percentage of the total caseloads although their replies seem to be relatively well distributed geographically.

The questionnaire asked for the total number of officers of each sex in post and then for the number of officers of each sex supervising particular categories of client, and for the total number of clients experiencing cross-sex supervision.

Number of male officers in sample	1,441
Number of male officers supervising:	
female probationers aged over 18	358
female probationers aged under 18	154
women on voluntary after-care	13
females aged over 18 on statutory after-care	10
females aged under 18 on statutory after-care	36
girls subject to supervision orders	237
Total number of female officers in sample	544

CROSS-SEX SUPERVISION IN THE PROBATION AND AFTER-CARE SERVICE

Total number of female officers supervising:	
male probationers aged over 18	156
male probationers aged under 18	274
males on voluntary after-care	96
males aged over 18 on statutory after-care	69
males aged under 18 on statutory after-care	74
boys subject to supervision orders	445
Total number of women and girls supervised by male officers	1,107
Total number of men supervised by women officers	1,458
Total number of boys supervised by women officers	3,534

These figures suggest that relatively few offenders and juveniles under supervision are likely to experience cross-sex supervision. The likelihood of such an experience cannot be assessed numerically from the available figures although some idea can be obtained when one bears in mind that replies came from 53 out of a possible 95 probation areas and gave the totals for males experiencing cross-sex supervision as 4,992 and of women as 1,107, a total of 6,099. The last report of the work of the Probation and After-care Department¹ gave the following total caseload figures for 1968:

Total number of persons on probation	81,092
Total number of children under supervision	8,079
Total number of persons subject to statutory after-care	19,405
Total number of persons accepting voluntary after-care	5,490

Not only are few clients likely to experience cross-sex supervision, but also it is unlikely to play a major part in the work of most probation officers, although women officers are much more likely to supervise some males than are men to supervise females. This comes about not because women are supervising adult males in great numbers, although these form a larger proportion of their caseload than women do of a male officer's caseload, but because of the likelihood that they will be supervising some boys. This is not a new practice but a traditional way of allocating caseloads in many areas. The questionnaire asked whether it was customary for women officers to supervise boys on probation under a certain age. Of the areas which replied, 31 answered Yes and 15, No. The actual age under which boys are supervised by women officers varies. In ten areas it was 12 years old, in 18 areas 13 years old, in two areas 14 years old and in one area up to 17 years old in particular circumstances.

¹ Report of the Work of the Probation and After-Care Department 1966-68, H.M.S.O., Cmnd. 4233.

In order to show how much of an officer's caseload was likely to be composed of clients of the opposite sex, numbers of these clients are expressed as a percentage of the individual officer's caseload in each area, taking a caseload to be 50 for a male officer and 40 for a woman officer.

The results were:

A. Male officers' caseloads

<i>No. of probation areas</i>	<i>Percentage of female clients</i>
2	11
2	6
1	5
5	3
8	2

B. Women officers' caseloads

<i>No. of probation areas</i>	<i>Percentage of boys</i>
4	40-50
4	30-39
7	20-29
12	10-19
3	5-9

<i>No. of probation areas</i>	<i>Percentage of men clients</i>
2	20-25
5	10-19
11	5-9
5	0-4

<i>No. of probation areas</i>	<i>Percentage of men and boys</i>
3	50-60
2	40-49
7	30-39
10	20-29
11	10-19
5	5-9

A further point which the questionnaire confirmed was that it is usual practice in matrimonial cases for men and women officers to see spouses of either sex. No area apparently allocates matrimonial clients to officers on the base of their sex. It would be interesting to discover how spouses are allocated or whether it is more a matter of the chance of which spouse comes originally, and which officer happens to see him or her, than any thought-out matching of clients' needs and worker's sex.

Another question asked was: "Do male officers visit families of men in prison?" Replies were:

<i>Never</i>	<i>Sometimes</i>	<i>Frequently</i>	<i>No reply</i>
0	16	24	14

It had been hoped these answers might throw light on the comment one sometimes hears that prisoners do not like male officers visiting their wives since it raises fears about their wives and the officers becoming sexually involved. If this really is a common fear amongst

prisoners it seems to have little influence on the allocation of work and since male officers seem to undertake such work presumably they do not share the prisoners' worries.

Many of the principal probation officers in returning the questionnaire made comments on their policy about caseload allocation. It is clear that the availability of staff is a decisive factor in allocation of work. Where there is a shortage of women officers or of men officers the allocation of cases has to be adjusted to the reality of the situation and then cross-sex supervision may be the result of desperation rather than individual need. Most areas probably would agree with the comment of one P.P.O. who said his allocation was the result of "casework needs and expediency." A few areas, however, claim that they allocate entirely on the grounds of the needs of the clients although these are not necessarily the areas where there is much cross-sex supervision going on.

There are also two P.P.O.s amongst the sample who claim that they no longer think in terms of male and female officers. One writes: "We are now appointing probation officers rather than men officers or women officers, and the work is allocated by the senior probation officers, bearing in mind as far as possible the needs of the client. Obviously there is not always an ideal choice and the senior makes the best decision in the circumstances." In this area there were 79 male officers and 53 women officers in post at the time of the survey. The second P.P.O. writes: "The Committee resolved that at the beginning of 1969 apart from fulfilling their statutory obligations to ensure that male and female officers were appointed to the Petty Sessional Division they would draw no distinction between the sexes when appointing professional staff. The result has been the appointment of replacement officers frequently of a different sex from the person they are replacing and of increasing allocation of clients based on their need rather than on any sexual distinction. At present we are in a transitional phase but within the next two years I would expect allocation on the basis of sex alone to be only of historical interest in this area." In this area there were 25 male and 16 female officers in post at the time of the survey.

These statements and the staffing positions accompanying them raise the interesting question as to the future look of the probation and after-care service. The ratio in these areas of men to women is under 2 to 1 whereas in the service as a whole it is nearer 3 to 1. Does this suggest that women will infiltrate the one area of social

work which has traditionally been a male stronghold? This would be an unlooked-for result arising from the repeal of a rule which the National Association of Probation Officers had regarded as "too restrictive."

The remainder of this article will look at some of the implications for officer and client of cross-sex supervision. It is based upon discussions which formed part of a series of social work seminars for North London officers during 1968 and 1969. For many of the ideas that follow I am indebted to these officers, while any misrepresentations or conclusions are mine. In these discussion groups cross-sex supervision was a topic which raised interest, concern and excitement. We found that since it had become legally and traditionally possible for cross-sex supervision to be a part of an officer's work, it had also become an urgent necessity to discuss how to carry it out. While it was forbidden by law or by custom probation officers had often scoffed at the rules and had asked "Who is being protected from whom?" Once authority had been withdrawn from the subject and officers were free to make choices about who supervises whom, it also proved possible to explore the advantages and problems of cross-sex supervision and understand some of the ideas and fantasies surrounding it.

What are these ideas? One that is expressed at times is a fear of blackmail—of a client saying that an officer has made sexual advances to her. It is hard to see why this should be more of a problem than the possibility that clients will say that male officers have made homosexual advances, but it seems to be talked about more. Such accusations and the fact that they are occasionally accurate is a risk which any service runs when its work involves the development of relationships in private. Probation work can never be supervised in the literal sense of the word—overlooked—and thus is always open to malpractice, misinterpretation and misrepresentation. Perhaps a more persistent and realistic fear in officers, and possibly in clients (unfortunately we do not know their views on the subject), is of the arousal of sexual feelings between officer and client. These may prove difficult, embarrassing or painful to deal with and may interfere with the purpose of the relationship. Achieving the purpose of the relationship may involve the use of sexual feelings but the purpose in itself is not a sexual one.

Ideas about the arousal of sexual feelings are by no means entirely fantasies, although officers said such situations occurred less

frequently than they had feared. However, most of the younger women officers who supervise young men seem to have had the experience of clients who want to take them out or who propose to them. It takes considerable skill to manage such a situation without hurting the client or injuring his self-respect, and the officer needs to be very clear in what she is trying to do. This is not made easier by the fact that some men are referred specifically to women officers because they cannot get on with girls, and are thus in some ways being given a young woman on whom they can practice. The theory behind such an idea, as behind much relationship-building in social work, is that experience learnt in the safety of a professional relationship can be extended to relationships in everyday life. This may well be so but as yet we do not know very much about the capacity to generalise relationship skills, and the boundaries put round this kind of practice are important if the officer is to avoid a feeling of panic and the client is not to feel cheated and disappointed.

Similar situations presumably arise between male officers and their female clients, but because of the cultural attitudes towards sexual relationships they get discussed rather differently. Women officers worry about personal questions from their male clients partly because such advances are seen as normal between male and female and the professional relationship is seen as requiring of the client an unusual way of behaving. There is no particular stigma attached to male clients who behave in a casework relationship as they would in some other relationship with a woman. Women clients, however, who make advances to male officers, tend to be seen as seductive, dangerous, scheming women, and because the stereotype of the passive little woman dies hard, these women who so unnaturally make the advances are regarded with some fascination but also some fear.

The dangers of this sexual situation are mentioned particularly in relation to home-visiting single clients of the opposite sex who live alone, or whose spouses are away or at work. There are a number of different aspects here. Perhaps it may be harder to maintain a professional relationship in someone's home, surrounded by their personal belongings, than in the rather barren environment of most probation offices. In particular situations where this is the case it is difficult to understand why the officer visits. For instance, why do clients living alone need to be visited at home, except that the probation order requires this? What might the purpose of a visit be

—to check on the home surroundings? But why? To pay some special attention to a client by going out to him or her? This could perhaps be met in other ways. If the client lives alone and is coming to the probation office, why should there be any need from the point of view of the work with the client to go to his home if this arouses unhelpful sexual feelings in the probationer and/or the officer? Alternatively, if the client lives with family or spouse then presumably the purpose of visiting is to work with the people around the client, with his environment, and so perhaps the visits need to be paid, not to a housewife while she is alone all day, but to her and her husband in the evening.

Another fear mentioned by officers is that to have an officer of the opposite sex will be seen by the client as providing the chance for “a soft touch.” A woman will be able to get what she wants from a male officer and a woman officer will be unable to control a man in the same way that a male officer can. These feelings, which officers attribute to clients, may be an accurate reflection of the clients’ views; they are certainly also a reflection of the officers’ feelings. Male officers, discussing having to take a woman back to court on a breach of a probation order, said how cruel they would feel doing this and how little such action would fit their own views of themselves as men. They would mind far more if a woman whom they had supervised went to prison as a result of their action over a breach than if the same thing happened to a man. Prison is thought by some officers to be worse for women than for men, apart from the fact that often women have children who will suffer most from their mother’s imprisonment. Male officers said they would feel guilty if they had to exercise their authority over women probationers, although none in the group had actually had to deal with a breach by a woman.

The women officers have a different view. They are concerned at the effect on their male clients of having a woman exercise authority over them. This is not an entirely logical argument, since they also say that one reason for a woman’s supervising a man is to help him to work out authority problems originally created between him and his mother. However, such working out is easy until it comes to the officer actually having to exercise authority either in demanding that the probationer report or, finally, in taking action over a breach. It is always hard for probation officers to see that exercising authority may ultimately be helpful to the probationer, or that even if it will not be helpful it may have to be exercised. It

seems even harder to take such action over someone of a different sex from oneself.

Another difficulty some officers saw was of understanding someone of the opposite sex. Some male officers felt they might not know enough about women and when this was explored what it seemed to mean was that they might not know enough about women's gynaecological complaints, which they feared played a large part in interviews. From the women officers the problem took a different form. Would they know enough about men's work to be able to discuss jobs? The women officers wondered whether men had a different attitude to work from women, since work for men is so much more central and more closely related to their status. Some women officers felt their lack of knowledge here as an advantage. It might increase the confidence of a not-very-adequate man to explain his work to a woman and he might find it easier to disclose his problems to a woman than to a man who is obviously occupationally successful. These doubts on the part of the officers do raise very interesting questions about the differences between men and women and the capacity of each to understand the other. They might suggest additional areas of knowledge which could be included in training, such as some medical teaching and much more stress upon the sociology and psychology of work.

So far the problems have been discussed much more than the advantages, but these do exist. Many probationers, and perhaps even more after-care clients, are sadly in need of the experience of a relationship with someone of the opposite sex which is caring, reasonably persistent and non-exploitive. Many of those who come to probation offices have, certainly in adult life, experienced only failures in heterosexual relationships and if they have been in penal institutions their major experience will have been with their own sex. The probation service has the chance to reverse this and so allow practice in cross-sex relationships to correct the effect of earlier damaging ones. Some people can learn a way of relating in the present and thus by-pass the effects of the past, while others can work on a past and a present level at the same time. While they may relate as a child to a parent they also try out some of the possibilities of a man relating to a woman. Whatever the problems of the arousal of sexual feelings between officer and client such feelings are real, are appropriate to two adults, and provide a spur for growth.

There is also some possibility that such relationships will be less

weighted with dependency than are same-sex relationships. When sexual feelings are aroused, vitality and competition come with them, and such feelings cannot co-exist well with strong dependency feelings. It has been the habit of probation officers, as of other social workers, to work within what might be called "a cult of dependency." Some clients need this at least some of the time, but it is a poor base from which to enjoy the adult world. Cross-sex supervision may make it a little less likely that officer and client sink in this slough, although this is not to suggest that dependency will not and should not exist in cross-sex relationships.

While some of the ideas about cross-sex supervision would apply to any kind of social work situation, it seems that for some of these ideas it is the enforced nature of the contact which needs discussing. Clients are forced to meet not just a probation officer but a probation officer of the opposite sex. That this is important seems clear when one compares such enforced supervision with the matrimonial work done by the probation service. Traditionally officers do marital work with spouses of either sex, but these clients are free never to return if they so wish, which seems to create a different attitude to the sex of the worker. Other arguments are put up to explain why officers, although they may be anxious about marital work, are seldom anxious about seeing the partner of the opposite sex from themselves. It is said that these clients are married. It is not clear why having been married makes them either less threatening or less vulnerable since one could argue that, having once proved by marriage that they can achieve a sexual relationship, they might be better able to seduce or be seduced by the officer. In any case in discussion about people on probation to officers of the opposite sex, distinctions are seldom made between the married and the unmarried.

Another argument is that matrimonial work is different, not because it is voluntary but because the clients bring their marriage rather than themselves as the focus for work; the officer can concentrate upon what goes on between the spouses, and hence work at one remove from the relationship between him/herself and the client. No doubt for part of the time officers can and do focus upon the marital relationship but it would restrict the process if they did not (as in fact they often do) use what happens between themselves and the client to throw light on the marriage relationship. Equally it would be a strange view of what goes on in a probation or after-care

relationship to assume that it is primarily focused on the worker/offender relationship and not also upon the offender's relationships with peers, family and employers.

It seems that the major difference remains that for probationers and people subject to compulsory after-care the meeting of officer and client is enforced and the client cannot escape easily without unpleasant results. Thus the question of the worker's sex has to be considered within the context of an authority structure and an authority structure which repeats many of the features of family life—the enforced contact with a parent of the opposite sex with whom sexual contact is forbidden and who has considerable authority. It also calls into question some of the many cultural norms about relationships between the sexes and demands a new set of roles which are not just family-patterned, nor those of peers, nor those of boy/girl friend.

The roles of those involved in cross-sex supervision may have similarities with these other roles, and will necessarily involve conflicting attitudes and responsibilities. It is easy to complain about role conflict, but conflict between parts of a role is so common as to be almost the norm. It is perhaps conflict-free roles which are exceptional. If one believes in conflict as conducive to growth and change, then the conflict in the roles that are involved in cross-sex supervision should be enlivening as well as difficult.

It is interesting to wonder whether in other services besides the probation service discussion of the sex of the worker is taking place. If it is the connection between legal authority and sex which is important, as I have suggested earlier, then one might expect to find discussion in certain areas of child care, and perhaps especially in relation to the statutory functions of mental welfare officers. I am unaware of any writing about the problems for mental welfare officers in removing compulsorily to hospital people of the opposite sex, but one would imagine many of the ideas held by probation officers would apply to this situation.

Once the facts and the fantasies have been explored and officers have begun to test them out in reality then the real work can begin. This is the work of establishing some guide-lines about how best to meet the clients' needs; whether for any individual client they are most likely to succeed with a worker of the same or of a different sex, or whether other things such as age or skill in the worker are of much greater importance than their sex.