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FOREWORD

Towards Effective Practice in Offender Supervision (TEPiOS) represents an important contemporary research perspective on the context of offender supervision in Scotland. The Scottish Government supports the publication of TEPiOS, as part of a range of policy initiatives which are intended to inform the development of the Performance Improvement Strategy for criminal justice social work services.

We are, with our stakeholders, in the process of revising National Objectives and Standards for Social Work Services in the Criminal Justice System. This timely review of models of rehabilitation in the Scottish context will stimulate further debate about the expectations underpinning offender supervision within the community.

The TEPiOS approach offers an opportunity to review the performance improvement strategy and its many achievements on risk assessment, accreditation and training. We look forward to the planned consultation on how this perspective informs the future policy and practice direction for criminal justice social work services and within the criminal justice system more widely.

The work to produce this paper was undertaken as part of a four year collaboration agreement between the Scottish Government and the Scottish Centre for Crime and Justice Research. The agreement facilitates an enhanced contribution of social scientific academic knowledge, experience and expertise to policy, research and analysis in the Scottish Government.

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EXECUTIVE SUMMARY

1.1   This paper provides an overview of evidence and argument about reoffending and about the kinds of practices of offender supervision in the community that might be most effective in reducing it. As such, its remit is somewhat broader than studies and reviews which focus more specifically on the effectiveness of rehabilitative programmes. Here, the concern is less with the merits of particular programmes or interventions and more with the broader practices and processes of supervision in which they are, or should be, embedded.

1.2   Section 1 sets out to understand the challenges of reducing reoffending through offender supervision. It outlines the many limitations of reconviction rates as a measure of the effectiveness of criminal sanctions before going on to examine the multiple social and personal problems that often lie behind reoffending. Section 1 also reviews some criminological theories about the causes and correlates of persistent offending and explores debates about the extent to which persistent offenders have distinctive characteristics or profiles. However, the section also notes that some criminologists have suggested that the search for 'risk factors' and 'offender types' is fundamentally misconceived in that it tends to pathologise offending by focusing on the individual offender as the main unit of analysis, rather than emphasising that crime, criminality and criminalisation are social constructs governed by wider economic, structural, cultural and political forces. The overall conclusion of section 1 is that the challenges of reducing re-offending in practice are very considerable. Yet most offenders, including many persistent offenders, do give up crime, despite the many needs that they have and the many obstacles that they face.

1.3   Section 2 focuses on what is known about the process of 'desistance' from offending and argues that practices and processes of offender supervision should be embedded in understandings of this process. Desistance relates to age and maturity, to social ties or bonds, and to changing personal identities. The relationships between 'objective' changes in offenders' life and their 'subjective' assessments of the value or significance of these changes are pivotal. Desistance is not an event but a process and, because of the subjectivities and issues of identity involved, the process is inescapably individualised – so understandings of desistance need to accommodate age, gender and ethnicity related differences in the process. Desistance is also characterised by ambivalence and vacillation. Hope seems to be an important factor. Whereas persistent offenders tend to be fatalistic in their outlook, there is evidence that desisters acquire a sense of agency (the ability to make choices and govern their own lives) in order to resist and overcome the criminogenic structural pressures that play upon them. This discovery of agency may relate to the role of significant others in supporting offenders to envision alternative identities

and alternative futures. Later in the process of change, involvement in 'generative activities' (which usually make a contribution to the well-being of others) may play a part in testifying to the desister that an alternative 'agentic' identity is being or has been forged.

1.4   Section 2 also reviews studies that have focussed on the role that offender supervision may play in supporting desistance. These studies underline the importance of strong relationships between offenders and their supervisors, characterised by mutual respect, loyalty and commitment. However, workers and working relationships are neither the only nor the most important resources in promoting desistance which also requires striving to develop the offender's strengths – at both an individual and a social network level – in order to build and sustain momentum for change. Interventions must pay heed to the community, social and personal contexts in which processes of and obstacles to change are situated. Vitally, developing social capital is necessary to encourage desistance. It is not enough to build motivation, skills or capacities for change where change also depends on opportunities.

1.5   Section 3 outlines and compares two contemporary models of offender rehabilitation. In the Risk-Need-Responsivity model (RNR), rehabilitation programmes aim to reduce the harms caused by crime. Considerations of the offender's welfare are legitimate but secondary. Individuals are seen as varying in their propensity to commit crimes, so it is argued that treatment should target those factors that are associated with offending; the most important treatment targets are those that have been empirically demonstrated to reduce recidivism. The Good Lives Model (GLM) assumes that people (including offenders) are predisposed to seek certain human goods, suggesting that offending represents either inappropriate attempts to secure such goods or that it arises as a collateral effect of their pursuit. Interventions should aim to promote an individual's goods as well as to manage or reduce risk; rehabilitative work should aim to enable an individual to develop a life plan that involves ways of effectively securing primary human goods without harming others; taking account of strengths, primary goods and relevant environments, and encouraging and respecting individual's capacities to make choices for themselves. Rehabilitative interventions must balance the promotion of personal goods (for the offender) with the reduction of risk (for society).

1.6   Section 3 also reviews emerging debates about the theoretical, empirical and practical strengths and weaknesses of these models -- as well as their points of convergence and difference. Some have argued that while there is empirical support for the RNR principles to varying degrees, RNR is vague about values and core principles; that It fails to take account of the subjective and value-laden nature of concepts like 'risk' and 'harm'; that it understands risk in a highly individualised way which neglects how social contexts affect whether or not and in what ways

'riskiness' is ever realised; that its focus on risk and criminogenic needs neglects critical questions around offender motivation and around the individual as a whole and his or her self-identity; and that it has not really explained the relationships between risk and need factors and offending. Since it has emerged more recently, the GLM in practice has been subject to less evaluative scrutiny and in this sense has a weaker empirical basis. However, scrutiny of the GLM also raises normative and theoretical questions. For example, the GLM may assume that human goods are more universally pursued than they are; it may underplay the deep tensions that exist in contemporary societies around diverse views of what constitutes the good life and thus the conflicts that arise in the pursuit of very different versions of that life within communities; it may overstate the necessity of the holistic reconstruction of the self; it may underestimate the extent to which criminogenic social contexts (and limited life opportunities) might make a 'criminal' good lives plan logical and functional from some offenders' points of view; and, like the RNR model, it may neglect the importance of interventions around the familial and social contexts of offending and desistance, and of work to develop legitimate opportunities for ex-offenders.

1.7   Recently, advocates of both the RNR and the GLM models have stressed the need for more individualised assessments, case formulations and interventions and have noted the increasingly apparent limitations of relying on more standardised programmatic approaches to rehabilitation. With this in mind, section 4 reviews the findings of a recent literature review concerned with the practitioner skills required to work effectively to reduce reoffending. The section briefly discusses assessment, planning and case (or offender) management, but it also lays particular stress on the practice processes that set the context for intervention, involving preparing, relationship-building and engaging offenders in processes of change. In the development of the concept of the offender supervision spine (meaning a central and clearly-articulated process of planned intervention to which more specific programmes and activities can be connected). These three preparatory elements (PRE – Prepare, Relate, Engage) are added to the well-known ASPIRE approach (Assess, Plan, Implement, Review, Evaluate) and at each stage of the process, the spine articulates a series of questions and issues based on the evidence reviewed in the preceding sections. These questions should inform the research-minded reflective practitioner engagement with the offender, so as to enable the development, implementation and evaluation of case-specific, explicit and evidence-based theories of change.

1.8   In 'fleshing out' the offender supervision spine, the remainder of the paper explores two key forms of intervention. Section 5 explores the types of interventions that might develop offenders' motivations to and capacities for change (that is, their human capital). As such, it is principally concerned with those cognitive behavioural programmes – mostly modelled on the RNR approach -- that address offenders'

thinking skills, problem-solving abilities and behavioural repertoires and have been the main preoccupation of 'what works?' debates to date. That said, explicit attention is also paid to the literature on the use of motivational interviewing with offenders and on the utility of pro-social modelling. Despite the successes of these approaches, albeit in varying degrees, precise knowledge about which methods seem to work best with specific kinds of offenders and offences remains limited, not least due to the important shortcomings in studies on this subject identified by many reviews and meta-analyses. Attempts to implement structured programmes in England and Wales have revealed a range of problems in turning the small scale successes of pioneering programmes into effective standardised practices in large-scale public bureaucracies. One authoritative recent review, for example, highlights the increasing attention that is being paid to the need for professional staff to use interpersonal skills, to exercise some discretion in their interventions, to take diversity amongst participants into account, and to look at how the broader service context can best support effective practice. Overall, this section concludes that there are risks in focusing exclusively or excessively on human capital.

1.9   In the final section, section 6, the focus therefore turns to interventions that aim to develop offenders' resources and opportunities; i.e. their social capital. As well as very briefly introducing the concept of social capital, section 6 outlines some of the main ways in which offender supervision might seek to develop social capital to support desistance. Firstly, services need to find ways, where appropriate, to engage effectively with families of origin so as to enlist them, wherever possible, in supporting desistance. The importance to desisters of repairing damaged family ties implies that social workers should be routinely engaged in family work and home visits. Secondly, the literature around 'generativity' suggests a productive focus for work around new and developing relationships and around parenting (and preparation for it). Moreover, it implies the need for individual workers and for local services to think creatively about other potentially generative activities, including paid employment, civic volunteering and other constructive, creative activities. The third implication of the evidence reviewed above points to wider strategic priorities linked to community engagement and community development because, in terms of desistance, while it may be necessary to prepare ex-offenders for and assist them in accessing wider social networks, including through employment, such work is not sufficient. It is equally important to prepare communities (including employers and other agencies) for ex-offenders and to support them in working with ex-offenders.

1.10   This, in turn, leads to the fourth, and most challenging, implication of considering the role of social capital in desistance. Developing the social capital of a vilified group is not easy in the context of insecure, late-modern societies like our own. Some recent research suggests that, as well as working to protect the public, criminal justice agencies should directly target public insecurities, in part by responding to signal crimes with 'control signals', as a means of engaging effectively

with communities' anxieties about crime and, more specifically, their anxieties about the management of offenders within the community. Beyond the issue of control, there may also be a need to provide visible signals of restitution, reparation and reform. The evidence suggests that success or failure to send such signals may have major consequences for the capacity of offender supervision agencies to generate wider opportunities for the development of the social capital that seems to be required in order to enable desistance.

1.11   The paper concludes that even if we wished that there were a model of effective practice that could be prescribed for practitioners involved in offender supervision, there is not. Precisely because offenders are heterogeneous, their needs are complex and their pathways to desistance are varied and individual, effective practice can only really emerge from practitioners' reflective engagement and continual dialogue with those with whom they work, with the research that should inform how they work, and with the communities in which they work.

PREAMBLE

This paper has been prepared principally for the Performance Improvement Strategy Group – a group convened by the Community Justice Division of the Scottish Government to advise and assist in the development of criminal justice social work services in particular and of community justice more generally. The PISG comprises representatives of the Scottish Government's Community Justice Division, of the Effective Practice Unit, of the Association of Directors of Social Work, of the voluntary sector service providers in Scotland, of the Scottish Prison Service, of the Risk Management Authority and from various Scottish universities.

Discussions between the chair and some of the members of the PISG charged with leading work-streams on accreditation, interventions and inspection, indicated the need for the provision of a summary of effective practice that was sensitive to the unique Scottish context for the community supervision of offenders. The paper aims to provide that summary and to develop some ideas around a Scottish model of effective practice in offender supervision; as such it is concerned principally with the roles and tasks of criminal justice social work staff rather than with the important but broader debates around community and criminal justice in Scotland.

As a short account of some of the research evidence that can inform and enhance the supervision of offenders in the community, this paper is inevitably selective and deliberately discursive in tone. It is not a systematic literature review, though it draws on a very extensive and more comprehensive source document of the same title (McNeill, Whyte and Connolly, 2008). It does not pretend to offer neutral, measured or definitive conclusions about 'what works?', if indeed that is possible. Rather, it seeks to build an argument for a particular and still developing approach to offender supervision that fits with the Scottish context.

Following the structure of the more detailed source document, the paper begins by reviewing the available Scottish reconviction data and exploring the nature of reoffending in general, thus setting the scene in terms of the challenges that criminal justice social workers face. Section 2 provides an overview of the research evidence about desistance from offending. Section 3, provides an account of two important current models of offender rehabilitation: the Risk-Needs-Responsivity (RNR) Model and the Good Lives Model (GLM). Section 4 is the key part of the document in that it explores the practice process in criminal justice social work, focusing on case management or change management and concludes with a simple conceptual model of an effective practice process and a more practical delineation of the questions that criminal justice social workers need to address in working through the 'offender supervision spine'. Sections 6 and 7 then briefly examine, respectively, interventions which aim to develop offenders' skills and capacities (their 'human capital') and how

services might work with and through their social networks, resources and opportunities (their 'social capital').
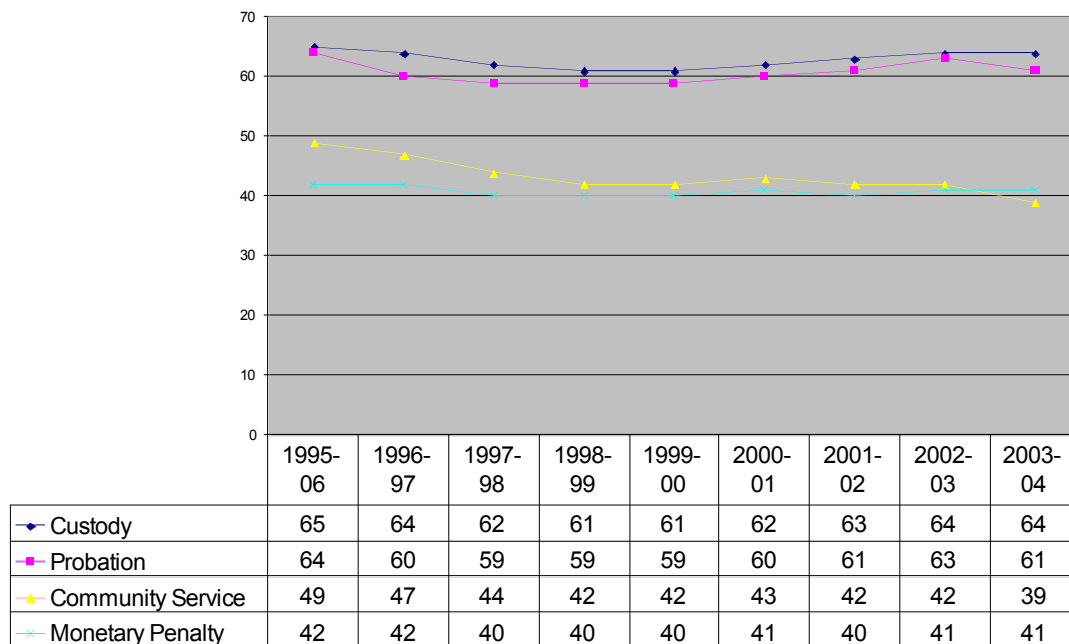
The intended audience of this paper is the PISG in the first instance, but subject to the views of that group and to further development of the paper, we hope that it might prove useful to the wider policy and practice communities in Scotland – and perhaps further afield.

CONTENTS

1. UNDERSTANDING THE CHALLENGE OF REDUCING REOFFENDING

Figure 1: Reconviction Rates in Scotland, 1995-2004

	1995-06	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04
◆ Custody	65	64	62	61	61	62	63	64	64
■ Probation	64	60	59	59	59	60	61	63	61
▲ Community Service	49	47	44	42	42	43	42	42	39
✕ Monetary Penalty	42	42	40	40	40	41	40	41	41

Source: Scottish Government (2007) *Statistical Bulletin: Criminal Justice Series, CrJ/2007/09: Reconvictions of Offenders Discharged from Custody or Given Non-Custodial Sentences in 2003-04, Scotland.* Edinburgh: Scottish Government. (Available at: http://www.scotland.gov.uk/Resource/Doc/199703/0053335.pdf)

1.1   Figure 1 (above) details the most recently available data about reconviction rates in Scotland. The broad picture is that reconviction rates for those released from custody between 1995 and 2004 range from 65 per cent to 61 per cent, and that there is no consistent trend. For probation, the figures range from 64 per cent to 61 per cent, again with no consistent trend. For monetary penalties, the figures vary even less – from 42 per cent to 40 per cent. For community service, there is a drop of 10 per cent in reconviction rates and the downward trend is consistent. However, the available data does not allow us to identify reasons for this drop in reconviction.

1.2   Are Scottish reconviction rates unusually high? Similar (and indeed worse) reconviction rates have been evidenced in other jurisdictions. For example, the New Zealand Department of Corrections/Ara Poutama Aotearoa, in reviewing international evidence from the UK, North America and Australasia, suggests that, across these diverse jurisdictions, about 60 per cent of those sentenced to community sentences are reconvicted within two years and that the equivalent

figure for custodial sentences is about 70 per cent. In New Zealand/Aotearoa itself the reconviction figures for community sentences and custodial sentences are 64 per cent and 67 per cent respectively[1]. In this comparative context, the Scottish figures do not look out of place.

1.3   The source document for this report (McNeill *et al.*, 2008) outlines a number of major problems with using reconviction data as a measure of the effectiveness of criminal sanctions. These include but are not limited to: the problem of 'pseudo-reconvictions' (that is, those convictions which follow the disposal in question but relate to offences committed *before* its imposition and therefore over which it could exercise no influence); questions of how to accommodate consideration of the nature, seriousness and frequency of any reconvictions; difficulties in determining the 'correct' timescales for analysing reconviction; and, most fundamentally, the insuperable problem that re*conviction* data measure only the justice system's *response* to reported, detected and prosecuted offending and not actual changes in the behaviour of offenders. These are not minor methodological inconveniences; they call into question not just studies that seek to compare the efficacy of sanctions by comparing reconviction rates, but also much of the literature on 'what works' in which reconviction, despite its flaws, has tended to be the preferred measure of treatment effectiveness.

1.4   Studies which have attempted to analyse reconviction rates in respect of different sanctions are therefore both contestable and difficult to interpret. For example, a Rapid Evidence Assessment[2] of the *economic efficiency* of prison versus non-prison approaches in terms of reducing re-offending was recently published by Matrix Knowledge Group in 2007. The general (if predictable) messages from this study seem to be that it is more difficult to enable younger offenders (earlier in their persistent offending careers) to change, that prison-based interventions that effectively target specific offence-related needs (linked to sexual offending and substance misuse) have a better chance of delivering both reduced reoffending and cost effectiveness than 'standard' prison; that surveillance in the community out-performs 'standard' prison; but that 'standard' community sentences do not, in general, out-perform 'standard' prison. This latter result is supported by the findings of a recent systematic review (Villettaz *et al.*, 2006) which found that non-custodial sanctions are not *in themselves* more effective in producing lower rates of re-offending than prison sentences. Of course, one of the difficulties in interpreting

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[1] http://www.corrections.govt.nz/public/research/bestuse/reconviction.html, accessed 13th July 2006.

[2] Like systematic reviews, rapid evidence assessments are based on comprehensive electronic searches of the appropriate databases and some searching of print materials, but to complete a rapid assessment in a shorter time frame, researchers make some concessions. As a result, exhaustive database searching, hand searching of journals and textbooks, and searching of the "grey" literature may not happen.

such studies lies in the complexities of the social, political, legal and organisational contexts that define, construct and constrain what 'standard' community penalties do and do not involve. Part of the purpose of this paper is to move beyond thinking about sanctions *per se*, and to think about *what content needs to populate and constitute community supervision* to enable it to maximise its potential to reduce reoffending. This is a somewhat different question from the usual 'what works?' question around the characteristics of effective programmes; it is less about particular 'treatment' programmes, and more about the structures and practices of offender supervision as whole. However, addressing that challenge first requires some grounding in what we know about offenders under supervision and what we know about reoffending itself.

1.5   Like sentenced offenders in most jurisdictions, offenders under supervision in Scotland are predominantly young, male and unemployed and tend to experience a range of significant personal and social problems. As with prisoners, in respect of whose backgrounds there is a wealth of research evidence, offenders under supervision very often face serious and chronic disadvantage and social exclusion. The Social Exclusion Unit's (2002) report 'Reducing re-offending by ex-prisoners' revealed that, compared to the general population, prisoners were 13 times more likely to have been in care as a child; 10 times more likely to have been a regular truant from school; 13 times more likely to be unemployed; 2.5 times more likely to have a family member who has been convicted of a criminal offence; 6 times more likely to have been a young father; and 15 times more likely to be HIV positive. In respect of their basic skills, 80 per cent had the writing skills of an 11 year old; 65 per cent had the numeracy skills of an 11 year old; 50 per cent had the reading skills of an 11 year old; 70 per cent had used drugs before coming to prison; 70 per cent suffered from at least two mental disorders; 20 per cent of male prisoners had previously attempted suicide; and 37 per cent of women prisoners have attempted suicide. For younger prisoners aged 18-20 these problems are even more intense; their basic skills, rates of unemployment and previous levels of school exclusion are a third worse even than those of older prisoners (Social Exclusion Unit, 2002: 6).

1.6   The associations between some of these kinds of social factors and reconviction rates were explored in an important study by May (1999). Drawing on 1993 data concerning over 7,000 offenders from six probation areas (in England), May (1999) demonstrated that problems with drug use, employment and accommodation were related to reconviction in all six areas, that there was a simple relationship between financial problems and reconviction in some areas, and that offenders with multiple problems were more likely to be reconvicted.

1.7   Of course, whilst it is important to acknowledge the common characteristics and high levels of need within the offender population as a whole, it is equally important to acknowledge the variations in the needs, deeds and characteristics of

different individual offenders, of those who have different patterns of offending and of offenders subject to different court disposals. To give one example, the literature on women who offend shows that while male and female offenders share a set of universal needs, there are also key differences in terms of behavioural issues, domestic expectations and risk factors (Carlen, 2002; McIvor, 2004; Zaplin, 1998). What we can say with confidence is that offenders subject to community disposals or supervision on release from custody have very high levels of need and that, so long as these needs remain unmet, they are likely to increase the likelihood of them being reconvicted.

1.8   In seeking to *predict* reoffending, Andrews and Bonta (1998: 42-43) have argued that the 'Big Four' risk predictors are antisocial attitudes (including values, beliefs, rationalisations, cognitive states), antisocial associates (including parents, siblings, peers and others), a history of antisocial behaviour (early involvement, habits, perceptions of criminal ability), and antisocial personality. This is not to say that broader social problems are not relevant in the genesis of these risk factors; rather it is to suggest that these factors are more *proximate* (meaning immediately related to) to offending whereas the underlying social factors are more *distally* related (meaning less immediate; more distant).

1.9   But moving beyond the identification of risk factors that correlate with reoffending, seeking to *explain* longer and more problematic criminal careers poses considerable challenges for criminologists. Recently, amongst those that still seek to develop general theories of offending – the trend has been towards multi-factorial models. Thus, for example, Farrington (2002) suggests that offending is the result of a four-stage process involving *energizing* (in which motivations develop which may lead to offending); *directing* (in which 'criminal' methods for satisfying those motivations may come to be habitually chosen); *inhibiting* (in which beliefs, values and socialisation may take effect to inhibit offending); and *decision-making* (in which situational opportunities, calculations about costs and benefits, the subjective probabilities of different outcomes of offending, and social factors inform decisions about offending). The consequences of offending may then reinforce anti-social tendencies, and the stigmatisation and labelling that often accompanies criminalisation may also encourage further offending by diminishing the individual's prospects of satisfying their needs and wants by legal means. Moffitt's (1993, 1997) 'theory of offender types' (reviewed in Smith, 2002) is also highly pertinent; her distinction between the criminal career types of 'adolescence-limited' and 'life-course persistent' offenders has been well-evidenced in research studies, but the evidence for her related claim that the *causes* of offending in the two groups are different is more contestable (see Smith, 2002).

1.10   Though the work of developmental criminologists and those who advocate a life-course perspective has provided very significant insights into criminal careers
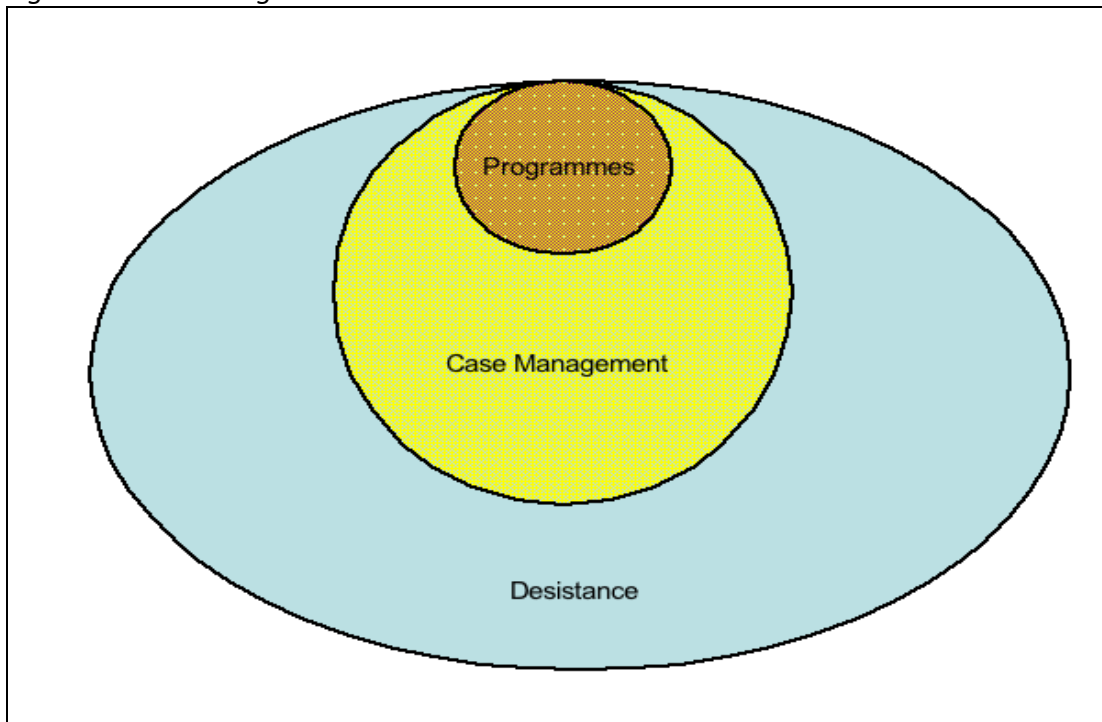
with some important policy and practice implications, critical criminologists would tend to suggest that the search for 'risk factors' and 'offender types' is fundamentally misconceived in that it tends to pathologise offending by focusing on the individual offender as the main unit of analysis. Thus, although developmental perspectives have underscored the significance of various socio-structural factors, they misdirect our attention towards the individual-level impact of these factors, rather than emphasising that crime, criminality and criminalisation are social constructs governed by wider economic, structural, cultural and political forces. It is interesting to note therefore that Laub and Sampson (2003), two pre-eminent figures *within* the field of developmental criminology, have recently argued very convincingly that the 'risk factor paradigm' needs to be reconsidered. By analysing life-history interviews and other data concerning a cohort of men aged seventy on whom data has been collected since they were aged seven, Laub and Sampson (2003) illustrate the 'inherent difficulties in predicting crime prospectively over the life course' (p290). Essentially, their analysis shows that boys with very similar risk profiles turned out to have very divergent lives.

1.11   The overall conclusion of this section must be that the challenges of reducing re-offending in practice are very considerable. Yet most offenders, including many persistent offenders, *do* give up crime, despite the many needs that they have and the many obstacles that they face. The focus of the next section is on what we know about the process of 'desistance' from offending and about how this knowledge might better inform policies and practices which aim to reduce re-offending.

2. UNDERSTANDING AND SUPPORTING DESISTANCE

2.1   Rather than dwelling on aetiological questions about the causes of offending and reoffending, for those interested in reducing reoffending, it is arguably more important to understand the change processes involved in *ending offending* – processes of *'desistance'*. This section aims to summarise what is known about the human processes and social contexts within which rehabilitative interventions are (or should be) embedded, as depicted in *Figure 2* which suggests that since desistance exists independently of interventions but can be supported by them, we need to ground our processes of case management in understandings of desistance; moreover, we need to ground programme work in case management processes.

Figure 2: Embedding Interventions in Desistance

2.2   The implications of embedding interventions with offenders in understandings of desistance are potentially significant and far-reaching. Put simply, the argument is that criminal justice social work services need to think of themselves less as providers of correctional treatment (that belongs to professional experts) and more as supporters of desistance processes (that belong to desisters). It follows that choices about the kinds of interventions to be used with and for offenders should be based on understandings of *their* individual change processes and of how

professionals can best support these processes, rather than offenders fitting in with pre-designed interventions that professionals prescribe for 'types' of offenders.

2.3   Maruna (2001) identifies three broad theoretical perspectives in the desistance literature: maturational reform, social bonds theory and narrative theory; respectively these perspectives address how desistance relates to age and maturity, to social ties and social bonds, and to changing personal identities. Bringing these perspectives together, Farrall (2002) stresses the significance of the relationships between 'objective' changes in the offender's life and his or her 'subjective' assessment of the value or significance of these changes:

> '… the desistance literature has pointed to a range of factors associated with the ending of active involvement in offending. Most of these factors are related to acquiring "something" (most commonly employment, a life partner or a family) which the desister values in some way and which initiates a re-evaluation of his or her own life…' (Farrall, 2002: 11).

2.4   Rather than the three perspectives competing therefore, desistance resides somewhere in the interfaces between developing personal maturity, changing social bonds associated with certain life transitions, and the individual subjective narrative constructions (or personal stories) which offenders build around these key events and changes. It is not just the events and changes that matter; it is what these events and changes *mean* to the people involved. This understanding implies both that desistance is not an event (like being cured of a disease) but a *process* and that (because of the subjectivities involved) the process is inescapably *individualised.* In seeking to develop understandings of these processes, Maruna and Farrall (2004) suggest that it is helpful to distinguish *primary desistance* (the achievement of an offence-free period) from *secondary desistance* (an underlying change in self-identity wherein the ex-offender labels him or herself as such).

2.5   In evidencing variations in processes of desistance, the source document reviews a range of evidence about age and gender related differences. Taken together, this evidence seems to suggest broadly that variations in the criminal careers of young women and young men, perhaps unsurprisingly, reflect related differences in age-related and gendered constructions of identity in adolescence and early adulthood. This suggests the significance of developmental processes linked to identity changes in desistance (see also McNeill and Maruna, 2007); research which explores offenders' attitudes, motivation and narratives of desistance makes the case even more clearly.

2.7   Burnett's (1992) important study of efforts to desist amongst 130 adult property offenders released from custody (see also Burnett and Maruna, 2004) revealed that those who were most confident and optimistic about desisting had

greatest success in doing so. For others, the 'provisional nature of intentions reflected social difficulties and personal problems that the men faced' (Burnett, 2000: 14). More recently Burnett and Maruna (2004) have written persuasively about the role of hope in the process of desistance and equally importantly about how adverse social circumstances can suffocate hope (see also Farrall and Calverley, 2006, ch5).

2.8   Burnett notes that for most of the men involved in her study processes of desistance were characterised by ambivalence and vacillation. However, the over-turning of value systems and all pre-occupying new interests that characterised the most successful desisters seem to imply the kind of identity changes invoked in the notion of secondary desistance.

2.9   Maruna's (2001) study offers a particularly important contribution to understanding secondary desistance by exploring the subjective dimensions of change. Maruna compared the narrative 'scripts' of 20 persisters and 30 desisters who shared similar criminogenic traits and backgrounds and who lived in similarly criminogenic environments. The persisters' 'condemnation script' evidenced a fatalistic (if realistic) account of their prospects for leading different lives.   By contrast, the accounts of the desisters revealed a different narrative:

> 'The redemption script begins by establishing the goodness and conventionality of the narrator – a victim of society who gets involved with crime and drugs to achieve some sort of power over otherwise bleak circumstances. This deviance eventually becomes its own trap, however, as the narrator becomes ensnared in the vicious cycle of crime and imprisonment. Yet, with the help of some outside force, someone who "believed in" the ex-offender, the narrator is able to accomplish what he or she was "always meant to do". Newly empowered, he or she now seeks to "give something back" to society as a display of gratitude' (Maruna, 2001: 87).

2.10   In their accounts of achieving change, there is evidence that desisters have to 'discover' agency (the ability to make choices and govern their own lives) in order to resist and overcome the criminogenic structural pressures that play upon them. This discovery of agency seems to relate to the role of significant others in envisioning an alternative identity and an alternative future for the offender even through periods when they cannot see these possibilities for themselves. Typically later in the process of change, involvement in 'generative activities' (which usually make a contribution to the well-being of others) plays a part in testifying to the desister that an alternative 'agentic' identity is being or has been forged (see McNeill and Maruna, 2007).

2.11   The implications for practice of this developing evidence base have begun to be explored in a small number of research studies that have focussed on the role that probation or social work may play in supporting desistance. In one study of 'assisted desistance', Rex (1999) explored the experiences of 60 probationers. She found that those who attributed changes in their behaviour to probation supervision described it as active and participatory. Probationers' commitments to desist appeared to be generated by the personal and professional commitment shown by their probation officers, whose reasonableness, fairness, and encouragement seemed to engender a sense of personal loyalty and accountability. Probationers interpreted advice about their behaviours and underlying problems as evidence of concern for them as people, and 'were motivated by what they saw as a display of interest in their well-being' (Rex, 1999: 375). Such evidence resonates with other arguments about the pivotal role that relationships play in effective interventions (Barry, 2000; Burnett, 2004; Burnett and McNeill, 2005; McNeill et al., 2005).

2.12   However, workers and working relationships are neither the only nor the most important resources in promoting desistance. Related studies of young people in trouble suggest that their own resources and social networks are often better at resolving their difficulties than professional staff (Hill, 1999). The potential of social networks is highlighted by 'resilience perspectives' which, in contrast with approaches that dwell on risks and/or needs, consider the 'protective factors and processes' involved in positive adaptation in spite of adversity. In terms of practice with young people, such perspectives entail an emphasis on the recognition, exploitation and development of their competences, resources, skills and assets (Schoon and Bynner, 2003). In similar vein, but in relation to re-entry of ex-prisoners to society, Maruna and LeBel (2003) have made a convincing case for the development of strengths-based (rather than needs-based on risk-based) narratives and approaches. Thus promoting desistance also means striving to develop the offender's strengths – at both an individual and a social network level – in order to build and sustain the momentum for change.

2.13   In looking towards these personal and social contexts of desistance, the most recent and perhaps most wide-scale study of probation and desistance (Farrall, 2002) explored the progress or lack of progress towards desistance achieved by a group of 199 probationers. Though over half of the sample evidenced progress towards desistance, Farrall found that desistance could be attributed to specific interventions by the probation officer in only a few cases, although help with finding work and mending damaged family relationships appeared particularly important. Desistance seemed to relate more clearly to the probationers' motivations and to the social and personal contexts in which various obstacles to desistance were addressed.

2.14   Farrall (2002) goes on to argue that interventions must pay greater heed to the community, social and personal contexts in which they are situated (see also

McCulloch, 2005). After all, 'social circumstances and relationships with others are both the object of the intervention and the medium through which… change can be achieved' (Farrall, 2002: 212). Necessarily, this requires that interventions be focussed not solely on the individual person and his or her perceived 'deficits'. As Farrall (2002) notes, the problem with such interventions is that while they can build human capital, for example, in terms of enhanced cognitive skills or improved employability, they cannot generate the social capital which resides in the relationships through which we achieve participation and inclusion in society[3]. Vitally, developing social capital is necessary to encourage desistance. It is not enough to build capacities for change where change depends on opportunities to exercise capacities.

2.15   The stress in the desistance literature on the interplay between individual capacities and social contexts is both reminiscent of and consistent with the 'responsibility model' (Paterson and Tombs, 1998) underlying the Scottish national standards. That model was 'premised on the view that, through social work intervention which promotes individual responsibility for behaviour together with social responsibility for alleviating adverse circumstance, offending will be discouraged' (Paterson and Tombs, 1998: 9).

2.16   In a recent paper, the material presented in this section has been used to propose a desistance paradigm for 'offender management' (McNeill, 2006) which is summarised in Figure 3 below. The desistance paradigm deliberately forefronts processes of change rather than modes of intervention; it begins not with what the system or the worker does with the offender, but with what the offender him or herself is experiencing. Practice under the desistance paradigm would certainly accommodate intervention to meet needs, reduce risks and (especially) to develop and exploit strengths. A necessary precursor of such activity however would be working out, on an individual basis, how the desistance process might best be prompted and supported. This would require the worker to act as an advocate providing a conduit to social capital as well as a 'treatment' provider building human capital. The forms of engagement required by the paradigm would re-instate and place a high premium on collaboration and involvement in the process of co-designing interventions. Critically, such interventions would not be concerned solely with the prevention of further offending; they would be equally concerned with constructively addressing the harms caused by crime by encouraging offenders to make good through restorative processes and community service (in the broadest sense). But, as a morally and practically necessary corollary, they would be no less preoccupied with making good to offenders by enabling them to achieve inclusion

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[3] Significantly, Boeck et al.'s (2004) emerging findings suggest that bridging social capital in particular (which facilitates social mobility) seems to be limited amongst those young people in their study involved in offending, leaving them ill-equipped to successfully navigate risk.

and participation in society (and with it the progressive and positive reframing of their identities required to sustain desistance).

Figure 3: The desistance paradigm

A Desistance Paradigm
Basic orientation: Help in navigating towards desistance to reduce re-offending, to reduce harm and to make good to offenders and victims
Approach to assessment: Explicit dialogue and negotiation assessing risks, needs, strengths and resources and offering opportunities to make good
Focus of practice: Collaboratively defined tasks which tackle risks, needs and obstacles to desistance by using and developing the offender's human and social capital

Source: Adapted from McNeill (2006)

3. CURRENT MODELS OF OFFENDER REHABILITATION

3.1   Though arguments about a desistance paradigm address important issues about the basic orientation of practice and about approaches to assessment and intervention, they do not, as yet, amount to a fully developed theory of offender rehabilitation (let alone a comprehensive guide to practice). In an important recent book, Ward and Maruna (2007) have outlined the required elements of any such theory. It should offer:

A. A set of general principles and assumptions that specifies the values and views that underlie rehabilitation practice and the kind of overall aims for which practitioners should be striving
B. Aetiological assumptions that serve to explain offending and identify its functions, at least in a general sense
C. The intervention implications of both A and B

The Risk-Needs-Responsivity Model

3.2   Using this framework, Ward and Maruna (2007) go on to provide a sympathetic but critical account of the theory of offender rehabilitation that underlies the currently predominant RNR (Risk-Needs-Responsivity) model of offender rehabilitation associated principally with the work of Canadian correctional psychologists including Don Andrews, Jim Bonta, Paul Gendreau, Robert Ross and others (see, for example, Andrews and Bonta, 2003). Ward and Maruna's critique of RNR deserves close examination because, whether implicitly or explicitly, RNR has underpinned most policy and practice developments around 'what works' in terms of offender supervision in Anglophone jurisdictions for the last two decades. Their book also develops the case for a distinctive but (they argue) complementary approach to offender rehabilitation, known as the Good Lives Model (GLM). Though much has been written about both models (especially RNR), because Ward and Maruna's (2007) development and application of the ABC analytical framework discussed above facilitates comparison of the two models, this section draws primarily on their analysis.

3.3   Though it is difficult to do justice to RNR in further summarising Ward and Maruna's account of what is a complex set of inter-related theories about crime, offending and rehabilitation, their description of RNR is basically as follows.

A. **General Principles:** Firstly, the basic purpose of rehabilitation is to reduce the harms to the public caused by crime. Considerations of the offender's welfare are legitimate but secondary. Secondly, individuals vary in their propensity to commit crimes, so treatment should target those factors that are associated with offending. Thirdly, the most important treatment targets are those that have been empirically demonstrated to reduce recidivism.

B. **Aetiological Implications:** An empirically informed theory of crime causation should be based on known risk factors, on their relationships with each other and on their relationship with actual incidents of crime. The 'proximal' (or immediate) cause of offending is the framing of an immediate situation by the offender in such a way that the rewards of offending outweigh the costs. Delinquent peers and pro-criminal attitudes can influence the offender in the situation to make offending more likely. More distal (or less immediate) causes of offending might include developmental adversity, growing up in an anti-social environment and lack of opportunity. Once an individual offends, the influence of these kinds of factors and problems is likely to be compounded. However, while background environmental factors (political, economic and cultural) can predispose someone towards offending, the more proximal factors discussed above must also be present.

C. **Practice:** The RNR principles are that level of service should be proportionate to the level of assessed risk (high risk individuals require the most intensive intervention); that treatment should be focussed on changing criminogenic needs (these being dynamic factors which, when changed, are associated with reduced recidivism); and that the style and mode of the intervention should engage the offender and suit his or her learning style and cognitive abilities. These three principles require the development of comprehensive and validated assessment instruments to guide assessment and intervention and the development of treatment programmes that are cognitive behavioural in orientation, highly structured, implemented by well trained, supported and supervised staff, delivered with integrity (in the manner intended by programme designers), based on manuals, and located in organisations committed to rehabilitation in general and programmes in particular.

3.4   Ward and Maruna's detailed and balanced evaluation of the RNR is reported in more detail in the source document. Only the key messages are summarised here:

▪ RNR is vague about values and core principles (beyond a commitment to empiricism).

▪ It fails to take account of the subjective and value-laden nature of concepts like 'risk' and 'harm', recasting 'needs' as 'dynamic risk factors'; it conceptualises risk in a highly individualised way leading to offenders being construed essentially as the bearers of risk, irrespective

of the social contexts which profoundly affect whether or not and in what ways 'riskiness' is ever realised.

- A more practical problem with RNR's focus on risk and harm is that by focusing on the public interest, it neglects critical questions around offender motivation.

- The narrow focus on risk and criminogenic need also leads to a neglect of the individual as a whole and his or her self-identity, despite the fact that personality psychologists now stress the importance of 'personal strivings' and 'self-narratives' as well as the 'traits' on which RNR focuses.

- RNR has focused on establishing the covariates of offending (and of reduced offending) in general to identify treatment targets, it has not really *explained* the relationships between risk and need factors and offending.

- RNR has significant strengths and weaknesses as a practice theory; empirical support for the risk principle has been moderate but there is stronger support for the criminogenic need principle. With respect to responsivity, Ward and Maruna (2007) argue that whilst the notion of *general responsivity* (concerning which forms of treatment tend to suit offenders best) has received considerable attention (producing much support in general for the use of cognitive behavioural methods), questions of *individual responsivity* (concerning individual characteristics which affect successful engagement with intervention) require much further examination.

3.5   Overall, Ward and Maruna (2007) conclude that there is evidence that offenders treated according to RNR principles are more likely to desist, but they also report the findings of numerous what works implementation studies (or programmes based on RNR) that point to problems and failings. Some of these studies are reported below; here, it is sufficient to note that Ward and Maruna (2007) suggest that it may be not that RNR is at fault in targeting risk, need and responsivity, but rather that the targeting of risk may be a *necessary* but not a *sufficient* condition for reducing reoffending. They suggest that to accommodate differences amongst offenders a specific case formulation is required, rather than too generalised an application of the principles. Part of the task of formulation is not just to identify risk and needs, but to work out, case-by-case, how risks and needs interact to influence offending in specific contexts and, from such an understanding, how risks and needs can be best addressed.

3.6   Finally, Ward and Maruna (2007) argue that RNR fails to attend adequately to key 'treatment' tasks concerning developing a 'therapeutic alliance' between the offender and the practitioner, and, more generally to issues of motivation. They point to evidence that offenders are more motivated by focusing on *approach goals*

(promoting goods or personally endorsed adaptive goals) rather than *avoidance goals* (essentially not doing something) (Mann *et al.*, 2004). Thus focusing only on risk and criminogenic need may be counter-productive unless other methods to achieve goals are developed. Furthermore, although it may be correct that targeting criminogenic need is more effective in reducing reoffending, it might nonetheless be the case that targeting non-criminogenic need is sometimes a necessary precursor of doing so; offenders need to be receptive and attentive to interventions and may not be so if basic needs are not being effectively addressed.

The Good Lives Model

3.7   In comparison to RNR, the GLM represents a relatively recent development in the field of offender rehabilitation (Ward and Brown, 2004; Ward and Marshall, 2004; Ward and Gannon, 2006; Ward, Gannon and Mann, 2007). It draws on the developing field of 'positive psychology' to offer a strengths-based approach to rehabilitation. In setting out the **general principles (A)** of the GLM, Ward and Maruna (2007) articulate several basic assumptions. Essentially, the GLM assumes that people (including offenders) are predisposed to seek certain goals or primary human goods including, for example, life, knowledge, excellence in play and work, agency or autonomy, inner peace, friendship, community, spirituality, happiness and creativity. Secondary goods, such as certain types of work or relationships, provide particular ways and means for us to pursue and achieve primary goods. Because primary human goods are plural, there are many possible sources of motivation for human behaviour.

3.8   The GLM rests on the assumption that interventions should aim to promote an individual's goods as well as to manage or reduce risk. A major aim of rehabilitative work is to enable an individual to develop a life plan that involves ways of effectively securing primary human goods without harming others. However, this is not just about tackling risk factors; it is about the holistic reconstruction of the self that requires practitioners to consider and address individual, relational and contextual factors; attending to both characteristics and environments. Similarly, risk must be understood not as an attribute of offenders but in a multifaceted and contextualised way. Finally, the approach requires an explicit focus on conceptualising a good life; taking account of strengths, primary goods and relevant environments, and encouraging and respecting individual's capacities to make choices for themselves.

3.9   In **understanding the aetiology of offending (B)**, the GLM draws on strain theory to suggest that there are two basic routes to offending – direct and indirect. The direct route refers to situations where the individual seeks certain types of good

through criminal activity. The indirect route refers to situations where the pursuit of a certain good has consequences that increase the pressure to offend; for example, where the use of alcohol to relieve emotional pressure leads to a loss of control in particular circumstances. In the GLM criminogenic needs are best understood as internal or external obstacles to the acquisition of primary human goods.

3.10   In the **practice model (C)** that develops from these principles and assumptions, the practitioner must balance the promotion of personal goods (for the offender) with the reduction of risk (for society). Too strong a focus on personal goods may produce a happy but dangerous offender; but equally too strong a focus on risk may produce a dangerously defiant or disengaged offender. The practitioner has to create a human relationship in which the individual offender is valued and respected and through which interventions can be properly tailored in line with particular life plans and their associated risk factors. So, although as with RNR interventions should be structured and systematic, they should also be shaped to suit the person in question. The language used by the practitioner and their agency should be 'future-oriented, optimistic and approach goal focused' (Ward and Maruna, 2007: 127) in order to foster motivation.

3.11   In the process of assessment, Ward and Maruna (2007) suggest that as well as addressing risk, needs and responsivity, practitioners should also assess the individual's *priorities* – their own goals, life priorities and their aims for the intervention. This requires analysing the kinds of priorities implicit in their patterns of offending and also asking the person directly about what s/he values and where s/he places her efforts and energies. A more comprehensive assessment of an individual's potential for achieving a good life involves exploring:

- Whether there is restricted scope for meeting some primary goods perhaps because of an undue focus on others
- Whether some goods are being pursued through inappropriate means
- Whether there is conflict between the individual's goals
- Whether the person has the capacity or capabilities to enact their life plan and achieve their goals

3.12   Individual case formulation proceeds by exploring presenting problems and criminogenic needs and then by establishing the function of the offending – that is, the primary human goods to which it directly or indirectly relates. Once the reasons for offending, the level of risk and the flaws in the individual's life plan have been understood, the practitioner should identify their strengths, positive experiences and expertise. Next, the effort shifts to exploring primary and secondary goods and how they might be better met. There should then follow some consideration of the individual's environment and its likely impact on their life plan, before in the final

phase of assessment the practitioner constructs an intervention plan based on all of the above considerations:

> 'Thus, taking into account the kind of life that would be fulfilling and meaningful to the individual… [the practitioner] notes the kinds of capabilities or competencies he or she requires to have a chance of putting that plan into action. A treatment plan is then developed' (Ward and Maruna, 2007: 136).

3.13   Ward and Maruna's (2007) evaluation of the GLM presents a wealth of empirical evidence to support the theoretical frameworks, aetiological assumptions and practice focuses of the model and points to positive evaluations of a number of correctional treatment programmes based on or analogous to the GLM. However, their candid conclusion is that:

> 'the GLM appears to function well as an integrative framework, but so far there is a paucity of specific correctional programs that have been explicitly developed with GLM in mind. Thus there is a lack of direct, compelling research evidence for GLM-inspired programs. However, this is changing rapidly and, as we write, several correctional GLM programmes are being constructed and empirically evaluated' (Ward and Maruna, 2007: 171).

3.14   Beyond the issue about the existing evidence base, there are a number of questions that might be asked about the GLM:

- Are the primary human goods as universally pursued as the model suggests?
- How can practitioners manage the deep tensions that exist in contemporary societies around diverse views of what constitutes the good life and the conflicts that arise in the pursuit of very different versions of that life within communities?
- Do all of those offenders with whom social workers engage require the holistic reconstruction of the self that the thoroughgoing revision of a good lives plan seems to suggest? Might less intensive interventions suffice in many cases? That said, there is no reason why the GLM would not allow for varying degrees of reconstruction and revision and indeed its emphasis on tailored intervention might require this.
- Does the GLM perhaps underplays the extent to which criminogenic social contexts (and limited life opportunities) might make a 'criminal' good lives plan logical and functional from the offender's point of view.
- Finally, might a sharper focus on the importance of interventions around the familial and social contexts of offending and desistance, and on work to

develop legitimate opportunities (or licit social capital – see below) also be required?

3.15   It may be that the emphasis in both the RNR model and, to a lesser extent, in the GLM model on *within-individual* analyses of and responses to offending is a consequence of the psychological orientation towards offender rehabilitation that they share. That said, from a Scottish perspective, the GLM's values and principles seem highly consistent both with social work's humanistic traditions, with its contemporary reliance on ecological perspectives, with its stress on the personalisation of care and with strengths-based perspectives. Moreover, as we will see in subsequent sections, its stress on individualised assessment and case formulation resonates with social work values and practices, and with the increasingly apparent limitations of more programmatic approaches to rehabilitation.

4. THE PRACTICE PROCESS: MOTIVATING AND MANAGING CHANGE

4.1   In this section, the focus moves more directly onto the effective practice process and the task of the case manager or 'offender manager' in supporting the process of change as a whole. Drawing on the evidence reviewed in a recent review of the skills required to reduce re-offending (McNeill *et al.*, 2005), the section is structured around the key stages of the process of intervention. It begins by briefly discussing engagement, assessment and planning, before moving on to a fuller discussion of case management itself.

Preparation

Figure 4: The ASPIRE process

Assess

What do we together see as the problems
Which are the priorities
Who are the people involved
Complete assessment forms

Plan

How are we going to tackle the problems
What are our shared, realistic objectives
Who will do that, by *when?*

Review and Evaluate

How far have the objectives been achieved
Record evidence for these
Highlight achievements
Note items for new cycle

Implement the plan

Put plan into effect. Keep records
Monitor that agreed steps are being taken at specified times
Troubleshoot difficulties
Highlight achievements

(Sutton, 2008: 15)

4.2   In the National Offender Management Services Offender Management Model (see www.noms.homeoffice.gov.uk), the offender management process is captured in the mnemonic and acronym ASPIRE (Sutton, 1999) which is set out in its intended cyclical format in *Figure 4* above. Although this works well as an account of *some* of the key stages of practice, it has some unintended but important limitations. Perhaps

the best way to sum these up is to say that there is a *PRE*-ASPIRE stage that is critical to the success of the practice process; PRE being a mnemonic and acronym for prepare, relate and engage. Working effectively to reduce reoffending seems likely to be significantly enhanced where supervisors can take the time to:

- **Prepare** for initial contact by reviewing all the available information and by trying to anticipate the types of aspirations and concerns that the offender may bring to the supervision process (sometimes this is referred to as developing 'preliminary empathy')
- **Relate** to the offender both by anticipating and exploring their aspirations and concerns and by taking time to develop a relationship characterised by openness, trust, warmth and good humour
- **Engage** the offender in the supervisory relationship and in the supervision process.

4.3   It is clear from the psychotherapy and counselling literatures (reviewed in McNeill *et al.*, 2005) that the relationship between the 'therapist' and the 'client' is a critical factor in effective interventions in relation to psycho-social problems in general. It is the basis for learning about, and gaining the co-operation of the 'client', and for matching and modifying interventions to suit the individual person. Building effective relationships is, in turn, underpinned by the practitioner's ability to develop and use strong communication, counselling and inter-personal skills. Indeed, these skills are critical to each part of the process of intervention discussed below.

4.4   The 'core conditions' of effective psycho-social interventions relate to the ability of practitioners to convey accurate empathy, respect, warmth and 'therapeutic genuineness'; to establish a working alliance based on mutual understanding and agreement about the nature and purpose of the treatment; and to develop an approach that is person-centred or collaborative (Hubble *et al.*, 1999; Lambert and Ogles, 2004). We have already seen in the last section that the GLM both recognises and attends to the significance of worker-client relationships and of working alliance in the process of rehabilitation. Recently, advocates of the RNR model have also paid more attention to the core correctional practices (or CCPs) associated with reducing reconviction in the research literature. For example, Dowden and Andrews (2004) suggest that key features of effective practice with offenders include the quality of the interpersonal relationship, the effective use of authority, anti-criminal (or pro-social) modelling and reinforcement, problem solving, and use of community resources. Ongoing studies in Australia, Canada and Jersey are seeking to better understand the contribution that practitioners' skills can make to the effectiveness of interventions.

4.5   The desistance literature more generally recognises that desistance from crime is characterised by ambivalence and vacillation and that, therefore, the ability

to foster and sustain motivation is critical to effective work with offenders (Burnett, 1992; Burnett and Maruna, 2004). Desistance is also an active process and one in which agency (that is, the ability to exercise choice and manage one's own life) is 'discovered' (McNeill, 2006; Maruna, 2001). This necessitates approaches to supervision that are active and participative and that seek to maximise involvement and collaboration. The desistance literature also highlights the need to establish relationships within which attempts to positively influence the offender carry *moral legitimacy* (from the offender's perspective). This again underlines the need for the worker's authority to be exercised in a manner that is clear, explicit and fair. It also points to the importance of offering practical help to offenders since this a vital expression of concern for them *as people*, as well a demonstration of an awareness of their social reality (Burnett and McNeill, 2005). Such concern lends credibility to attempts to influence behaviour.

4.6   It is clear therefore that paying adequate attention to the relational aspects of practice with offenders, and to the skills through which effective relationships are developed, is a necessary (but not a sufficient) precondition of developing an effective practice process. Little can be achieved within any method of intervention unless practitioners can establish the right kinds of relationships with offenders.
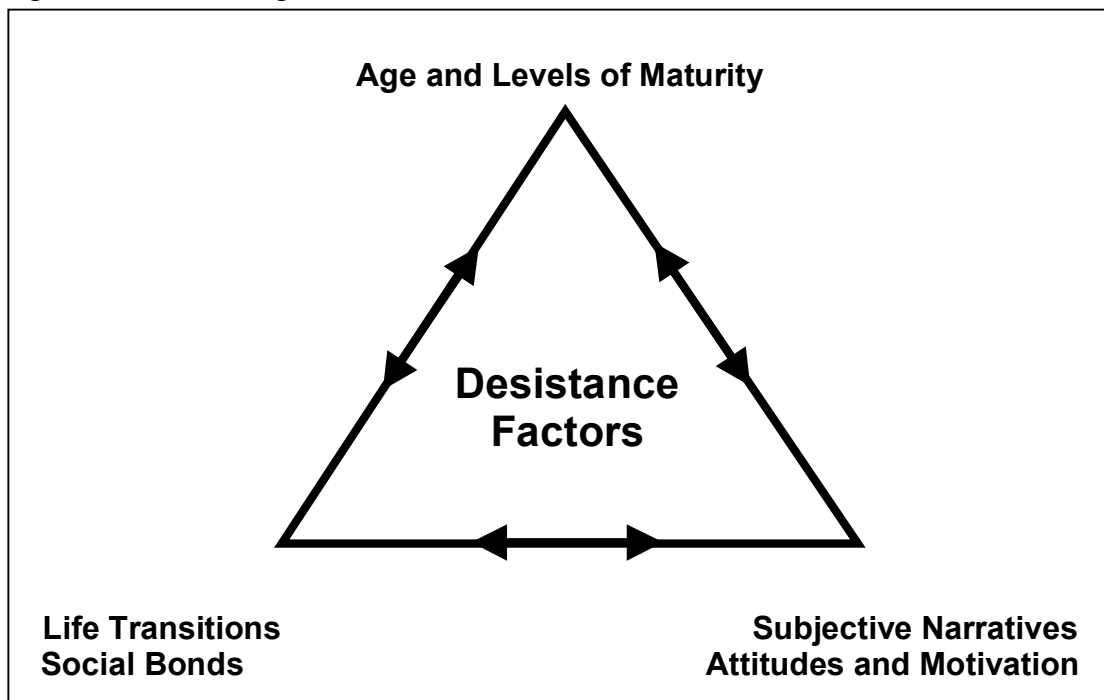
Assessment

4.7   The extensive literature about the development, use and limitations of risk and needs assessment *instruments* is beyond the scope of this section. A brief overview is provided in the source document. In thinking about *risk assessment practice* however, it is necessary to look beyond the qualities of the assessment tools being deployed and to look at the ways in which they are used. Recent empirical research suggests that practitioners often struggle to translate the outcomes of risk assessment into effective case planning and risk management (see Bonta *et al*., 2004; Burman *et al*., 2008). It is partly for this reason that fourth generation tools are now being developed which aim to better address issues of responsivity and to address the difficulties in translating the outcomes of risk assessments into supervision plans.

4.8   Looking beyond risk, though well-designed instruments are useful in assessment work, one of the recurring messages from the desistance research (mirrored in the GLM model's approach to assessment) is that assessment must be thoroughly individualised. Both the age and gender related differences in both persistence and desistance and the significance of the subjective meanings of events and changes for those involved attest to the need for practice that sensitively and thoughtfully individualises the management of the change process. As we have seen,

developmental criminologists now stress the highly differentiated ways that risk factors play out in the unique personal and social contexts of each individual's life course (Laub and Sampson, 2003) – a crucial point recognised in the way that GLM conceptualises risk. It follows that employing styles of assessment, case management and direct practice that value and exploit individuality and diversity seems necessary.

4.9 Taking this argument further, desistance-focussed assessment requires an exploration, in partnership with the offender, of each of these three discrete areas; their levels of maturity, their personal history and current social circumstances, and their narratives around change, motivation, views and attitudes (see *Figure 5* below). In each of the three areas, the worker and the offender would work to make explicit how, in what ways and to what extents the three factors would serve to support or hinder desistance. In thinking through what might support desistance, a key task would be the identification of the strengths within and around the person under supervision; that is, their personal resources and the positive supports available within their social networks.

Figure 5: Constructing Desistance

4.10 Once the three points of the triangle in *Figure 5* (above) had been explored, the more complex task, in the second stage of the assessment, would be elaborating the inter-relationships between the three areas (represented by the arrows in *Figure 5*). If there were consonance between the three areas such that all are 'pulling together' in the direction of desistance, then a reinforcing support plan might be

relatively straightforward to construct. If all aspects were consonant in the direction of continued offending, by contrast, this would suggest both implications for risk assessment and, if community supervision were appropriate, the need for an intensive and multi-faceted intervention. If, as is perhaps likely in most cases, there were some dissonance within and between the three areas, then the task becomes one of reinforcing the 'positives' and challenging the 'negatives'.

Planning

4.11 The planning of effective interventions should follow from effective assessment practice. Essentially planning (or design) involves the development and continuous review of strategies for change. If assessment requires the development of clear understandings both of the reasons for the offending behaviour (including relevant criminogenic needs) and of the available resources within and around the offender to address it (desistance factors), then planning should rest on the development of credible and testable theories of change. In other words, the question becomes: on the basis of the best available information and research evidence, what do we (the practitioner and the offender) think might best promote the reduction of re-offending in this situation? The planning process thus articulates the core rationale of the intervention: why do we think that doing what we propose to do will bring about the results that we want to achieve? Arguably, this is the logical step that is most commonly neglected in practice; it is also in part what the GLM seeks to address in insisting on individual case formulation.

4.12 Given the range of risks factors, needs, strengths and resources that offenders evidence, it is clear that strategies for reducing re-offending are likely to involve multi-systemic, multi-modal interventions; that is, interventions that work in a variety of ways to address a variety of issues. Thus a truly multi-systemic intervention might involve, for example, individual work (whether in a group setting or one-to-one) to develop problem-solving and cognitive skills and to address other personal problems, family work to develop positive relationships capable of supporting desistance, work to encourage either changes within an 'anti-social' peer group or to facilitate withdrawal from the group, advocacy work to access resources to address disadvantages located within the local environment, and work to challenge social structures and attitudes that impede the inclusion of ex-offenders. Evidently, the degree to which practitioners focus on working in and through each system should depend on individualised (and criminologically informed) assessments of risks, needs and strengths and on practical judgements concerning where the most effective degree of positive change can be achieved.

4.13   Whatever the type and level of the intervention, at a practical level change planning also requires the ability, in partnership with the offender, to set specific targets for the work. These targets should be such as to allow the practitioner and the offender to know whether or not the enactment of the plan is delivering the intended outcomes. The review process can then be based on clear evidence that informs thoughtful analysis concerning whether the theory of change is holding good and, where it is not, it should allow the practitioner and the offender to explore whether this is because the theory is flawed or because of other factors. This iterative process (as captured in the ASPIRE model in *Figure 4* above) then permits the continuous revision of assessment, theories of change and action plans in pursuit of the desired outcomes.

Case management: Managing change

4.14   Case management cannot easily be made into a simple process. If interventions are likely to be multi-modal and multi-systemic, and may involve several personnel within the agency and outside it, then the practical difficulties of maintaining sufficient integrity across the different aspects of the supervision process are likely to be considerable. Moreover, implementing complex plans with people who are usually reluctant, often damaged and sometimes dangerous in order to achieve multiple objectives (some of which are in tension with one another) will always be a challenge.

4.15   The term 'case management' does not describe a single way of working, but rather a family of related approaches in which resources somehow follow assessments of risks, needs and strengths. Nonetheless the concept is generally of one lead person who is responsible for deciding how the organisation will go about meeting its objectives in relation to a single service user. S/he is responsible for ensuring that arrangements are in place to deliver a plan, but other people, often from different organisations, are required to deliver specific inputs to achieve some of the identified and measurable objectives. Partridge's (2004) recent review of case management practices in England and Wales provides a useful reference point in this regard. Several core case management principles emerged from Partridge's (2004) research as enhancing engagement:

- Models need to acknowledge offenders' experiences and needs;
- Continuity of contact with the same case manager and other staff was essential to building confidence and rapport with the offender, particularly during the initial stages of supervision;

- The greater the level of task separation, the more offenders were confused by why they were undertaking different elements of their supervision, particularly where contact with the case manager had been limited;
- Face-to-face contact with a small case management team was beneficial for both staff and offenders; and
- Openness, flexibility and support were key motivating factors for offenders – exemplified by three-way meetings between case managers, practitioners and offenders and where case managers attended initial meetings as offenders moved.

4.16   This evidence (which seems consistent with emerging messages from desistance studies) suggests that any service is likely to ensure a better focus on effective practice if it is able to put individual case management at the centre of a holistic service. Some clear, although not necessarily very new, messages emerge about managing effective change through a 'human service' approach; developing a single concept of implementation where key stages are mapped on an end-to-end process where case management binds them together into a coherent whole; fostering differentiated approaches, enabling different resources and styles to be matched to different cases; enabling one case manager to implement one plan; and developing variable forms of teamwork and organisational support for the core process of case management.

4.17   The research evidence that reviewed above (particularly in section two), in particular its consistent and compelling message about the importance of the relational aspects of effective practice, would tend to support Robinson and Dignan's (2004) conclusion that the task of managing interventions so as to promote and sustain desistance is not an administrative one; it makes better sense to conceive of the case manager's role as being 'therapeutic', at least in the sense of being an active part of the change process rather than merely a coordinator of services. In reviewing the implications of research on models of case management for effective probation practice, Holt (2000) identifies four over-lapping features of case management:

- **Consistency** is a vital ingredient of seamless service delivery. It also allows the worker to promote and reinforce effective learning (perhaps from structured programmes) by providing opportunities to exercise new skills; to put theory into practice. Consistency also provides an essential element of the positive working relationships that, as we have seen above, are critical in order to support and enhance motivation to change.
- **Continuity** across all aspects of the intervention and over time is necessary if the intervention is to be meaningful and productive for the offender. The case manager needs to ensure that the offender experiences supervision as an integrated holistic process; a key part of achieving this integration is likely

to be the provision of one stable and supportive relationship throughout the duration of the supervision experience.

- **Consolidation** of the learning is achieved when the case manager allows the offender to reflect upon the learning achieved in the different aspects of supervision. This involves enabling the offender to make connections across all aspects of the process; to join up the learning. However, consolidating the learning also requires accessing opportunities for community reintegration, where the offender's strengths can be employed and confirmed.
- **Commitment** of the case manager to the offender and to the supervision process is essential in promoting desistance. This commitment creates stability in the delivery of the intervention and provides a 'holding context for change'.
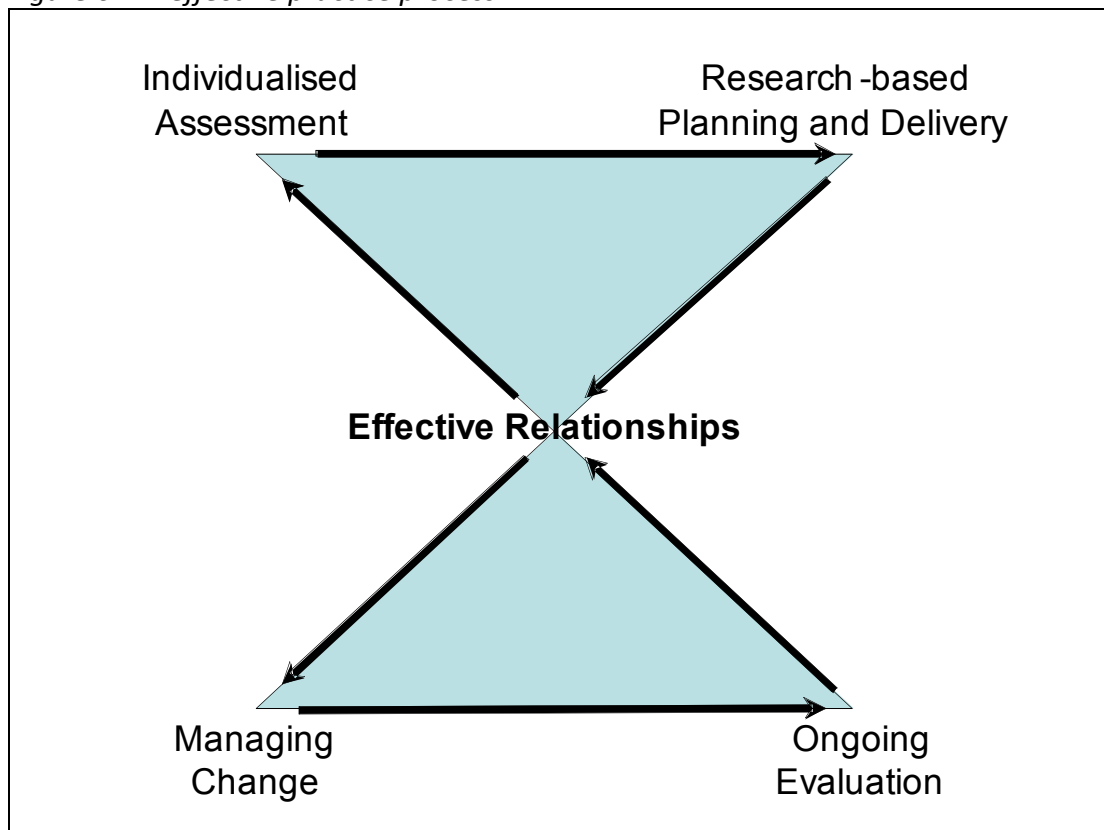
4.18 A fifth feature needs to be added to this model of case management given the criminal justice context; that is, the management of **compliance**. Though the language of 'enforcement' implies an emphasis on ensuring the meaningfulness and inevitability of sanctions in the event of non-compliance, Bottoms (2001) has argued convincingly that attempts to encourage or require compliance in the criminal justice system must creatively mix constraint-based mechanisms (those that somehow restrict the offender), instrumental mechanisms (related to incentives and disincentives) and normative mechanisms (related to beliefs, attachments and perceptions of legitimacy). What should be clear from section two and from this section is that, through the establishment of effective relationships, the case manager's role in supporting compliance is likely to be particularly crucial to the development of these normative mechanisms. It is only within relationships of the kind discussed above that the formal authority conferred on the worker by the court is likely to be regarded as *legitimate* by the offender. This legitimacy is likely to be a crucial factor in preventing breach by persuading offenders to comply.

4.19 However, the success of case management at the individual level depends on the existence of the local strategic partnerships and pathways that allow the case manager to access and coordinate the required services and resources. Even the best designed, best implemented and most research-based individual case plan will fail if the case manager cannot access the services and resources required to implement it (Robinson and Dignan, 2004). Similarly, the best developed approach to securing compliance will fail unless organisational arrangements exist that underpin the worker's legitimate authority by delivering swift and proportionate responses that reward compliance and deal effectively with non-compliance.

4.20 *Figure 6* (below) indicates how effective relationships lie at the crux of an effective practice process (though it signally fails to capture the wide range of related supervision tasks and challenges to which we turn in the next two sections). The supervision process begins with the establishment of relationships and the
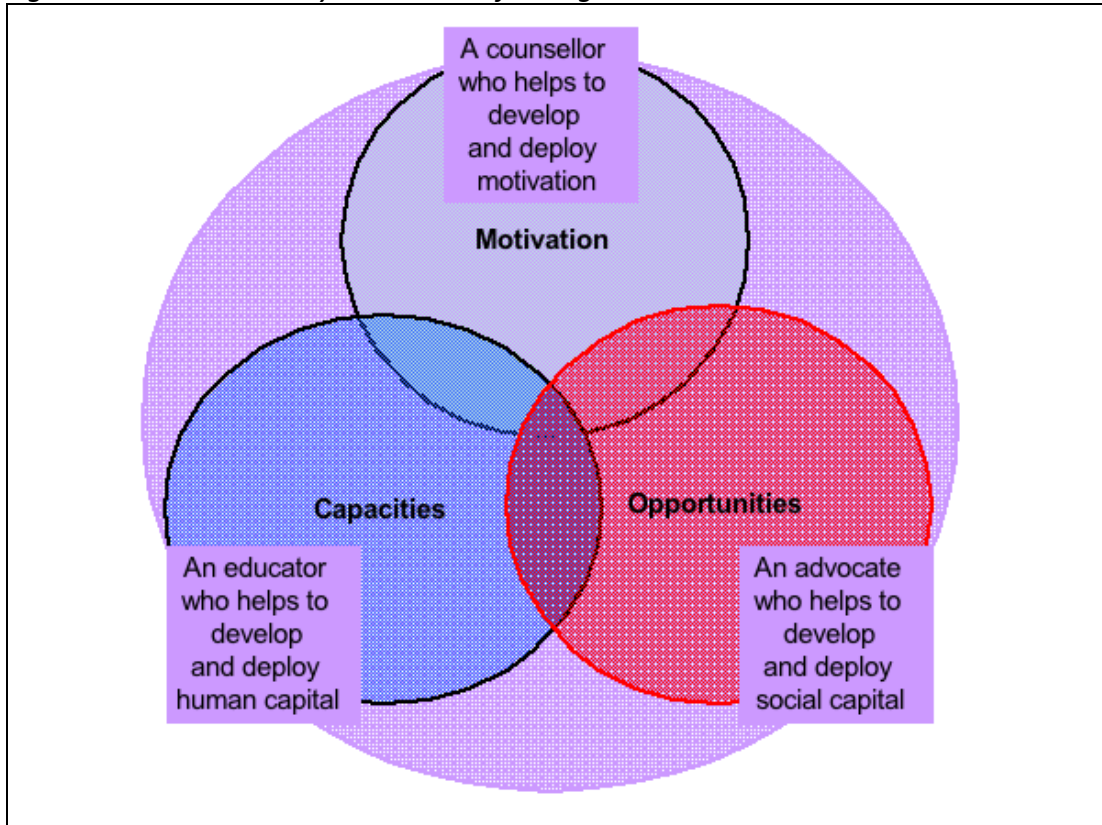
effectiveness of every subsequent part of the process will depend in part on the quality of relationships, though good relationships alone will not be enough to bring about change. In other words, although we can conceive of the ability to build and utilise relationships as discrete aspect of intervention in its own right, in fact it underpins each of the other aspects of the supervision process. The accumulated weight of evidence, coming from studies that start with quite different assumptions and using very different methodological approaches, drives us towards recognition that relationships are at least as critical in reducing re-offending as programme content. Clearly, if the individualised and relational interventions required to support desistance need to be multi-dimensional, then the skills required to deliver them will be similarly broad-ranging.

Figure 6: An effective practice process

4.21   It is not just practitioners who need high levels of motivation, capacity (or skill) and opportunity (or resources) to be effective. Casework theories have long suggested that in order for change processes (like desistance) to occur, the same three conditions need to be present for those who are doing the changing (see, for example, Ripple *et al.*, 1964). In other words, offenders need *motivation* to change, *capacity* to be and to act differently and *opportunities* to do so. All three features need to be present for change to occur; all three are necessary conditions of change.

Figure 7: Three necessary conditions of change

4.22   Identifying the need to work on motivation, capacity and opportunity also serves sharpen our focus on the primary roles that the criminal justice social worker needs to enact if desistance is to be supported. As *Figure 7* (above) indicates, working on motivation implies a counselling role – and one that might well involve the deployment of motivational interviewing techniques. Working on developing the person's capacities or capabilities may also involve counselling, but it points to an educative function too – particularly perhaps with respect to problem solving abilities. Work on developing, accessing and exploiting positive opportunities in turn points to the importance of advocacy in working with offenders. With this trio of requirements in mind, the next two sections focus on the role of change programmes in developing offenders' 'human capital' (that is, their *motivation, capacities,* knowledge, skills, and personal resources) and on the challenges of developing social capital (that is, the social networks and relationships within families and wider communities that can create and support *opportunities* for change).

4.23   *Figure 8* (below) aims to gather together the material reviewed in this section to outline the key questions that practitioners need to address as they work through the 'offender supervision spine'. The suggestion is that the prospects for effective

offender supervision will be greatly enhanced where practitioners use their knowledge and skills to explore and answer these questions. This requires combining their ability to engage the offender (and relevant others) and their ability to engage with the research evidence reviewed above and in the remaining two section of this paper. The remaining sections are focussed less on the practice process itself and more on the types of specific interventions that might be included within it (techniques, programmes, approved activities, family work, advocacy, etc.). As such they are included here only in very brief summary form; more detailed overviews of the available evidence are provided in the source document.

Figure 8: The Offender Supervision Spine

PREPARE
Key Question: Why should we work together and how will we work together?   • **Prepare:** What is already known about this person? What types of aspirations and concerns might s/he bring to the supervision process   • **Relate:** How can I best engage with these aspirations and concerns? How can we best develop a relationship characterised by openness, trust, warmth and good humour?   • **Engage:** What can I do to engage him or her in the supervisory relationship and in the supervision process?
ASSESS
Key Question: How do we understand the issues and problems that we need to tackle?   • What formal **risk assessment instruments** need to be used in this case?   • What is my analysis of the key **risk factors and issues** in this case? What more do I need to know about the social and situational **contexts of risk**?   • What is my analysis of **needs** in this case?   • What is my analysis of the **strengths and resources** of the individual and of his/her social networks in this case?   • What might enable **desistance** for this person and what might represent the key obstacles to it?   • *What* do we together see as the **problems**   • *Which* are the **priorities**   • *Who* are the **people** involved

PLAN
Key Question: Why do we think that doing what we plan to do will bring about the desired results? • How can the identified **risk factors** be addressed? Which are most pressing? Are specific programmes or services required to address risk factors? • How can my knowledge of the risk factors and of the contexts of risk inform **risk management**? • How can the identified **needs** best be met? Which are most pressing? What specific services are required? • How can the **strengths and resources** of the individual and the network be used to support change? • How can **resources for desistance** be released and obstacles to desistance overcome? Human capital: • What needs to be done to develop **motivation** to change? • What needs to be done to develop **capacity** to change? Social capital: • What needs to be done to develop **opportunities** to change? • How can **families and social networks** be engaged in supporting change? • *How* are we going to tackle the problems • *What* are our shared, realistic objectives • *Who* will do that, by *when?*

MANAGE
Key Question: Are we doing what we said we would do? • Who is responsible for and committed to case management? Who is providing continuity and consistency of care? • How many/few people *really* need to be involved and in relation to the case plan, who is doing what and by when? • Are the different parties and services working together to consolidate learning and progress towards desistance? • Are there any unmet needs or required programmes or services that are not available? • How is compliance being promoted and fostered and non-compliance being tackled? • Put the plan into effect. Keep records • Monitor that agreed steps are being taken at specified times • Troubleshoot difficulties • Highlight achievements

REVIEW AND EVALUATE

Key Questions: Is it working? If not, why not? Was the intervention rationale wrong or did something go wrong in its implementation?

What data is required to allow us to review and evaluate?
- from re-administration of risk assessments and psychometrics
- from the offender (self-reported progress and self-reported offending)
- from significant others
- from the supervisor
- from others contributing to the case plan
- from records of attendance/non-attendance
- from other records (e.g. new SER requests)

In the light of the above:
- How far have the objectives been achieved?
- Record evidence for these
- Highlight achievements
- Note items for new cycle

5. OFFENDERS' SKILLS AND CAPACITIES

5.1   This section summarises evidence about how supervision can develop 'human capital'; that is how it might develop the motivation, skills, knowledge, resources and qualities *of the individual* that he or she might need to develop and deploy in the process of desistance. It is argued that just as physical capital is created by changes in materials to form the tools that facilitate 'production', human capital is created by changes in people that create the skills and capabilities that make them able to act in new ways and to do new things (Coleman, 1990). Thus human capital facilitates productive activity and as a result can promote the sense of self efficacy which is generally recognised as a key quality in successful personal change.

5.2   Coleman defines capital as a 'productive' investment making possible the achievement of certain ends that would not be attainable in its absence. The concept captures the ambition of many social work practitioners in trying to ensure that supervision is both productive and invests meaningfully in the individual for their benefit and for the benefit of the community at large. The concept also stresses the importance of the *mutuality* of the 'investment', which modern management theory refers to as 'co-production'. Co-production takes place when some of the investment used to produce a service is contributed by individuals who are the 'clients' or 'recipients' of the service (Ostrom, 1997: 86). The key to a human capital approach then is that the distinction between service provider and user is not rigid and the success of any 'investment' is likely to rely on the provision of services through a sustained relationship between agent/worker and recipient/user, where both make substantial contributions. Applied to human service, power and authority are, consequently, shared between the supervisor and the individual (though not necessarily equally) as an effective means of achieving a dynamic process and mutually beneficial outcomes for participants.

Motivation and Readiness to Change

5.3   One of the most consistent findings related to ending a criminal career is that those who do so have to somehow develop the ability and resolve to overcome problems and obstacles to change. In facing these obstacles or problems, having motivation to avoid further offending is an important factor in enabling change and desistance. A key role for practitioners is to help individuals identify obstacles to change and to develop the confidence and capacity to take the necessary steps to overcome them, where they can. Farrall (2002, 2004a) found clear evidence that, where obstacles to desistance were overcome by probationers, this appeared to be more closely associated with the offender's own motivation and the supportiveness

of their social context rather than with direct interventions by probation officers (for example, to challenge attitudes and improve thinking skills). He recognises however that, 'indirect work' by probation staff (typically work to support offenders in improving their family relationships and their access to employment) did assist some probationers in overcoming obstacles to desistance. If having a strong sense of self direction, self control and self efficacy are essential personal qualities for successful outcomes then maximising the opportunities for people to take decisions and make the changes they can for themselves is clearly important. However, for those with longstanding difficulties, it is hard to imagine that they would feel able to effect significant change in their lives without some sort of influence, leverage, direction, new learning and new opportunity supported by a meaningful working alliance with their supervisor. Effective practice seems likely therefore to involve effective co-production of change, intended to give users a sense of their own success.

5.4   In practice, supervision will almost always be about more than building relationships and encouraging motivation, but without motivation and supportive social and personal circumstances, change is less likely to occur. It is this configuration of elements that characterises the concept of 'readiness to change'; a concept which implies more than simply willingness or ambition. Poor motivation before the start of a programme and post-programme is often associated with poor outcomes (as we will see below).

5.5   In addressing motivation, the approach of motivational interviewing (MI) is now so much a part of work with offenders in the UK that it might not always be appreciated that this is an import from the mental health/substance use field. The work of Mary McMurran and colleagues in particular has been helpful in developing motivational approaches for work with offenders (McMurran, 2004). More detail about MI is provided in the source document.

Structured Programme Approaches

5.6   Being motivated to change will not be sufficient in itself. The repertoire of skills and personal resources required to enable desistance is likely to extend further and to include new ways of thinking, behaving and problem-solving. It is in this connection that structured programme work has experienced its recent revival. The source document provides an overview of the evidence about the characteristics of effective programmes to reduce reoffending. The broad message of this complex literature appears to be that certain types of intervention programmes have been found to have greater positive effects than others. However, methodology is a crucial element in the debate. Traditional 'narrative' literature reviews, and some meta-analyses, have been criticised for being prone to selection and publication bias; that is, they only tend to review evidence that is readily available, and they can be

over reliant on sources that disproportionately report studies with positive (or indeed negative) outcomes. They are also not always clear on methodology in that they do not clearly state what inclusion criteria they have used; how they have appraised the research; or how conclusions have been reached.

5.7   More recently, *systematic reviews* of evidence, on the other hand, have been used to attempt to bring the same level of rigour to *reviewing* research evidence as is commonly used in *producing* research evidence in the first place. They have explicit objectives and studies are chosen on explicit criteria. A thorough search for studies is conducted to reduce potential bias using electronic and print sources and the grey literature (unpublished/work in progress) as well as hand searching journals and textbooks and searching of specialist websites. Each study is screened according to uniform criteria and the reasons for excluding studies clearly documented. A number of systematic reviews of offender programmes have been conducted in more recent years, notably under the auspices of the Campbell Collaboration[4] Crime and Justice Group. Although such reviews aim to produce more reliable findings using more transparent methods, they have themselves been subject to searching criticism on methodological grounds, particularly in terms of constructing hierarchies of 'evidence' which privilege certain types of research and neglect their 'real-world' social contexts (Hope, 2005; Hollin, 2008; Raynor, 2008).

5.8   These criticisms mean that the findings of such reviews continue to require close scrutiny. In the Campbell Collaboration's systematic review of the effects of cognitive-behavioural programmes, for instance, Lipsey *et al.* (2007) examined the relationships of selected 'moderator variables' to the effects of cognitive-behavioural therapy (CBT). A meta-analysis based on 58 relevant studies suggested that reoffending reduced on average from 40 per cent to 30 per cent where CBT was employed. Based on further analyses of the variation in effects across the studies, the authors calculated that 'optimal CBT' could decrease reoffending from the mean of 30 per cent to 19 per cent - compared to the control group rate of 40 per cent. They highlighted that while no significant differences were found between different types or 'brands' of CBT, the inclusion of distinct components (i.e. anger control, cognitive restructuring and the use of one-to-one approaches) enhance the effects.

5.9   Though general findings from systematic reviews can and do play an important role in developing offender supervision practices, as has already been argued, there is no straightforward generalizable recipe for helping an individual offender change his or her behaviour; precise knowledge about which methods seem to work best with specific kinds of offenders and offences remains limited, not least due to the important shortcomings (with regard to study design, etc) in studies

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[4] The Campbell Collaboration is an international organisation set up in 2000 to facilitate the preparation, maintenance and accessibility of systematic reviews of research on the effects of interventions (http://www.campbellcollaboration.org/CCJG/index.asp)

on this subject identified by virtually all the above mentioned reviews and meta-analyses.

Implementing Structured Programmes: Lessons from England and Wales

5.10   The objectification of programme participants in some treatment research creates practical problems for those seeking to develop effective services. Pre-eminent amongst these problems in the National Probation Service for England and Wales is what has come to be termed 'scalability' (Carter, 2004); that is, the difficulty of turning the small scale successes of pioneering programmes into effective standardised practices in large-scale public bureaucracies. Neglect of the qualitative evidence offered in offenders' narratives about their change processes (and thus of the diversity of their experiences) might be amongst the reasons for this. Arguably, underlying the problem of scalability is a misconception about the relative importance of programmes and processes in developing effective practice. Even at their best, 'what works?' studies conceal a flawed underlying assumption; that it is only the qualities of the *programme* that are at the heart of effective practice. That said, even *within* the 'what works?' literature, it is now possible to find strong evidence that challenges this assumption. One authoritative recent review, for example, highlights the increasing attention that is being paid to the need for professional staff to use interpersonal skills, to exercise some discretion in their interventions, to take diversity amongst participants into account, and to look at how the broader service context can best support effective practice (Raynor, 2004a: 201).

5.11   These more recent conclusions draw in large part from the experience of implementing accredited programmes in England and Wales. Perhaps for some of the reasons discussed above, recently published outcomes drawn from rigorously conducted reconviction studies in England and Wales have proven disappointing in their early findings and suggest that we are unlikely to see the major impact on re-offending rates suggested by the 'what works?' literature; at least until and unless accredited programmes run alongside better integrated and more holistic service provision (Hollin *et al.*, 2004; Raynor, 2004b). Notwithstanding the various methodological and implementation issues at play, none of the pathfinders showed a dramatic reduction in offending among those who participated (Hollin *et al.*, 2004). Merrington *et al.* (2004: 17–18) suggest that from the published data 'it is still too early too say what works, what doesn't and what is promising'. Nonetheless some characteristics are emerging from studies which can assist practitioners identify those individuals more likely to fail to engage or complete programmes of

supervision and to identify those areas that are likely to require specific attention in the preparation phase of supervision.

5.12   Programme completers were more likely to be older, to be able to cope in groups, to have better communication and problem solving skills, to have experienced fewer practical obstacles, to have had more supportive influences, to be more likely to be in employment and to be well motivated (Burnett and Roberts, 2004). This presents something of a conundrum and a very real challenge for practitioners. The evidence suggests that those with less entrenched criminal attitudes, fewer criminal associates, limited experience of custody or breach and greater willingness to consider desistance are most likely to complete programmes successfully. People with these existing human 'qualities' are likely to be assessed or considered as low risk of re-offending in any case and may well be low priority for expensive structured programmes. It is those who do not possess these characteristics (or this 'human capital') who are more likely to be assessed as presenting greatest risk and who need the programmes most. The challenge is obvious. Those *most likely* to be assessed as suitable for and requiring programmed interventions may be, at the same time, those *least likely* to comply and complete – at least without very careful preparation and sustained effort from their supervisors throughout the programme. A key factor in achieving better outcomes is getting people through the whole programme of supervision (Burnet and Roberts, 2004).

5.13   These findings therefore underline the message of the preceding sections that good engagement and the development of effective working relationships is a necessary prerequisite to programme work. Structured programmes have to operate alongside the establishment of a meaningful working alliance to support the probationer in committing to and sustaining structured work throughout a programme. Practical steps often need to be taken to assist people to attend.

Responsivity and learning styles

5.14   Workers need different skills for working with different client-groups and settings and many writers recommend a flexibility of approach that is tailored to the individual's problems and characteristics. This point resonates with the 'principle of responsivity' (Andrews *et al*., 1990; Andrews and Bonta, 2003) which stresses the importance of providing a type of service that is matched not only to criminogenic need but also to the learning capacity, attributes and the circumstances of the person; that is, a service that will assist individuals acquire essential human capital. In social educational terms, 'learning styles' have been described as qualitative differences between individuals – their habits, preferences and orientation towards learning (Klein, 2003: 46).

5.15   Effective practitioners need to respond flexibly to offenders and need different skills for different people in different settings (Norcross, 2002). While many aspects of the principles of effective practice (see McGuire, 1995, and above) have been explored in further research, the notion of responsivity and the importance of learning styles have not been subjected to a similar level of critical and empirical analysis (see Annison, 2006). Some studies have highlighted the importance of action learning, role-playing and skills based work (including outdoor work) as effective approaches to learning (Lipsey, 1992; Home Office, 2000). The literature does provide support for the constructive role that learning style models (for example, Kolb, 1984; Honey and Mumford, 2000) can offer in shaping criminal justice interventions to assist individual development and foster a sense of engagement within sessions between practitioners and offenders (Annison, 2006). However, the notion of 'matching' intervention to learning styles (as advocated by Gendreau, 1996) is not straightforward. Educational studies have found little evidence that matching an individual to a specific category of learning style in itself improves academic performance (Klein, 2003; Coffield *et al.*, 2004).

5.16   While the concepts of responsivity and learning style allow for a degree of generalisation about the matching of risk and need to key resources, services and approaches, issues of diversity (particularly in terms of gender, ethnicity and age) remain important (Shaw and Hannah-Moffat, 2004). There are inevitably challenges and tensions as practice adopts more structured approaches to intervention with a wide range of offenders but nonetheless struggles to respond to differences in learning needs, learning styles, levels of engagement and motivation (Hopkinson and Rex, 2003).

Pro-social modelling

5.17   Pro-social modelling has gained currency in recent years as part of accreditation criteria for effective delivery of intervention programmes. While there are many commentaries, there is, as yet, limited UK research on what constitutes effective pro-social modelling. Perhaps the best-known model of intervention focussed on the supervisory relationship, rather than on the features of a given intervention programme, is that developed in Australia by Chris Trotter (1999, 2006). The central principles of Trotter's *pro-social modelling* approach include:

- **Role clarification**: involving frequent and open discussions about roles, purposes, expectations, the use of authority, negotiable and non-negotiable aspects of intervention and confidentiality

- **Pro-social modelling and reinforcement**: involving the identification, reward and modelling of behaviours to be promoted and the identification, discouragement and confrontation of behaviours to be changed
- **Problem solving**: involving the survey, ranking and exploration of problems, goal setting and contracting, the development of strategies and ongoing monitoring
- **Relationship**: involving the worker being open and honest, empathic, able to challenge and not minimise rationalisations, non-blaming, optimistic, able to articulate the client's and family members' feelings and problems, using appropriate self-disclosure and humour.

5.18   Trotter's (1996) empirical research confirmed the hypotheses (formed on the basis of earlier research - see 'core practices', Andrews and Kiessling 1980, Dowden and Andrews 2004) that clients of probation officers who made use of these core practices would be more likely to experience reductions in their problems and would be less likely to offend. Despite the familiarity of the core practices described above, Trotter's work is important for three reasons. Firstly, although it would be possible to conceive of pro-social modelling as a form of individualised programme, it is perhaps better described as a style of or approach to practice, focussed on certain key skills and core practices. He demonstrates therefore that we can conceive of styles and approaches and not merely specific programmes as being evidence-based and effective. Secondly, Trotter's research directs attention to workers' qualities as well as being about the characteristics of specific programmes. In this regard, Trotter (2000) has also produced evidence to suggest that among staff working in community corrections in Australia, those with a social work background were more likely than those with other occupational backgrounds and qualifications to learn and make use of pro-social modelling and, in turn, to produce lower rates of reconviction. In line with Rex's (1999) findings, Trotter suggests that this might be about possession of the social work skills and qualities required to achieve genuinely collaborative problem solving. The third reason for the importance of Trotter's model is that, perhaps by accident, through its focus on effective relationships and processes, it represents work at the interface of the rehabilitation and desistance literatures and attests to the value of exploring this interface.

5.19   There are clearly risks in focusing exclusively on human capital when working with people who have experienced multiple social disadvantage and exclusion (Farrall, 2002) or who have perpetrated serious and violent offences. However social capital can be most effectively utilised only when the individual also has positive individual resources, particularly social attitudes and skills that can support or resist criminality. Traditional social casework has always been concerned about the interplay between human and social capital, more often cast as the interplay between the person and his or her environment (see Biestek, 1961).

6. OFFENDERS' RESOURCES AND OPPORTUNITIES

6.1   The final section of this report is about the role that criminal justice social work services might play in developing the social capital of those with whom they work and of the communities in which they work. As we have said above, by social capital we mean essentially the social networks and relationships within families and wider communities that can create and support opportunities for change.

6.2   The most influential social capital theorist, Robert Putnam (2000) suggests that:

> 'the core idea in social capital theory is that social networks have value… social contacts affect the productivity of individuals and groups…[social capital refers] to connections amongst individuals – social networks and the norms of reciprocity and trustworthiness that arise from them' (Putnam, 2000: 18-19).

6.3   For Putnam then, social capital contributes to collective action; it makes it harder to defect or opt out of social responsibilities; it fosters norms of reciprocity; it enables information exchange (including information about reputations); and, most significantly, it enables efficacy and productivity. Its apparent decline is therefore a matter of grave concern. Declining social capital both reflects and exacerbates declining civic engagement and trust. Fundamentally, it threatens social well-being and weakens democracy.

6.4   Recent contributions by Putnam (2000) and others (Lin, 2001; Woolcock, 2001) have further refined the concept by drawing important distinctions between bonding, bridging and linking social capital. 'Bonding social capital' denotes strong and expressive ties between people in similar circumstances (for example, families, close friends, neighbours). 'Bridging social capital' includes more distant ties (for example, acquaintances, loose friendships, relations with workmates). Though these ties are weaker, because they allow access to a wider range of people and resources they are particularly significant in serving certain instrumental purposes (such as, for example, job-seeking). 'Linking social capital' allows us to connect to people unlike ourselves in some senses; people perhaps in dissimilar social situations. Even more so than bridging social capital, this potentially enables access to a much wider range of resources, external to our own immediate community.

6.5   A series of studies exploring the links between social capital, offending and desistance, and exploring some of the implications for probation and criminal justice are reviewed and discussed in the source document. Taken together, these studies suggest four main areas that criminal justice social (and the new Community Justice Authorities) might productively strive to address. Firstly, services need to find ways

to engage effectively with families of origin so as to enlist them, wherever possible, in supporting desistance. Clearly the suitability of this strategy will depend on the offender's age and stage of development, on the nature of the family and its dynamics and on an assessment of its potential to support (or hinder) desistance. However, at the very least, the significance of repairing damaged bonding social capital implies that social workers should be routinely engaged in family work and home visits.

6.6   Secondly, the literature around 'generativity' in particular (briefly outlined in the source document) suggests a productive focus for work around new and developing relationships and around parenting (and preparation for it). Moreover, it implies the need for individual workers and for local services to think creatively about other potentially generative activities, including paid employment, civic volunteering and other constructive, creative activities. Work focussed around generativity may help ex-offenders to build new bonding social capital and to develop new bridging social capital, via wider associations related to generative activities.

6.7   While these two suggestions relate primarily to individual-level interventions, the third implication of the evidence reviewed above points to wider strategic priorities for the new Community Justice Authorities linked to community engagement and community development. Probation needs to engage communities because, in terms of desistance, while it may be necessary to prepare ex-offenders for and assist them in accessing wider social networks, including through employment, such work is not sufficient. It is equally important to prepare communities (including employers and other agencies) for ex-offenders and to support them in working with ex-offenders. This kind of mediation and advocacy work – at the community-level as well as the individual-level - is necessary in order to facilitate the development of ex-offenders' bridging social capital within communities and in the development of linking capital across social groups and social hierarchies.

6.8   This, in turn, leads to the fourth, and most challenging, conclusion. Developing the social capital of a vilified group is not easy in the context of insecure, late-modern societies like our own – societies that are more preoccupied with punishment of and protection from offenders than their reintegration (Bauman, 1997; Garland, 2001; Young, 1999). Clearly, this wider social context has profound implications for the work of the new Community Justice Authorities. However, recent research on high-crime communities and public punitiveness suggests that there is no straightforward relationship between experiences of crime and attitudes to punishment (Bottoms and Wilson, 2004). Bottoms and Wilson (2004) suggest that probation services should directly target public insecurities, in part by responding to signal crimes with 'control signals', as a means of engaging effectively with communities' anxieties about crime and, more specifically, their anxieties about the

management of offenders within the community. Beyond the issue of control, there may also be a need to provide visible signals of restitution, reparation and reform. The evidence suggests that success or failure to send such signals may have major consequences for the capacity of social work and the CJAs to generate wider opportunities for the development of the social capital that seems to be required in order to enable desistance. If desistance requires social capital, then services to support desistance need community support – and that means engaging much more directly and meaningfully with communities that has hitherto been the case.

7.   CONCLUSION

7.1   At the outset, it was noted that this report aimed to provide an effective practice summary and to develop some ideas around a Scottish model of effective practice in offender supervision; a model concerned principally with the roles and tasks of criminal justice social work staff. It was also suggested that part of its purpose of was to move beyond thinking about sanctions *per se*, and to think about *what content needs to populate and constitute community supervision* to enable it to maximise its potential to reduce reoffending. *Figures 6 and 7* and especially *Figure 8* in Section 4 represent the closest that this paper has come to developing a model. Given the evidence reviewed above, it should be obvious why *Figure 8* 'merely' outlines some of the daunting range of *questions* that a CJSW practitioner is required to address in making supervision meaningful and potentially effective. Even if we wished that there was a model of effective practice that could be prescribed for practitioners, there is not; precisely because offenders are heterogeneous, their needs are complex and their pathways to desistance are individualised, effective practice can only really emerge from practitioners' reflective engagement and continual dialogue with those with whom they work, and with the research that should inform how they work. This raises key strategic questions for the PISG about both the limits and the dissemination of any model that we develop and about what mechanisms we can use to enable the development of practitioners' reflexivity, of their professional skills and of their research-mindedness – and to give them the space they need to work effectively.

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