

Probation staff experiences of
Transforming Rehabilitation: An
ethnographic study of a profession in
transition

Matthew Tidmarsh

The University of Leeds

School of Law

Centre for Criminal Justice Studies

A thesis submitted in accordance with the
requirements for the degree of Doctor of
Philosophy

August 2019

The candidate confirms that the work submitted is his own and that appropriate credit has been given where reference has been made to the work of others.

This copy has been supplied on the understanding that it is copyright material and that no quotation from the thesis may be published without proper acknowledgement.

© 2019

The University of Leeds,

Matthew Tidmarsh

The right of Matthew Tidmarsh to be identified as author of this work has been asserted in accordance with the Copyright, Designs and Patents Act 1988

Acknowledgements

I would like to thank Professor Hilary Sommerlad and Dr Emma Wincup for their constant support since I began my PhD. I have found having two supervisors with very different areas of expertise to be hugely beneficial to my studies and I have immensely enjoyed our supervision meetings.

I am indebted to all of the staff at ‘Elizabeth Street’ probation office, and especially to those who agreed to participate in the research. I owe a debt of gratitude to Kate for her approachability and willingness to answer my questions before, during, and after the fieldwork was completed, and to Vicky and Mo in particular for making my time at the office so enjoyable. I would also like to thank the research officer at the parent company which leads the CRC in which the research was conducted for their help in facilitating the research.

I am grateful to friends and colleagues at the School of Law, with whom I have shared many a heated debate over a (free) lunch. The PGR kitchen on the first floor has proved a welcome sanctuary from the stresses of research and teaching.

I will always be thankful for my best friends: Matt Williams, Will Eckersley, Luke Bird, Oscar Smith, Joey Irving, Phoebe Eccles, Genevieve Costello, Cat Donald, and Tom Glencross. Their support, encouragement, and patience never cease to amaze me. Special thanks must be extended to Luke Bird and Oscar Smith for always taking the time to help a technophobe; to Genevieve Costello for her insightful feedback on Chapter Six; and to Phoebe Eccles, on whose (subsequently defaced) copy of *Discipline and Punish* much of this thesis is based. Contrary to her specious claims, she *did* consent to me taking it from her bookshelf.

I would like to thank my family, Andy, Tracey, and Hannah, for their unwavering love, support, and belief in my abilities. Without them, I would not be where I am today.

Finally, I would like to thank Becky Harrison: her indefatigable intellect, proofreading skills, and willingness to listen have critically sustained my studies over

the last six years. Above all, her love, kindness, and sense of humour offer a constant reminder of the things in life that are truly important. This thesis is dedicated to her.

Abstract

This thesis explores how staff have experienced the *Transforming Rehabilitation (TR)* reforms to probation services in England and Wales. From a Foucauldian perspective, it argues that professionalism in probation has been fundamentally challenged in recent decades. Amidst numerous organisational restructurings, the shift towards managerialism has changed what it means to be a probation professional. Indeed, a discourse of ‘professionalism’ was crucial to the Conservative-Liberal Democrat Coalition government’s (2010-2015) mobilisation of *TR*. As of June 2014, *TR* split the probation service into two organisations: the publicly owned National Probation Service supervises offenders who pose a high risk of harm to the public, while 21 privately led Community Rehabilitation Companies (CRCs) manage low-to-medium risk offenders. A culture of top-down, managerial state intervention, it was argued, had stymied practitioners, stunted performance, and contributed to persistently high reoffending rates. The Coalition government contended that professionalism in probation had been stifled by government interference; *restoring* it via the logic of competition and profit was vital to attempts to create an efficient, cost-effective service.

This thesis can be viewed as a case study of a profession in transition; it analyses the impact of the *TR* reforms on staff understandings of professionalism in probation, with a particular focus on practice, autonomy, culture, and values. Drawing on an ethnographic study of a probation office within a CRC, the thesis brings together observations on a range of activities and 20 semi-structured interviews with staff from a variety of job roles. The findings indicate that professionalism in probation can be understood as a *discourse* in which professionals are expected to be receptive to the demands of multiple stakeholders – offenders, taxpayers, the state, and, additionally, the market. Accordingly, contrary to empowering professionals, *TR* can be situated on a managerial continuum, the logical end-point of a decades-long period of reform that has sought to discipline staff and reshape their understandings of professionalism.

Table of contents

Acknowledgements.....	iii
Abstract.....	v
Table of Contents	vi
List of Acronyms.....	ix
List of Tables.....	x

Chapter One – Introduction

1.1 Introducing the thesis.....	1
1.2 Probation: A profession in transition?.....	2
1.3 <i>TR</i> : A brief history of the present.....	5
1.4 Research aims, questions, and approach.....	9
1.5 Rationale for the research.....	11
1.6 Structure of the thesis.....	12

Chapter Two – Professionalism, probation, and political economy

2.1 Introduction	15
2.2 ‘Advise, assist, befriend’: A functionalist ideology of service.....	16
2.3 Autonomy over work: Probation’s professional ‘project’.....	20
2.4 A ‘new penology’, a new professionalism?	26
2.5 Professionalism in probation: A disciplining discourse?	33
2.6 Conclusion.....	40

Chapter Three – *Transforming Rehabilitation: The micro-physics of (market) power*

3.1 Introduction.....	43
3.2 Probation: A ‘disciplinary institution’?.....	44
3.3 <i>Hierarchical observation</i> : The ‘architecture’ of <i>TR</i>	48
3.4 <i>Normalizing judgement</i> : PbR as ‘penal accountancy’.....	54
3.5 <i>The examination</i> : Individualisation and standardisation.....	61
3.6 Conclusion	67

Chapter Four – Reflections on the methodological value and challenges of ethnographic research in public-private *assemblages*

4.1	Introduction.....	69
4.2	Summary of research aims and design.....	69
4.3	Researching <i>assemblages</i> : The value of ethnography.....	71
4.4	Obtaining access: The ‘politics’ of research.....	75
4.5	Research design.....	78
	4.5.1 Ethnographic research methods: Participant observation and interviews.....	78
	4.5.2 Sampling.....	83
4.6	Data analysis.....	85
4.7	Ethics.....	87
	4.7.1 Consent.....	88
	4.7.2 Confidentiality and anonymity.....	89
4.8	Conclusion.....	90

Chapter Five - ‘*Well, what are you?*’ Professionalism, identity, and culture in probation

5.1	Introduction.....	92
5.2	Organisational culture in probation: Appropriately punitive?.....	94
5.3	Commitment: Losing a ‘probation’ identity?.....	99
5.4	Constructing professional identity in probation.....	107
5.5	Professionalism at Elizabeth Street.....	118
5.6	Conclusion.....	124

Chapter Six - Probation practice, architecture, and an *art of distributions*

6.1	Introduction	126
6.2	Criminological architecture: From the spectacular to the mundane.....	127
6.3	The architecture of Elizabeth Street: An <i>art of distributions</i>	129
	6.3.1 <i>Enclosure</i> : Rationalising the probation estate.....	130
	6.3.2 <i>Partitioning</i> : Spheres of practice.....	132
	6.3.3 <i>Functional sites</i> : A disciplinary machine?.....	136
	6.3.4 <i>Rank</i> : Flows of power.....	143
6.4	Personalisation or standardisation?.....	149

6.5	Conclusion.....	154
-----	-----------------	-----

Chapter Seven - Payment by Results, ‘penal accountancy’, and the regulation of autonomous conduct

7.1	Introduction.....	156
7.2	Professionalism, autonomy, and probation.....	157
	7.2.1 Socio-economic organisation of probation work.....	157
	7.2.2 ‘Taylorising’ technique?.....	163
7.3	‘Ticking boxes’: Payment by Results and ‘penal accountancy’.....	173
7.4	Autonomy and professional identity.....	183
7.5	Conclusion	188

Chapter Eight - ‘The right kind of person for the job’? Professionalism, probation values, and emotional labour

8.1	Introduction.....	190
8.2	Probation values: Permanence or decline?.....	191
8.3	Probation work as emotional labour.....	197
8.4	Stress, strain, and sickness in probation.....	208
8.5	Right for probation? Recruitment and occupational socialisation at Elizabeth Street.....	216
8.6	Conclusion	221

Chapter Nine – Conclusion: *Transforming Rehabilitation* and the future of professionalism in probation

9.1	Introduction	224
9.2	Probation staff experiences of the <i>TR</i> reforms.....	224
9.3	Reflections on the ethnographic approach.....	231
9.4	Implications for theory, policy, and future research.....	233
9.5	<u>The future of professionalism in probation.....</u>	<u>237</u>

References.....	240
------------------------	------------

Appendix A: Information Sheet (Probation Staff).....	265
---	------------

Appendix B: Consent Form (Probation Staff).....	267
--	------------

<u>Appendix C: Information and Consent Form (Service Users).....</u>	<u>269</u>
---	-------------------

List of Acronyms

CBT - Cognitive Behavioural Therapy
CETS – Church of England Temperance Society
CQSW - Certificate of Qualification in Social Work
CRC – Community Rehabilitation Company
DipPS – Diploma in Probation Studies
DipSW – Diploma in Social Work
DV – Domestic Violence
EM – Electronic Monitoring
HMPPS – Her Majesty’s Prison and Probation Service
LSI-R – Level of Service Inventory – Revised
MoJ – Ministry of Justice
Napo – National Association of Probation Officers
NOMS – National Offender Management Service
NPS – National Probation Service
NVQ – National Vocational Qualification
OASys – Offender Assessment System
OGRS - Offender Group Reconviction Scale
OFT – Office of Fair Trading
OMM – Offender Management Model
PbR – Payment by Results
PQIP – Professional Qualification in Probation
PQF – Professional Qualification Framework
RAR – Rehabilitation Activity Requirement
SNOP – Statement of National Objectives and Priorities
TPO – Trainee Probation Officer

List of Tables

4.1 Breakdown of observations by activity.....81

4.2 Breakdown of interviewees by job role, gender, length of service (years), and training pathway.....84

Chapter One – Introduction

1.1 Introducing the thesis

The *Transforming Rehabilitation* (*TR*) reforms have fundamentally restructured the delivery of probation services in England and Wales. A cornerstone of the Conservative-Liberal Democrat Coalition government's (2010-2015) 'rehabilitation revolution' (HM Government, 2010: 23), *TR* sought to counter an "unsustainable rise in the prison population" (MoJ 2010: 8). And yet, although Ministry of Justice (2016) analysis of sentencing trends in recent decades attributed increases in the prison population to a greater reliance on immediate custodial sentences, longer terms of imprisonment, and more recalls to prison (see also Padfield & Maruna 2006; Bell, 2011), the Coalition government chose to focus on the perceived inadequacies of the historic source of rehabilitative work – the probation service. From June 1st 2014, 35 Probation Trusts were dissolved and the service was split into two distinct types of organisation: the publicly owned National Probation Service (NPS) now manages offenders who pose a high risk of harm to the public, while 21 privately owned Community Rehabilitation Companies (CRCs) supervise low-to-medium risk offenders (NAO, 2016). Private providers are paid via a Payment by Results (PbR) mechanism, the stated aim of which is to shift the focus of practice from outputs to outcomes (MoJ, 2013a).

Drawing on an ethnographic, single-case study (Yin, 2009) of a probation office within a CRC, this thesis offers an account of the effects of the *TR* reforms on staff in one particular locality. This chapter introduces the research. The first part highlights the Coalition government's mobilisation of 'professionalism', a contested concept (Evetts, 2013), to rationalise *TR*. The second part traces the political economic and policy directions from which the *TR* reforms emerged. The third part provides an overview of the study's aims and methodological approach, while the fourth explains my personal motivations for conducting this research. The fifth part outlines the structure of the thesis and offers a brief note on its chosen terminology. This thesis, therefore, takes the *TR* reforms as a case study through which to explore broader shifts in understandings of professionalism. It aims to make an original contribution to knowledge of the ways in which professionalism has been reshaped and renegotiated in response to the market logic which has dominated public services

in recent decades. In addition, the thesis seeks to address an important gap in the probation literature on staff experiences of organisational change as a result of *TR*. To this end, a Foucauldian interpretation of professionalism as a *disciplining discourse* (e.g. Fournier, 1999) is adopted to argue that the extension of marketising reforms to the probation service has further entrenched the centralising tendencies associated with managerialism.

1.2 Probation: A profession in transition?

In an Anglo-American context, probation can be understood as the “*supervision of offenders in the community*” (Canton & Dominey, 2017: 9; emphasis in original). The Probation of Offenders Act 1907 formally established the probation service as a public organisation after several decades of *ad hoc* provision by philanthropic entities – namely, the Church of England Temperance Society (CETS) (Vanstone, 2007). The words “advise, assist and befriend” (Jarvis, 1972: 16) which were inscribed within the Act epitomised the state’s vision for probation, as well as the rehabilitative approach of the service and its staff towards offenders. Based in the courts, probation officers attempted to cultivate relationships with offenders to help them towards a crime-free life whilst also protecting the public (Vanstone, 2007; Raynor, 2012). Over the course of the twentieth century, the probation service’s duties gradually expanded to include work in the family courts and with juvenile offenders alongside the delivery of non-custodial sentences to adult offenders (Morgan, 2007; Mair, 2016). Since the 1970s, however, the service has been stripped of its responsibilities for civil and youth work, rendering “probation a criminal justice agency” (Mair, 2016: 6). As a result, the probation service now delivers community orders, suspended sentence orders, and standalone unpaid work orders on behalf of the state (Cavadino *et al.*, 2013).

However, a reoffending rate of 58% for prisoners released from short-term prison sentences of less than twelve months – which was estimated to cost the economy between £7-10bn per year - brought the probation service’s effectiveness into sharp focus (MoJ, 2010). Echoing proposals proffered by New Labour (Carter, 2003), the Coalition government argued that expanding services to this particular cohort, for whom probation previously had no statutory responsibility (Broad & Spencer, 2015), would reduce reoffending without raising expenditure: “By

competing [for] the majority of services, and achieving a more efficient public sector service, we can extend rehabilitation... within allocated budgets” (MoJ, 2013a: 11). *TR* was presented as a means of liberating providers and practitioners to find new ways to deliver rehabilitation by refocusing the probation service through the lens of the market (MoJ, 2013a). A discourse of ‘professionalism’ proved integral to the Coalition government’s articulation of the *TR* reforms. State provision of services, they contended, had stifled professionalism and contributed to ineffective practice that had led to spiralling costs of justice under the preceding New Labour administrations (MoJ, 2010, 2011, 2013a). The Coalition government’s desire “to unlock professionalism” (MoJ, 2010: 9) to improve performance in probation thus sought to bring together the interests of diverse groups – private providers, taxpayers, practitioners, and offenders – with appeals to the superiority of the market over the state.

And yet, ‘profession’ is a much-disputed concept that has undergone, and is undergoing, considerable change (Evetts, 2013). Prior to the nineteenth century, the traditional ‘professions’ (law, medicine, and the clergy, the last of which encompassed university teaching) could be easily demarcated from other occupations by virtue of their origins in the elite universities and their distinguished status in preindustrial society (Weber, 1946; Freidson, 1988). As such, *profession* codified the prestige of an occupation and its members, including the legitimacy of its methods in the minds of the public (Freidson, 1988). This rendered professional status socio-economically desirable (Parsons, 1952). The first attempts to theorise the professions emerged from within the functionalist tradition (e.g. Carr-Saunders & Wilson, 1933; Durkheim, 1957). Professionals were constructed as vital to social cohesion; their client-centred ‘professionalism’ guarded against the excesses of state bureaucracy and the *laissez-faire* industrial economy (Carr-Saunders & Wilson, 1933; Parsons, 1952).

Sociological interest in the professions increased with the growing number of occupations that laid claim to ‘professional’ status (Johnson, 1972). Drawing from early functionalist accounts of professions as a distinctive category in the division of labour, scholarly efforts to define professions “seriously began with the taxonomic approach of the 1950s and 1960s” (Saks, 2012: 2) and were directed towards identifying the characteristics that distinguished professions from other occupations (e.g. Millerson, 1964; Wilensky, 1964; Etzioni, 1969). Claims to professional status

were said to be grounded in several ideal-typical traits, including expert knowledge, autonomy over work, and a shared value system which prioritised the client over self-interest (e.g. Parsons, 1952; Millerson, 1964). Occupations seeking such status underwent a process of ‘professionalisation’ in which they attempted to demonstrate that these characteristics had been acquired (Wilensky, 1964). To this end, the probation service’s claims to professional status in the decades after its formation were rooted in exclusive *jurisdiction* (Abbott, 1988) over supervision in the community; a mastery of *social work knowledge*; *autonomy over practice*; and a client-centred *ideology of service*, represented in the ‘advise, assist, and befriend’ mantra (McWilliams, 1985, 1986). These claims were buttressed by state support for probation’s knowledge, methods, and values throughout most of the twentieth century (May & Annison, 1998).

However, the taxonomic approach was challenged for being “uncritical and ahistorical” (Saks, 2012: 2), such that most scholars no longer view precise definition of a ‘profession’ as integral to its study (e.g. Johnson, 1972; Evetts, 2013). Indeed, ‘professionalism’ is a similarly disputed term: where early functionalist perspectives emphasised its normative importance as value system that should be encouraged amongst professionals (e.g. Carr-Saunders & Wilson, 1933), later interpretations stressed its ideological worth as a means to obscure “real social structures and relations” (Larson, 1977: xviii; Bourdieu & Wacquant, 1992). This neo-Weberian shift, part of a wider challenge to established authority in the 1970s (Macdonald, 1995), asserted the power of certain occupational groups to acquire and maintain professional status (e.g. Freidson, 1970; Larson, 1977). More recently, however, an emergent Foucauldian understanding of professionalism has highlighted its *disciplinary* potential as a mechanism through which to justify occupational change and govern professional conduct ‘at a distance’ (Miller & Rose, 1990; Fournier, 1999). This “discourse of professionalism” (Evetts, 2013: 780) is thus a dynamic and compelling resource with which to align workplace identities across a range of organisational contexts with neoliberal rationalities of individual autonomy and flexible accumulation (Fournier, 1999).

In a probation context, however, the contested nature of ‘professionalism’ and the manner in which it has evolved is seldom acknowledged. May and Annison’s (1998) attempt to locate professionalism in probation within the sociology of the professions literature provides a notable exception to this neglect; but the service,

and the conditions under which it operates, has undergone significant change since their work was published. Instead, probation scholarship typically draws, uncritically, from the ideal-typical tenets of professional status – jurisdiction (e.g. Mair, 2016), education and training (e.g. Smyth & Watson, 2018), mastery of abstract knowledge (e.g. Farrant, 2006), autonomy (e.g. Davies & Gregory, 2010), and values (e.g. Deering, 2010) – to explore allegations of deskilling and deprofessionalisation in recent decades. As such, while the taxonomic model has been largely discredited, these traits continue to function as a potent source of meaning within the field. This thesis uses the *TR* reforms to demonstrate how understandings of professionalism in probation have been, and continue to be, reshaped by market logic. In this sense, *TR* can be viewed as the logical end-point of a decades-long period of reform.

1.3 *TR*: A brief history of the present

Many scholars have noted that *TR* constitutes a ‘radical’ departure from the service’s history and traditions (e.g. McNeill, 2013; Annison *et al.*, 2014; Deering & Feilzer, 2015). These observations reflect the decision to cede state provision of the majority of probation services to the private (and voluntary) sector. A focus on the discontinuities of social policy can, however, mask important continuities with the recent past (Clarke & Newman, 1997). The financial crisis of 2007/08 provided the impetus for the Coalition government’s attempts to remake public services (HM Government, 2011). As the effects of a banking crash reverberated around a globalised financial system, the incumbent New Labour government was forced to intervene, propping up banks deemed ‘too big to fail’ via a huge injection of borrowing (Blyth, 2013; Clark, 2016). The resultant recession, the most severe since the 1920s (Gamble, 2009), presented an opportunity for a shift in political economic discourse towards controlling and managing government debt (Blyth, 2013; Downes & Morgan, 2012). Restoring economic stability became the key issue around which the 2010 General Election was fought (Clark, 2016). The Conservative Party’s election campaign focused on alleged economic extravagance: their Manifesto, for instance, bemoaned the New Labour government’s “terrible legacy” (Conservative Party, 2010: viii) of debt and, instead, imparted the virtues of fiscal prudence. Improvident public services, they argued, were holding back the economy: had the

public sector displayed the same ingenuity as the private sector during New Labour's time in office, the same quality of service could have been delivered for £60bn less each year (Conservative Party, 2010). In this way, public debt was reconceived as the *cause* of the financial crisis as opposed to an *effect* of bailing out beleaguered banks (Blyth, 2013).

This narrative proved successful and, after 13 years in power, New Labour were replaced by a Conservative-led Coalition government with the Liberal Democrats (HM Government, 2010). Their *Programme for Government* defined deficit reduction as “the most urgent issue facing Britain” (HM Government, 2010: 15). The Coalition government argued that this would be achieved not by increasing taxes but by cuts to a bloated and inefficient public sector in which professional discretion had been lost within a top-down, target-centric culture of state intervention (HM Government, 2010, 2011). To this end, the Coalition government set out five principles on which public sector reforms would be predicated: increasing choice, decentralising power, competing for services, improving access, and ensuring greater responsiveness (HM Government, 2011). The solution to a crisis of free markets was, therefore, *more* markets for public services, summarised by Crouch (2011: viii) as “the strange non-death of neoliberalism.”

Neoliberalism is a polysemous concept; it is applied differently depending on the political history, culture, and conditions of a particular jurisdiction (Bell, 2011; Clark, 2016). Variations between nation states are, however, underpinned by the belief that free markets are the most expedient means through which to pursue individual liberty (Harvey, 2005; Crouch, 2011). The ideological framework for such a shift emerged in the late-1970s from the New Right, a response to the collapse of the Keynesian consensus between market-based inequalities and the equalities guaranteed by the state by right of citizenship (Gamble, 2009; Dean, 2010). For Clarke and Newman (1997: 12), this postwar accord was based upon “bureau-professional regimes of state welfare”. Bureaucratic structures ensured impartial access to services, whilst professional knowledge and indeterminacy sought to provide a personal counterweight to such impersonal provision. For the New Right, however, such bureaucracy was an inefficient impediment to the economic prosperity of individuals and corporations, and thus the nation state (Dean, 2010). Those who were dependent upon the welfare state were presented as parasites who incurred upon the freedoms of citizen-taxpayers (e.g. Murray, 1990; Perkins, 2015).

Proponents of neoliberalism contended that the state should absent itself from the economy, reflecting the belief that self-correcting markets are inherently more efficient and effective (Leys, 2001; Gamble, 2009).

Critique of state bureaucracies thereby involved attacks on the professionals in their employ. Professionals, particularly those working within the criminal justice sphere (Cohen, 1985), were constructed as ‘liberal’ products of the expansion of higher education and civil liberties movements in the postwar period (Clarke & Newman, 1997). Professionals’ power to shape the causes of social problems, as well as their solutions, rendered them unaccountable to the public, whilst monopolistic provision deprived citizens of their right to choose (Dean, 2010). The delegitimisation of professional power was linked to the need for greater market involvement in public services to enhance both quality and efficiency (Sommerlad, 1995; Clarke & Newman, 1997). In other words, for the New Right, the state had to become more entrepreneurial (Osborne & Gaebler, 1992). The effect of such marketising reforms is that “social policies are subordinated to economic objectives” (Clarke & Newman, 1997: 22). Neoliberal reforms, therefore, sought to aggressively enforce markets in all spheres of public life, representing “a kind of ‘folding back’ of the objectives of government upon themselves” (Dean, 2010: 175) through the use of quasi- or artificial markets to hold professionals *and* government to account.

Managerialism, “the process of subjecting the control of public services to the principles, powers and practices of managerial co-ordination” (Clarke *et al.* 2000: 5), has been central to the neoliberal reconstruction of the state. From a Foucauldian perspective, Clarke and Newman (1997) argue that these arrangements are marked by competing and complementary trends. The managerial state not only *empowers* new providers to deliver services, but also ensures the *disciplinary* constraints required for efficient provision – especially with regard to the exercise of professional discretion. The ‘new public management’ (Hood, 1995) emphasised decentralisation and competition, as well as transparency and accountability. On the one hand, the state aimed to devolve its authority to a mixed economy of organisations - public, private, and voluntary - which were entrusted to deliver services (Leys, 2001). Local authorities were expected to assume the role of commissioner rather than direct provider (Clarke & Newman, 1997). On the other hand, reforms to the public sector in the 1980s were concerned with enhancing efficiency from within the centralised planning framework that had defined the

Keynesian welfare state (Clarke & Newman, 1997). Budgetary constraints were imposed upon public services by central government, with local providers compelled to demonstrate their effectiveness through performance targets and audits (Pollitt, 1993; Power, 1997). Market-based reforms, whether outright privatisations, outsourcing, or the use of private finance to fund public services, gradually obfuscated the boundaries between the public and the private sector (Newman & Clarke, 2009). A discourse of decentralisation, therefore, conceals the ways in which managerialism has expanded state power.

Nowhere is the growth of the state more apparent than in the expansion of the crime control sphere, which has emerged as an alternative to the welfare system as a means to manage the communities marginalised by the economic dislocations produced by neoliberalism (Wacquant, 2009; Bell, 2011). This expansion reflects the concurrent rise of neoconservative discourse: where neoliberalism seeks to empower autonomous citizens, neoconservatism strives to enforce the morality of work and family upon its subjects (Dean, 2010). In the criminal justice sphere, neoconservative ‘tough on crime’ discourse was a central pillar of Margaret Thatcher’s successful 1979 General Election campaign (Reiner, 2007). The Labour Party’s adoption of such rhetoric whilst in opposition and, later, in government highlights the perceived political capital in punitive justice policy (Deering & Feilzer, 2019). Indeed, since 1993, the prison population in England and Wales has nearly doubled from approximately 43,000 to just over 82,000 (MoJ, 2016, 2019a), a period which has similarly witnessed the advent of “mass supervision” (McNeill & Beyens, 2013: 3) of offenders in the community.

The tensions between neoconservatism and neoliberalism thus created the conditions from which *TR* emerged. For probation, a neoliberal emphasis on controlling costs via processes that emulated the market (Davies & Gregory, 2010; Phillips, 2011) was contravened by a neoconservative stress on ‘law and order’ (Garland, 2001). The resultant “punitive managerial” (Cavadino *et al.*, 1999: 54) compromise consciously limited professional autonomy in the pursuit of the efficient supervision of ever-greater numbers of offenders (Feeley & Simon, 1992; Robinson, 2008). However, the Coalition government disparaged the use of performance targets to promote efficiency, promising “to ensure greater flexibility and professional discretion” (MoJ, 2010: 46). This renewed focus on professional autonomy constitutes a reversal of a discourse of derision which characterised the first wave of

neoliberal reforms, described above (Clarke & Newman, 1997). The disciplinary consequences of managerial shifts to probation in the 1980s were, instead, attributed to New Labour's purported 'Big Government' (Downes & Morgan, 2012: 187) approach - which, it was argued, had contributed to ineffective probation practice and increases in the prison population (MoJ, 2010). In this way, the Coalition government were able to align the emancipatory potential of markets for probation services with enhancing professionalism in the pursuit of reducing reoffending *and* the costs of justice (MoJ, 2010, 2011, 2013a).

TR was predicated on four key structural reforms to the probation service: the extension of "statutory rehabilitation" (MoJ, 2013a: 6) to *all* offenders sentenced to less than twelve months' imprisonment; creating markets for offenders deemed to be low-to-medium risk of harm; the introduction of 'Through the Gate' provision of services from the prison into the community; and the implementation of a PbR mechanism through which to pay providers (MoJ, 2013b). Since *TR* was implemented, empirical research on their impact has been scarce, and most of it focused on the transition from 'public' to 'private' employment (e.g. Deering & Feilzer, 2015; Kirton & Guillaume, 2015; Robinson *et al.*, 2016; Burke *et al.*, 2016), although the reforms have received considerable attention from quasi-governmental bodies (House of Commons Justice Committee, 2018a; NAO, 2019; HMI Probation, 2019a). However, binary distinctions between the 'public' and the 'private' must be approached with caution (Newman & Clarke, 2009; Needham & Mangan, 2016): the diversity of supply extant within the probation marketplace means that services will vary based upon where they are delivered. The next section summarises the research design.

1.4 Research aims, questions, and approach

The overarching aim of this research was to explore how probation staff working within a privately led CRC have experienced the *TR* reforms, with a particular focus on understandings of professionalism. This was achieved via the generation and analysis of primary data, which sought to answer the following research questions:

1. How do probation staff understand 'professionalism'?

2. Has organisational reform shifted the purpose of probation work? And, if so, how?
3. To what extent have the changes influenced the day-to-day delivery of services?
4. Have 'probation values' been affected by *TR*? And, if so, how?

Data were generated through ethnographic study of 'Elizabeth Street', a pseudonym for a probation office within a CRC in a large city in England. In this sense, the research can be considered a single-case study (Yin, 2009). The office was selected for study because it is the largest of several such sites within the geographic region covered by the CRC. A major, multinational outsourcing firm (hereafter, to adopt the language of the House of Commons Justice Committee (2018a: 18), referred to as the "parent company") owns the CRC in which the fieldwork took place.

The empirical research was conducted between April 2018 and October 2018. I observed day-to-day life at the office for three to four days per week and was present for approximately seven hours per day. As a result, I carried out ethnographic observations on a range of activities, which facilitated the identification of potential informants for interview as well as refining the themes to be explored. These activities included supervision meetings with offenders (inductions, Rehabilitation Activity Requirement days, home visits, prison visits, etc.), unpaid work, team meetings, multi-agency meetings, and question and answer sessions with members of the senior management team. I conducted 61 such observations, of which 47 were related to a single offender and their supervising practitioner. Data were recorded by hand and typed up on my personal laptop when I returned to the desk that I had been allocated.

Having a place from which to work when not observing 'something' meant that I could absorb the sights and sounds of Elizabeth Street and converse with staff about their work. Such "informal questioning" (Hammersley & Atkinson, 2007: 108) proved crucial to the identification of informants and the development of interview schedules. Staff of varying lengths of service in probation, from six months to four decades, were selected for a one-hour interview, and none declined. In total, I conducted 20 semi-structured interviews. The sample broadly reflected the 'feminisation' of the probation service, in which approximately 70% of staff are women (Deering & Feilzer, 2015). All interviews were conducted in private and

digitally recorded, before being transcribed verbatim. Data derived from both observations and interviews were sorted and coded for thematic content and analysed using NVivo.

1.5 Rationale for the research

My interest in the marketisation of probation stems from studying the relationship between punishment, social control, and political economy during my Master of Science criminology degree. I was particularly influenced by the work of Foucault (1977) on the birth of the prison, of Garland (1985) and Cohen (1985) on the development of the penal system, and of Christie (2000) on the encroachment of private, for-profit involvement in the crime control sphere. I decided that I wanted to undertake further postgraduate study on the normative and instrumental arguments for and against private, for-profit involvement in criminal justice, with a particular focus on prisons, and immediately set about constructing a research proposal upon completion of my degree in August 2015. To my surprise, I quickly learned that the previous Coalition government had instead committed to ‘benchmarking’ – that is, the enforcement of a minimum set of standards to which public sector prisons must adhere as opposed to competition as the catalyst for improvement within the system (House of Commons Justice Committee, 2015). This reading did, however, lead me to the recently implemented *TR* reforms.

Probation seldom featured during my (sociology) undergraduate and taught postgraduate degrees – which is a reflection, perhaps, of the service’s low prestige within public discourse and academic research when compared to other criminal justice institutions, such as prisons and the police. I was intrigued by how probation’s history, culture(s), and a value set predicated on rehabilitation could be aligned with the profit motive driving a significant portion of services under *TR* - especially when set against the backdrop of an “austerity agenda” (Fox *et al.*, 2016: 111; Garside & Ford, 2015). Having previously worked in the charity sector, I had encountered first-hand the (often multiple and overlapping) problems faced by the most marginalised in society. My lack of exposure to probation, however, meant that the opportunity for close engagement facilitated by qualitative methodology, and particularly ethnography, appealed as the most expedient way to both learn about probation culture and conduct the research.

I became interested in the Coalition government's mobilisation of 'professionalism' to rationalise the *TR* reforms, as a means to bypass the seemingly competing priorities of market, state, and probation staff. I was sceptical about the ability of the market to enhance professionalism, not least because previous reading on staff employed in privately managed prisons suggested that marketisation often degraded working conditions (e.g. James *et al.*, 1997; Ludlow, 2014). Over time, and with invaluable support and input from my PhD supervisors, these initial thoughts were developed, with the help of the sociology of the professions literature, into a critical exploration of the ways in which 'professionalism' can be deployed as a (self-)disciplinary technique of governance in probation. In this way, my research interests in professionalism, the impact of political economy on punishment and rehabilitation, and probation's history, culture, and values have coalesced around staff experiences of the *TR* reforms.

1.6 Structure of the thesis

In addition to this introductory chapter, the thesis comprises eight chapters. Chapters Two and Three respectively review the relevant literature on the probation service before and after the implementation of *TR*. Chapter Two traces the history and development of the probation service in England and Wales alongside changing understandings of professionalism. In particular, it expands on the three strands of Anglo-American professional thought outlined above: a functionalist *ideology of service* (e.g. Carr-Saunders & Wilson, 1933; Durkheim, 1957); a neo-Weberian 'project' of occupational closure (e.g. Larson, 1977; Freidson, 1970); and a Foucauldian *disciplining* discourse (e.g. Fournier, 1999; Evetts, 2013). Chapter Three scrutinises the organisation and governance of the probation service under *TR*. This utilises Foucault's (1977) 'instruments' of disciplinary power – *hierarchical observation, normalizing judgement, and the examination* – as lenses through which to highlight the undesirable consequences of the installation of market techniques within the service. Chapter Four, then, substantiates the decision to employ qualitative, ethnographic methodology to research the impact of *TR* in one particular locality, providing an overview of the chosen methods – namely, non-participant observation and semi-structured interviews. This chapter also reflects upon the practical and ethical challenges encountered in the field.

Chapters Five to Nine seek to address the research questions outlined above by presenting, analysing, and discussing the study's empirical findings. Chapter Five explores how *discourse* (Silverman, 2013) shapes how probation staff at Elizabeth Street construct their professional identities. This draws upon Mawby and Worrall's (2013) typology of occupational narratives within probation as a platform to examine how staff understand their professionalism. Chapter Six utilises ethnographic description of the research site to analyse how practice has been, and continues to be, changed in accordance with market mechanisms. This argues that the physicality of Elizabeth Street has come to reflect managerial practices (see also Phillips, 2014a), which have been further entrenched since *TR*. Chapter Seven analyses how *TR* has impacted upon autonomy in probation, considering the extent to which staff are able to control the socio-economic and the technical organisation of work (Freidson, 1970). In particular, this focuses upon the impact of the PbR mechanism on probation practice with reference to the process of 'Taylorisation' (Braverman, 1974). Chapter Eight investigates how probation values are operationalised via Bourdieu's (1990) concepts of *field*, *doxa*, and *habitus* (Bourdieu & Wacquant, 1992). Here, 'emotional labour' (Hochschild, 2012) is adapted to make sense of how the expectations staff place upon *themselves* to provide a 'professional' service to offenders come into conflict with the pressures *imposed* by the CRC, contributing to stress, strain, and sickness. Chapter Nine concludes the thesis, summarising and reflecting upon the key themes. Against the backdrop of yet more uncertainty for the service, it considers the future directions of policy, research, and professionalism in probation.

Most academic literature on probation refers to those in receipt of services as 'offenders', arguably a reflection of punitive policy shifts in the 1990s (Burke & Collett, 2015), but informants in this study typically referred to 'clients' or 'service users'. Following Canton and Dominey (2017: 7), then, terminological 'clarity' is preferred to 'consistency': where the thesis reflects upon the professional relationship between the supervisor and the supervised, 'client' is deemed to be of greater relevance; by contrast, 'offender' is utilised when discussing government approaches to probation. When the parent company assumed control of the CRC, staff job titles were changed: senior probation officers became Interchange Managers, probation officers became Senior Case Managers, and probation service officers became Case Managers. Data are presented with these semantic shifts in

mind. Finally, given that developments within criminal justice are neither singularly reducible to neoliberalism nor neoconservatism (discussed above), this thesis adopts Garland's (2001) use of 'late-modernity' to signify how political economy has shaped criminal justice since the late 1970s. Identification of the period of late-modernity as a turning point in the development of probation should not be mistaken for the end of a (fictitious) "golden age" (Raynor, 2012: 180) for the service; rather, to emphasise how the pace of change in the public sector, and especially in criminal justice, has been particularly marked since the 1980s.

Chapter Two – Professionalism, probation, and political economy

2.1 Introduction

This chapter seeks to make sense of ‘professionalism’ as it pertains to probation. As the previous chapter demonstrated, ‘professional’ discourse was crucial to the Coalition government’s mobilisation of the *TR* reforms. Creating markets for low-to-medium risk offenders for private and voluntary organisations would “put trust in frontline professionals who work with offenders and... free them from bureaucracy” (MoJ, 2013a: 13). In other words, the Coalition government argued that professionalism in probation had been stymied by government interference; *restoring* it was vital to attempts to create an efficient, cost-effective service. And yet, as the previous chapter also highlighted, professionalism is a contested concept (Saks, 2012; Evetts, 2013). Understandings of professionalism differ based on *when* and *where* ‘professional’ groups arise and are contingent upon their relationship with the state (Burrage *et al.*, 1990). Professionalism can be called a “folk concept” (Freidson, 1988: 35) rooted in historical specificity, “part of a larger political and cultural struggle about the purpose and ends of society and its institutions” (Krejsler, 2005: 337). The ‘sociology of the professions’ literature has thus given rise to multiple theoretical interpretations of professionalism (Macdonald, 1995; see Chapter One); however, this lack of consensus is seldom acknowledged in a probation context.

This chapter maps three distinct strands of Anglo-American professional ideology onto the development of probation to explore the significance of professionalism to the service. The first part highlights the importance of a functionalist *ideology of service* (Carr-Saunders & Wilson, 1933), expressed through “advise, assist and befriend” (Jarvis, 1972: 16), to the emergence of the probation service and its efforts towards professionalisation. The second part considers neo-Weberian interpretations of professionalism as a ‘project’ of occupational closure contrived to maintain *autonomy over work* (Larson, 1977). Against the backdrop of postwar increases in crime, it resonates with criticisms of autonomous probation practice during the postwar period. The third part utilises a Foucauldian perspective (e.g. Fournier, 1999; Evetts, 2013) to highlight how understandings of professionalism in probation have been fundamentally reshaped by the *discourses*,

objectives, and *techniques* extant within the ‘new penology’ (Feeley & Simon, 1992). The fourth part argues that, amidst numerous organisational restructurings, the shifts towards managerialism and quasi-market mechanisms of accountability have challenged “the idea of what it is to be a probation professional” (May & Annison, 1998: 173). In this sense, professionalism in probation can be understood as a *discourse* in which the service is expected to be receptive to the demands of different ‘clients’ - offenders *and* taxpayers.

2.2 ‘Advise, assist, befriend’: A functionalist ideology of service

Early research on the professions, which emanated from the functionalist tradition, sought to establish the ways in which professions constituted a distinctive occupational category in the division of labour (Macdonald, 1995; Saks, 2012). Durkheim (1957), for example, noted that professions were a mark of a civilised society, and were key to its functioning: professionals were moral exemplars who acted as cohesive and stabilising counterweights to the competitive nature of the *laissez-faire* industrial economy and monolithic state power. Following Durkheim, Carr-Saunders and Wilson (1933: 497) situated professionals *between* free markets and the state as the “rocks against which the waves raised by these forces beat in vain”. They were characterised by an *ideology of service*, of “pride in the service given rather than opportunity for personal profit” (Carr-Saunders & Wilson, 1933: 471). Professionals’ higher socio-economic rewards relative to the layperson were natural concomitants of client trust in their methods and values (Parsons, 1952). The complexity of knowledge learned through prolonged *education and training* increased this confidence whilst ensuring that labour was scarce (Carr-Saunders & Wilson, 1933). Professionals, therefore, required considerable *autonomy over work* and freedom from the external interventions of state or market competition to fulfil their altruistic social function (Carr-Saunders & Wilson, 1933; Parsons, 1952).

However, constructions of the state as a ‘passive’ (Fielding & Portwood, 1980: 24) actor in the progress of the professions understate how professional power can be *enhanced* by intervention (Burrage *et al.*, 1990). Indeed, state formation is contingent upon the emergence of professions and, likewise, the professions depend upon the state for their authority (Polanyi, 1944; Johnson, 1982; Fournier, 1999). The legal profession, for instance, was integral to the transition from a ‘dynastic state’

defined by royal lineage and personal favour to an emergent ‘bureaucratic state’ based on specialised competencies by the seventeenth century (Bourdieu, 2004), particularly with regard to establishing mechanisms for debt collection and free trade for land (Johnson, 1982). Later, British imperialism proved instrumental to the development of the state and the professions, as expertise in fields such as law, engineering, and architecture was required to administer colonial rule (Johnson, 1982; Mann, 1993). The class, gender, racial, and ethnic connotations of state intervention, too, fostered a model image of the ‘gentlemanly’ practitioner (Millerson, 1964: 6), ensuring that the composition of the professions remained white, middle-class, and male (Witz, 1992; Mann, 1993).

Mann (1993) demonstrates how the confluence of political and social movements concerned with the moral condition of the poor from the 1870s onwards actuated a significant expansion of state infrastructure. Roads, canals, and sewage systems were built, while education and health insurance were expanded. This period of “organized capitalism” (Mann, 1993: 551) also depended upon the creation of new semi-professional jurisdictions, as the British state modernised to keep pace with international competitors (Garland, 1985). In contrast to the professions, these semi-professions did not require the same level of education and training, were less able to exercise discretionary decision-making, were dependent upon the state for their clientele, and were predominantly staffed by women (Etzioni, 1969: v). Occupations like school teaching, nursing, and social work became intimately entwined with the machinery of the state to counter the inequalities of industrial capitalism *and* to strengthen the labour force (Mann, 1993). The foundations of a modern welfare state were thus laid on “both capitalist and humanitarian motives” (Portwood & Fielding, 1981: 753; Garland, 1985; Dean, 2010).

Such developments also occurred within criminal justice: as it became apparent that *laissez-faire* governance could not quell rising crime amongst the urban poor in the latter half of the nineteenth century, the state assumed more responsibility for the penal process (Garland, 1990). The bureaucratisation of criminal justice gave rise to a profusion of occupations enmeshed within a dispassionate, state-funded infrastructure, each with their own ideologies and expertise (Garland, 1990). Probation was one such occupation, “developed partly in the shadow cast by the Victorian prison wall and partly in the light beyond its perimeter” (Vanstone, 2007: 21). By the mid-1870s, following increases in convictions for drunkenness and

disorderly behaviour, the CETS was providing ‘respectable’ volunteers in the police courts to ‘reclaim’ offenders from a downward spiral of crime and imprisonment (Jarvis, 1972; McWilliams, 1983). The philanthropic work of the ‘police court missionaries’, as they were known, owed much to the social work approach of the Charity Organisation Society, which pioneered enquiry as to individuals’ character to differentiate between the ‘deserving’ and the ‘undeserving’ (Garland, 1985; Gard, 2007). This rendered interventions highly selective, “saving the souls” (McWilliams, 1983: 130) only of those worthy of being saved. And yet, the missionaries’ judgements provided “acceptable justifications for leniency and it was on this account, in large part, that they were so warmly welcomed in the courts” (McWilliams, 1983: 132). Their work differed markedly from the retribution embodied by the prison, and thus constituted the origins of an *ideology of service* centred on humanitarian values (Nellis, 2007).

Without statutory footing for supervision, however, police court missionaries’ dependence upon the good will of the police and court officials limited the effectiveness of their work (Jarvis, 1972; Vanstone, 2007). Probation was first introduced to the statute book in 1886 but went largely unused because of political and judiciary perceptions that it was ‘soft on crime’ (Vanstone, 2007). Instead, the service was formally established via the Probation of Offenders Act 1907 (McWilliams, 1983). Inscribed within the Act were the words “advise, assist and befriend” (Jarvis, 1972: 16), which were intended to provide clarity as to probation’s mission. This period, for Garland (1985), was marked by a simultaneous weakening of *laissez-faire* ideology and the growing belief that the prison was a defective institution that failed to reduce reoffending or deter criminality. In other words, the state accepted that neither the free-market nor charity-minded religious organisations could alone alleviate the social ills faced by the poor. Here, the social function of the first probation officers resonates with classical functionalist interpretations of professionalism: theirs was a ‘civilising’ role (Carr-Saunders & Wilson, 1933; Durkheim, 1957), situated *between* the inequalities of the *laissez-faire* industrial economy *and* the failures of the state-controlled prison system.

Despite these advances, there were clear problems inhibiting the development of the probation service. Indeed, for Vanstone (2007: 67), the period after probation was created was one in which the service was only “semi-professionalized”. For example, under the 1907 Act, local justices were not compelled to appoint probation

officers: the localised nature of over 1,000 petty sessional courts meant that many were too small to generate sufficient work to warrant their appointment (Jarvis, 1972). Instead, the service was dependent upon the voluntary work of ‘missionary probation officers’, ‘qualified’ simply by virtue of their association with the Church, whom the state compensated for their expenses in the form of small grants rather than salaries (Jarvis, 1972; Nellis, 2007). The Home Office’s reluctance to meet the full costs of the emerging service meant that there were problems of “dual authority” (Jarvis, 1972: 21). This is to say that missionary probation officer allegiances were split between the Church and the state.

The 1912 establishment of the National Association of Probation Officers (which later became Napo), a professional body (and trade union) dedicated to encouraging communication between officers and improving practice, exacerbated divisions within the service (Jarvis, 1972). This was because the missionary societies perceived Napo’s “secular ethos” (Nellis, 2007: 31) to be a threat to their work. Professional associations have long been acknowledged as an integral factor in driving professional projects (e.g. Millerson, 1964) and Napo was no exception: it wanted probation to become a *professional* service by exposing practitioners, many of whom belonged to the CETS, to scientific explanations for criminality (Vanstone, 2007). However, Napo commanded very little political authority, and was unable to influence probation policy or training (Jarvis, 1972). This inability to mobilise wider “resources of power” (Johnson, 1972: 43) is evidenced by the findings of a 1922 Departmental Committee Report commissioned by the Home Office, and the subsequent failure to act on the findings (Jarvis, 1972). The report lamented issues of ‘dual authority’ but, ultimately, advocated the status quo – in large part because the current system was inexpensive for the Home Office to administer (Jarvis, 1972; Gard, 2012).

Probation historians have, instead, observed the aftermath of the Criminal Justice Act 1925 as the period in which the service was ‘professionalised’ (Jarvis, 1972; McWilliams, 1985; Vanstone, 2007). For McWilliams (1985: 260-3), this period is best understood as the ‘phase of diagnosis’: the religious values associated with the missionary societies were gradually replaced by a ‘medical’ model which analysed the ‘facts’ of a case and applied knowledge drawn from social work to rehabilitate offenders. Funded by the Home Office, *training* was introduced in the 1930s, with officers embarking upon social science courses and gaining practical

experience with probation officers (Jarvis, 1972; Vanstone, 2007). A 1936 Departmental Committee Report acknowledged the work done by missionary societies in the development of probation but recommended that a future service be organised “on a wholly public basis” (c.f. Jarvis, 1972: 53), which implies that the service’s “poor public image” (Nellis, 2007: 35) could be improved via state-endorsement.

By 1941, probation’s divorce from the Church was complete; it became a service “for which people were trained to enter rather than called to follow” (McWilliams, 1985: 261). Probation thus established itself as the *only* organisation authorised to provide supervision in the community and was practised by staff who shared an *ideology of service* (“advise, assist, and befriend”) which emphasised the welfare of the client. Indeed, this synchronicity between the service, its staff, and the state laid the foundations for a period that is often mythologised as the “golden age” (Raynor, 2012: 180) for probation.

2.3 Autonomy over work: Probation’s professional ‘project’

The descent into a second world war in three decades prompted a Keynesian restructuring of Anglo-American economies, at the heart of which was a strong state empowered to mitigate the excesses of the free market inequalities that had characterised the 1930s (Polanyi, 1944; Gamble, 2009). This consensus was built on socio-cultural assumptions of work, family, and citizenship: taxation derived from (male) full-employment, which depended upon the nuclear family to reinforce a gendered division of labour, funded the distribution of public services to *all* citizens belonging to the (mostly white) British nation-state, irrespective of the capacity to pay (Clarke & Newman, 1997). Predicated on “twin modes of coordination” (Clarke & Newman, 1997: 4) - *bureaucratic administration* and *professionalism*, discussed in Chapter One - many professionals, most notably in medicine through the creation of the NHS, were absorbed within the machinery of the state, utilising their expertise to deliver goods and services that were legally recast as social rights (Marshall, 1950). The impersonal nature of bureaucratic administration was counterbalanced by the personal skills of autonomous professionals in solving complex social problems (Dean, 2010). In the criminal justice sphere, this compromise was reflected in “penal-welfarism” (Garland, 2001: 3): the state perceived criminality to be derived

from socio-economic circumstance, using its resources to fund the growing ranks of occupations which were trusted to diagnose and rehabilitate offenders. Consequently, viewed as a spatial-temporal “folk concept” (Freidson, 1988: 35), probation’s claims to professional status during the postwar period were significantly enhanced by the extent to which the service’s (social work) knowledge, methods, and values aligned with the formation and objectives of the Keynesian state.

In the aftermath of war, probation was firmly embedded within penal-welfarism as a “distinct, if still subordinate agency within criminal justice” (Nellis, 2007: 36). As the state assumed greater responsibility for offender welfare, the service looked to scientific diagnoses for rehabilitation (Garland, 1985). The 1948 Criminal Justice Act legislated for every petty sessional division, or combination thereof, to become a ‘probation area’ complete with a probation committee, or committees, and a principal probation officer (Jarvis, 1972; Morgan, 2007). Probation’s professional hierarchy became increasingly *bureaucratic* in its composition from the 1950s onwards (Morgan, 2007). For many experienced officers, this signalled an end to the “glorious days of independent free-lancing” (Jarvis, 1972: 64). The probation officer was, instead, viewed “as an independent practitioner, supported and supervised in professional practice by the probation service hierarchy” (May & Annison, 1998: 161). The 1950s was, therefore, “an era of confidence” (Vanstone 2007: 106) in which the efficacy of casework was unquestioned. Such certainty is also apparent in the conclusions of the 1962 Morison Report, which recognised the probation officer as “a *professional caseworker*, employing in a specialized field, skill which he holds in common with other social workers” (c.f. Jarvis, 1972: 66; my emphasis). This advocacy was solidified by consensus across the political spectrum, which shielded probation from public opprobrium and gave clarity as to the service’s rehabilitative purpose (Garland, 2001).

Given this institutional support, probation’s *jurisdiction* (Abbott, 1988) continued to expand: the service took on more responsibilities, including prisoners’ pre-release ‘throughcare’ and post-release ‘aftercare’, matrimonial work, and community sentences (Morgan, 2007). Between 1951 and 1981, the number of full-time, qualified probation officers in England and Wales increased from just over 1,000 to nearly 5,500; meanwhile, the total caseload grew from 55,000 to approximately 157,000 (McWilliams, 1987). The Keynesian expansion of *higher*

education was an integral part of this growth: the expectation was that applicants under 30 years of age would have a social science diploma; those over 30 would engage in specialised training consisting of lectures on “casework, law, social administration, criminology and specialist areas of probation work” (Vanstone, 2007: 98). By 1971, an accredited qualification from the Central Council for Education and Training in Social Work was required of *all* probation officers (Gregory, 2011). This commitment reinforced the importance of *abstract knowledge* centred on personal histories and socio-economic circumstance as causal factors in offending behaviour, with casework the dominant mode through which such knowledge was enacted (Nellis, 2007).

At the onset of the 1970s, confidence in the probation service remained strong (Raynor & Vanstone, 2007). The 1970 Wootton Report, for example, which explored alternatives to custody, “was clearly a strong endorsement of the continuation of the expanding role of the Probation Service” (Raynor & Vanstone, 2007: 60). However, dramatic rises in crime in the postwar period undermined political confidence in probation: between 1955 and 1964, crime in England and Wales doubled, before doubling again by 1974 (Garland, 2001; Reiner, 2007). As the 1970s wore on, an approach to criminal justice that was perceived to be ‘too oppressive’ in the 1960s was, by the late-1970s, considered to be ‘too lenient’ (Garland, 2001: 71). The emergence of ‘Nothing Works’ (Martinson, 1974) literature in the US, which had gained traction among policymakers and politicians in England and Wales, articulated growing scepticism of penal-welfarism and questioned the capacity of the criminal justice system to function effectively (Raynor & Vanstone, 2007).

Against the backdrop of ongoing fiscal crises in the 1970s, such critique found voice within the emergent New Right (Garland, 2001). For Clarke and Newman (1997: 4), New Right ideology impugned the ‘bureau-professional’ harmony that had shaped the Keynesian consensus (see Chapter One). The ascendance of neoliberal economics, which articulated the primacy of the market as the most efficient distributor of goods and services, refuted ‘bureaucratic administration’. The state, it was argued, stymied citizens through exorbitant taxation, whilst inhibiting consumer choice in its role as a monopoly provider of services (Dean, 2010). ‘Professionalism’ was fundamental to the supposed ineffectiveness of welfare; professionals were constructed as disconnected from

citizen-taxpayers through self-interest in maintaining power over the clients of public services (Clarke & Newman, 1997). Here, the New Right's criticism of bureaucracy aligned, paradoxically, with the New Left, which understood the welfare state "as a paternalistic mechanism of social control, relying on a uniform provision that is bureaucratic, hierarchical, sometimes coercive and oppressive, and often unresponsive to the needs and differences of individuals and communities" (Dean, 2010: 180). Likewise, the New Right's scepticism of professionals corresponded with the "destructuring ideologies" (Cohen, 1985: 30) of the New Left in the 1960s, which held that their power must be checked.

Critique of criminal justice professionals in the 1970s thus resonated with neo-Weberian' strands of thought within the sociology of the professions, which challenged functionalist notions of professionalism as a value system (Macdonald, 1995; Evetts, 2003). The utility of a rubric that laid claim to privileged knowledge as to a profession's 'objective' qualities - dominant in functionalist interpretations of professionalism (e.g. Goode, 1960; Millerson, 1964) and the 'traits' approach throughout the 1950s and 1960s (e.g. Wilensky, 1964; Etzioni, 1969) - was questioned through exploration of the work of construction required to cultivate professional status and why this might be beneficial for an occupation (e.g. Hughes, 1963; Johnson, 1972). Symbolic interactionists, particularly in the US, adopted Weber's (1968: 4) methodological foundation of "social action" – that is, how actors ascribe subjective meaning to their actions, and how their actions are in turn structured by the interpretations of others – to argue that the abstract ethical standards of professional morality propounded by the functionalist school were, in fact, imperfect social constructs (Macdonald, 1995). Instead, professional groups interpret the 'facts' of their environment in similar ways and demonstrate collective rationality to achieve common ends (Macdonald, 1995). This is not to say that professions are devoid of occupational values; rather, their priorities are different from those advocated by functionalist scholars (Johnson, 1972). In this way, professional ethics draw upon anti-market sentiments, perversely, to strengthen the market position of professional groups (Larson, 1977). For neo-Weberians, then, professionalism is an *ideology of occupational control* that distorts the division of labour, organising markets in such a way as to maintain members' social, economic, and political privileges (e.g. Freidson, 1970; Larson, 1977).

The ability to draw upon wider reserves of (state) power to secure control over occupational ‘jurisdictions’ is beneficial to professional ideology (Johnson, 1972; Abbott, 1988). *Autonomy over work*, including how and by whom labour is regulated, as well as the knowledge required to practise, is central to neo-Weberian interpretations of professionalism (Freidson, 1970; Larson, 1977). Professions look to the state to restrict ‘free’ markets for services to those qualified to practise (Freidson, 1970; Larson, 1977). The “professional project” (Larson, 1977: 67), in this sense, is a social construct that rationalises occupational closure as necessary to preserve the integrity of services, consciously excluding others from the rewards. Feminist accounts from within the neo-Weberian tradition, moreover, have emphasised how middle-class men have historically possessed the social *and* economic resources to cultivate successful professional projects (Witz, 1992; Davies, 1995). These inherent structural biases render professions’ claims to meritocracy illusory. For example, Davies (1995) focuses on gender politics within the NHS in the UK. She argues that traits such as ‘rationality’ and ‘logic’ have been colonised as ‘masculine’ and, as such, have become inscribed within the cultural codes of organisations. In essence, “nursing is not a profession but an adjunct to a gendered concept of profession” (Davies, 1995: 61), in which the emotional or caring labour performed with patients by (female) nurses facilitates the perception of the (male) doctor as an impartial, detached, and expert ‘professional’ (see also Chapter Eight).

While “Bourdieu can hardly be called a neo-Weberian” (Krejsler, 2005: 345), his deployment of ‘profession’ as a “folk concept” (Freidson, 1988: 35) shows how neo-Weberian perspectives have been elaborated upon and developed. He went further than these critiques of professional ideology, calling for the abandonment of the notion of a ‘profession’ altogether (Bourdieu & Wacquant, 1992). Bourdieu argued that the term is uncritically adopted within social scientific language in a manner that renders it imperceptive to the social, economic, and cultural conditions that make the professions prejudiced sites of power relations (Bourdieu & Wacquant, 1992). Instead, he reimagined the ‘profession’ as a *field*, “a space of competition and struggle” (Bourdieu & Wacquant, 1992: 242), in which actors compete for power and status. Professionals’ *habitus* – or, the values, histories, and experiences, individual and collective, which determine how inhabitants enact the rules of the *field* (Bourdieu, 1990) – is so attuned to professions’ work of social and historic self-construction as meritocratic entities that the occupants consider their privileged

position to be justified, while marginalised groups accept their exclusion as inevitable (Bourdieu & Wacquant, 1992).

Though critical views of professional ‘projects’ were derived mostly from analyses of the US medical profession (e.g. Freidson, 1970; Larson, 1977) - the ‘liberal’ economic conditions of which fundamentally differ from the state-mediated supply and demand of the criminal justice system in England and Wales – their criticisms exhibit many similarities with the perceived self-interest of those working in the criminal justice system. While criminal justice professionals, as “dependent employees of public bureaucracies” (Cohen, 1985: 168), may have lacked the political power to directly influence budgets, they possessed the ability to identify the deviant categories on which the expansion of the criminal justice system, and thus professional jurisdictions (Abbott, 1988), depended (Foucault, 1977). For too long, however, the probation service “ignored the question of effectiveness... relying instead on the belief that the public and the government would recognise that it was doing good work with bad people and that was its own justification” (Mair, 2016: 5). This failure, for Cohen (1985), was not only unimportant to criminal justice professionals, but also a rationale for their continued growth. Such enlargement constituted a dispersal of discipline, albeit concealed within the penal-welfarist rhetoric of decarceration, as the benign logic of professional knowledge contributed to the establishment of new at-risk populations who were drawn into the penal net. He thus anticipated a “master shift... towards the control of whole groups, populations and environments – not community control, but the control of communities” (Cohen, 1985: 127).

The convergence of recession, civil unrest, and scant evidence as to probation’s successes in reducing crime prompted a new cultural consensus which developed around the need for measures to both *manage risks and control costs* in an increasingly dangerous society (Cohen, 1985; Garland, 2001; Robinson, 2008). No longer were probation professionals trusted as competent: political and economic pressures resulted in the needs of offenders giving way to the needs of the wider public, and a withdrawal of state endorsement for autonomous practice (Garland, 2001). As confidence in the service was eroded, probation surrendered any claims to social prestige (Mair, 2016) – a key factor in the construction of a professional project (Portwood & Fielding, 1981).

2.4 A ‘new penology’, a new professionalism?

Since the 1980s, governments have shown that they could challenge the professions, in the process exposing a fault in critical views of professionalism as a project of occupational closure (Evetts, 2003, 2013). Professionals were constructed as disconnected from citizen-taxpayers through self-interest in maintaining power over consumers, thereby reshaping the professions’ relationship with the state (Clarke & Newman, 1997). Many professions, particularly those dependent upon state funding, were reconstituted according to *managerial* ideology (Evetts, 2013), discussed in the previous chapter. The convergence of political and economic pressures for greater accountability, attempts to control fiscal expenditure, and ideological commitments to reduce the size of the state resulted in new forms of organisation and evaluation within public services (Power, 1997; Clarke & Newman, 1997). As a result, for practitioners operating within many public services, some of the ‘mystique’ of abstract knowledge rooted in the social sciences has been surrendered to the managerial logic of targets and audit (Power, 1997).

From a Foucauldian perspective, however, ‘professionalism’ has not been displaced, but rather, is deployed in different ways – namely, “as a discourse of occupational change and control” (Evetts, 2013: 786). Fournier (1999: 281) posits that professionalism has been appropriated and extended as a disciplinary device that serves to regulate workplace behaviour ‘at a distance’ (see also Miller & Rose, 1990) via normative appeals to ‘professional’ conduct. She situates this discursive shift within changes to the structure of work under neoliberal forms of governance: as modes of accumulation became increasingly flexible, ‘professional’ identities spread to sectors with no traditional claims to such status. In this sense, the power of ‘professionalism’ is drawn precisely from its conceptual imprecision. A discourse of professionalism mobilises the ‘client’ to responsabilise the behaviour of the ‘professional’ (Fournier, 1999). Accordingly, employees’ conduct becomes self-regulating; they must *discipline themselves* to act in an ‘appropriate’ manner.

That most public sector occupations are now subject to greater political control has given rise to what Evetts (2013: 787) calls *organizational professionalism*: government defines an occupation’s broad objectives; decisions are made by managers and delegated down hierarchical structures; and practitioners’ labour is regulated by external checks, such as targets and audit. Professionals “are

expected to and expect themselves to be committed, even to be morally involved in the work. Hence, managers in organizations can use the discourse of professionalism to self-motivate, inner-direct and sometimes even exploit professionals” (Evetts, 2013: 787). At an individual level, a discourse of professionalism borrows from functionalist notions of *client-centred values*; yet, at an organisational level, neo-Weberian *ideologies of occupational control* are transposed from practitioners onto managers (Evetts, 2013). Such displacement calls into question the *identity of the client*, as restrictions imposed upon practitioner autonomy are vindicated through appeals to the ‘sovereign’ client (Fournier, 1999: 291). In other words, the “real client of publicly funded services” is not the service user but the taxpayer, who is entitled to ‘value for money’ (Sommerlad, 2004: 358). Accordingly, professionals can be located within a “network of accountability” (Fournier, 1999: 286) in which professionalism must be demonstrated to multiple (and often conflicting) interests.

As Portwood and Fielding (1981) note, a profession’s prestige, and thus its ability to resist change, is in part dependent upon the class status of its clientele. For example, Sommerlad’s (1995, 1999, 2004) research on the legal aid sector demonstrates how professions which interact with low-status clients are more vulnerable to managerial changes. She argues that the demise of Keynesianism challenged the social citizenship on which the welfare state was predicated. The “trend towards a capitalist mode of production” (Sommerlad, 1999: 325) in the provision of legal aid lawyering, which emphasises economy and efficiency, has questioned the role of the traditionally autonomous practitioner and their worth to the taxpayer/client. Accordingly, legal aid practice has become increasingly stratified, with divergent perceptions of ‘quality’ between practitioners and partner-managers: where the former value client service, the latter prioritise profit (Sommerlad, 1995, 1999). By manufacturing the user of welfare services as a burden on the state (or the state as proxy for the taxpayer), reductions in expenditure can be framed in the public interest in a way that is “both pragmatic and ideological” (Sommerlad, 1995: 167).

Probation provides a similar example of a public service with low-status, “involuntary clients” (Trotter, 2014: 3): offenders are obliged to receive certain services; they may be hostile towards such help; and the terms of supervision are underwritten by punitive sanctions. The peripheral status of probation’s ‘client’ base, particularly in the minds of the public, means that the service is exposed to demands

for ‘value for money’ for the taxpayer - which is accentuated during times of economic hardship (Hedderman & Murphy, 2015). Offenders’ status as involuntary clients renders the service particularly susceptible to state interference, a key factor in the development of probation’s professional project relative to the ‘traditional’ professions (see Chapter Seven). Indeed, Garland’s (2001) influential thesis illustrates how economic concerns in the 1970s became aligned with political and cultural shifts to prompt a new outlook on criminal justice policy and practice. Underwritten by historically high crime rates, the axial role of rehabilitation programmes in criminal justice policy was surrendered to different penal aims – “retribution, incapacitation, and the management of risk” (Garland, 2001: 8). Over the course of a generation, criminal justice professionals, and probation practitioners in particular, were forced to adapt their practices to the socio-economic and political demands of late-modern society (Garland, 2001; Robinson, 2008). The epistemological foundations on which probation was established were shaken in the 1980s and 1990s, as the service was compelled to accept a new “punishment in the community” agenda (Raynor and Vanstone, 2007: 67). Part of an attempt to ‘toughen’ the service’s public profile, community orders were reconfigured as “sentences in their own right rather than alternatives to custody” (Mair & Canton 2007: 248).

For Feeley and Simon (1992), shifts in criminal justice *discourses*, *objectives*, and *techniques* constitute a ‘new penology’, which differs from the ‘old penology’ and its emphasis on individualised treatment. These changes are “both cause and effect” (Feeley & Simon, 1992: 470) of the greater pressures placed on criminal justice institutions, as higher caseloads compounded the need for more cost-effective measures. Crime was ‘politicised’ (Downes & Morgan, 2007, 2012): where penal *discourses* were largely absent from public debate in the postwar years, a new, punitive dialogue sought to exploit middle class “fear of crime” (Farrall *et al.*, 2009: 3) for electoral advantage. While neoliberal economic theory was at the heart of Margaret Thatcher’s political philosophy, on crime, she was ostensibly a neoconservative. Surprisingly little scholarly attention is, however, given to the distinction between ‘neoliberalism’ and ‘neoconservatism’ (Clarke & Newman, 1997), particularly with regard to criminal justice policy (Farrall & Jennings, 2014). Neoliberalism emphasises *freedom* from state interference, for markets and for individuals; neoconservatism stresses *discipline*, specifically with regard to the

state's role in the maintenance of order, respect for authority, and 'traditional' family values (Clarke & Newman, 1997; Dean, 2010). Contrary to neoliberal wisdom, and some prominent members of the Conservative Party, Thatcher pledged a 'law and order' response to countermand postwar rises in crime, doubling police budgets from £1.6bn in 1979 to over £3.3bn by 1984 (Newburn, 1995; McLaughlin & Muncie, 2000).

And yet, beneath this 'tough on crime' veneer, closer analysis of Thatcherite criminal justice policy reveals a softening of the neoconservative stance towards the end of the 1980s (McLaughlin & Muncie, 2000; Faulkner, 2014). The failure to reduce crime inspired new *objectives* oriented towards a more accountable, cost-effective system centred on managerialism (Feeley & Simon, 1992; McLaughlin & Muncie, 2000) – part of a wider movement towards “quasi-market conditions” (Krejsler, 2005: 351) in public services which aligned public sector management with private sector techniques (Hood, 1995; Clarke & Newman, 1997). By framing managerial reforms in terms of the public interest (Sommerlad, 1995), greater central control over probation was justified through assertions as to the more efficient and effective service that would result from eradicating the subjectivities of social scientific knowledge and reducing practitioner autonomy (Newburn, 1995; Morgan, 2007).

The first sign of managerial practices within probation was the 1984 *Statement of National Objectives and Priorities* (SNOP) (Newburn, 1995). For Raynor and Vanstone (2007), SNOP represented a fundamental assault on the culture of the service, as the Conservative government sought to make probation more accountable to the public. In this sense, policy was partially guided by economics and enforced by quasi-market mechanisms (Whitehead, 2015). The introduction of targets took completion rates, which can be *quantified*, as evidence of quality and effectiveness in probation that could be presented empirically to the taxpayer (Robinson *et al.*, 2014; Whitehead, 2015). Performance was monitored via audits (Phillips, 2011), which mirrored broader patterns in public services (Power, 1997). Likewise, public protection was prioritised as one of the service's primary aims (Raynor & Vanstone, 2007). However, SNOP reaffirmed social work training as a prerequisite for entry into probation, emphasising the importance of alternative sanctions over imprisonment (May & Annison, 1998). Indeed, concerted efforts to

divert offenders from prison resulted in a decrease in the custodial population from over 50,000 in 1988 to less than 45,000 by 1990 (Newburn, 1995).

The Criminal Justice Act 1991 arguably marked the apex of alternatives to custody, reinforcing a proportionality in punishment approach through bifurcation: 'harsh' punishments were made harsher, while 'soft' punishments were made softer (Newburn, 1995; Bell, 2011). However, there was considerable resistance to the Act, from the judiciary and from probation practitioners (McLaughlin & Muncie, 2000). From the perspective of many senior judges and magistrates, the Act was too lenient (McLaughlin & Muncie, 2000; Farrall & Jennings, 2014). Conversely, many staff in probation felt that the service's rebranding as 'punishment in the community' contradicted its historic purpose and values (Raynor & Vanstone, 2007). This is supported by Nellis's (1995: 25) research on 'generic' social work values in the period after the Act. He argued that the 'advise, assist, and befriend' mantra that had guided the service was no longer a justification in itself for attempting to rehabilitate offenders, in large part because it was not commensurate with managerial practices (see Chapter Eight).

Continued rises in crime in the early 1990s, peaking in 1992/93, also rendered the Criminal Justice Act 1991 politically sensitive (McLaughlin & Muncie, 2000; Bell, 2011). Such increases were damaging for the Conservatives, the self-styled party of 'law and order' (Nellis, 1995; Farrall *et al.*, 2009). Responses to criminality that were perceived to be too 'soft', such as probation, were brought into sharp focus after the murder of James Bulger by two ten-year-old boys in 1993 (Raynor & Vanstone, 2007; Bell, 2011). As a result, since the former Conservative Home Secretary Michael Howard's (in)famous 'prison works' speech in 1993, a rapid expansion of the prison population and its concomitant impact on probation's workload has entrenched managerial practices which aim to reconcile the competing aims of punitiveness and efficiency (Feeley & Simon, 1992; May & Annison, 1998). Significantly, in 1995, Howard's repeal of the social work training requirements for practitioners established further cultural divergence between the service's knowledge and values and its expected 'punitive managerial' (Cavadino *et al.*, 1999: 54) direction of travel (Robinson, 2008). Napo's failed judicial review to overturn his decision (Bailey *et al.*, 2007) highlights probation's lack of professional power, manifest in an inability to influence policy. The abolition of social work training thus built upon the introduction and regular revision of National Standards in 1992, which

sought ever-greater consistency by imposing “standardised practice at the level of the supervision of individual offenders” (Bailey *et al.*, 2007: 115). National Standards challenged not only practitioners’ *autonomy over work*, but also the service’s historic *ideology of service* by excluding the service’s ‘advise, assist, and befriend’ mantra from the guidelines (Deering, 2010).

Amidst heightened media hysteria over crime and discontent from within the criminal justice system, crime control proved integral to the rejuvenation of the (New) Labour Party and their ascendance to government in 1997 (McLaughlin & Muncie, 2000). However, commentators have observed New Labour’s criminal justice policy as a “confused landscape” (Deering & Feilzer, 2015: 24; McLaughlin *et al.*, 2001; Bell, 2011). Despite their aversion to managerialism and marketisation whilst in opposition, New Labour accepted many of the Conservatives’ core policies when in power (McLaughlin *et al.*, 2001; Bell, 2011). Indeed, increases in the prison population were particularly steep under successive New Labour administrations due to a combination of persistently high reoffending rates, more recalls to prison, longer sentences, and a greater reliance on immediate custodial sentences (Bell, 2011; MoJ, 2016).

Despite its low public profile, the pace of change in the criminal justice *field* has meant that the probation service has been at the forefront of ‘modernising’ tendencies (McLaughlin & Muncie 2000) – such that, for staff, organisational change has become “a defining characteristic of their professional existence” (Robinson & Burnett 2007: 332). The creation of the NPS in 2001 consolidated services by reducing 54 probation areas to 42 Probation Boards, giving unprecedented control for policy directives and personnel appointments to central government (Morgan, 2007). Before these reforms could become settled, the Carter Report (2003) suggested another restructuring of the service. Here, there are clear parallels between *TR* and the reforms proposed in the Carter Report (2003), which highlights continuity of probation policy between New Labour and the Coalition government. Both, for example, included plans to extend supervision to *all* offenders; ‘end-to-end’ or ‘Through the Gate’ linkage between the prison and the community; widening competition and contestability for probation services; and connecting providers’ budgets to their performance (Carter, 2003; MoJ, 2013a). While most of the initiatives promoted by the Carter Report (2003) were never implemented (MoJ, 2011), it did result in the creation of the National Offender Management Service

(NOMS), which amalgamated prisons and probation under one organisational umbrella (Robinson & Burnett, 2007). The subsequent Offender Management Act 2007 further centralised control over the service by establishing 35 Probation Trusts whilst stripping them of their statutory responsibility to directly provide services to offenders (Burke & Collett, 2015).

Trends towards central oversight of practice, alongside increases in the total caseload (Morgan, 2007; Phillips, 2011), have thus embedded new *techniques* of ‘risk management’ (Feeley & Simon, 1992) within probation. The notion of ‘risk’ emerged as a late-modern cultural phenomenon in which action is structured in part by a desire to manage hazards (Beck, 1992). The institutionalisation of fear, of “a collectively raised consciousness of crime” (Garland, 2001: 163), has become a defining feature of crime control. This is evident not only in a greater reliance on the prison, but also in how offenders are managed upon release. With regard to probation, Robinson (2002: 6) defines ‘risk management’ as “a shift of focus away from individuals in favour of categories or aggregates of potential or actual deviants; and from a position of rehabilitative or ‘transformative’ optimism, in favour of more limited, ‘managerial’ goals.” Practitioners’ decisions must be ‘defensible’ - that is, able to withstand “public scrutiny” (Kemshall, 1998: 68) - which further implies that the notion of the ‘client’ in probation has broadened to encompass the *taxpayer*.

And yet, the introduction of knowledges and practices supposedly antithetical to the logic of professionalism does not mean that it will be supplanted (Wilensky, 1964; Freidson, 2001). Rather, a political emphasis on efficiency and accountability, manifest in greater central control over practice, has reshaped professionalism in probation to conform to the *discourses, objectives, and techniques* of the ‘new penology’ (Feeley & Simon, 1992: 450). Indeed, for Robinson (2008: 437), “where rehabilitation is attempted, it tends to be in the context of or alongside more obviously punitive elements.” Understanding ‘professionalism’ in probation as a Foucauldian “discourse of occupational change and control” (Evetts, 2013: 786), then, recognises both the loss of *autonomy over work* to managers and the continued importance of an *ideology of service* as means of adaptation.

2.5 Professionalism in probation: A disciplining discourse?

The purported consequences of managerialism for probation practice have been the focus of considerable academic enquiry in recent years. Some have even gone as far as claiming that the service has been ‘Taylorised’ (Gale, 2012; Fitzgibbon & Lea, 2014) – that is, subject to a theory of scientific management which advocates the standardisation of processes to enhance efficiency (Braverman, 1974; see Chapter Seven). While this research typically stops short of engagement with broader shifts in understandings of professionalism, it nonetheless draws upon the ideal-typical tenets of professional status to situate allegations of deprofessionalisation within attempts to impose a new culture on the service (e.g. Farrant, 2006; Gregory, 2010; Robinson & Ugwudike, 2012; Phillips, 2016). After all, as Freidson (1970: 73) observed, a profession must maintain contact with “the knowledge and values of its society” if it is to survive.

That humanistic endeavour was not altogether lost within the ‘punishment in the community’ approach is widely attributed to the ‘What Works?’ movement, which gave empirical credence to rehabilitation programmes whilst enabling probation to distance itself from being perceived as a ‘soft’ option (Robinson, 2002; Robinson & Crow, 2009; Raynor, 2012). With its origins in the 1980s, ‘What Works?’ built upon the momentum of ‘risk management’ within probation and embedded it as the principle around which practice was organised under New Labour (Robinson & Crow, 2009). The logic was that resources would follow *risk of reoffending*; the greater the risk, the more resources would be directed towards the offender (Fitzgibbon, 2007, 2008; Robinson & Crow, 2009). The rise of ‘cognitive behavioural therapies’ (CBT) as the dominant response to offending behaviour under ‘What Works?’ represents a significant departure from the ‘casework’ model and its emphasis on offenders’ life histories (Fitzgibbon, 2007, 2008). With a focus on negative behaviours, CBT constitutes a skills-based approach to rehabilitation delivered by practitioners who specialise in particular accredited programmes (Ward & Maruna, 2007). For Fitzgibbon (2008), however, CBT has diluted probation practice by dismissing socio-structural explanations of criminality. Problems that would previously have been labelled ‘welfare’ needs have been re-designated as the ‘criminogenic’ needs of a rational actor who must learn to adapt their behaviour to

their environment. The scope for rehabilitative intervention has thus been narrowed by the logic of risk management (Robinson, 2008).

Early attempts to assess risk relied upon ‘actuarial’ devices such as the ‘Offender Group Reconviction Scale’ (OGRS) and the ‘Level of Service Inventory – Revised’ (LSI-R), tools developed by the Home Office which borrowed from the insurance industry to aggregate groups of offenders according to their likelihood of reconviction (Robinson, 2002; Robinson & Crow, 2009). The main criticism of LSI-R was its overreliance upon data derived from *populations* of offenders, which overlooked the risks, and thus needs, of *individuals* (Robinson & Crow, 2009) - to the particular detriment of minority groups (e.g. Shaw & Hannah-Moffat, 2000; Gelsthorpe, 2001; Hollin & Palmer, 2006).

The Offender Assessment System (OASys), the successor to LSI-R, went some way to addressing previous problems, factoring in criminogenic *needs* as well as measuring changes in levels of risk (Robinson & Crow, 2009). Based on surveys distributed to probation officers and follow-up interviews of their experiences of OASys, Mair *et al.* (2006) found evidence of the same positives and negatives that marked LSI-R. While 60% of respondents described OASys as easy to use, the most frequently identified drawback was the time taken to input the requisite information - such that one respondent called it “the worst tax form you’ve ever seen” (Mair *et al.*, 2006: 16). Like LSI-R (Robinson, 2002, 2003), though, very few participants saw no advantages to risk technology. Most argued that, despite its role in helping to entrench a culture of performance in probation, OASys promoted greater consistency in practice and provided an evidential basis for professional judgement (see also Hardy, 2014). This is supported by Raynor and Lewis’s (2011) literature review of sentencing outcomes for minority ethnic offenders. They assert that, while some disparity exists along racial and ethnic lines, the “risk-need principles... can actually be used to combat some of the disadvantages faced by minority groups in the criminal justice system” (Raynor & Lewis, 2011: 1367), as long as staff possess the time and training to deliver thorough assessments.

However, the unintended consequences of demands for greater accountability have featured prominently in probation research in recent years (Phillips, 2011). A desire for “perpetually increasing productivity” (Davies & Gregory, 2010: 401), evidenced through processes of target and audit, has arguably contributed to regimented and deskilled practice and the degradation of the supervisor-offender

relationship (Farrant, 2006; Gale, 2012). Discontent is particularly acute amongst experienced practitioners. Farrow (2004) interviewed probation officers with over a decade of service to explore morale and commitment. While they accepted the need for consistency in practice, many felt that targets and audit had inhibited decision-making autonomy. A “massive increase in paperwork” (Farrow, 2004: 212) had rendered practice more prescriptive, leading to stress and job dissatisfaction. As such, probation officers no longer felt they had a voice in how practice was delivered. In interviews with practitioners with between twelve- and 30-years’ experience, Gregory (2010, 2011) found that her informants had normalised this lack of control, emphasising how autonomy has adapted to managerial changes as opposed to being removed entirely.

The shift to governance through “market related forms of accountability and evaluation” (Fournier, 1999: 291) at once codifies employees’ conduct *and* ensures that individuals are ‘responsible’ for their actions. In this Foucauldian sense, targets and audit are at once *individualising* and *standardising* (Foucault, 1977; see Chapter Three): government-defined objectives are “counterbalanced by increasingly detailed quality assessments of the public institution/corporation” (Krejsler, 2005: 351). Managerial practices in probation have consciously sought to discipline practitioners by imposing limits on their autonomy (Davies & Gregory, 2010; Phillips, 2011). This implies that the notion of the ‘client’ has broadened: where ‘penal-welfarism’ empowered practitioners to solve offenders’ problems (Garland, 2001), the managerial emphasis on efficiency, accountability, and public protection indicates that probation’s priorities have been expanded to better reflect the needs of the taxpayer. As such, the challenge to ‘professionalism’ in probation has *contracted* practitioners’ ability to apply their discretion, whilst *expanding* notions of what constitutes ‘appropriate’ conduct to serve an ever-wider ‘client’ base (Fournier, 1999).

And yet, while practitioners have had to internalise targets, audit, and standardisation to “justify the service’s existence” (Phillips, 2011: 111), their implications for *autonomy* have arguably been overstated. Studies have consistently found that, while some control over work has been lost to managerial reforms, professional discretion remains integral to probation practice (e.g. Farrow, 2004; Gregory, 2010, 2011; Gale, 2012; Phillips, 2016). Similarly, risk assessment technologies, whether LSI-R (Robinson, 2002; 2003) or OASys (Gregory, 2010;

Mair *et al.*, 2006; Hardy, 2014), have not supplanted professional judgement; rather, they are best used to *assist* knowledge and discretion (Robinson, 2003: 606). Fitzgibbon's (2007, 2008) analysis of probation case files showed that OASys depends upon more traditional casework methods for it to be effective. Likewise, Raynor and Vanstone's (2016: 1142) evaluation of 95 recorded probation supervisions found that "the skills observed... are clearly part of the skills repertoire traditionally valued and taught in social work". This further suggests that 'professionalism' in probation has been *reshaped*, rather than replaced, by the shift to risk management, reorienting the service's knowledge base along managerial lines.

The transition to casework grounded in social work training was a cornerstone of probation's professional 'project' (Larson, 1977), not only laying claim to esoteric knowledge but also reinforcing an 'advise, assist, and befriend' *ideology of service* (McWilliams, 1985). More recently, however, the value of social work knowledge has come to be viewed as "ontologically suspect" (Hardy, 2014: 305). Farrant (2006) situates the devaluation of such knowledge within the embrace of punitive policies and the simultaneous rise of a new knowledge in the form of risk management. Raynor and Vanstone (2016: 1135) point to the declining number of criminal justice-related articles in the *British Journal of Social Work* to evidence such distrust in the service's historic welfarist orientations: in 1981/82, 23% of the papers published were criminal justice-oriented; by 2011/12, this proportion had fallen to just 2%. Such a shift can be explained by the inability to reconcile the social work focus on offenders' personal histories with the confluence of wider trends in the penal sphere, including political discourses which highlight individuals' moral culpability; calls for greater accountability and consistency in practice; and a managerial focus on 'value for money' (Garland, 2001; Hardy, 2014; Mair, 2016).

When New Labour assumed power in 1997, they did not reinstate social work training; rather, they introduced a Diploma in Probation Studies (DipPS) coupled with a National Vocational Qualification in Community Justice, comprised of theory learned within higher education and its practical application in a probation office (Bailey *et al.*, 2007). Some have intimated that the purpose of the DipPS was to engage a wider variety of applicants who would be more receptive to a 'punishment in the community' agenda (Farrow, 2004; Annison *et al.*, 2008; Deering, 2010). While trainee probation officers' (TPO) caseloads under the DipPS scheme were smaller than their forebears under prior training regimes, co-location in a university

and a probation office often exposed them to the competing priorities of the respective organisations (Bailey *et al.*, 2007). The DipPS was, moreover, reliant upon regular assessment, which could inhibit TPOs' opportunity for critical reflection on the theoretical aspects of the programme (Knight, 2002). Some critics have pointed to this lack of engagement with abstract knowledge as evidence of an absence of scholastic integrity that mirrors broader managerial trends (Nellis, 2003). As such, cultivating a 'professionalism' in probation concurrent with a functionalist *ideology of service* centred on rehabilitation was not a priority of the New Labour administrations. That said, research has also shown that the DipPS could be a rewarding experience (Jarvis, 2002).

The number of practitioners greatly increased during the New Labour years (Bailey *et al.*, 2007); however, this expansion was driven by higher numbers of (lesser qualified) probation service officers relative to probation officers (Gale, 2012; Fitzgibbon & Lea, 2014). When a task can be routinised, an occupation becomes particularly vulnerable to deskilling (Jamous & Peloille, 1970; Braverman, 1974). Such trends have historically been present in other sectors, such as nursing (e.g. Witz, 1992) and, more recently, the growth of 'paraprofessionals' in policing (e.g. O'Neill, 2014). Indeed, participants in Annison *et al.*'s (2008: 265) study of new probation recruits expressed surprise at "the increasing number of probation officer tasks being undertaken by probation service officers". Unlike probation officers, who are trained in the service *and* a higher education institution, probation service officers are for the most part trained internally (Bailey *et al.*, 2007). As such, it has been argued that probation service officers' remit has been determined in such a way as to encroach upon the duties of probation officers (Bailey *et al.*, 2007; Gale, 2012). This arguably represents a blurring of job roles and a cost-effective move away from 'professionally' qualified practitioners (Fitzgibbon & Lea, 2014), discussed further in Chapter Seven.

The demography of the probation service has also undergone significant transformation (Bailey *et al.*, 2007). Men constituted two-thirds of probation staff until the 1980s but were surpassed by women in the mid-1990s (Knight, 2007). Indeed, women now comprise approximately 70% of the service (Deering & Feilzer, 2015). Bailey *et al.* (2007) find this trend particularly intriguing, especially against the backdrop of attempts to 'toughen' the service's profile from the mid-1990s onwards. This influx can be explained, they speculate, by women's capacity to

engage reflexively with their work in a way that is conducive to facilitating change in individuals. Knight (2007) adds that the caring work associated with probation, specifically its 'feminine' overtones, may disincentivise men from applying to the service. Here, an 'ethic of care', which revolves "around a central insight, that self and other are interdependent" (Gilligan, 2003: 74), is relevant to professionalism in probation. This is not to reduce women to an exclusively caring role nor to deny that men can possess an ethic of care; rather, to emphasise that, since the advent of the punishment in the community agenda, probation has increasingly resembled other female-dominated semi-professions (e.g. Etzioni, 1969). In particular, there are parallels with nursing in that "professional caregiving stands in complex relation to scientific knowledge" (Davies, 1995: 149), and can devalue a professional project. Gregory (2010, 2011) articulates similar complexity in a probation context: an ethic of care cannot be replaced by the logic of targets and National Standards because the work depends upon an ability to engage with offenders and work with them to engender change. The feminisation of probation has thus coincided with the difficulties of reconciling the worth of relationships predicated on care and managerial efforts towards the quantification of performance. And yet, probation practice is inseparable from practitioners' values: "it is not merely what we know, but who we are" (Gregory, 2010: 2284).

Research has consistently demonstrated the resilience of client-centred 'probation values' predicated on a recognition of socio-structural disadvantage in offending behaviour and a belief in the capacity of the individual to change (Deering, 2010; Mawby & Worrall, 2013; Deering & Feilzer, 2015). Indeed, there is little evidence to suggest that changes to the training procedure have eradicated 'traditional' values centred on humanistic endeavour (Annison *et al.*, 2008; Deering, 2010). Deering (2010: 19), for instance, concludes that "it is far from clear that the... government aim of recruiting TPOs without a commitment to social work values had been achieved": participants acknowledged the government's priorities, but did not necessarily share them. Similarly, Annison *et al.* (2008) show that probation is inherently *people-oriented* – the majority of respondents from three separate studies agreed that wanting to perform interpersonal work was the main determinant in applying for a career in probation. However, many respondents indicated that work did not meet expectations upon entry, citing political interference, a greater focus on

expenditure than on staff needs, an abundance of paperwork, and a “get them in/get them out” (Annison *et al.*, 2008: 265) mindset as factors in their disappointment.

Concerns over a shift towards people-processing were at the heart of Robinson and Burnett’s (2007) exploration of how staff experienced the NOMS reforms. They found that the principal objections were with “the ogre of contestability” (Robinson & Burnett, 2007: 328) - that is, NOMS’s intention to introduce competition for probation services. Many perceived greater private sector involvement to be the gateway to further deskilling, standardisation of practice, a reduction in face-to-face contact with offenders, and the erosion of the values that were integral to their decision to join the service. However, most staff displayed a willingness to “grasp the nettle” (Robinson & Burnett, 2007: 331), to concentrate on their work with offenders to circumnavigate the institutional negativity undermining morale. This highlights how professional identity, expressed through an *ideology of service*, is used as a resource for managing change: practitioners’ allegiance lies with their clients rather than the organisation (see Chapter Five).

Drawing upon Bourdieusian themes of *field* and *habitus*, discussed above, Phillips’s (2016) ethnography of two probation teams displays how such values are deployed to navigate a loss of autonomy. In a probation context, *field* constitutes the arena in which practice occurs and the rules which regulate action; *habitus* refers to practitioners’ values, histories, and experiences, individual and collective, as structuring factors in how they enact the rules of the *field* (Phillips, 2016). Phillips (2016: 47) found that practitioners used a probation *habitus* to “alter the field” (emphasis in original) so as to avoid breaching offenders and jeopardising relationships. An ability to “escape the rules” (Jamous & Peloille, 1970: 112) illustrates how practitioners possess an intuitive sense of the *field’s* unwritten rules. This suggests that practitioners operationalise professionalism through the lens of their *ideology of service* (Evetts, 2013); they expect themselves to act ‘appropriately’ towards offenders, irrespective of organisational constraints on autonomy (see Chapter Eight). In this sense, where standardising mechanisms *overtly* constrain autonomy over practice, ‘probation values’ serve to discipline ‘at a distance’ (Miller & Rose, 1990; Fournier, 1999).

However, dissonance between personal ethics and organisational rules can prove to be a potent source of tension (Lipsky, 2010). The divergent needs of offenders and the wider (taxpayer) clientele is expressed by Robinson *et al.* (2014)

through differing ‘frontline’ and ‘corporate’ expectations of ‘quality’ in probation practice. ‘Frontline’ practitioners emphasised the nature of relationships with offenders and the ability to be flexible as crucial to quality. Senior managers’ ‘corporate’ understandings, by contrast, revolved around the completion of tasks that could be measured quantitatively as the primary indicators of quality (Robinson *et al.*, 2014: 127-135). What constitutes ‘appropriate’ professional conduct (Fournier, 1999) is contingent upon the worker’s position in the division of labour. These findings imply that neither *autonomy over practice* nor an *ideology of service* have been surrendered entirely to managerial logic; rather, professional identities have been reformulated to incorporate the state’s demands for greater efficiency and accountability.

As such, probation conforms to Evetts’s (2013: 787) notion of *organizational professionalism*: practitioners are morally engaged in their work, although their knowledge and values have ceased to resonate with an organisation whose objectives are centrally defined. Whilst (neo-Weberian) occupational control has been transposed onto managers in probation, a *discourse of professionalism* depends upon practitioners’ (functionalist) notions of an *ideology of service*. Such values function as an important source of adaptation to decreasing *autonomy over work*. Recent decades have obfuscated the meaning of ‘professionalism’ in probation, reflecting the state’s (as proxy for the taxpayer) challenge to the service’s methods and values. The eminence of efficiency and accountability as virtues of late-modern probation practice (Robinson, 2008) raises questions about *whom* the service serves, and to *what end*. This hints at a “political and cultural struggle” (Krejsler, 2005: 337) between the competing demands of different interest groups – state and service, manager and practitioner, offender and taxpayer.

2.6 Conclusion

The quasi-market conditions under which probation has come to operate represent a marked change from the days of the independent missionary pursuing a higher moral calling (Nellis, 1995). Despite decreases in crime in recent years (Reiner, 2007), cultural trends towards the “fear of crime” (Farrall *et al.*, 2009: 3), coupled with successive governments’ willingness to exploit such fears (Downes & Morgan, 2012), have eroded public trust in the probation service and greatly reduced

its ability to resist further restructurings (Robinson & Burnett, 2007). The removal of state support for the service's knowledge, practices, values, and historic purpose has thus transformed what it *means* to be a probation professional (May & Annison, 1998).

While the persistence of a shared value set centred on humanitarian service perhaps more closely resonates with functionalist analyses of the sociology of the professions (e.g. Carr-Saunders & Wilson, 1933), on closer analysis, this 'civilising' or socially responsible view of professionalism looks somewhat benign against the demands of a new socio-political consensus. Likewise, the relevance of neo-Weberian literature on professional power (e.g. Freidson, 1970; Larson, 1977) is also called into question, as change has been imposed by the state without practitioners' consent. Instead, a *discourse of professionalism*, which stresses the significance of a moral commitment to the offender/client *and* an organisational commitment to the taxpayer/client, is advantageous for understanding how the probation service has negotiated managerialism and its attendant challenge to practitioner autonomy.

To adopt a Foucauldian perspective, 'professionals' everywhere are subservient to the 'client' (Fournier, 1999). In a probation context, however, the 'client' is somewhat ambiguous. For the state, efforts towards efficiency and accountability in practice, expressed through quantitative performance targets and enforced via audit, display professionalism empirically to the *taxpayer*; for practitioners, such prescription endangers the professionalism required to facilitate change in *offenders*. Professionalism in probation thereby forges a path between the diverse demands of these two 'clients', which contributes to its conceptual ambiguity. Though the service has been forced to internalise managerial principles, extant research indicates that *knowledge, autonomy, and ideology of service* remain essential to contemporary practice because probation work demands an ability to listen to and engage reflexively with offenders to engender change. Within the limits imposed by increasingly centralised objectives, the values to which practitioners adhere serve to discipline 'at a distance' (Miller & Rose, 1990; Fournier, 1999). Accordingly, the *disciplining* impact of a *discourse of professionalism*, propagated to demonstrate probation's punitive efficiency to the public, has proved incompatible with the 'professionalism' that successive governments have sought to delegitimise.

The next chapter, therefore, scrutinises how the Coalition government mobilised 'professionalism' as an antidote to the managerial practices described in

this chapter to justify the *TR* reforms. Contrary to the liberating manner in which markets for services were presented, however, it argues that the new organisation and governance of probation under *TR* has instated a disciplining micro-physics of *market* power within the service.

Chapter Three - *Transforming Rehabilitation: The micro-physics of (market) power*

3.1 Introduction

This chapter provides an overview of the structural and the cultural impacts of the introduction of competition and profit to the probation service following the implementation of the *TR* reforms. As Chapter One argued, the financial crisis of 2007/08 provided the ideological frame in which the Coalition government could present structural reforms to the probation service as essential to liberating professionalism. They argued that overturning the target-centric, managerial culture of state intervention that had transformed probation in recent decades by competing for services for low-to-medium risk offenders would reduce reoffending *and* the costs of justice (MoJ, 2010, 2013a). However, from a Foucauldian perspective, this chapter demonstrates that the constraints peculiar to instilling *decentralising* market mechanisms that aimed to unlock professionalism have entrenched further the *centralising* tendencies the Coalition government chose to associate with probation practice under successive New Labour administrations, described in Chapter Two.

The first part of the chapter highlights the similarities between the probation service and Foucault's (1977: 139) concept of a "disciplinary institution". The chapter, thereafter, draws upon Foucault's (1977: 170) 'instruments' of disciplinary power – *hierarchical observation*, *normalizing judgement*, and *the examination* – as lenses through which to explore the unintended consequences of the introduction of competition and profit under *TR*. Applied to probation, *hierarchical observation* refers to the 'architecture' of *TR* and how it was constructed. The PbR mechanism represents a "penal accountancy" (Foucault, 1977: 180) that has inhibited 'innovation' and continued to *normalize judgement*. In other words, practitioners remain subservient to a similar system of targets that *TR* was presented as a means to displace. Finally, *the examination* is manifest in the intensification of quasi-governmental audits of probation since *TR* was implemented. These inspections are utilised to show how the logic of competition and profit exert disciplinary power over practitioners: they are Foucault's (1977: 177) "supervisors, perpetually supervised."

The chapter differs from Foucault's general approach in that it does not seek to present *TR*, nor its architects, as plotting a strategic course to evermore discipline and control; rather, it applies these 'instruments' as examples of an unintentional micro-physics of (market) power, which have at once *decentralised* services and *centralised* practice. In this sense, *TR* represents what Newman and Clarke (2009: 8) call a "puzzle of decline and proliferation": as the state has withdrawn from direct service provision for low-to-medium risk offenders, its role has been transformed in other, less obvious ways.

3.2 Probation: A 'disciplinary institution'?

In *Discipline and Punish*, Foucault (1977: 9) explored how punishment became "the most hidden part of the penal process." Bodies that were previously mastered externally, by corporeal force, were now to be mastered internally through "structural relationships, institutions, strategies, and techniques" (Garland, 1990: 138). Foucault (1977) analysed the rise of the prison alongside other such homologous entities, like factories, schools, hospitals, and army barracks. These 'disciplinary institutions' shared common modes of organisation, intended to mould their inhabitants to the societal ends of the emergent capitalist system: 'hierarchical observation', 'normalizing judgement', and 'the examination' (Foucault, 1977: 170). *Hierarchical observation* involved the strategic dispersal of supervisors along the architecture of 'disciplinary institutions' to closely surveil their inhabitants and induce reform. *Normalizing judgement* depended upon a "penal accountancy" (Foucault, 1977: 180) which, following surveillance, established behavioural 'norms' by punishing divergence. Finally, *the examination* combined the aforementioned disciplinary instruments, at once individualising bodies and standardising their conduct through the production of written knowledge, which formed the basis for the ceaseless dispersal of power (Foucault, 1977: 184). Together, these 'instruments' instated discipline within bodies, organising the new penal system around small, seemingly insignificant techniques contrived to coerce behaviour. A "micro-physics of power" (Foucault, 1977: 139) thus permeated individuals who, concurrently, became intermediaries in the further dispersal of discipline.

Foucault's (1977) discussion of the utilitarian philosopher Jeremy Bentham's designs for a 'Panopticon' prison provides an example of how a 'disciplinary

institution’, and its attendant ‘instruments’, might operate in its purest form. The Panopticon, he argued, is an unrepentantly disciplinary edifice: prison cells encircle a central tower, their windows permitting both light from the exterior and visibility from the interior and their walls concealing the prisoners in the adjoining cells. From a centrifugal point, the person situated in the tower is able to monitor, *unseen*, both prisoners *and* supervisors, who are disciplined by the belief that they are constantly *seen*. Such an architecture facilitated more efficient surveillance over a greater number of inhabitants, regulating action and monitoring performance. The transformative power of the prison thus depended upon knowledge: acquiring information on individuals meant that they could be controlled, while such control simultaneously created the conditions for the collection of further knowledge. This “power/knowledge spiral” (Cohen, 1985: 25) is self-perpetuating: *discipline only begets more discipline*.

Foucault’s (1977) analysis of the omnipresence of power/knowledge relations in the prison might imply that the institution has proved tremendously successful in rehabilitating offenders. And yet, in the latter part of *Discipline and Punish*, he argued that the prison is, in fact, a ‘failure’. Rather than being corrective, the prison manufactured a criminal class prone to reoffending through processes of stigmatisation and overly regimented labour. Paradoxically, though, the prison’s inadequacies – “failure to reduce crime, its tendency to produce recidivists, to organise criminal milieu, to render prisoners’ families destitute, etc.” (Garland, 1990: 149) – are precisely what make the institution *successful*. The primary reason for its longevity lies in its political utility: concentrating a new category of criminal classes in communities wherein they are easily managed sedates the threats they might otherwise pose to capitalist society’s twin pillars of property and authority.

However, Foucault’s “cavalier reading of cause, effect and sequence” (Cohen, 1985: 26) in the penal sphere has generated considerable criticism, not least for a lack of evidence to sustain its claims. While the narrative of discipline in perpetuity is compelling, Foucault does not specify the forces or actors, other than ‘power’ itself, behind such insidious calculation. Instead, he takes the unexpected corollaries of the prison’s failures to be to its predestined purpose. This renders his analysis overly deterministic, neglecting “the political and ideological forces which put up principled opposition to the introduction and extension of disciplinary practices” (Garland, 1990: 167). In other words, Foucault (1977) examines power as

if its exercise is solely concerned with *more* power, at the expense of alternative and competing explanations for a particular policy or sanction. Here, as the previous chapter demonstrated, probation provides an example of an institution which emerged not as a punitive organisation, but rather, to *contain* the spread of the prison's disciplinary power in the late nineteenth century (e.g. Garland, 1985).

Despite the flaws in his arguments, Foucault's (1977) disciplinary thesis has proved a rich source of understanding for the (under-theorised) field of community supervision (Robinson & McNeill, 2017). Garland (1985), for example, draws from Foucault (1977) to explore the emergence of modern penality at the turn of the twentieth century. He shows that, from its central position on the penal grid, the prison became one sanction among many, as the state deployed its resources to the productive ends of the "reform and normalisation" (Garland, 1985: 31) of offenders. Likewise, tracing the origins of parole in California, Simon (1993: 247) argues that "the power to punish has been exercised as a form of normalization". Foucauldian interpretations of probation might, therefore, consider it to be a 'disciplinary institution' because of its focus upon surveillance, monitoring, and the correction of 'abnormal' behaviour. As Cohen (1985: 85) observed, "The same micro-physics of power reproduces itself in the prison and the community".

As highlighted in Chapter Two, however, the emergence of a 'new penology' displaced the transformative optimism of clinical approaches to community supervision (Feeley & Simon, 1992: 449). In other words, (Foucauldian) disciplinary institutions no longer served to correct offenders via scientific rehabilitation; rather, they sought to identify and manage the foreordained criminality of recalcitrant groups (Feeley & Simon, 1992; Garland, 2001). This "absence of an aspiration towards eliminating crime", Simon (1993: 245) argues, reflects the potency of conservative criminal justice discourse. As a result, Robinson (2008) contends that late-modern rehabilitation has been reimagined according to *expressive*, *utilitarian*, and *managerial* ends. The hardening of socio-political attitudes towards offenders has resulted in *expressive* rehabilitation, or "rehabilitation *as* punishment" (Robinson, 2008: 436; emphasis in original). In a *utilitarian* sense, the public have supplanted offenders as the primary stakeholders in rehabilitative endeavours. A greater emphasis on public protection, therefore, gave rise to *managerial* practices focused on controlling offender risks and the costs of criminal justice (Robinson, 2008; Feeley & Simon, 1992). The tempering of rehabilitative ambition necessitated

a disciplined workforce, enforced and monitored via audit by bodies such as HMI Probation and the National Audit Office (Raynor & Vanstone, 2007). In this sense, the normalising gaze of disciplinary power was inscribed within the (centralised) organisation and governance of the service and transposed onto probation staff.

Indeed, the Coalition government's reading of the probation service under New Labour exhibits many similarities with Foucault's (1977) concept of a 'disciplinary institution'. Like Foucault's (1977) account of the prison, probation was constructed as a failing service: rather than rehabilitating offenders, ineffectual community supervision perpetuated criminality and succeeded only in drawing evermore offenders into the state's disciplinary embrace (MoJ 2010, 2013a). Prescriptive guidelines for practice, the Coalition government argued, were emblematic of increasingly interventionist modes of governance that had suffocated practitioners (MoJ, 2010). Processes of targets, National Standards, and audit functioned as a *disciplinary discourse*, suffused throughout the probation service and into wider society: practitioners were the *products* of stifling state intervention and the (inadvertent) *producers* of the state's disciplinary power. As such, like the emergence of the probation service, *TR* was born from a desire to check the disciplinary power of the prison and its associated costs (MoJ, 2013a).

On the surface, then, Foucault's (1977) analysis of the *modern* functions of the *prison* might appear to be two steps removed from *late-modern probation practice*. This is evidenced by accounts of community sanctions that detail the evolution of penal strategies away from correction towards control (e.g. Feeley & Simon, 1992; Simon, 1993; Garland, 2001; Robinson, 2008). On closer inspection, however, Foucault's (1977) disciplining 'instruments' of power – *hierarchical observation*, *normalizing judgement*, and *the examination* – are evident within managerial developments to probation: such control extends beyond the *supervised* to the *supervisors*. The remainder of this chapter, therefore, concerns the new organisation and governance of these services under *TR*, highlighting the unintentional consequences of a micro-physics of (market) power for providers and practitioners.

3.3 *Hierarchical observation: The ‘architecture’ of TR*

For Foucault (1977: 170-1), the ‘disciplinary institutions’ were great ‘observatories’, architecturally engineered according to a precise logic of distribution, with supervisors (doctors, teachers, prison guards, etc.) strategically positioned amongst the ‘objects’ of power (patients, pupils, prisoners, etc.) to ensure compliance. The ‘disciplinary institutions’ facilitated *hierarchical observation* – that is, they were designed and built to maximise surveillance of their inhabitants. In the prison, for instance, offenders were segregated from one another and surveilled by guards. The purpose of such design was to train bodies to become *self-disciplining*, to function without the stimulus of a coercive gaze, which marked a fundamental departure from previous power relations. Foucault (1977: 174) noted that, whereas a ‘master’ presided directly over a ‘servant’ in the agrarian economy, the emerging capitalist system required more efficient means of control than overt displays of repression. As such, an expanded division of labour relied upon “an uninterrupted network” (Foucault, 1977: 177) of power to function. Power was not exercised *on* a body *by* another, as in the master-servant relationship; instead, it was dispersed vertically and horizontally from an ostensible ‘head’, through multiple layers. This means that supervisors, too, were being surveilled; they were the *products* of power as well as its *producers*.

For the purpose of this chapter, *hierarchical observation* refers not to the physicality of probation offices (see Chapter Six), but rather, to the meta-physical architecture of the service. For the Coalition government, practitioners were assessed “on the basis of hitting multiple targets and whether they had complied with detailed central requirements” (MoJ, 2010: 6). A totalising scrutiny facilitated the control of activity (Foucault, 1977): centralised interference, it was argued, had rendered probation practitioners subservient to state directives, constraining discretion and contributing to ineffective practice (MoJ, 2010, 2011). The Coalition government thus accelerated New Labour’s intentions for competition for services, expounded in the Carter Report (2003), discussed in Chapter Two. *TR* promised to *decentralise* decision-making, to dismantle bureaucratic probation provision and restore trust in professionals (MoJ, 2013a). The new architecture of probation was built on the assumption that profit-driven markets could distribute resources more efficiently than the state, improving performance and producing better ‘value for money’ for the

taxpayer (MoJ, 2013a). Decentralisation, through competition, would restore professional autonomy, as private providers brought ‘innovative’ practices to the public sector (MoJ, 2010, 2011).

Numerous papers by the Coalition government insisted on the advantages of competition for offender services when compared to state provision, expressed in terms of enhanced ‘efficiency’, ‘effectiveness’, ‘innovation’, and ‘value for money’ (e.g. HM Government, 2010; MoJ, 2010, 2011, 2012a). But the only evidence cited across these publications, in *Competition Strategy for Offenders* (MoJ, 2011), was a single reference to a report by the (now defunct) Office of Fair Trading (OFT) (2011). This gave just one example of competition for criminal justice services, a case study of prison procurement - which found that the tendering process could prove ‘costly’, while rigid contractual conditions concerning desired outcomes created barriers to entry that inhibited ‘innovation’ (OFT, 2011: 75). A lack of evidence for the value of competition is supported by Ludlow’s (2014: 78) literature review of competing for prison services, which concludes that “there is no research from the prison sector to support the Government’s contention that benefits inevitably flow from competition.”

The OFT (2010, 2011), moreover, argued that competition for public services is most effective when there is ‘demand-side’ choice - that is, when clients can *choose* which products they consume. In this instance, competition “in the market” (OFT, 2011: 10), where multiple providers compete for clients within a geographic region, is encouraged as the most appropriate form of market in public services. As involuntary clients, however, offenders must accept the probation services to which they are sentenced or face sanctions, usually imprisonment or another community punishment (Trotter, 2014; see Chapter One). Instead, in the absence of ‘demand-side’ choice for criminal justice services, ‘supply-side’ markets can be created wherein providers compete for central funds to supply services (OFT, 2011). This is an example of competition “for the market” (OFT, 2011: 80), where providers compete for a monopoly on services in a geographic region. For supply-side competition ‘for the market’ to be most effective, there must be “appropriate incentives on providers – they are rewarded for success or punished for failure” (OFT, 2010: 48).

The OFT (2011) asserted that the best way to incentivise providers in the absence of ‘demand-side’ competition is through ‘Payment by Results’ (PbR). In

essence, PbR provides a means of aligning the interests of commissioners with providers, as the focus is on *outcomes* as opposed to *outputs* (OFT, 2011). In a probation context, private providers would be paid for the *outcome* of reducing reoffending: by determining ‘what’ is to be achieved, rather than ‘how’, practitioners are given greater flexibility to tailor their work according to offenders’ needs (MoJ, 2010). The political appeal of PbR, therefore, lies in its simplicity: “the taxpayer only funds rehabilitation services that work” (MoJ, 2012: 1). However, when the risk of failure is high, as with groups of prolific offenders, an absolute focus on outcomes can prove unattractive to prospective bidders (Hedderman, 2013; NAO, 2019). Incorporating a ‘fee for service’ element within PbR, in which providers are paid for the services they deliver, thereby helps to offset the risks by maintaining providers’ cashflow (NAO, 2015). However, if the balance between ‘fee for service’ and ‘payment by results’ is incorrect, then innovation can be stifled because providers focus on *outputs* rather than outcomes (NAO, 2015). Thus, while it is true that success *is* rewarded, the taxpayer also funds the delivery of statutory requirements.

For Hedderman (2013), using ‘reconviction’ as the outcome that triggers payments under PbR poses practical issues for service delivery. Among the challenges she identifies are, first, that crime statistics are notoriously unreliable: reconviction data reflect only those who are caught and successfully prosecuted; it does not provide an accurate picture of reoffending, nor does it allow for delays in prosecutions. Second, because PbR is largely untested within criminal justice, monitoring the contracts may prove to be expensive. Third, it is possible for providers to meet the targets required to trigger the ‘fee for service’ (output) payments but *miss* the ‘payment by results’ (outcome) targets. Finally, “reconviction is a measure of failure rather than success” (Hedderman, 2013: 50); perversely, therefore, inaccurate reporting of offending is in providers’ commercial interests.

The Coalition government initially displayed an appetite for piloting PbR in criminal justice, with a view to adding to an already existing public sector PbR portfolio worth nearly £15bn in areas as diverse as health, employment, and international aid (MoJ, 2010; NAO, 2015). Offender rehabilitation pilots for those serving short-term prison sentences were commissioned at two prisons, HMP Peterborough and HMP Doncaster (MoJ, 2010). And yet, despite these steps towards an evidence-base for PbR in rehabilitation services under Kenneth Clarke’s tenure as Justice Secretary, pilots were placed on hold, and subsequently cancelled, when he

was replaced by Chris Grayling in 2012 (Burke & Collett, 2016). Grayling rapidly accelerated the reforms; shortly after he assumed office, he revealed that PbR would be applied to rehabilitative services *before* a thorough analysis of the pilots had taken place (Hedderman & Murphy, 2015). Grayling explained his decision by expressing a desire to restore practitioner autonomy: “All the evidence across Government over the years is that you are much better placed to get much better results if you trust the professionals and do not impose huge layers of bureaucracy” (c.f. Bardens & Garton-Grimwood, 2013: 7). In other words, by dismantling the *hierarchical observation* of state-administered targets and National Standards, practitioners would be sufficiently empowered to rehabilitate offenders. Grayling’s assertions, therefore, represent a reversal of distrust in, and derision of, professional discretion in the 1980s, highlighted in the previous chapters, to justify greater central control over probation.

In May 2013, following a brief consultation period, *Transforming Rehabilitation: A Strategy for Reform* outlined the Coalition government’s plans for restructuring the probation service (MoJ, 2013a). This document brought together the central themes of the Coalition government’s criminal justice reforms (discussed in Chapter One) and, with echoes of the Carter Report (2003), proposed four key changes to the probation service. First, ‘statutory rehabilitation’ (MoJ, 2013a: 6) was to be extended to offenders sentenced to less than twelve months imprisonment. Second, to increase the supply of services to *all* offenders, the NPS would be scaled back to work only with offenders posing a high *risk of harm* to the public and markets for services would be created for private and voluntary organisations. The 35 existing Probation Trusts – which, in spite of their experience, were prohibited from bidding to provide services *as* a Probation Trust (Albertson & Fox, 2019) - were to be replaced by 21 ‘contract package areas’ (which later became CRCs) worth an estimated £3.7bn over seven years (MoJ 2013a: 16). Third, new providers would be required to provide continuous support from the prison ‘Through the Gate’ into the community, including formulating a resettlement plan within five working days of assessment by prison staff; aiding prisoners in finding accommodation, benefits, education, employment, and training before release; and continuing services in the community via probation (HMI Probation & HMI Prisons, 2016). Fourth, providers would be paid through the implementation of a PbR scheme (MoJ, 2013a: 6). The Coalition government argued that the efficiencies generated by competing for services would pay for the reforms (MoJ, 2013a), with savings resulting from

reduced reoffending estimated to be approximately £12bn over the seven-year duration of the contracts (NAO, 2016).

If there was broad consensus over the rehabilitative *ends* of the *TR* reforms, then the *means* through which these aims were to be achieved proved unsettling to large numbers of those working in and around probation (Deering & Feilzer, 2015; Burke & Collett, 2016). Albertson and Fox (2019) assert that the public are, in general, suspicious of marketisation and privatisation. For Hedderman and Murphy (2015), however, a lack of public interest in, and understanding of, the probation service and the work it performs resulted in very little media coverage of, and thus opposition to, *TR* during 2013. Their review of the LexisNexis database of newspaper articles showed just 24 referenced the reforms. The most radical aspect of *TR* – the outsourcing of probation work to private companies – was largely uncontested, as were Grayling’s claims as to the failings of the service to tackle the reoffending rates of a cohort of short-term prisoners for whom they had no statutory responsibility (Broad & Spencer, 2015; see Chapter One).

Napo officials were an isolated voice in resisting the changes at a national level, in large part because the Coalition government prevented probation leaders from speaking out (Hedderman & Murphy, 2015; Deering & Feilzer, 2019). Indeed, Robinson *et al.*’s (2016: 171) ethnography of a CRC during staff transition from public to private employment found that informants shared a “sense... of having been let down by the [probation service’s] leaders, both locally and nationally.” In a subsequent account of the transitory experiences of the senior management team within the CRC, however, the research team reported on the difficulties of implementing the reforms (Millings *et al.*, 2019). Attempts to present a positive vision of the rehabilitative potential of *TR* were undermined by what one participant described as an “infernal triangle” (Millings *et al.*, 2019: 70) of staff uncertainty in the CRC (see Robinson *et al.*, 2016; Burke *et al.*, 2016), the parent company’s incentives to profit, and routine interventions by Ministry of Justice auditors.

From June 1st 2014, *TR* split the probation service into the publicly-owned NPS and 21 privately-run CRCs (NAO, 2016). Assessing risk is the sole province of the NPS, which advises the courts on sentencing and determines where offenders are allocated; CRCs are expected to ‘innovate’ to reduce reoffending, working with offenders serving community sentences and providing ‘Through the Gate’ continuity of service from the prison into the community (MoJ, 2013b). Probation staff were

consulted on their organisational preference, although, in a majority of cases, the final decision was ultimately imposed by the state (Robinson *et al.*, 2016). Most probation officers were assigned to the NPS, whilst probation service officers were shifted to the CRCs (Kirton & Guillaume, 2015). Preferred providers for the 21 CRCs were announced in October 2014, with private companies assuming responsibility for the contracts in February 2015 (Millings *et al.*, 2019; Albertson & Fox, 2019). To ensure diversity of supply, the Ministry of Justice imposed limitations on the number of ‘contract package areas’ a single provider could own, with no organisation able to capture more than 25% of the total market (NAO, 2016). Indeed, in four of the 21 areas, contracts were awarded to the second-placed bidder (NAO, 2016). A so-called £300m ‘poison pill’ clause was also included in the contracts, protecting providers by ensuring that anticipated profits over the duration of the contracts would be realised in the event that a new government cancelled them after the 2015 General Election (Burke & Collett, 2016: 128).

In Foucauldian terms, then, competing for services has expanded probation’s reach, both horizontally *and* vertically: the number of private and voluntary organisations involved in service provision has widened, while supply chains have lengthened (see also Hucklesby & Corcoran, 2016). The voluntary sector leads just one CRC (Durham Tees Valley); the twenty remaining contracts were awarded to agglomerations of private and voluntary organisations in which a for-profit company is the lead provider (HMI Probation, 2017a). However, probation expenditure increased by just £36m – from £853m for 2012/13, when the reforms were announced, to £889m for 2015/16, in the first year of their implementation - while absorbing 45,000 more offenders released back into the community following a short-term prison sentence (NAO, 2014; House of Commons Committee of Public Accounts, 2016). The implication was that the private sector would be able to distribute its resources along the new architecture of probation more efficiently than the state, becoming more cost-effective by replacing the gaze of state directives with market logic of competition and profit.

And yet, probation is not a ‘privatised’ market, as many have claimed (e.g. Fitzgibbon & Lea, 2014; Deering & Feilzer, 2015; Burke & Collett, 2016). In a ‘self-regulating market’, forces of supply and demand act as natural economic indicators which set prices and, thus, dictate profits (Polanyi, 1944). The nature of delivering services to involuntary clients necessitates an intimate relationship *between* the

market and the state: the former cannot wholly replace the latter when there is no competition ‘*in the market*’ (OFT, 2011). Here, Newman and Clarke’s (2009) *assemblages* is a useful tool with which to conceptualise the structure of probation services under *TR*, which has brought together public, private, and voluntary providers to deliver services. The absence of ‘client’ demand for services means the state has a *monopsony* over probation; it is both the *supplier of clients to* and the *purchaser of services from* providers, fixing the prices at which providers are paid. As a result, the state may have decentralised direct service provision for low-to-medium risk offenders; but probation is still centrally funded, while the private sector is accountable to the state. The state, moreover, continues to perform multiple roles in these new *assemblages*: no market exists for high-risk offenders and the NPS determines to which organisation offenders are allocated.

Unlike a ‘free’ market in which failure would eventually result in the provider becoming insolvent, the state underwrites the market by offsetting failure through both a ‘fee for service’ element of the PbR mechanism and, ultimately, by accepting the costs of a return to custody. While requirements on ‘how’ practice is delivered have been relaxed (MoJ, 2013b), *TR* has not dismantled the *hierarchical observation* structuring the probation service because providers can be punished via the withdrawal of (state) funding for failure to meet state-specified targets. For practitioners, therefore, such targets have inadvertently contrived to further embed disciplinary controls within their practice.

3.4 Normalizing judgement: PbR as ‘penal accountancy’

In ‘disciplinary institutions’, the surveillance inherent to *hierarchical observation* facilitated a “micro-penalty” (Foucault, 1977: 178) in which divergence from a ‘norm’ was rendered punishable. Failure to conform to predefined standards - whether expressed through punctuality, performance, speech, or behaviour - was branded an ‘offence’ that required correction. Such logic had the effect of standardising conduct, or *normalizing judgement* (Foucault, 1977), and was also critical to the emergence and development of community supervision (Garland, 1985; Simon, 1993). A ‘micro-penalty’, for Foucault (1977: 180), provided a means of individualising subjects through a “gratification-punishment” duplex, with actions marked on opposing poles of ‘good’ and ‘bad’. In this way, behaviours could be

quantified as part of a “penal accountancy” (Foucault, 1977: 180): individual action could be contrasted with the whole, setting the standard to which all must adhere and ranking subjects according to their (quantitative) value.

And yet, as argued above, the late-modern tempering of probation’s rehabilitative aspirations meant that corrective controls were displaced onto practitioners (Robinson, 2008). The Coalition government argued that a probation service based on state-administered targets had created perverse incentives in which outcomes were neglected, for which the resultant constraints on professional autonomy had *normalized judgement* in practice (MoJ, 2010). Standardised procedures thereby functioned as coercive guidance (Foucault, 1977; MoJ, 2013a). *TR* promised that “the level of prescription set out in contracts in relation to activities aimed at rehabilitation and reducing reoffending will be kept to an absolute minimum” (MoJ, 2013b: 10). A discourse of empowerment was, therefore, inherent to the *TR* reforms, promising to give practitioners greater freedom by “reducing direct central control” (MoJ, 2010: 11). Described as “radical and decentralising” (MoJ, 2010: 10), PbR was integral to incentivising both ‘innovation’ and ‘value for money’ (MoJ, 2011, 2013a).

In spite of government advocacy of PbR, no central body monitors the effectiveness of the programmes currently in operation (NAO, 2015). Despite this lack of evidence, David Cameron (2012), the Prime Minister when *TR* was implemented, described PbR as “such a good idea I want to put rocket boosters under it”. For the NAO (2015), however, PbR has previously led to crudely designed contracts, particularly in the delivery of welfare services, which have resulted in poor ‘value for money’. This interpretation is supported by research into the effects of PbR on voluntary sector providers of public services, in which funding linked to targets exerted downward pressures on organisations responsible for delivery and has stifled innovation (e.g. Crowe *et al.* 2014; Sheil & Breidenbach-Roe, 2014). PbR contracts often require substantial advanced investment to cover the costs of potential failure; by nature, therefore, they suit larger organisations who are better placed than smaller enterprises to absorb the risks (NAO, 2015). This explains why the lead providers in the overwhelming majority of CRCs are private, for-profit companies (Burke & Collett, 2016). Indeed, the extent to which the tendering process benefited large, multinational corporations has contributed to the belief that the *TR* reforms were ideological in nature (Senior, 2013; Annison *et al.*, 2014;

Ludlow, 2014; Deering, 2014; Burke & Collett, 2015, 2016; Fox *et al.*, 2016). Probation staff share these views: based on 1,300 surveys distributed to staff between March and April 2014, just before the service was split, Deering and Feilzer (2015) found that 96.4% either ‘agreed’ or ‘strongly agreed’ that there was no evidential basis to justify *TR*.

Through the PbR mechanism, CRCs receive payments for three aspects of service delivery: ‘fee for service’, for the satisfactory completion of certain activities; ‘fee for use’, in cases where CRCs perform work for the NPS; and the outcomes-based ‘Payment by Results’, “triggered by reductions in reoffending after two years, based on scaled payments of up to £4,000 per offender who desists and £1,000 per offence avoided” (NAO, 2016: 21). The ‘Payment by Results’ element of the contract is further divided into ‘binary’ and ‘frequency’ metrics: the former refers to the reoffending rate; the latter concerns the number of offences per reoffender (MoJ, 2014). Despite the Coalition government’s claims of “a culture of... transparency” in public services (MoJ 2013a: 19; HM Government, 2011), precise contractual information is difficult to ascertain due to commercial confidentiality (House of Commons Justice Committee 2018a). For example, a National Audit Office (2016) report estimated that ‘Payment by Results’ constitutes approximately 10% of payments, although HMI Probation (2017a) have since stated that it increases incrementally from 6% to 28% over the course of the contracts. This demonstrates the extent to which the PbR mechanism is weighted in favour of the output-based ‘fee for service’ payments. Significantly, if providers do not meet contractual specifications, then they can be financially penalised (NAO, 2017). This logic resonates with Foucault’s (1977: 180) “penal accountancy”: missing targets is ‘bad’ and can be punished via the withholding of (state) funding; hitting targets is ‘good’, regardless of whether the service delivered is meaningful.

The dominance of ‘fee for service’ highlights the enduring importance of the *hierarchical observation* (Foucault, 1977) of state-administered targets, albeit reconfigured in contractual form. That CRCs are dependent upon such payments for their income shows how PbR has the potential to skew probation services in favour of commercial interests. When *TR* was announced, McNeill (2013: 85) argued that the humanitarian values on which probation was founded were at risk of being ‘corrupted’ by the influence of market logic. As the previous chapter demonstrated, probation research has consistently shown the strong attachments of staff to the

service and its associated values (Deering, 2010; Mawby & Worrall, 2013; Deering & Feilzer, 2015). Probation staff are thus the ‘culture carriers’ (Clare, 2015: 50) of this *ideology of service*. Training has historically contributed to socialisation into this culture by reinforcing the people-oriented nature of work (Annison *et al.*, 2008; Deering, 2010; Mawby & Worrall, 2013; Collins, 2016). However, probation differs from other professions in that membership is not dependent upon professional registration or certification (HMI Probation, 2019a). While the NPS are required to employ professionally qualified staff, CRCs are required by the Ministry of Justice only to “maintain a workforce with appropriate levels of training and competence” (MoJ, 2013b: 41). The definition of what constitutes ‘appropriate’, though, is at CRCs’ discretion. As such, attempts to save money by *normalizing judgement* (Foucault, 1977), hiring cheaper staff who are unfamiliar with the probation service’s values and traditions, is arguably the most expedient means by which to garner profit under the PbR mechanism.

However, in their ethnography of the ‘migration’ from public to private employment, Burke *et al.* (2016) found evidence of the same historic resilience that has characterised staff experiences of change within probation. Drawing upon Waring and Bishop’s (2011) ‘typology of occupational identity narratives’ in their study of staff transitions from the publicly-run NHS to privately-managed Independent Sector Treatment Centres, the authors apply the same categorisations – *pioneers, guardians, marooned* – to probation culture in a newly established CRC. Senior managers were the group most likely to take a *pioneering* attitude, with many expounding the view that the changes liberated practice from the bureaucratic customs of the centrally managed public sector. The group most resistant to change was the unionised members of staff, most of whom had worked in probation for many years. This group felt *marooned* by the reforms, distanced from decision-making, and opposed the performance targets intrinsic to the contractual process of *TR*. The *guardians*, the most common group, retained their ‘public sector’ identity and subscribed to a ‘probation ethos’, but were determined to adopt a ‘business as usual’ approach to the changes. This is to say that a desire to help service users took precedence over their personal opinions on *TR*. The *guardians*, therefore, echo previous research (see Chapter Two) on organisational change within probation in which practitioners were willing to focus on the positives, to “grasp the nettle”, so as to cope (Robinson & Burnett, 2007: 331). Accordingly, for Burke *et al.* (2016),

probation values did not disappear when *TR* was implemented, nor are they likely to in the near future.

While the evidence from the period of transition indicated the persistence of probation culture, survey research exposed apprehensions over working conditions (Kirton & Guillaume, 2015; Deering & Feilzer, 2015). Indeed, the evidence indicates that such concerns have materialised: where it was anticipated that CRCs would supervise approximately 80% of the total caseload (NAO, 2016), as of September 2018, the actual figure was closer to 59% (NAO, 2019). CRCs' business volumes are thus reduced between 16% and 48% due to fewer low-to-medium risk offenders being processed through the criminal justice system, with the NPS absorbing the excess, as state funding has been *withheld* (NAO, 2016; House of Commons Committee of Public Accounts, 2019). Cumulative payments of £3.7bn for CRCs' contracts proved to be a huge overestimation because of lower than anticipated business volumes, with a new upper limit set at £2.1bn over their duration (NAO, 2017). Here, the "penal accountancy" (Foucault, 1977: 180) inherent to PbR has punished CRCs for their reduced clientele, a factor that lies beyond their control. Consequently, individual workloads have *increased*, in large part because of the pressures probation is under to deliver services to an enlarged caseload (HMI Probation, 2017a). According to HMI Probation (2019a: 74), "56% [of staff] in CRCs tell us that they find their workloads unmanageable."

CRCs are not obliged to publish data on staffing levels: when questioned before parliament on media reports that staff had been cut by 20% during 2015/16, David Liddington, then Secretary of State for Justice, replied that it is not for government to dictate appropriate levels of staffing for CRCs, providing they deliver on their contractual requirements (House of Commons Hansard, 2017). However, HMI Probation (2019a: 74) contend there have been "substantial reductions in many CRCs." Redundancies, along with high rates of sickness, have left staff in some CRCs with "exceptional caseloads" (HMI Probation, 2017a: 12), for which the focus is on adherence to contractual 'fee for service' targets. The report identifies a trend towards telephone supervision of offenders, accounting for some 40% of 'meetings'. Walker *et al.* (2019) suggest that the pressures of work under *TR* have also impacted levels of sickness and absence. Participants in their study reported heightened feelings of stress, anxiety, and even suicidal thoughts. The observations of Dame Glenys Stacey, the former Chief Inspector of HMI Probation, are telling:

[CRCs] are running with ever fewer professional staff and taking other steps to contain or manage expenditure – and to reduce it, wherever possible. They are pared back... and focus predominantly and understandably on what is measured and what is rewarded (House of Commons Justice Committee 2017: 3).

This implies that an enforced focus upon targets has become further entrenched under PbR, with providers standardising practice as a means to remain competitive in the probation marketplace.

The PbR mechanism, then, has imperilled ‘innovation’: funding for new projects must come from providers’ own reserves, leading to “specialised, individual-focused services being decommissioned in favour of generic group activities” (House of Commons Committee of Public Accounts, 2016: 12). The level of prescription in the contracts may have been relaxed to better accommodate changes to *how* practice is delivered, but statutory obligations as to *what* activities must be performed to trigger payment has meant that standardised practice remains prevalent. There is a stringent focus on performance metrics that are too numerous and overly complex (HMI Probation, 2017a) – such that, for practitioners, the normalising gaze of targets has become further embedded since *TR*. As such, the National Audit Office (2019: 9) have concluded that PbR “was not well suited for probation services.”

Contractual uncertainty has also filtered through to voluntary sector providers (NAO, 2016). Revenue is the most serious obstacle faced by criminal justice charities, as *TR* has restructured funding to favour contracts over grants (Clinks, 2016, 2018; House of Commons Justice Committee, 2018b). However, according to a Clinks (2018) survey on the role of the voluntary sector in *TR*, just 35% of 132 organisations that responded are directly funded by a CRC. These organisations are disproportionately larger - in terms of income and staff - than those external to supply chains (House of Commons Justice Committee, 2018a). The organisations outside of supply chains still accept referrals from probation and prisons, demonstrating how CRCs and the NPS employ such services whilst avoiding financial obligations to commit to their delivery (Clinks, 2016, 2018). Conversely, Wyld and Noble (2017) note that some charities have had limited contact with their

CRC partners. In one instance, a charity involved in 9 of 11 successful bids to provide services had not performed any work for the CRCs. As such, they allege that some CRCs used voluntary organisations as “bid candy” (Wyld and Noble, 2017: 32) to strengthen their business proposals during the tendering process.

Without proper funding for criminal justice charities, particularly smaller organisations, the financial sustainability of large parts of the sector is perilous (House of Commons Justice Committee, 2018a; Clinks, 2016, 2018). Unwanted by much of the voluntary sector, PbR contributes to this instability (Wyld and Noble, 2017; Clinks, 2018). Many charities are disincentivised from bidding for contracts because of the legal costs incurred in their negotiation (House of Commons Justice Committee, 2018b). To this end, “PbR has... created a risk averse culture” (Wyld and Noble, 2017: 26) in which charities that are dependent upon funding for their survival prefer to persist with familiar modes of working rather than seeking new ways to ‘innovate’. In this sense, with Foucault (1977: 180), the potential ‘punishment’ for failing to meet output targets is a stronger determinant of providers’ actions than the possible ‘gratification’ garnered from a focus on outcomes. This is in large part a reflection of how payments are weighted: the ‘payment by results’ element is small when compared to ‘fee for service’, deterring providers from developing new practices because failure threatens their income (NAO, 2016; Clinks, 2018). Testimony given by the leader of a major voluntary provider involved in the delivery of *TR*, moreover, concluded that contracts are “stuck in the mud” (House of Commons Justice Committee 2018b: 7). Charity participation in *TR* is declining; PbR is failing to incentivise innovation; and providers are working to output-based targets as opposed to outcomes (House of Commons Justice Committee, 2018b; NAO, 2019). As a result, Michael Spurr, the former Chief Executive of HM Prison and Probation Service (HMPPS), conceded that some of the ‘richness’ of services provided by charities has been lost to contractual pressures as consequence of *TR* (House of Commons Committee of Public Accounts 2018a: 11).

Whether voluntary or profit-seeking entities, providers are similarly constrained by the contractual logic of PbR. As CRCs’ funding is derived exclusively from the state, and is thus limited, remaining ‘competitive’ in the probation marketplace is most easily achieved through practices geared towards meeting targets. The ‘innovation’ *TR* was supposed to inspire has, instead, proved difficult to reconcile with the need for ‘efficiency’. Accordingly, PbR has

reconfigured rather than replaced state-administered targets. Where the normalising gaze of the prison instated “a micro-physics of power” (Foucault, 1977: 139) within its inhabitants, the PbR mechanism has dispersed a micro-physics of *market* power throughout providers and practitioners in the private and voluntary sectors by entrenching a “tick-box culture” of monitoring (Clinks, 2018: 24; see Chapter Seven). This suggests that, while an *ideology of service* (e.g. Burke *et al.*, 2016; see Chapter Two) persists within probation, structural flaws in the design of *TR* have deprived practitioners of the *autonomy* to exercise such values.

3.5 *The examination: Individualisation and standardisation*

The examination brought together the aforementioned disciplinary ‘instruments’ through consistent and rigorous inspection (Foucault, 1977: 184). Discipline manifested in written form, the result of knowledge garnered from surveillance which makes possible the establishment and enforcement of norms. Where, previously, writing about individuals had been limited to narrative histories of the powerful, the recording of the minute techniques intrinsic to the functioning of the ‘disciplinary institutions’ represented a “reversal of the political axis of individualization” (Foucault, 1977: 192). In this sense, disciplinary power is dependent upon individuals being *seen* – or at least *believing* that they are constantly seen. Those subjected to *hierarchical observation* are rendered ‘cases’, individualised as objects of enquiry through which mutually constitutive power/knowledge relations are exercised. Documenting individuals means that ‘cases’ can be easily compared to one another, thereby *normalizing judgement*. As such, *the examination* is at once individualising *and* standardising: individuals are acutely aware of observation, ensuring that they meet and exceed norms to avoid punishment (Foucault, 1977).

As Chapter Two argued, a culture of performance has enveloped probation in recent decades (Davies and Gregory, 2010; Phillips, 2011), enforced via processes of audit and inspection (Power, 1997; Raynor & Vanstone, 2007). The Coalition government argued that such “overly bureaucratic inspection regimes” (MoJ, 2010: 82) had contributed to ineffective probation services and, hence, increases in the prison population. Here, the ritual exercise of *examination* rendered practitioners the objects and instruments of disciplinary power (Foucault, 1977). And yet, the

probation service is arguably under more scrutiny than at any point in its history. In Foucauldian terms, *the examination* has been intensified under *TR*, as a multiplicity of governmental and quasi-governmental agencies has a stake in holding probation to account. Together, this evidence outweighs empirical academic enquiry into *TR*, and familiar problems recur: communication between CRCs and the NPS is insufficient; IT is inadequate, although this issue predates *TR* (HMI Probation, 2014); individual workloads are inflated, for both managers and practitioners; and there are high rates of sickness and absence (House of Commons Committee of Public Accounts, 2018b; House of Commons Justice Committee, 2018a; HMI Probation, 2019a).

One of the most important themes underlying CRCs' performance to date is the financial constraints under which they operate, not least because the increase in funding for probation is negligible when compared to the rise in the total caseload (NAO, 2016). The "commercial and contractual pressures" (NAO, 2016: 43) providers are under to deliver the terms of the contracts, combined with lower than anticipated caseloads, have jeopardised CRCs' ability to implement their operating models due to funding shortfalls. When the contracts were awarded, the Ministry of Justice did not expect CRCs' fixed costs to exceed 20% of their total expenditure; on average, however, fixed costs amount to 77%, as 14 of 21 anticipate losses totalling £443m over the duration of the contracts (House of Commons Committee of Public Accounts, 2018b). Such pressures prompted a director of Interserve Justice, the owner of five CRCs, alongside a director of another private provider, MTCNovo, to threaten before the Justice Select Committee to terminate their probation commitments if contracts were not renegotiated in a satisfactory manner (Travis 2017). As a result, the Ministry of Justice was forced to intervene to preserve providers' financial stability, injecting £342m in extra funding to help struggling CRCs (NAO, 2017). The Ministry of Justice also highlighted £7.7m in potential fines for CRCs' failures to meet 'fee for service' metrics; but it has only enacted £2m, waiving fees or allowing providers to reinvest the remaining amount (House of Commons Committee of Public Accounts, 2018b).

Extra funding for CRCs could not, however, prevent two private providers from falling into administration (House of Commons Committee of Public Accounts, 2019). In February 2019, Working Links was rendered insolvent and its three CRCs, including staff and caseloads, were transferred to another provider, Seetec (NAO, 2019). This occurred shortly after an inspection of a Working Links CRC (Dorset,

Devon and Cornwall) found that, “[f]or some professional staff, workloads are unconscionable. Most seriously, we have found professional ethics compromised and immutable lines crossed because of business imperatives” (HMI Probation, 2019b: 4). Meeting performance targets so as to avoid fines took precedence over supervision, while some staff artificially deflated offenders’ risk of harm status to evade expectations for weekly face-to-face contact. Interserve Justice followed Working Links into administration one month later, in March (House of Commons Committee of Public Accounts, 2019). Consequently, providers’ financial hardship underlines the importance of *hierarchical observation*, of meeting state-administered targets in order to maintain income (House of Commons Justice Committee, 2018a).

Despite a focus on targets, CRCs are hitting just one-third of their output measures, while “19 CRCs have not met their targets for reducing the frequency of reoffending” (House of Commons Committee of Public Accounts, 2018b: 3; HMI Probation, 2017a). The proportion of proven reoffenders has decreased by 2.5% since 2011, but there has been “a 22% overall increase in the number of proven reoffences per reoffender over the same period” (NAO, 2019: 6). Where CRCs are missing ‘fee for service’ metrics, it is often only by a few percentage points, although HMI Probation (2017a) argue that too much emphasis is placed on quantitative outputs. Resettlement is a pertinent example: “plans are prepared but most are woefully inadequate; most reviews are cursory at best, and very few are followed through, to make any real difference” to offenders (HMI Probation, 2017a: 57). Similarly, the House of Commons Justice Committee (2018a) criticised the decision to implement the PbR mechanism *before* the pilots were completed, which led to a fundamental imbalance between outputs and outcomes. As such, the completion of targets does not necessarily equate to the delivery of *meaningful* rehabilitation.

The difficulties of reconciling ‘quality’ of practice with the pecuniary portents of the failure to meet targets under PbR are further evidenced by thematic inspections of areas of practice that span the probation estate. According to an HMI Probation (2018a) report on supply chains, CRCs have cut back on the commissioning of specialist services from voluntary organisations due to uncertainty surrounding their finances. Key to the Coalition government’s attempts to empower private providers were the use of ‘black box’ contracts, in which CRCs were free to individualise their own terms (HMI Probation, 2018a). The expectation was that providers would form robust supply chains from which to commission specialist

services; however, “vague statements of intent” (HMI Probation, 2018a: 12) pertaining to their development have proved unenforceable. The failure to establish supply chains has thus impacted the services available for the NPS to commission from the CRCs on a ‘fee for use’ basis (HMI Probation, 2018a). In addition to a lack of confidence in the quality of interventions and their value for money, “there is an enduring cultural dimension: professional probation staff do not see themselves as purchasers, and most do not want to be” (HMI Probation, 2018a: 13).

HMI Probation and HMI Prisons’ (2016, 2017) joint reports on the ‘Through the Gate’ element of the reforms highlight insufficient access for offenders to accommodation, education, training, and employment post-release. Though the inspections emphasised that some of these problems are beyond the control of CRCs - for instance, cuts to the prison system, social security, and a national shortage of housing (Fox *et al.*, 2016; House of Commons Committee of Public Accounts, 2018b; NAO, 2019) - they nonetheless judge that the work is not being performed effectively. Some prisoners with no fixed address are being provided with tents upon release (House of Commons Committee of Public Accounts, 2019). As HMI Probation and HMI Prisons (2017: 3) conclude, “If Through the Gate services were removed tomorrow, in our view the impact on the resettlement of prisoners would be negligible.” This analysis presents a striking example of the failure of *TR* to deliver on one of its core tenets, of an absence of ‘innovation’ in the face of financial stress.

Similarly, HMI Probation’s (2017b) inspection of Rehabilitation Activity Requirement (RAR) days found little evidence of good practice. Introduced in 2015, RARs replaced court orders, in which courts would set the activities *and* the number of activity days, with just the “maximum number of days of activity” (HMI Probation 2017b: 7) set by the court. RARs afford providers greater freedom to decide upon the most expedient course of action in reducing reoffending and have surpassed accredited programmes as the most common form of intervention (HMI Probation 2017b). However, HMI Probation (2017b: 8) found “no simple correlation” between the number of specified activity days and the gravity of the offence; delivery has been stunted, with plans ignored and activities unfulfilled. This translates into very poor numbers for providers: just 2 of the 72 RARs analysed had completed all of the activity days required under the terms of their order after nine months, while 12 had not undertaken any days.

A thematic inspection of probation services for female offenders, too, revealed a “lack of strategic focus on women” (HMI Probation, 2016: 4), which further suggests standardisation of practice. The inspection identified examples of good practice in women’s centres; but these achievements were often tempered by a shortage of available services, alongside the short-term, insecure nature of contracts with the partner agencies by which they are provided (HMI Probation, 2016). The report concludes that *TR* has negatively impacted female offenders, in large part because dedicated funding for women is no longer protected. HMI Probation’s (2018b) wider inspection of enforcement and recall also discovered deficiencies in service provision. In the case of community orders and suspended sentences, where the offender does not serve a period of imprisonment, the report found that practice is particularly poor, as CRCs tend to be more concerned with meeting targets than purposeful rehabilitation. Licence recall is considerably better, for which the report speculates that this cohort of offenders is supervised by experienced, more qualified staff. As “a direct result of the [Ministry of Justice’s] extension of statutory rehabilitation to those serving short custodial sentences” (NAO, 2019: 7), however, there has been a marked increase, from 3% to 36%, in the number of such offenders who have been recalled to prison.

The more CRCs have struggled, the louder the calls for disciplinary scrutiny. In their review of the impact of *TR*, the House of Commons Justice Committee (2018a: 6) concluded that they “are unconvinced that the TR model can ever deliver an effective or viable probation service.” Their ambition for a greater focus on standards, “even if that means there is an increased inspection and audit burden” (House of Commons Justice Committee, 2018a: 4), echoes HMI Probation’s (2017c) calls for a return to benchmarks of ‘quality’ through annual inspection of *all* CRC and NPS divisions. These appeals for more *examination* mark a significant departure from the profit-motive as the foremost driver of standards within probation. Indeed, since HMI Probation changed its inspection framework in April 2018, eight CRCs have been rated as ‘requires improvement’ and one as ‘inadequate’ compared to three NPS regions rated as ‘good’ across the same period (NAO, 2019). HMPPS’s operational audits use a colour-coded system to assess both NPS and CRC commitment to professional and contractual standards; however, of 37 inspections of CRCs between February 2017 and October 2018, none were given a ‘green’ rating and just five were rated ‘amber/green’ (NAO, 2019: 25).

The cumulative weight of evidence on *TR* prompted the Conservative government to further restructure probation services. On July 27th 2018, a consultation document announced a new strategy in which CRCs' contracts will be terminated two years early, in 2020; 21 CRCs would be reduced to ten and aligned with NPS divisions (MoJ, 2018a). The consultation pledges to "introduce minimum standards specifying the form and frequency of contact between offenders and their responsible officer" (MoJ, 2018a: 7). The total cost of terminating the contracts early will be approximately £467m (House of Commons Committee of Public Accounts, 2019). The market logic underlying the *TR* reforms was not challenged: the government reaffirmed their commitment to a "mixed market approach" (MoJ, 2018a: 3) and stated their intention to work with private providers to renegotiate contracts, although the PbR mechanism will be dropped from any future arrangements (NAO, 2019). However, the Conservative government recently announced that CRCs will be disbanded and responsibility for the everyday management of offenders of *all* risk statuses returned to eleven NPS regions, each of which will have an 'Innovation Partner' (MoJ, 2019b: 4) from whom unpaid work and accredited programmes must be procured (see Chapter Nine).

Finally, in the letter to David Gauke, the former Secretary of State for Justice, which forewords the latest HMI Probation (2019a: 3) annual report, Dame Glenys Stacey called *TR* 'irredeemably flawed'. She highlighted how a transactional model of probation had 'downgraded' and 'diminished' the profession, whilst unequivocally asserting probation's claims to professional status. These claims rest upon two of the ideal-typical professional traits discussed in Chapter Two: professional training and a code of ethics (HMI Probation, 2019a). An exodus of qualified staff has resulted in unsustainably high caseloads managed largely by unqualified staff, which is negatively impacting probation practice. Commercial pressures are, meanwhile, undermining the norms and values on which professional practice depends. Dame Glenys Stacey's criticisms of the effects of marketisation on professionalism in probation stand, therefore, in direct contrast to the Coalition government's mobilisation of 'professionalism' as a means to rationalise the *TR* reforms (e.g. MoJ, 2010, 2013a). And yet, as Chapter Two argued, these changes are not unique to *TR*; rather, they reflect the manner in which public sector professionalism has been reshaped in recent decades. In this sense, *TR* represents a

continuation of the *centralising*, managerial trends that have characterised probation policy and practice.

3.6 Conclusion

By highlighting the similarities between the Coalition government's portrayal of the probation service under New Labour and the 'instruments' employed within Foucault's (1977) 'disciplinary institutions' – *hierarchical observation, normalizing judgement, and the examination* – it is possible to demonstrate how the *TR* reforms have further embedded the *centralising* tendencies they attempted to displace. The Coalition government argued, not without justification (e.g. Davies and Gregory, 2010; Phillips, 2011), that processes of target, National Standards, and audit had stifled innovation and stunted performance in probation (MoJ, 2010, 2013a). And yet, market mechanisms have not reversed a disciplining micro-physics of power within probation; rather, they have instated a micro-physics of *market* power within providers and practitioners. Foucauldian logic can thus be utilised to accentuate these asymmetric power relations.

The Coalition government's articulation of *TR* drew from familiar neoliberal discourses in which markets are presumed to be more 'efficient' and 'effective' than the state (Ludlow, 2014). In the absence of natural indicators of supply and demand within criminal justice markets, however, offenders' status as involuntary clients means that there is no competition '*in the market*'; instead, providers must compete '*for the market*', or a state-sanctioned monopoly over services (OFT, 2011). The new architecture of probation was supposed to reverse centralising trends, replacing the *hierarchical observation* of overbearing state directives with competition and profit to improve services. And yet, the evidence suggests that providers and practitioners remain observant of quantitative targets, prioritising outputs rather than outcome-driven innovations.

CRCs' financial hardships, derived in large part from lower than anticipated businesses volumes, have exacerbated the structural flaws in the PbR mechanism, implemented without evidence at "breakneck speed" (House of Commons Committee of Public Accounts, 2019: 3). Here, PbR acts as a form of "penal accountancy" (Foucault, 1977: 180), *normalizing judgement* by punishing providers that deviate from contractual expectations. Professional autonomy and values have

been imperilled by the resultant increase in individual workloads and the pressures to meet targets. Accordingly, *the examination* has become an inescapable feature of the probation marketplace, as the state attempts to hold providers and professionals to account. This scrutiny has resulted in a “power/knowledge spiral” (Cohen, 1985: 25): the greater providers’ difficulties, the greater the demands for audit. Whether employed in the public, private or voluntary sector, then, it seems that those responsible for delivering probation services will remain Foucault’s (1977: 177) “supervisors, perpetually supervised.”

This chapter has presented a general overview of the difficulties of the transition to the market-based provision of probation services for low-to-medium risk offenders and its impact upon staff. Given the diversity of providers operating within the probation marketplace, qualitative research can better elicit the nuances within *and* between CRCs. The next chapter, therefore, explains the methodological value and challenges of conducting ethnographic research within a public-private *assemblage* (Newman & Clarke, 2009).

Chapter Four - Reflections on the methodological value and challenges of ethnographic research in public-private *assemblages*

4.1 Introduction

This chapter reflects upon the methodological value and challenges of conducting an ethnographic, single-case study of a probation office within a CRC. The first part outlines the aims of the research and summarises its design. The second part draws upon the Foucault-inspired concept of *assemblage*, “the idea that the institutionalisation of specific projects involves the work of assembling diverse elements into an apparently coherent form” (Newman & Clarke, 2009: 9), to highlight the methodological value of ethnographic research within a CRC. The third part acknowledges how the strengths of ethnography were deployed to obtain access to a public service that is privately run. Like Davies (1999: 21), the chapter advocates for a ‘critical realist’ grounding for qualitative research; it argues that ethnography permits nuanced scrutiny of different perspectives in a manner that does not privilege one ‘reality’ over another. In this way, ethnography helps to make sense of how the complicities and contradictions of individual and sectoral interests are worked out in the arena of the organisation. The fourth part of the chapter details the methods of data collection and the sampling procedure, while the fifth part explains the process of data analysis. Finally, the sixth part discusses the ethical challenges pertaining to *consent* and *confidentiality* (Kvale, 1996), and how they were negotiated.

4.2 Summary of research aims and design

As Chapter One explained, the primary aim of this research was to explore how probation staff experienced the *TR* reforms. This raised several pertinent research questions:

1. How do probation staff understand ‘professionalism’?
2. Has organisational reform shifted the purpose of probation work? And, if so, how?

3. To what extent have the changes influenced the day-to-day delivery of services?
4. Have 'probation values' been affected by *TR*? And, if so, how?

Data were derived from study of 'Elizabeth Street', a pseudonym for a probation office within a CRC that is privately led. A CRC was selected as the organisation for research for a number of reasons. First, *TR* represents a 'radical' (Deering & Feilzer, 2015: 1) restructuring: never in probation's history has it been so reliant upon the private sector to provide services. Second, as the previous chapter demonstrated, the majority of probation work is delivered by CRCs, but government inspection reports have consistently shown that their performance is considerably worse than anticipated (e.g. House of Commons Justice Committee, 2018a; NAO, 2019; HMI Probation, 2019a). Third, CRCs are the sites of the most significant organisational change. Robinson *et al.* (2016: 173), for example, used the concept of 'liminality' – that is, "*the experience of being betwixt and between the old and the new*" (emphasis in original) - to show how probation staff adapting to a newly established CRC felt a sense of status anxiety, a loss of identity, and a lack of faith in the organisation. This suggests that probation is a profession in transition, a shift that is most acutely felt by staff in the CRCs. Finally, Elizabeth Street is the largest probation office in the geographic region covered by the CRC. It delivers a wide range of rehabilitative work to an ethnically diverse group of offenders from both urban and rural areas.

The fieldwork for this research took place between April 2018 and October 2018. I attended the research site for three to four days per week and was present for approximately seven hours per day. The research utilised observations of a multiplicity of activities within probation and interviews with staff whom I observed, as well as two members of the parent company's senior management team. In total, I conducted 61 observations and 20 interviews. The majority of the observations took place at Elizabeth Street, although in some instances I accompanied practitioners to clients' homes, to prisons, and to the offices of other organisations involved in criminal justice in the city (see *Table 4.1*, below). With one exception, all interviews were conducted at Elizabeth Street. The research can thus be considered an ethnographic, *single-case* study: it does not seek to be representative of the wider (probation) universe; rather, it aims to provide unique insight into a single case (Yin,

2009). This is because “rich engagement in one location can often prove more revelatory than brief immersion in multiple locations” (Neyland, 2008: 162).

4.3 Researching *assemblages*: The value of ethnography

As the previous chapter demonstrated, it is more appropriate to consider probation under *TR* a ‘marketised’ service because CRCs are reliant upon the state for *funding* and *clients*. CRCs can, therefore, be understood as *assemblages* that work “across boundaries” (Newman & Clarke, 2009: 92); they bring together private and voluntary sector providers to design, manage, and deliver publicly funded services. From a Foucauldian perspective, Brady (2014) argues that power in such organisations is not derived from a single source, but rather, is a complex aggregation of competing public-private flows. In this sense, CRCs are sites in which the interests of numerous groups – the state, the parent company, managers, practitioners, offenders, etc. – come into contact and, potentially, conflict. The decentralisation of probation under *TR* means that services delivered in one locality may not be replicated in others, whether *within* or *between* CRCs. On the surface, such fragmentation presents a potent obstacle for qualitative research on the reforms. A lack of generalisability thus resonates with the perceptions of illegitimacy that have long beset qualitative enquiry, which is too often assessed according to quantitative logic (Lincoln & Guba, 1985). Indeed, a practitioner aired this concern when I explained my research to him early on in the fieldwork:

You can’t do a PhD on *one* CRC; there’s, like, 50! (Roman, Case Manager; his emphasis)

Ignoring the factual inaccuracy of Roman’s statement (for there are 21 CRCs), his comment exemplifies the most persistent criticism of qualitative research - namely, a failure to conform to what Lincoln and Guba (1985: 290) call the “conventional paradigm” and its emphasis on validity, reliability, and objectiveness. Where quantitative methods test variables to approximate causal relationships and use the conclusions to make inferences across different settings, qualitative research seeks to systematically study complex phenomena and augment the integrity of the findings by gaining informants’ endorsements (Lincoln & Guba, 1985; Flick, 2009).

Qualitative research is “neither better nor worse” (Kostera, 2007: 26) than quantitative practice; rather, its strengths are *different*, and thus appropriate for ends that emphasise rich insight and understanding of intricate social environments (Mason, 2002; Wincup, 2017). As such, while qualitative studies and the findings they produce are not generalisable in the same manner as quantitative research – indeed, nor should they aim to be - they can be employed as diagrams over which to trace further empirical work on similar phenomena (Yin, 2009). Accordingly, a fuller picture can begin to emerge via “the logic of replication” (Yin, 2009: 38).

There is no universally accepted definition of qualitative research, but core themes include an ‘interpretivist’ focus on the different meanings to be found in the social world; an elastic approach to collecting data; and analytic practices that seek to grasp the intricacies of particular viewpoints and environments (Mason, 2002). Ethnography is frequently taken to be synonymous with qualitative approaches to social research, which serves to mask its contested nature (Van Maanen, 1995; Hammersley & Atkinson, 2007). Ethnography denotes both a *method* of data collection, typically comprised of a protracted period of participant observation and interviews, and a *methodological framework* that underpins the associated methods (Brewer, 2000). The objective is to learn the peculiarities of a particular culture, provide a rich, “thick description” (Geertz, 1973: 12) of the culture in that language, and interpret actions to convey the underlying meanings that constitute an environment’s “symbolic world” (Fielding, 1993: 157; Spradley, 1979). Ethnography, therefore, emphasises *situated meaning* - that is, the manner in which individuals compose their social realities through shared beliefs, languages, and actions, and how such behaviours subsequently (re)produce cultural understandings (Hammersley & Atkinson, 2007: 168).

From its ‘exotic’ beginnings in anthropology, ethnography moved into the realm of the organisation, as researchers came to realise the value of deep immersion ‘at home’ (Neyland, 2008: 4). The Hawthorne Studies in the 1920s and 1930s, for instance, pioneered the use of anthropological techniques in the workplace to illuminate the so-called mundane aspects of organisational culture(s) (Schwartzman, 1993). Ybema *et al.* (2009: 4) define organisational ethnography as the “ethnographic study, and its dissemination, of organizations and their organizing process”. The purpose is to advance understandings of how people negotiate everyday experience through comprehensive engagement with a particular workplace

(Brannan *et al.*, 2012). And yet, the advantages of ethnography are frequently misunderstood as mere assumptions, not least because its methodological underpinnings have been rigorously contested from within both the natural and the social sciences (Van Maanen, 1995; Denzin & Lincoln, 1998; Hammersley & Atkinson, 2007).

That ethnographic research is not artificially contrived has led to accusations that it falls “below the standards of science” (Brewer, 2000: 19). In other words, a dependence upon data collection techniques that are allegedly chaotic and disorderly brings ethnography into direct conflict with positivist science and the view that an objective reality can be observed by controlling for variables in laboratory-like settings (Davies, 1999; Hammersley & Atkinson, 2007). Instead, ‘naturalism’ - the belief that a social environment should to the fullest extent possible be studied free from researcher intervention (Wincup, 2017) - is intrinsic to ethnography. ‘Naturalism’ draws upon a variety of ontological, epistemological, and philosophical ideals (Hammersley & Atkinson, 2007). *Ontologically*, ‘naturalism’ stresses how individuals accord a range of meanings to particular stimuli in an ever-changing social world (Kostera, 2007; Neyland, 2008). This means that, *epistemologically*, knowledge of the social world is generated by actors’ interpretations, which give rise to multiple ‘truths’ bounded by personal values, experiences, and environments (Brewer, 2000; Kostera, 2007). Taken together, the *philosophical* basis for ethnography can be labelled as ‘interpretivist’, as it emphasises the socially constructed and contested nature of reality (Hammersley & Atkinson, 2007; Ybema *et al.*, 2009). The researcher does not seek to determine the pertinence of events or actions, but rather, provides a platform wherefrom informants can attribute *meaning* howsoever they see fit (Fielding, 1993).

However, ethnography has also generated considerable scrutiny from within the social sciences, including from ethnographers (Denzin & Lincoln, 1998). Foremost among these critiques have been postmodern, or ‘anti-realist’, approaches (Davies, 1999; Hammersley & Atkinson, 2007). Briefly summarised, postmodernism is a ‘perspective’ that renounces the underpinnings of modernity – that is, an unwavering conviction in objective truth, the explanatory value of theoretic meta-narratives, and the inevitability of knowledge-led social progress (Manning, 1995: 245-6). Beliefs about verifiable fact and empirical certainty are rendered unsatisfactory: “If such concepts are relative, not absolute, they are always

contestable in whatever form they appear” (Van Maanen, 1995: 8). Accordingly, Denzin and Lincoln (1998: 21) have argued that ethnography faces a “double crisis”, of ‘representation’ and of ‘legitimation’.

The ‘crisis of representation’ questions the capacity of ethnography to capture social reality (Denzin & Lincoln, 1985; Brewer, 2000: 24). In spite of the differences between ‘positivism’ and ‘naturalism’, both share the belief that there *is* an external reality that can be observed by an impartial researcher, although they approach the problem of how to discern this ‘truth’ in distinct ways (Hammersley & Atkinson, 2007). If, however, as ‘naturalism’ suggests, reality is *constructed* by individuals, then so must ethnographers’ accounts that claim to depict particular social phenomena free from subjective bias (Fielding, 1993). As such, assertions to objective truths are oblivious to the impact of the researcher’s characteristics, experiences, and values on their work, as well as the selective manner in which data are presented (Brewer, 2000; Hammersley & Atkinson, 2007). The ‘crisis of representation’ thereby contributes to the ‘crisis of legitimation’: if ethnographic descriptions are *always* partial, incomplete, and, ultimately, contingent upon subjective interpretations, then the traditional criteria by which social research is judged are blunted (Davies, 1999; Brewer, 2000).

However, postmodern critiques have arguably enhanced ethnography by prompting researchers to critically evaluate their craft (Manning, 1995; Brannan *et al.*, 2012). A solution proffered to the ‘double crisis’ is *reflexivity* - that is, “a process of self-reference” (Davies, 1999: 4). Reflexivity demands critical engagement, not only with the personal biographies and the values that contributed to the production of the data on the part of the researcher, but also with the spatial and temporal conditions under which the research occurs (Brewer, 2000; Hammersley & Atkinson, 2007). Davies (1999: 21) advocates a ‘critical realist’ grounding for ethnographic research that emphasises iterative understanding between ‘concrete experience’, which can be studied *explicitly* in the form of informants’ words and actions, and ‘social structure’, the effects of which are *implicit* in such behaviours. Critical realism thus respects the *ontological* existence of a social world that exists independently of the researcher but which, *epistemologically*, contests that it is discernible. For example, we cannot *see* certain forces, like social class, but we *know* they exist, and that an individual’s position within such structures exerts a very real influence over their lived experience. In this way, critical realism acknowledges how

social structures impress deterministic influences upon individuals without relinquishing the role of human (inter)action in their resistance and reproduction (Davies, 1999).

Similarly, with regard to organisational ethnography, Watson (2012) argues that it is not merely sufficient to situate an organisation within its wider context; rather, the researcher must draw out how broader social forces have permeated the organisation and thus impel certain actions. In the criminal justice sphere, the *ontological* ‘reality’ that has shaped the recent past is that of the “austerity agenda” (Fox *et al.*, 2016: 111; Garside & Ford, 2015; see Chapter One). The available evidence from government inspections and academic research points, therefore, to much turbulence within the CRCs, as they struggle to deliver services to an enlarged caseload with only a negligible increase in funding (see Chapter Three). *Epistemologically*, a focus on the *everyday* helps to recognise the multiple ways in which such change has been experienced. Critical realist ethnography can offer unique insight into how the structural impacts of the *TR* reforms filter into cultural understandings of professionalism, practice, and values in one probation locality: “By highlighting the multiplicity of power relations within the present they make clearer the existence of (actual and potential) spaces for contestation” (Brady, 2014: 14). As such, ethnography does not occur within a socio-political vacuum; acknowledging the conditions within which it takes place, and how they affect different groups, proved vital to obtaining access to the CRC.

4.4 Obtaining access: The ‘politics’ of research

Acquiring access to organisations, especially for an extended duration, can prove problematic (Bryman, 1995). This point is relevant to probation in that researchers, who are usually professional academics, can be inhibited from prolonged exposure by other work commitments (Wincup, 2017). However, as the type of (PhD) researcher discussed by Wincup (2017: 122) for whom ethnography is a viable option, I was fortunate to possess the time, resources, and academic freedom to pursue this research strategy.

Gaining access to the CRC demanded a diligent approach to the ‘politics’ of different audiences, each with their own interests and motivations for participating in the study. In social research, the term ‘political’ carries several connotations that

reflect its use in both everyday and academic parlance (Hammersley, 1995). For Wincup (2017: 23), criminological research is inherently political: governments strive to manage (or refute) crime and criminality, determining problems and their designated response legislatively through “what is often referred to colloquially as politics with a ‘big P’.” This means that a researcher’s ‘Political’ orientations will inevitably structure *what* and *how* a particular phenomenon is researched. In addition, a criminologist engaged in qualitative research will “become embroiled in micro-political processes” (Wincup, 2017: 23), as they endeavour to counterbalance multiple (and often conflicting) narratives. The diversity of political and personal interests extant in public-private *assemblages* necessitated a pragmatic yet flexible attitude. Here, the closeness and immersion facilitated by organisational ethnography proved advantageous at three levels of access: the CRC and, by extension, its parent company; HMPPS, the state institution to which *all* requests to conduct research in any of the institutions under its jurisdiction must be submitted, regardless of prior approval; and individual informants, the ‘gatekeepers’ in the field.

First, I benefited from a university colleague’s contact with a ‘gatekeeper’, a research officer employed by the CRC’s parent company, whom I met in February 2017. Here, it is important to note that my interest in *TR* was piqued by scepticism of the morality of for-profit involvement in punishment (see Chapter One). To paraphrase one of my PhD supervisors, I was advised to leave my ‘politics’ (‘big P’) at the door and stress the positive aspects of the *TR* reforms. With this in mind, I focused on the productive potential of the return of rehabilitation to mainstream discourse and the extension of statutory supervision to *all* offenders (e.g. MoJ, 2010, 2013a). The difficulties encountered by CRCs thus far were framed within the structural constraints that have largely been imposed by the state and their subsequent impact on performance, such as lower than anticipated business volumes, because they are an aspect of the reforms that lie mostly beyond the control of private providers (see Chapter Three).

Bryman (1995: 162) notes that researchers commonly offer their report-writing skills as a means through which to obtain access to organisations; yet, there is debate within the ethnographic community as to whether such overtures dilute ethnographic practice (Kostera, 2007; Neyland, 2008). For example, Kostera (2007: 24) argues that ethnographers “do not offer advice to practitioners [because] research is an independent profession, and not really a service.” Neyland (2008: 9), moreover,

distinguishes between “ethnography *of* and ethnography *for* organizations” (emphasis in original): the former concerns academic scholarship; the latter relates to work conducted to benefit the organisation, manifest in the rise of so-called ‘quick’ ethnography in recent years. Such distinctions, however, fail to acknowledge the practical challenges of research in *assemblages*, where the pursuit of knowledge may alone prove an insufficient enticement for private sector partners. As such, I floated the idea of both interim reports and a final, written summary to the ‘gatekeeper’. The gatekeeper was intrigued by the rich data ethnographic methodology could bring to the CRC and, after productive talks, informal approval was granted, subject to formal acceptance of a research proposal by the parent company’s board of directors.

The research proposal for the parent company required a degree of flattery as to their credentials as a major, multinational provider of public services, alongside emphasis on the local context for my study. As part of my access, I proposed to present interim reports of my findings, written in an accessible manner. Here, again, the originality of ethnographic methodology was used to persuade the parent company, as “thick description” (Geertz, 1973: 9) can reveal insight into areas of practice hitherto unreported in an environment otherwise dominated by quantitative performance targets. However, the parent company experienced significant commercial challenges throughout the duration of the fieldwork. As a result, I was required only to produce one report, on my first impressions of the research site, while contact with the parent company was limited to occasional meetings with the gatekeeper when they attended Elizabeth Street. The parent company’s struggles, moreover, meant that most of the senior management team were unwilling to participate in the research.

Second, endorsement from the CRC strengthened my application to HMPPS. HMPPS state that any research in an institution under its jurisdiction must correspond to one of four priorities – ‘delivering the punishment and orders of the courts’; ‘security, safety and public protection’; ‘reducing reoffending’; and ‘improving efficiency and reducing costs’ – and require a report upon completion of the fieldwork which summarises the findings (HMPPS, n.d.). Accordingly, the methodological justifications for the case study were adapted to conform to what was deemed to be the most relevant priority: ‘delivering the punishment and orders of the courts’. The participant observation element of ethnography was highlighted as a means through which to describe how *TR* is being delivered in one specific locality

on an *everyday* basis, thus enriching knowledge of an otherwise overlooked area of criminal justice. Further, given the prevalence of sickness and absence within CRCs nationally (e.g. HMI Probation, 2019a), interviews were presented as a way for staff to reflect critically on their environment, how it has changed, and the challenges they face in ‘delivering the punishment and orders of the courts’.

Finally, individual informants ultimately held the key to obtaining access to the kind of rich data ethnography can generate. The hostile reception with which practitioners met *TR*, demonstrated through quantitative (Kirton & Guillaume, 2015; Deering & Feilzer, 2015) and qualitative (Robinson *et al.*, 2016; Burke *et al.*, 2016) research, permitted a more open political stance on my part. Accordingly, my politics (‘Big P’) were deployed to aid the ‘micro-politics’ intrinsic to building rapport with staff in the office. At the first mention of *TR*, the most common response elicited was a wry smile and a remark on how I would not struggle for informants willing to discuss the reforms.

4.5 Research design

This section rationalises the empirical research design: it begins by explaining the strengths of participant observation and interview, before discussing the sampling procedure. Personal reflections on conducting the research are interspersed throughout the section.

4.5.1 Ethnographic research methods: Participant observation and interviews

Participant observation is the method most closely aligned with the anthropological traditions on which ethnography was founded (Fielding, 1993; Brewer, 2000). Immersing oneself in informants’ lived realities allows for rich descriptions of a (probation) culture as experienced first-hand (Spradley, 1979; Wincup, 2017). This enables the researcher to embrace unanticipated phenomena, as the seeming ‘insignificance’ of behaviours can be portrayed in a new light (Bryman, 1995). Exploring beneath the surface allows for comprehensive accounts of cultural environments through which we can build greater understandings of how people construct and interpret their lived realities (Wincup, 2017). As ethnography is conducted over a protracted timeframe, however, it is important that the researcher

does not lose sight of their role as an observer: becoming too involved in informants' lives, or "going native" (Wincup, 2017: 120), can compromise the data. As Brewer (2000: 62) notes:

The role must be permanent enough to allow intensive observation over a period of time and be sufficiently broad and encompassing to permit access to a cross-section of events, activities and people in the field, and the observation must not impose impediments on the normal discharge of responsibilities and activities of the role.

While there is no shortage of research in recent years that has sought to gain practitioners' perspectives on organisational change within probation (e.g. Robinson & Burnett, 2007; Robinson *et al.*, 2016), studies that place these developments within the *everyday*, the so-called 'mundane' activities of staff are comparatively scarce (Phillips, 2016, is a notable exception). This research, therefore, utilised 'indirect participant observation' – that is, "when the researcher is constantly in and around the organization, but does not possess a work role within it" (Bryman, 1995: 143). Such immersion served a dual purpose: observation not only allows the researcher to get close enough to informants to generate data on how people behave in their natural setting, but also aided the development of personal relationships through sharing everyday experiences (Brewer, 2000).

As such, participant observation is not merely comprised of 'formal' surveillance, such as supervision meetings or staff briefings; 'informal questioning', too, forms an integral part of the observation process (Hammersley & Atkinson, 2007: 108). Prolonged immersion within a culture exposes the researcher to informants' impromptu conversations in the course of everyday observations, which can prove to be especially illuminating (Brewer, 2000; Neyland, 2008). Indeed, the potential for such unsolicited accounts is higher during the initial phase of the fieldwork, as informants strive to ensure that the researcher "understands the situation" (Hammersley & Atkinson, 2007: 99). This point is relevant to the fieldwork: given the multiplicity of acronyms in operation in probation (OGRS, HMPPS, RARs, etc.), staff took the time to confirm that I understood the terms they were using. All staff were also patient with my frequent requests for clarification throughout the fieldwork, making themselves available to answer any questions.

When the fieldwork commenced, I was allocated to a desk in the smaller of the two offices upstairs (the layout of Elizabeth Street is described in detail in Chapter Six). During the first few days in the field, many staff were keen to introduce themselves and to ask about my research in more depth. I was also given several tours of the building and used these opportunities to explain my research to as many individuals as possible. Very quickly, I realised that contrary to the language used within academia to describe those in receipt of probation services (i.e. ‘offenders’) – itself a reflection of the semantic shift within policy documents in the 1990s to portray probation as a punitive endeavour (e.g. Morgan, 2007; Phillips, 2017) - staff in the office instead referred to them as ‘clients’ or, in some cases, ‘service users’. A simple change to my vocabulary to reflect the cultural norm thus facilitated rapport building.

While I was clear that my desire to observe practitioners’ supervision meetings with their clients did not require of busy informants anything that falls outside of their day-to-day routine, such observations proved difficult to achieve in the first two weeks of the fieldwork. Some members of staff approached me to ask if I would like to observe meetings they had scheduled for that day, but poor attendance on the part of their clients meant that I witnessed very few. For this reason, I had to be proactive: I spoke to numerous members of staff each morning when I arrived at the office in an attempt to organise as many observations as possible, even where supervision meetings potentially clashed. This helped to alleviate clients’ frequent requests to reschedule their appointments.

Client non-compliance was an issue throughout the fieldwork, resulting in fewer observations of supervision meetings than I had initially hoped. There were also moments, particularly in the early stages of the research, in which I felt that my presence was influencing informants’ conduct:

This was an induction meeting following the client’s release from custody; it was administrative, extracting personal details and his goals for the future. He’s been in and out of prison since he was 18 and professed to be comfortable with the environment. Maddie’s demeanour was friendly and jokey; however, I got the impression that she was ‘performing’ for me. She kept questioned him on his prior experiences of probation, which seemed

irrelevant. (observation no. 2: Maddie, Senior Case Manager, and client, Elizabeth Street)

In general, though, I found that practitioners avoided such superfluous questioning, largely because of time constraints (see Chapter Six). I conducted a total of 61 ‘formal’ (Hammersley & Atkinson, 2007: 108) observations, outlined in Table 4.1:

Table 4.1: Breakdown of observations by activity

Activity	Total
Individual Supervision meetings	47
Elizabeth Street	41
Home Visits	3
Community Centre	3
Team Meetings	6
Multi-Agency Meetings	3
Question and Answer Sessions with Senior Management	2
Prison Visits	2
Unpaid Work	1
Total	61

I observed a wide range of probation activities. Accredited programmes were the only area of probation practice from which I was prohibited. In the early stages of the fieldwork, invitations from staff to observe practice were often delivered with an excitable, ‘I’ve got a good one for you today’. As such, I had to make clear that I wanted to observe any and all types of supervision meeting, as opposed to the clients that practitioners *thought* I would want to see. Supervision meetings at Elizabeth Street included inductions and RAR days; but mostly constituted basic weekly, bi-weekly, and monthly check-ups, depending upon the terms of a client’s order and the extent of their progression. Supervision away from the office included home visits and meetings arranged in a local community centre (see Chapter Seven). I also accompanied Case Managers into two prisons to view the ‘Through the Gate’ work performed by the CRC and spent one day with the unpaid work team at various sites around the city. Multi-agency working was observed at a local prison; a drug rehabilitation charity; and a Prolific Priority Offender/Integrated Offender Manager meeting, which brings together the local criminal justice infrastructure (police, prisons, NPS, drug treatment, etc.) to discuss those who pose the highest risk of reoffending. Observations of monthly team meetings and question and answer

sessions with members of the senior management team, in particular, provided a useful way to identify potential informants, including senior managers. Half way through the research, I switched to a desk in the bigger of the two offices so as to broaden the number of staff whom I could observe and with whom I could converse. This contact helped to establish rapport with (potential) informants, contributing to the identification of those best placed to answer the research questions via interviews (Spradley, 1979).

Like participation observation, interviews have proved a cornerstone of ethnographic research (Brewer, 2000; Hammersley & Atkinson, 2007). Kvale (1996: 125) defines a 'research interview' as "an interpersonal situation, a conversation between two partners about a theme of mutual interest. It is a specific form of human interaction in which knowledge evolves through dialogue." Interviewing schedules can vary, from the use of highly structured questionnaires populated with closed questions to unstructured guides which depend upon open-ended questions (Brewer, 2000). In the case of the latter, which is more closely aligned with qualitative research, the interviewer *is* the research instrument, relying upon body language, tone of voice, and intuition to elicit responses (Kvale, 1996). The primary advantage of qualitative interviewing, for Kvale (1996: 84), is its broad-mindedness; it is more 'art' than 'science'. Here, triangulation - of methods *and* of sources - was employed, *not as proof of validity, but as a counter to claims of invalidity* (Lincoln & Guba, 1985; Hammersley & Atkinson, 2007). The use of multiple *methods* - observations and interviews - approached the same phenomena in such a way as to produce different levels of knowledge (Flick, 2009). Similarly, collecting data from multiple *sources* (i.e. staff with different job roles) helped to establish patterns which contribute to the cultural whole (Lincoln & Guba, 1985; Hammersley & Atkinson, 2007). In this way, informants' interpretations take precedence over that of the researcher (Flick, 2009).

Semi-structured interviews were the chosen method of interview in this study; schedules were comprised of both closed questions to extract factual information and open questions that followed a suggested pattern of questioning but remained receptive to diversions according to informants' responses (Kvale, 1996; Brewer, 2000). Open-ended questions mainly focused upon eliciting descriptive answers that explained, in their own words, informants' rationale for their actions (Spradley, 1979). Three semi-structured interview schedules were used throughout

the fieldwork; these were designed to account for differences in informants' length of service and job role. All interview schedules began with closed questions to ascertain length of service, training pathway (if applicable), ethnicity, and gender identification, before open questions on informants' understanding of professionalism and their professional background prior to probation. Thereafter, the schedules differed. One was designed for Case Managers, Senior Case Managers, and Interchange Managers whose employment predated *TR*. This asked informants to reflect on the period before, during, and after the reforms were announced and sought to elicit information on how their everyday roles and values had changed after *TR* was implemented. Another schedule was designed for those whose employment post-dated *TR*; in lieu of any comparative experiences, this focused upon their everyday roles and understandings of probation values. A third schedule was aimed specifically at Senior Managers; in addition to questions on their everyday roles, it enquired as to their thoughts on the implementation of the parent company's operating model and how they sought to promote professionalism amongst staff.

The location of the interview was also important, as it can affect the information that an informant is willing to disclose (Kvale, 1996; Hammersley & Atkinson, 2007). This is especially relevant to the study of organisations (Bryman, 1995), as interviewees will likely be reluctant to reveal sensitive information such as workplace dissatisfaction within earshot of colleagues or superiors. As such, interviews took place in private in either an unused office or an interview room; all were conducted during office hours and, with one exception, at Elizabeth Street.

4.5.2 Sampling

The focus on a single case inevitably limited the number of potential informants, but it does not make obsolete the need for scientific rigour: sampling should be "as strategic as it is practical" (Mason, 2002: 121). For the purpose of this study, 'theoretical', or 'purposive', sampling was of greater relevance than the mathematical models associated with representativeness in quantitative research (Flick, 2009). Purposive sampling is an interactive process whereby decisions are informed by informants' relevance to the research questions, from which the sample can expand organically via continuous engagement with, and analysis of, the data generated (Mason, 2002).

In total, I conducted 20 interviews with probation staff. Given that this research focused on the effects of organisational change on understandings of professionalism, the “most appropriate unit of classification” (Mason, 2002: 128) was job role. Length of experience within probation has also been shown to affect perceptions of professional identity and the service’s purpose (e.g. Mawby & Worrall, 2013; Burke *et al.*, 2016). Accordingly, staff with diverse experiences of probation, including length of service and qualifying pathways to probation officer/Senior Case Manager, were selected so as to elicit a variety of viewpoints. The ‘feminisation’ of probation meant that the majority of my sample were female, although gender was not an influential factor in sampling decisions. Table 4.2 outlines the basic demographic information of interviewees:

Table 4.2: Breakdown of interviewees by job role, gender, length of service, and training pathway

Staff member	Job Role	Gender	Length of Service (years)	Training Pathway
Joined Pre-TR				
Kate	Interchange Manager	Female	24	DipPS
Sarah		Female	19	DipPS
Louise		Female	17	DipPS
Fizz	Senior Case Manager	Female	23	DipSW
George		Male	17	DipPS
Arthur		Male	15	PQF
Maddie		Female	12	DipPS
Rhonda	Case Manager	Female	39	
Jo		Female	20	
Leon		Male	15	
Vicky		Female	11	
Will		Male	11	
Camilla		Female	8	
Trudy		Female	6	
Joined Post-TR				
Matilda	Senior Case Manager	Female	4	PQIP
Samuel	Case Manager	Male	2	
Mo		Female	0.5	
Marie		Female	0.75	

All Case Managers and Senior Case Managers interviewed were, at some point in the research, observed in supervision meetings with clients, although not all of those observed were selected for interview. I organised interviews with six members of the parent company's senior management team; ultimately, though, only two came to fruition. For this reason, demographic information pertaining to the Senior Managers interviewed has been excluded, discussed further below (see section 4.7.2).

Given the nature of the CRC's client base, all observations of supervision meetings were of low-to-medium risk offenders. Services for female offenders within the CRC are subcontracted to a voluntary organisation; only women who refused such specialist supervision receive probation at Elizabeth Street. I was offered the opportunity to attend the women only centre in which these services are delivered; but I politely declined because it was not my intention to engender feelings of unease, amongst staff or clients. Staff with female clients on their caseload were similarly reluctant to allow me to observe their supervision meetings. With one exception, therefore, all supervision meetings observed were between a practitioner and a male client.

Mason (2002: 135-8) advocates a flexible approach to sampling, which should end when enough data have been generated to offer purposeful inferences, theories, and explanations to the research questions. Sampling should end when data saturation is reached – that is, when observations and interviews cease to yield new information about the phenomena in question (Flick, 2009). As Chapter Two acknowledged, probation staff are acclimatised to the uncertainties which result from persistent restructurings (e.g. Robinson & Burnett, 2007), both internal and external. For this reason, ethnographic research on organisational change in probation could be endless. However, I made the decision to exit the research site when I felt that sufficient data had been generated. This is to say that I had experienced every area of probation practice to which I was permitted entry and patterns had emerged within the interview data which supported my observations.

4.6 Data analysis

Qualitative data are often described as “unstructured or unwieldy” (Ritchie & Spencer, 1994: 176) because of a dependence upon large amounts of textual

information, such as observation notes and verbatim transcriptions of interviews (Hammersley & Atkinson, 2007). If we accept the interpretivist stress on multiple and competing realities, then actors' experiences cannot be neatly sifted into objective categories as in the natural sciences (Brewer, 2000; Hammersley & Atkinson, 2007). The challenge for the qualitative analyst is, therefore, to bring clarity and consistency to complex datasets without losing sight of informants' experiences (Ritchie & Spencer, 1994). For critics, Brewer (2000) states, this renders the process of analysis overly selective and, ultimately, vulnerable to the researcher's ideological presuppositions. As such, advocates of qualitative research encourage systematic rigour: constant engagement with the data enables informed decisions as to which are selected for further exploration via additional sampling, observation, and interviews (Dey, 1993; Coffey & Atkinson, 1996; Brewer, 2000; Hammersley & Atkinson, 2007). In this way, analysis can be described as a "cyclical process" (Coffey & Atkinson, 1996: 10): there is a "movement back and forth" (Hammersley & Atkinson, 2007: 159) between ideas and interpretations and the data.

Proficient data analysis demands effective data management (Ritchie *et al.*, 2003). Notes from observations of practice and team meetings, as well as interview transcriptions, generated the data on which the study is based. At the end of each day, I re-read my notes and summarised them, while I listened to each interview immediately after it was recorded. Familiarisation with this 'raw' data facilitated 'coding' – that is, the process by which seemingly disparate events and activities, as well as values and characteristics of different individuals within the sample can be organised into themes or categories (Dey, 1993; Ritchie *et al.*, 2003). Coding is not in itself analysis, but is nonetheless a vital part of the *process* of analysis; it is at once a way of simplifying and convoluting data, used to piece them into more manageable categories *and* pose questions that require further discernment through more data collection (Coffey & Atkinson, 1996). The nature of qualitative data means that codes rarely conform to just one theme; rather, they cut across several (Spradley, 1979; Coffey & Atkinson, 1996). To this end, I employed 'Framework' analysis, "a matrix based method of ordering and synthesising data" (Ritchie *et al.*, 2003: 219) to sort and analyse the findings. The primary advantages of Framework analysis are a generative approach that is guided by the subjects of the research; a flexible understanding that is receptive to change throughout the process of analysis; and an

ability to execute both “between- and within-case analysis” (Ritchie & Spencer, 1994: 176).

Though ‘Framework’ analysis is methodical, it remains dependent upon the originality and inventiveness of the analyst to make links (Ritchie & Spencer, 1994). To facilitate both efficiency and creativity, I used NVivo, a qualitative software programme for data analysis. This was not only because of the speed with which NVivo can retrieve data, but because it can also grant alternative perspectives on the data via the use of matrices which reinterpret textual data in visual, diagrammatic form (Bazeley & Richards, 2000). Such matrices provided a creative way of organising the data that helped to counterbalance individual narratives and commonalities between groups (Dey, 1993; Ritchie & Spencer, 1994). These connections *within and between* themes and individual cases did not prioritise one over another, but rather, contributed to a multidimensional approach to analysis and interpretation (Ritchie *et al.*, 2003). Indeed, the manner in which such themes and cases interrelate, and the ability to find *meaning* in such associations, is arguably the essence of qualitative data analysis (Spradley, 1979; Dey, 1993; Ritchie & Spencer, 1994).

Theorising, too, was fundamental to analysis, not least because theoretical assumptions inform every stage of the research process (Bottoms, 2007). Researchers must, however, exercise caution: analysis should not uncritically adopt a priori theoretical models, but rather, use them “as resources to make sense of the data” (Hammersley & Atkinson, 2007: 163). In this sense, the Foucauldian theoretical framework employed throughout this thesis, and its emphasis on multiple and conflicting flows of power in *assemblages* (Newman & Clarke, 2009; Brady, 2014), emerged in part from *reflexive* (Davies, 1999) engagement with the data. In other words, I sought to balance my personal opinions on for-profit involvement in punishment with how probation staff presented their experiences of *TR* and the pressures the parent company are under to meet the state-administered targets for which they are paid.

4.7 Ethics

Ethical considerations are not merely to be scrutinised at the beginning or at the end of research; rather, they are ongoing issues which require continuous

reflection (Wincup, 2017). This is necessary to protect rights and respect the dignity of informants. There were no immediate risks or benefits for participants in this research. Nevertheless, this section explains how concerns over *consent* and *confidentiality* (Kvale, 1996) were navigated. Guarantees of anonymity helped to ensure that a sufficient number of informants were recruited to thoroughly and systematically answer the research questions, thereby mitigating the most serious methodological risk of a lack of participation.

4.7.1 Consent

Consent should be an informed, voluntary, and open-ended process (Wincup, 2017). Consent forms were different for staff and clients. The former received an information sheet, which clearly articulated the aims of the research and the methods employed, *and* a consent form; the latter were given a simplified version of both, condensed into a single document (see Appendices A, B, and C). In instances where obtaining written consent was impractical, such as observations of team meetings, verbal consent sufficed. All documents made clear that consent could be withdrawn without reason in the two weeks following an observation or interview, at which point I would seek consent to use the data already generated. With one exception (described below), no informants withdrew their consent.

Upon consultation with the ‘gatekeeper’, I had the opportunity to meet with potential informants, introduce my research, and distribute participant information sheets before the official start of the fieldwork, in March 2018. While the ability to present my research, and thus manage impressions (Wincup, 2017), was beneficial for securing the consent of probation staff, this was not always the case with their clients. I sought client consent to be observed on the day of the observation. Approaching clients just before a prospective observation creates an ethical issue due to the power dynamics inherent to a mandatory probation supervision between a criminal justice official and an involuntary client. The latter may feel that refusal to comply could violate the terms of their supervision and thereby coerce him or her into consent. Practically, though, it was difficult to approach offenders to distribute the information/consent form *before* the day of their supervision. Not only would this have required access to clients’ personal data, such as a home address, phone number, or an email account (which they might not have), but there was also no

guarantee that the information would be read, understood, signed, and returned to the researcher. For this reason, my initial plan was to clearly instruct practitioners on the aims of my research and ask them to relay the information to their clients.

However, several instances early on in the fieldwork forced a re-evaluation of this approach. For example, after one client refused to consent to an observation, his supervising practitioner, perhaps not wanting to disappoint me, attempted to persuade him to let me observe the interview. I thus had to explain that he was not obliged to consent and decided to remove myself from the situation. On two occasions, practitioners, perhaps lacking clarity about my research or looking to begin the meeting as soon as possible, informed their client that I was a member of staff who was training. Again, I was compelled to intervene, clarifying for the client that I was, in fact, a researcher looking to observe their supervision meeting. I politely alerted both practitioners as to why informed and open consent is critical after the interview. Thereafter, I decided that the best course of action would be to assume full responsibility for informing probation clients about my research. I made clear to practitioners, individually and in a team meeting, that I would like a minute or so before the supervision meeting begins to explain who I was, why I was there, and, crucially, how their refusal to consent to being observed would in no way impact the terms of their supervision. When accompanying practitioners on home visits, I asked them to check with their client via the telephone that my presence was welcome. Only once did a client verbally withdraw consent after the form had been signed; hence, the observation did not take place.

4.7.2 Confidentiality and anonymity

As the research involved the generation and storage of data from human subjects, there were legal and ethical obligations to ensure that data were handled in the best interests of their providers. Guarantees of *confidentiality* were at the heart of issues around consent. At multiple points during the course of the observations, I was party to sensitive information – namely, accusations of others' criminality and, occasionally, admission of guilt, exchanged between clients and their supervising practitioners. While some clients' personal circumstances are reported throughout the thesis, the anonymity granted means that no harm will come to participants. Likewise, anonymity was granted to *all* probation staff.

The nature of single-case study, however, meant that some interviewees were aware of others who had participated in the research, for which there was limited potential for harmful consequences for staff. This was especially pertinent in the case of Senior Managers due to the small sample size ($n=2$). As such, no data are presented pertaining to their employment histories or their career progression in probation. Their pseudonyms (and associated personal pronouns) are, moreover, gender neutral, as revealing this information would compromise their identities. Informants were offered the opportunity to select their own pseudonyms; though many declined to do so, those who did were instructed not to share their chosen name with other members of staff. While Case Manager, Senior Case Manager, and Interchange Manager pseudonyms are commensurate with their gender identification, similar care was taken to ensure that that informants were neither identified nor identifiable.

Data were securely stored in accordance with the General Data Protection Regulation 2018 and the University of Leeds Code of Practice on Data Protection. Notes of observations were handwritten and typed up onto my (password protected) personal computer when I returned to the desk I had been allocated, before being uploaded to the University of Leeds server at the earliest available opportunity. The NVivo project file which contains (anonymised) data is also password protected. Handwritten notes were destroyed using the confidential waste disposal services available at the University of Leeds. The paper consent forms were similarly destroyed after they had been scanned onto a computer at the University of Leeds and uploaded to the server. Interviews were digitally recorded on an encrypted Dictaphone and downloaded onto my laptop, before being deleted from the Dictaphone. Interviews were then transcribed, uploaded onto the University of Leeds server, and wiped from the laptop.

4.8 Conclusion

Given the fragmented nature of the probation service under *TR*, ethnographic methodology is expedient for enriching knowledge of probation culture(s) in specific organisations. The immersion facilitated by ethnography attuned the researcher to the internal dynamics of an organisation in which public-private crosscurrents affect actors in different ways. With Watson (2012), organisational ethnography not only

acknowledges the context in which research takes place, but also highlights how this external ‘reality’ permeates everyday *experiences* within the CRC in myriad ways. In this sense, the depth of detail, richness, and insight that ethnography can provide into complex phenomena should be unashamedly recognised for what they are: methodological *strengths*. The following chapters, therefore, present the empirical data generated by this research, beginning with staff understandings of professionalism, culture, and identity in probation.

Chapter Five - ‘*Well, what are you?*’ Professionalism, identity, and culture in probation

5.1 Introduction

This chapter explores culture, identity, and professionalism at Elizabeth Street. Geertz (1973: 89) defined ‘culture’ as “an historically transmitted pattern of meanings embodied in symbols, a system of inherited conceptions in symbolic forms by means of which men communicate, perpetuate, and develop their knowledge about attitudes towards life.” His semiotic understanding of culture emphasised how *discourses*, *events*, and *artefacts* express “perceptible... ideas, attitudes, judgments, longings, or beliefs” (Geertz, 1973: 91). Probation lacks the extrinsic and tangible *events* or *artefacts* of a professional identity and culture when compared to, say, a trial by jury or the police officer’s uniform; however, the imprints can be made visible through study of the personal backgrounds and motivations of staff, their education and training, and interactions with others (Mawby & Worrall, 2013). This chapter, therefore, highlights the *discourses* which have contributed to the (re)production of culture and identity in probation, and how they manifest in understandings of professionalism at Elizabeth Street.

As Chapter Two demonstrated, research often makes reference to the factors that influence probation identity and culture – for example, training (e.g. Annison *et al.*, 2008; Deering, 2010), autonomy (e.g. Davies & Gregory, 2010; Gale, 2012), and values (e.g. Gelsthorpe, 2007; Deering, 2014). Together, these ideal-typical professional traits contribute to an organisational identity distinct from other criminal justice professions (May & Annison, 1998). Against the backdrop of punitive political and policy shifts, however, probation scholarship has (perhaps inevitably) focused upon efforts to change the service’s organisational culture and its consequences for practice; by contrast, the nuances of professional identity and culture *within* probation have seldom been explored (Robinson *et al.*, 2016). Mawby and Worrall (2013) provide a notable and comprehensive exception, identifying three ideal-typical occupational identities in probation: *lifers*, *second careerists*, and *offender managers*. This chapter departs from Mawby and Worrall’s (2013) analysis in its preference for the term ‘professional’ over ‘occupational’ culture. This is because their research was conducted before *TR*, with a sample comprised

overwhelmingly of qualified staff. Since the reforms, however, most staff in the CRCs are *unqualified* probation service officers (Kirton & Guillaume, 2015), although commercial confidentiality prohibits precise data on staff allocation (see Chapter Three). Following a Foucauldian line of thought, the chapter contends that ‘professional’ status has been appropriated and extended to occupations and employees not typically considered ‘professions’ and ‘professionals’ (e.g. Fournier, 1999). Professionalism is thus of equal importance to probation service officers *and* their qualified counterparts - for, as Fournier (1999: 294) states, “who wants to be ‘unprofessional?’”

The first part of the chapter accentuates the role of criminal justice discourse in efforts to reshape probation’s organisational identity in accordance with a punitive, managerial agenda (Cavadino *et al.*, 1999). The second part highlights further semantic shifts in the wake of *TR* – namely, the parent company’s decision to remove ‘probation’ from staff job titles and its implications for professional and organisational ‘commitment’ (Collins, 2016). That staff continue to identify as ‘probation’ suggests there is something distinctive about their professional identities. Giddens (1991: 35) defines self-identity as “to know what one is doing and why one is doing it”. With this in mind, the formation of a ‘professional identity’ involves being able to demarcate what makes a profession specific and the processes through which this is learned (Krejsler, 2005; Trede, 2012). The third part, therefore, explores the impact of punitive, managerial discourses on professional identity in probation, with a particular focus on employment history, training, and motivations to join the service. Finally, the fourth part scrutinises how professional identity and culture have informed understandings of ‘professionalism’ at Elizabeth Street.

The chapter argues that, while staff commitment to their clients remains a fundamental aspect of their professional identity, punitive managerial discourses have nonetheless influenced understandings of professionalism at Elizabeth Street. In this sense, “[t]he mobilisation of the discursive resources of professionalism potentially allows for control at a distance through the construction of ‘appropriate’ work identities and conduct” (Fournier, 1999: 281).

5.2 Organisational culture in probation: Appropriately punitive?

Chapter Two argued, from a Foucauldian perspective, that the demise of the rehabilitative ideal and its associated derision of criminal justice professionals (Cohen, 1985) exposed the probation service to ‘clients’ beyond the offender (Fournier, 1999; Garland, 2001). These efforts to impress an organisational identity upon the probation service that is appropriate for the conditions of late-modernity were contingent upon competing discourses of ‘punitiveness’ and ‘efficiency’ (Whitehead, 2015). Despite the (neoconservative) appeals to ‘law and order’, sustained upward trends in the crime rate across the 1980s meant that (neoliberal) efforts towards a more cost-effective criminal justice system took precedence (Farrall & Jennings, 2014). In other words, a managerial emphasis on ‘economy’, ‘efficiency’, ‘effectiveness’, and ‘value for money’ belied the primacy of punitive discourse (Whitehead, 2015). Attempts to simultaneously control costs *and* limit practitioner autonomy via quasi-market mechanisms thus constituted the first step towards the establishment of a national service accountable to central government rather than to the Chief Probation Officers of the 54 probation areas, who had previously been granted considerable autonomy (Mair, 2016).

However, parity was established between penal discourse and policy in the 1990s (Whitehead, 2015), for which Michael Howard’s ‘prison works’ speech (discussed in Chapter Two) offers the clearest example of a definitive shift in tone (Raynor & Vanstone, 2007). A ‘tough’ (masculine) new type of probation officer with military experience, it was argued, was required to disrupt the growing feminisation of the workforce (Farrant, 2006). The nuance of individual circumstance was gradually obscured by a discourse that increasingly framed criminal justice in binary terms: the ‘law-abiding majority’ must be sheltered from the ‘offender’, who became an ‘enemy’ to be overcome (Faulkner, 2008: 76). Upon their ascension to government in 1997, New Labour continued to remove any terms that could be associated with being ‘soft on crime’ from public discourse (Mawby & Worrall, 2013). For example, a Home Office (1998: para. 2.12) proposal to amalgamate prisons and the probation service suggested changing the name of the latter, removing ‘probation’ so as to give “accurate and accessible messages about the nature and aims of [its] work.” The names considered - ‘the Public Protection Service’, ‘the Community Justice Enforcement Agency’, ‘the Offender Risk

Management Service’, etc. (Home Office, 1998: para. 2.14) – are telling indications of New Labour’s expectations for a probation service that was at once ‘punitive’ and ‘efficient’. However, the Home Office (under whose jurisdiction probation fell before the creation of the Ministry of Justice in 2007) eventually declined to proceed with the merger and ‘probation’ was retained (Mawby & Worrall, 2013), albeit from within a new organisational hierarchy that subjected it to greater central control (Morgan, 2007).

As with other professions, such as accounting (Bevort & Suddaby, 2016), an increasingly centralised organisational structure in probation became less permissive of a professional ethos. The creation of the NPS, in 2001, challenged the local autonomy of probation areas (Mair, 2016). Eithne Wallis, the service’s first director, sought to confront the service’s history and traditions, expecting “[n]othing short of deep-rooted culture change in the organisation” (NPS, 2001: 5). ‘Enforcement’ - that is, the process by which an offender can be ‘breached’, or returned to court, should they miss several appointments without a valid excuse (Robinson & Ugwudike, 2012) - became the service’s key performance metric (NPS, 2001). National Standards were modified to ensure that offenders were breached for two instances of non-attendance, irrespective of their reporting history (Robinson & Ugwudike, 2012). Trust in the service was thus conveyed through performance metrics pertaining to punishment for offender non-compliance: “The confidence of ministers and the public in the NPS is critically dependent on the extent to which staff are enforcing the terms and conditions of statutory orders and licences. This goes to the heart of proper punishment” (NPS, 2001: 29). Efforts to incorporate punishment, public protection, and value for money into probation’s organisational culture thus reflect wider managerial attempts to modify a public sector *ideology of service* to better account for *outcomes*, as opposed to *why* a service is delivered (Needham, 2006; Needham & Mangan, 2016).

Over time, then, the terms traditionally used to denote those receiving probation services – client, probationer, service user – were “replaced by the uniform and ubiquitous *offender*” (Burke & Collett, 2015: 82; emphasis in original). Likewise, the term ‘offender manager’ gradually supplanted ‘probation officer’ in government policy documents in the New Labour years (Phillips, 2017), signifying to staff a continued shift from ‘care’ to ‘control’. The creation of NOMS, in 2004, offers a further semantic clue as to probation’s intended cultural direction under New

Labour. In this sense, the absorption of probation within NOMS, and the subsequent marginalisation of its leadership at a senior level, can be viewed as an attempt “to eradicate the concept of ‘probation’ from the national psyche and erode the professional identity of probation officers” (Mawby & Worrall, 2011: 86).

The Offender Management Model (OMM), implemented in 2005, was intended to promote greater partnership working: offenders were expected to move seamlessly between agencies involved in the criminal justice infrastructure, often within the course of a single sentence (Robinson, 2011). The blurring of professional jurisdictions arguably represented an attempt to culturally realign probation’s values with the prison service and the police (Mawby & Worrall, 2011; 2013). Partnership working is not exclusive to the OMM, however, for liaising with other organisations has always been integral to probation’s role. For example, probation officers were ‘servants of the court’ in the decades after the service’s inception; their role included preparing professional reports on offenders in mitigation of their crimes (Jarvis; 1972; Vanstone, 2007; see Chapter Two), an allegiance that continued to resonate with experienced staff at Elizabeth Street:

I was a court officer – that’s how I saw myself. You’re a court officer working for the court and you are preparing court documentation. I saw that part of the role, and the assessment for court, as being very significant. (Fizz, Senior Case Manager)

In the broadest sense, staff in most criminal justice organisations are related by an ethos of public service (Crewe *et al.*, 2010; White, 2014; Robinson *et al.*, 2016). This ethos has traditionally emphasised a desire to serve the public, which motivates many public sector employees to a greater extent than personal rewards (Needham & Mangan, 2016). Historically, though, probation’s relationships with the prison service and the police have been strained (Nellis, 2007). Mawby and Worrall (2013) identify two key points of cultural divergence between prison staff and probation officers working in prisons, which have contributed to a mutual suspicion. First, probation officers have been fearful of institutionalisation - that is, the potential for the prison environment to taint their training and values. Second, given that ‘welfare’ was seen as the professional jurisdiction (Abbott, 1988) of the probation officer, prison officers have been deprived of the ability to develop this aspect of

their role, thereby reducing them to “that of a turnkey” (Mawby & Worrall, 2013: 70). Similarly, probation and the police determined appropriate responses to criminality in different ways: as one experienced probation officer in Mawby and Worrall’s (2013: 74) study articulated, “When I first started, we let ’em out and the police locked ’em up”.

Partnership working increased under New Labour through initiatives like Multi-Agency Public Protection Arrangements, Prolific and other Priority Offender schemes, and Integrated Offender Management units (Mair & Canton, 2007; Mawby & Worrall, 2013). Such discourse epitomises efforts towards a shared infrastructural identity ‘appropriate’ for the demands of the taxpayer/client, as well as the offender/client (see Chapter Two). Accordingly, academics have speculated on the emergence of generic ‘polibation’ (Nash, 1999), ‘prisobation’ (Mawby & Worrall, 2011), or even ‘prisi-polibation’ officers (Mawby *et al.*, 2007). Underpinning these concepts is a sense of loss regarding distinctive identities and cultures following the attempted breakdown of organisational boundaries. Mawby and Worrall (2011, 2013) argue that formal partnerships have brought much improved relations, particularly between the probation service and the police:

I think that police and probation are much more alike than prisons. I disagreed with the creation of NOMS and I’ve always argued that probation and police are much closer aligned. [...] I think we have much more in common with the police than the prison service. (Charlie, Senior Manager)

For Kate (Interchange Manager), however, cultural differences persist:

[The police] don’t have that same rehabilitation thing that we do; they come from this perspective, sometimes, that they want to get people off the streets to give the community breathing space. It’s a short-term solution. I know that prisons have moved towards doing more rehabilitative work in custody, but it’s still about locking people up.

Her comment indicates that, despite efforts towards greater partnership working between criminal justice agencies as part of a risk management agenda, the

rehabilitative sediment of probation's organisational culture distinguishes it from the wider criminal justice infrastructure.

However, studies of occupational cultures *within* probation are scarce. Addressing this gap in the literature, Mawby and Worrall (2013) conducted 60 interviews with current and former (qualified) probation staff who had held a variety of roles, from probation service officer to chief officer. They conclude that "there is not a monolithic probation culture that pervades the organization" (Mawby & Worrall, 2013: 141) and, instead, propose a typology of occupational identities within probation. *Lifers* "have spent all, or most, of their working lives in the probation service" (Mawby & Worrall, 2013: 149); they typically come from a position of relative socio-economic privilege, are university educated, and view their profession as a vocation or a calling through which they can right the wrongs of what they perceive to be social injustice. Most are over the age of 40 and studied for the Certificate of Qualification in Social Work (CQSW). *Second careerists*, by contrast, are well represented across the age range and entered the service after a considerable period of time in an unrelated occupation, although the transition to probation was aided by the acquisition of transferable skills. This group did not experience the formative comforts of the *lifers* but are also university educated, often as mature students, and were trained via either the CQSW or the Diploma in Probation Studies (DipPS) (Mawby & Worrall, 2013). *Offender managers* joined probation after 1997 and trained via the DipPS. As the name suggests, this group are comfortable with the terms 'offender' and 'offender manager', which indicates that attempts to change probation's organisational culture have filtered through to occupational identity (Mawby & Worrall, 2013: 33). The majority have never experienced probation as anything but an enforcement agency; consequently, they are more receptive to risk assessment technologies and multi-agency working.

Despite their distinct characteristics, Mawby and Worrall (2013) identify several themes that cut across each ideal type. For instance, a shared value set based on commitment to the client and a desire to engender change amongst the less fortunate is evident in all groups. This demonstrable compassion is a constant within probation research (e.g. Farrow, 2004; Gregory, 2010; Deering, 2010), and has enabled practitioners to remain resilient in the wake of successive restructurings to the service (Burnett & Robinson, 2007; Burke & Collett, 2016; Collins, 2016). *Lifers*, *second careerists*, and *offender managers* were also united in their attempts to

find meaning in their work through *professionalism*. While they acknowledge the contested nature of the term, Mawby and Worrall (2013) nevertheless associate professionalism in probation with recognised credentials, knowledge and expertise, and autonomy. Professionalism, they argue, can be appropriated ‘from above’ to incite organisational change (McClelland, 1990; Evetts, 2013), but can also “be used positively from within the occupational group to strengthen work identities” (Mawby & Worrall, 2013: 144). A shared professional identity predicated on knowledge, autonomy, and values has thus acted as a buffer against efforts to reshape the service’s organisational culture.

The enforced ‘migration’ of the majority of probation staff to the CRCs as a result of *TR* has generated debate as to worker identification with the new organisations and its cultural ramifications (Burke *et al.*, 2016). Clare (2015: 49) speculated that probation officers sifted to the CRCs “are essential carriers of the probation heritage” and, freed from central control, can (re)forge new identities around professional values and expertise. However, ethnographies of the transfer from public to private sector employment found that most staff were sceptical of the reforms and experienced some disillusionment with the service from within this ‘liminal’ space (Robinson *et al.*, 2016; Burke *et al.*, 2016). As such, the next section explores professional and organisational ‘commitment’ (Collins, 2016) after the *TR* reforms.

5.3 Commitment: Losing a ‘probation’ identity?

Collins (2016) draws upon ‘commitment’ – a philosophical concept which involves immersion in particular activities, events, and social settings, and finding inherent value in such associations – to make sense of the tensions between the commercial elements of *TR* and the importance of probation as a moral good. He differentiates between ‘professional’ and ‘organisational’ commitment. The former concerns one’s approach to their profession, including a willingness to devote emotional capital to a chosen vocation, and is influenced by shared values and a sense of community; the latter refers to an acceptance of, and adherence to, the methods and goals of an organisation. Collins (2016) argues that, while organisational commitment has declined in recent years, in large part because of attempts to instate a new, punitive managerial identity within the service (described

above), professional commitment to the client-centred values that underpin the service have proved resilient. However, the introduction of private sector organisations to the probation marketplace has posed significant challenges for staff, not least because the profit-motive contravenes a public sector ethos on which probation culture is (partly) predicated (Collins, 2016; Robinson *et al.*, 2016).

While probation staff were consulted on their organisational preference when the service was split, allocation was ultimately compulsory (Robinson *et al.*, 2016). At the macro-level of *TR*, most probation officers were assigned to the NPS while the majority of unqualified practitioners were shifted to the CRCs (Kirton & Guillaume, 2015), thereby flattening the occupational hierarchy in the latter. At the micro-level of Elizabeth Street, then, probation service officers (i.e. Case Managers) predominate the office. George, a Senior Case Manager, questioned the rationale for such allocation:

At the time [of the split], Chris Grayling spoke about the NPS as being some kind of crack service. He was telling a lie to the public on what basis staff were allocated. You understood why he was doing that, as a politician, because he could be challenged on how the riskiest people would be managed, by a much smaller organisation.

The ‘crack service’ to which George refers reflects his perception of Grayling’s presentation of the NPS as a small, specialist organisation “drawing on the expertise and experience of its staff, focused on assessing risk, and managing those who pose the greatest risk of harm to the public” (MoJ, 2013a: 4). Such an assurance, George continued, has had hierarchic implications for probation:

The perception at the start was that the CRC, because it was of lower risk, was of lower importance. That’s fed through to how the CRC and the NPS view each other. There’s a perception that the CRC are not that good at managing risk compared to the NPS.

Indeed, staff have detected negative attitudes towards the CRC from other criminal justice agencies, affirming perceptions of probation as “two-tier and fragmented” (HMI Probation, 2017a: 6; see Chapter Three):

It feels like we're a separate entity, that we're separate from the probation service. And we've lost some credibility with the partner agencies, like the police; it feels like they don't see us as the same. We still do the same job, but the NPS are more credible because they're the probation service and they deal with the high-risk people. (Vicky, Case Manager)

When *TR* first happened, it felt very much like the NPS were the organisation that were seen as better than CRCs... which was particularly evident in the courts. (Kate, Interchange Manager)

As described above, historically, the relationship between probation and the courts has been strong (e.g. Vanstone, 2007). Much to their frustration, however, CRC staff have been prohibited from working within the courts since *TR* (Burke & Collett, 2016):

I've personally worked in court for 15 years and I'm very knowledgeable about it; all of a sudden, I'm not allowed in. We used to run the courts; we used to deal with the magistrates. It worked! I find it really strange that the NPS don't really know what we do; and yet, they're making decisions for us. (Rhonda, Case Manager)

Up to the day of the split, I could go to court, speak to judges and magistrates, sign off things myself, and then all of a sudden that all stopped. (Kate, Interchange Manager)

This loss of *jurisdiction* (Abbott, 1988) has thus had deprofessionalising consequences. As Kate continued:

I think, for me, the biggest thing *TR* did [was] undermine my professionalism. [...] I've been a manager for many years and I'm sending work to be countersigned by somebody who's acting up in an NPS role. It's galling, the court thing.

The CRC's absence in the courts has also impacted working relationships with the NPS (Robinson, 2018). Sarah, an Interchange Manager, reflected on an encounter with NPS staff shortly after *TR* was implemented:

I went to [the] magistrates' court to tell them about what the CRC do. We took a bunch of leaflets to the staff canteen and there were a number of NPS colleagues there. [...] One of the staff said... '*you're private sector now, so you're in it for profit*'. [The] NPS sees itself as elite. These are the symptoms; it's not personal. (my emphasis)

That the integrity of the work performed by the CRC and, by extension, its staff was questioned on the grounds of the profit-motive highlights the potency of a *public sector ethos* that pervades probation (Robinson *et al.*, 2016). Sarah's experience is indicative of cultural animosity that has developed between the CRC and the NPS, as the former is considered to be an inferior organisation (see also HMI Probation, 2019a; House of Commons Committee of Public Accounts, 2019). Like the respondents to Deering and Feilzer's (2015) surveys at the time of the split, staff at Elizabeth Street consistently expressed this divide in terms of 'us' and 'them':

I think... that we feel a little bit like we're a second class service, really, 'cos we are; it's an 'us' and 'them'. We're not the same, even though we are. (Camilla, Case Manager)

... we don't hear much about the NPS; it's very much 'us' and 'them'. (Trudy, Case Manager)

The office space at Elizabeth Street was briefly shared by the CRC and the NPS after staff had been allocated to their respective organisations in 2014, but before the parent company had assumed full control of the former in early 2015. Indeed, inter-organisational divisions were immediately apparent (see also Robinson *et al.*, 2016):

You get it anywhere in offices where some people are having a fall out, but it got to the point where the NPS couldn't use our stationery cupboard. There

were fights over pens! It was literally a whole divide, to the point where – I mean, it’s sad to say now, but also kinda funny – we didn’t go around to the other side of the office. It was, like, you can’t go to the dark side. (Camilla, Case Manager)

The stationery cupboard presents a microcosm of the divide that exists between the public and the private arms of probation - not only at Elizabeth Street, but also in many regions across England and Wales (e.g. NAO, 2016; House of Commons Justice Committee, 2018a; HMI Probation, 2019a). The breakdown of relationships with NPS colleagues has entrenched a distorted perception of the CRC and its staff:

We’re seen as a step down from the NPS, which seems to me to be very, well, not factually correct, completely unuseful [sic]. And a bit unfair! I think, for a lot of staff, in terms of their view of themselves, that’s not been helpful. (Louise, Interchange Manager)

That association with the CRC is viewed in negative terms suggests discourse is critically important for the (re)production of professional identity (Geertz, 1973):

... we’ve absolutely proven that, if you call people by different things, then you create a barrier. Staff who are in the NPS and the CRC used to be best friends; they’re now at war with each other. (Charlie, Senior Manager)

Consequently, George, a Senior Case Manager, speculated on cultural divergence between the CRC and the NPS:

You’ve got two organisations, two separate cultures developing; you define yourself against what you’re not. The CRC have no idea about the NPS; the NPS have no idea about the CRC. There’s built-in discontinuity.

Indeed, the desire to establish organisational distance with the NPS was a decisive factor in the CRC’s decision to change staff job titles (see Chapter One):

[The parent company] wanted a fresh, new approach: it was all new, they wanted new titles [and] ownership of it. They didn't want to call people probation officers; they wanted Senior Case Managers and Case Managers. It was really HR consultants that drove the changes. [...] They wanted to move away from the NPS. (Ashley, Senior Manager)

I think the change of name from probation service officer to a Case Manager was done to sort of emphasise the fact that it is a different role. Essentially, what you're doing is the same, but it was to make it very clear to people, I feel, that it is a new role. (Will, Case Manager)

The CRC's attempt to cultivate new private sector identities has, however, posed *practical* problems for staff when dealing with other agencies:

What's a Case Manager? It could be anything. A probation officer: it's absolutely clear what they're doing, to everybody. It's caused a lot of problems: I had to reestablish quite a lot of links that I'd built up over a period of time. (Will, Case Manager)

There's a stigma attached to the new terms, definitely. I still say 'probation officer' with other criminal justice agencies. I don't explain that I'm from the CRC, either; I just work for probation. (Trudy, Case Manager)

I still call myself a probation officer and I still answer the phone as... probation. I've [said Case Manager on the phone] quite a few times and they'll go, 'a what?' And I'll go, 'it's like probation but not'. And they'll go, '*well, what are you?*' I know we shouldn't do it, but... I worked bloody hard to get this job and to be called 'probation', so I'm still going to say it. (Camilla, Case Manager; my emphasis)

These responses correspond to the manner in which staff in Robinson *et al.*'s (2016) ethnography of a newly established CRC retained 'probation' to maintain credibility with local organisations. Camilla's comment, in particular, highlights how, through a probation discourse which resonates with a public sector ethos, staff at Elizabeth

Street continue to “locate themselves within a professional community” (Trede, 2012: 161). Challenges to identity (and integrity) are navigated via allegiance to the *profession* over the CRC (Collins, 2016). This implies that the title of ‘probation’ confers upon the bearer a measure of authority, an air of trustworthiness that is a part of the process of professional legitimisation (Fournier, 1999).

And yet, losing ‘probation’ has had consequences for staff that extend beyond the practical:

I think to lose the word ‘probation’ out of titles, I don’t know, it’s impacted on people – *because it is a profession*, probation officer, senior probation officer, or even probation service officer. (Kate, Interchange Manager; my emphasis)

Kate’s remark hints at the *symbolic* importance of the retention of ‘probation’ for many staff, who feel that it conveys a clear message about how they construct their professional role:

We’re supposed to call ourselves Senior Case Managers and Case Managers, but a lot of us call ourselves probation officers. We will continue to use that terminology, and not only when we deal with other professionals or other organisations. If somebody says to me, or they’re asking for information and they say, ‘you’re his case worker’, I will specifically say, ‘I’m his probation officer’. I like to make it very clear what my role is; it makes me feel better. (Fizz, Senior Case Manager)

I’m still probation; that’s it, I won’t ever change. The email was the worst, ‘cos you can call yourself whatever you want, but when the email goes through then there’s no hiding: it used to be... probation; now, it’s [the parent company] and we’re Case Managers. I’ll always be probation and the probation service. (Rhonda, Case Manager)

It’s not that I have something against [the parent company], you know, or [the] CRC; it’s an issue of identity. I identify as a probation service officer.

When someone asks me what I do, I work for the probation service. What do I do? I'm a probation service officer. (Leon, Case Manager)

These responses support Robinson's (2013: 96) prediction that "CRCs... will be largely populated by workers who... may still feel the grip of loyalty to their old employer." Hence, staff work *in* but are not *of* the CRC:

... we've just switched off since [the parent company] took over. I mean, I suppose we moaned back in the day – you're always moaning about something, aren't you? – but the Trust looked after us; they were part of us. (Rhonda, Case Manager)

Rhonda's comment shows that some organisational agitation was apparent before *TR*, particularly amongst experienced staff (see, for example, Farrow, 2004; Robinson & Burnett, 2007; Gregory, 2010), but that the reforms have exacerbated such disaffection.

However, professional commitment to a probation identity is not limited to staff whose employment predates the reforms. A self-professed "product of *TR*", Matilda joined the service in 2014 - after staff had been allocated to the either the NPS or the CRC, but before the parent company had officially taken over the contract. She quickly progressed through several job roles:

I started in the September as a data inputter and I was made admin in the November. The following year, I was acting up [in a Case Manager role]; the following year, I got on the [Professional Qualification In Probation]. So, yeah, from temping to Senior Case Manager in four years.

Matilda joined the service because she felt that she could make a difference in the lives of people who have come from similar backgrounds. In this way, her past has influenced her construction of a professional self (Bourdieu, 1990; Trede, 2012):

I'm just attracted to the fact that I get to work with people that society won't even give a chance to. I get to be a role model for some people and I get to show them that I've come from a tough upbringing; yet, I've managed to sort

myself out. I want to give that back to people, to give them... a second chance.

Matilda, therefore, entered the service *after* ‘probation’ had been removed from the organisation by the state and from job titles by the parent company:

Whilst I’ve been qualified, it’s always been Senior Case Manager, but I do not call myself Senior Case Manager because I’m a probation officer. Nobody knows what a Senior Case Manager is; it undermines us and makes us seem inferior to the NPS, I feel.

As such, she is uncompromising in her identification as a probation officer:

On my ID card, it says probation officer/Senior Case Manager and on my email signature it does the same thing. I asked reception to put ‘probation’ on my card. If I’m ever in meetings, I’m always a probation officer. By changing it, [the parent company] reduced our professionalism.

Matilda’s (re)appropriation of ‘probation’ displays how a ‘probation’ discourse can be mobilised not only to establish trust with partner agencies who may not understand, or are sceptical of, the work performed by a profit-oriented CRC, but also to find meaning in a *professional* identity that conforms to her interpretations of the role. The CRC’s attempt to foster a new organisational identity distinct from the NPS has struggled to galvanise staff, even new recruits, whose allegiance belongs to a prior ‘probation’ cognisance. This shows the *practical* and *symbolic* importance of language in the shaping of a professional identity and culture in which staff can take pride. The next section, therefore, examines the facets of identity that have contributed to, and continued, a professional commitment to probation at Elizabeth Street.

5.4 Constructing professional identity in probation

Professional identity, for Evetts (2013: 780), “is produced and reproduced through occupational and professional socialization by means of shared educational

backgrounds, professional training and vocational experiences, and... institutes where practitioners develop and maintain shared work cultures and common values". Such similarities generate mutual ways of recognising (and constructing) problems and their potential solutions, as well as common modes of interaction with clients. In this sense, workplaces develop shared understandings of professionalism, which influence individuals' conduct.

Analysing the demography of Elizabeth Street allows for deeper exploration of how staff understand their professional identities. Mawby and Worrall (2013) explored the backgrounds, motivations, and training pathways of probation staff to establish their *lifer*, *second careerist*, and *offender manager* typology, albeit characterised as occupational rather than professional cultures. As the most comprehensive analysis of occupational culture(s) in probation, these ideal types provide a useful analytic framework; however, they are difficult to apply to Elizabeth Street, in large part due to the demography of the office post-*TR*. For instance, Fizz is the only member of staff with the social work credentials that characterise the *lifers* (Mawby & Worrall, 2013: 149):

I did a sociology and psychology degree at [university], then did... my social work certificate. When I did my certificate, I did a six-month placement in a probation office and it screwed my head up because I thought, hang on, I really enjoy this. (Fizz, Senior Case Manager)

However, she is not the only person who can be considered a *lifer*. Kate joined probation after a number of what Mawby and Worrall call (2013: 25) "false starts" in unsuitable jobs and has spent her entire career in the service:

I left school and then I did a couple of jobs, like working in a wholesale florist as a trainee manager, but that didn't work out very well. (Kate, Interchange Manager)

Her interest in probation was piqued by the service's links to social work:

I went to [university] and whilst I was there, I started to get interested in social work. I was at somebody's party and I met some people that worked in

probation. I was talking to them about their job and it really appealed to me, so I started doing voluntary work in a day centre, hostels, one-to-one work with individuals. As I went on, I got some paid bits of work in hostels and I decided that probation was what I wanted to do.

That probation staff often remained in the service for the majority of their careers also appealed to Kate:

It was going to be long-term. I'm talking twenty or more years, and I knew that people I'd met through voluntary work tended to stay in probation. *It's a vocation*, even with all the changes and everything that have happened through *TR*. [...] I've looked at other jobs, but I don't know whether I could leave because I do enjoy my job and I get a lot from it. (my emphasis)

Just two of Mawby and Worrall's (2013) 60 interviewees worked as probation service officers; yet, their typology also has relevance for Case Managers. Rhonda, a vastly experienced Case Manager, exhibits the qualities of a *lifer*, with the exception of a professional qualification:

I came from college and joined [an] agency. I landed [in] probation and it just seemed to be me; I just enjoyed it.

Probation is the only career that Rhonda has ever known. She, too, is motivated by a strong sense of fairness and a desire to engender change within individuals:

I was fascinated by people's lives and people that were more disadvantaged [...]. Maybe it's the nurturing side of me? I was fascinated by the system, how there's no parity in law. I do really get quite passionate about fairness, so it intrigued me. Clients as individuals: watching them go, watching the light-bulb moment, allaying people's fears and trying to help them move forward in their life.

A number of staff could also be regarded as *second careerists* (Mawby & Worrall, 2013), following initial careers in the public sector:

I was working in a college as a learning mentor, and I enjoyed that very much. [...] I really valued that job and it was paid term time only, so I was looking for something else that was about making positive changes for somebody and improving their life outcomes. (George, Senior Case Manager)

Before probation, I spent the majority of my career in the civil service. I worked for the Department of Work and Pensions for 12 years prior to starting probation in 2007, so I was used to dealing service users [and] it gave me a lot of insight into issues that people face when they're not able to work through various issues. They're sometimes the same issues that bring them onto probation, as well. (Vicky, Case Manager)

I was in the police beforehand and it was [with] a colleague I went to university with that I did a fast-track to become a probation officer. I was in an admin role, and it was very likely that I was going to lose my job, but I still wanted to be in a public sector role... doing the same thing, really: working with people, helping people. (Camilla, Case Manager)

The skills and experience acquired in previous jobs proved transferable to a probation setting. Each response, moreover, highlights how probation was considered an arena in which they could help others and inspire change, and thus find meaning in their work.

The vast majority of informants at Elizabeth Street have only ever experienced the public sector. Just two practitioners, Leon and Marie, have sufficient experience of the private sector to constitute a career. Their decisions to pursue a job in probation were partially taken to achieve a better work-life balance:

I was working in the private sector almost 80 hours a week and it was sort of affecting my work-life balance with my family. (Leon, Case Manager)

I worked for [a private company] doing their troubleshooting worldwide. [...] I just saw [a probation role] advertised and I thought I needed to do something. I'm not here for the money and it would be easier if I was at

home; but, for me, I'm not cut out for staying at home and I can't go back to my old job because I was out of the country two weeks out of every four. (Marie, Case Manager)

While neither had any innate interest in probation before they joined, both wished to work *with* people:

I liked it, working with people, but I didn't come initially into probation because I was interested; I didn't have much idea what probation was. (Leon, Case Manager)

... it's not a great deal different [from my old job]: it's about building relationships and enabling change. So, I applied because I like working with people, from all walks of life. (Marie, Case Manager)

The people-oriented nature of the role was a common thread throughout all interviews:

What drew me to the work is that it involves everything I've wanted to do in paid employment, [like] working with people. I'm very much a people-person, not a process person, and I struggle with processes. I'm a sociable person, so I like to get to know people and understand what makes them tick, why they've committed an offence, and what's their history. (Sarah, Interchange Manager)

I've always had reasonably good people skills, so I know I can talk to anybody, really, and confrontation and things like that don't really affect me. [...] I suppose, as I moved along through the years, that has been the key thing for me, speaking to people, learning about the past, trying to identify specific problems and looking at solutions to the problems. (Will, Case Manager)

... it was the nurturing element of... the job... spending a lot of time with certain individuals with complex or chaotic lifestyles to have an impact, a positive influence on their life. (Trudy, Case Manager)

These comments infer that a value system centred on the importance of the relationship is fundamental to professional identity at Elizabeth Street. Indeed, this finding supports previous research on the altruistic motives of staff entering the probation service (Annison *et al.*, 2008; Deering, 2010; Mawby & Worrall, 2013).

And yet, there is a *pragmatism* that runs through staff attitudes towards the purpose of probation, irrespective of grade or experience. Rehabilitative attitudes were often presented alongside other foci, such as public protection and reducing reoffending:

The core values regarding victims and rehabilitation and enforcing the law have to be there throughout whatever it is that we do. That's how I measure my own professionalism. (Louise, Interchange Manager)

The core purpose of probation is to reduce the risk of reoffending and work towards the rehabilitation of offenders in order to help them with their reintegration into the community within our legal framework. (Leon, Case Manager)

These responses highlight the partial success of attempts to refocus probation's organisational culture via punitive, managerial discourses in recent decades, and a recognition of how probation practice extends beyond the offender-client (see Chapter Two). Thus, the *offender manager* is the most applicable of Mawby and Worrall's (2013) ideal types to staff at Elizabeth Street: most are unqualified; the overwhelming majority entered the service after 1997, have no prior experience of the service as a purely rehabilitative entity, and have adopted, at least in part, an emphasis on protecting the public and reducing risk:

There's always been three primary focuses for me: it's about protecting people, reducing victims, and... making communities safe places. (Sarah, Interchange Manager)

[The primary focus is to] get [clients] back on track, to stop them from reoffending and trying to improve their lives and the lives of the people around them. (Samuel, Case Manager)

Not surprisingly, though, qualified practitioners placed great emphasis on their training as a signifier of professional identity:

I did an NVQ level 4 Diploma in Probation Studies with a degree about 18 years ago, which was kind of an on-the-job qualification that was the hallmark, really, of me being a qualified probation officer. (Sarah, Interchange Manager)

For me, it's about delivering a professional service by people that are focused on continual professional development; keeping abreast of all the new information, research, [and] training. (Kate, Interchange Manager)

Since the abolition of social work qualification requirements in the mid 1990s, there have been three incarnations of probation training: the DipPS, introduced in 1997; the Professional Qualification Framework (PQF), implemented in 2010; and the Professional Qualification in Probation (PQIP), instated in 2013, which involves co-location in the NPS to acquire experience with high-risk offenders (Smyth & Watson, 2018). The changing nature of the probation landscape across this period, notably a large increase in the total caseload, resulted in the greater incorporation of risk management and public protection into training (Smyth & Watson, 2018). The qualification process has thus been criticised for a decline in academic rigour (e.g. Knight, 2002; Nellis, 2003; Deering, 2010); however, qualified staff found it to be a rewarding, yet challenging, experience:

I graduated from [university] in 2001 and started as a Trainee Probation Officer in that same year in the October. I did two years of training as a trainee and then went on to work as a probation officer. [...] Yeah, it's challenging working academically. Although you do get study time... it was full on. I learnt a lot in those two years, and I think there's something about

studying alongside a position because you're applying the theory in practice; it's really useful, a good way to learn. (Louise, Interchange Manager)

[The PQF] was a full time university course alongside working full time. But, do you know what? The academic side was written for us, so it fit really well. Yeah, I loved it, yeah – brilliant. Really interesting, really fit well. (Arthur, Senior Case Manager)

Matilda, the only Senior Case Manager to graduate through the PQIP, commented on the impact of the co-location element of her training on her workload:

We did a nine-month placement [with the NPS] that we did twice a week, and [the parent company] kept us [at Elizabeth Street] as a resource. [...] *All I was thinking when I was at the NPS was all the stuff I had to do at the CRC.* It was like an inconvenience being there, really. (my emphasis)

Competing priorities between learning with the NPS, on the one hand, and the realities of her caseload, on the other, made for a challenging experience. And yet, with hindsight, Matilda also reflected positively upon the PQIP:

I feel that I've developed massively since doing the PQIP. If I hadn't done that, I wouldn't be the probation officer I am today. [...] I don't think there should be anybody on that floor who hasn't done the PQIP training; they should have that opportunity.

Practitioners require a university degree in one of four subjects deemed relevant to probation to be eligible for the PQIP (Kirton & Guillaume, 2015). On the surface, specific degree requirements for progression onto probation officer training represent attempts under *TR* to enhance professionalism by linking it to prior experience of higher education. For staff without degrees, however, the well-established path from probation service officer to probation officer is now more difficult (Kirton & Guillaume, 2015):

I don't have a degree, so I don't have any progression whatsoever. I can't apply for the PQIP under the new rules. [The Chief Probation Officer before *TR*] was saying that it was going to be fabulous, that we would be removing the glass ceiling, but it just hasn't happened: we've just put more blocks in. (Vicky, Case Manager)

To this end, Vicky echoed Matilda's point, above, that all staff should be given the opportunity to develop via the PQIP:

I think that everybody should have the opportunity to do it because we've got some really skilled members of staff that can do the job. [...] It's not good to know that you're coming into the service at 25, 30, and there's no room for improvement if you haven't got a degree.

Staff with university degrees deemed irrelevant to probation are similarly prohibited:

The route to doing the PQIP is very linear: you've got to do this first, then this, this, and this. [...] I haven't done any criminology stuff or the law stuff, but I can deal with people all day long. [...] So, it wouldn't be for me because I haven't got time to do all that shit. (Marie, Case Manager)

... if I was going to apply for Senior Case Manager, I'd need a criminology degree and very specific modules. Whereas, prior to the split, I mean, my degree has nothing to do with it, really, it was just my experience in the role and my interest in the role: evidence that you could work to that level. That's not the case now; there's no way I could apply for it, unless I paid to go to do a degree or specific modules. (Will, Case Manager)

Accordingly, many Case Managers feel constrained in their ability to progress *vertically* within the service – that is, up the occupational hierarchy to the role of Senior Case Manager and beyond.

As Chapter Three highlighted, CRCs are required only to provide suitable levels of training for their workforce (MoJ, 2013b). Previously, probation service officers could undertake a National Vocational Qualification (NVQ):

When I first started as a probation service officer [in 2007], the training was quite good; it's very different to what it is now. We got an NVQ Level 3 in probation practice. [...] We used to go once a week for about 12 weeks, getting trained on pro-social modelling, interviews; it was quite good, the training. (Vicky, Case Manager)

While the quality of such training has always been subject to local fluctuations (Bailey *et al.*, 2007), it nonetheless facilitated professional development for probation service officers. Now, however, training in the office takes the form of generic e-learning, thereby restricting *horizontal* progression – that is, the opportunity to acquire new skills and specialisms:

Years ago, you used to get training, and I don't mean the online crap we get here now. You're not absorbing the online training. If you had proper training like in the past when you had two days, then people were getting something out of it. There's no learning style: tick, tick, tick - you got it wrong again. (Jo, Case Manager)

[The training is] all online; it doesn't cater for people's learning styles, you know? My colleague who's got dyslexia, for something that takes me three hours takes her three days. That's not fair: we don't get extra time for it so you have to fit it all in around your work. (Rhonda, Case Manager)

Charlie, a Senior Manager, contended that opportunities for professional development are available:

For staff, there will be a sense for a lot of people that we don't invest in people. Where we do invest in people, we do give people chances to do different work and people don't always recognise that that's an opportunity to learn new skills.

However, the CRC's inability to clearly promote these opportunities, Charlie continued, leads to the perception that none are available:

I think what we're not very good at articulating is the fact that they have an opportunity. [...] People don't necessarily take that as an opportunity because they see it as, you apply for a promotion and get more money.

Previous research has identified the value of secondments for public sector employees (Needham & Mangan, 2016), and for probation staff (Mawby & Worrall, 2011), as they are exposed to different occupational cultures. However, staff at Elizabeth Street argued that the ability to undertake secondments within the wider criminal justice infrastructure has diminished:

In the CRC, they're a bit limited. There have been little things, like specialising in women or the community, but that's as far as you can go. Whereas in the Trust, there were various other opportunities that came up that would develop your professionalism – like in the prison or the courts. I think they are quite limited, and I know quite a lot of staff in the CRC who feel frustrated by not being able to do something a little different. (Kate, Interchange Manager)

You used to be able to go to the [Youth Offending Team] or unpaid work; secondments, you know, whether prison or whatever, so the only thing [the parent company] keep banging on about for [Case Managers] is the PQIP to become a probation officer. That's fallen on the wayside now, so everyone's going to be sat where they're sat. There's not much to do; I can't go anywhere else. (Camilla, Case Manager)

Since *TR*, therefore, staff consider opportunities for professional development, whether *horizontal* or *vertical*, to have subsided. This hints at the continued devaluation of probation training (see Chapter Two), which has contributed to disaffection from the CRC. For Senior Managers, however, accredited qualifications are no longer the deciding marker of 'professional' identity:

I have never been a fan of interpreting probation skills as linked to formalised qualifications. I personally believe that experiences are at the very least as

valuable, probably more valuable in my own view, to be honest. (Charlie, Senior Manager)

I'm not personally an advocate of: if you achieve that qualification, then you are a professional. We have, historically, in the Trust days, an attitude of 'you have to have done A, B, C, and D, before you can do that'. (Ashley, Senior Manager)

This indicates that 'professionalism' has been extended to those who may have fallen outside the traditional boundaries of professional status (Wilensky, 1964; Fournier, 1999). As Ashley continued:

Professionalism is about an attitude; it's about the skills, knowledge, and experience of an individual, although qualifications are important. There are different levels of qualification, and that's more about what are people's skills, knowledge, and experiences of those qualifications.

Ashley's comments suggest that training is less important to professionalism than having a 'professional' outlook. In this way, 'skills, knowledge, and experience' compensate for practitioners' lack of education and training. In this Foucauldian sense, 'professionalism' in probation can be expressed in terms of 'appropriate' *conduct*, a mode of self-discipline (Fournier, 1999). Indeed, as the next section shows, this is apparent in practitioner understandings of the term.

5.5 Professionalism at Elizabeth Street

As Chapter Two argued, challenges to the core tenets of professionalism in probation – jurisdiction, training and knowledge, autonomy, and values - were fundamental to efforts to reshape the service's organisational culture. Deprived of such resources, a professional identity becomes more difficult to articulate (Trede, 2012). For Fournier (1999), a break with the traditional signifiers of professionalism represents a discursive shift in understandings of the term. As Trudy (Case Manager) observed, the meaning of professionalism in probation is seldom substantiated:

I guess professionalism in probation is quite a loose term. Through my experience, it's never been defined by anybody – managerial or above, really.

This implies that the discourse of professionalism governs through “technologies of the self” (Fournier, 1999: 287) as opposed to overt repression. In other words, professionals translate their interpretations of the term into ‘appropriate’ conduct.

Fournier (1999) draws from Foucault’s (1991) writings on ‘governmentality’, or “the conduct of conduct” (Gordon, 1991: 2), to make sense of constructions of professionalism and professional identity. Foucault (1978) argued that the liberal political economy that defined the nineteenth century sought to govern through the freedom of its autonomous subjects (see also Dean, 2010). Professional expertise, Fournier (1999) states, was critical to rendering this abstract philosophy practicable. The dispersal of expert knowledge in fields such as medicine, law, and accounting, among others, provided citizen-subjects with the ‘truths’ to govern their lives in a free and responsible manner. This meant that the professions were also the *targets* of liberal governmentality; they had to constantly legitimate their claims to professional expertise, which served to regulate their conduct ‘at a distance’ (Miller & Rose, 1990; Fournier, 1999). As such, the relationship between expertise and the professions must be *demonstrated*: professionals must “forge connections, operate translations, between their own systems of knowledge and the discursive formations of other agents in the name of whom they claim to profess” (Fournier, 1999: 286). In this way, professionals can be located within a “network of accountability” (Fournier, 1999: 286), which includes clients, the state, and adjacent occupations.

As argued above, a desire to work with offender-clients is the primary motivator in the decision of most staff to enter the service; they are the traditional actor to whom probation professionals are answerable (see Chapter Two):

Professionalism starts with understanding the basics; but I think, much more importantly, it's about openness and transparency, doing what you say what you'll do and *being a role model*. (Charlie, Senior Manager; my emphasis)

The nature of working with involuntary clients means that trust cannot be taken for granted, but must be *established*:

I think that's about being human and building a rapport with service users so they see me as genuine because, actually, the key thing about helping people to change their own behaviour is having understanding and building up some kind of trust in a relationship. (Sarah, Interchange Manager)

Accordingly, how practitioners communicate with their clients is important to the provision of a 'professional' service (see also Chapter Eight):

I suppose it depends when we're talking to service users because, obviously, we'll use language that they're comfortable with and languages that are, sort of, easier to understand. (Vicky, Case Manager)

However, as Chapter Two contended, the neoliberal restructuring of public services has expanded the network of accountability to whom professionals are answerable to encompass the taxpayer-client. The incorporation of interests beyond that of the end-user of services is reflected in additional "criteria of legitimacy" (Fournier, 1999: 288) – namely, market mechanisms of target and audit (e.g. Hood, 1995; Power, 1997). As a result, some practitioners expressed their professionalism in terms of their ability to adhere to the quasi-market mechanisms through which their performance is demonstrated:

Risk and hitting targets seem to be the things that determine whether or not you're professional. If you're not doing either of those, you're not being particularly professional. (Marie, Case Manager)

[Professionalism is] about who I'm working with. [...] There's a level of dependency on me from these individuals, I need to work to my peak efficiency, if you like, so I'm not only meeting targets, but reducing the risk of reoffending - which is the bottom line, essentially. (Will, Case Manager)

This internalisation of targets and audit (Phillips, 2011) shows the pervasiveness of punitive, managerial discourse in shaping professional identity at Elizabeth Street. Will's response, in particular, highlights how the 'control' aspect of the service's

professional role has been accentuated to account for risk management and public protection, a point evidenced by others:

You've got to provide that service [to the client], that help and assistance, but also ensure that if enforcement needs to be taken – the people we work with have committed offences, some appalling in some cases – that you fulfil the legal requirements. (Camilla, Case Manager)

Knowing what you need to do; being aware of rules and regulations; being aware... of your responsibilities. [...] Understanding other people's needs, because not everything is in relation to an offence, and trying to do your best in order to reduce the risk of offending whilst helping the client with a safer integration into the community. (Leon, Case Manager)

This further demonstrates the partial successes of attempts to change organisational culture within probation. In this sense, “punitive managerialism” (Cavadino *et al.*, 1999: 54) has expanded the network of accountability in probation:

I suppose, in terms of the job we do, *we've got a responsibility to clients, the public, the government, to criminal justice*, to make sure that the sentences that are passed are delivered in the way that they were intended to be delivered. I think, as an organisation, we need to keep that, be mindful of that, and I think that all links with professionalism and ensuring that we follow things through to do as thorough a job as is possible. (Louise, Interchange Manager; my emphasis)

As training and expertise has declined in significance, especially since *TR* (described above), the demonstration of competence has taken on greater importance in the projection of a professional identity (Fournier, 1999). Concurrent with recent attempts to engage probation in greater partnership working, such as New Labour's OMM, interactions with other agencies are opportunities for staff to display their professionalism:

When I'm thinking about being professional, I think about being careful about who [sic] I speak to about work, where I speak to people about work. [...] When I go to outside meetings, I am the face of where I work so I'd never be derogatory or undermining the service. (Matilda, Senior Case Manager)

... when we're going to meetings and when we're talking to external partners, I think it's, err, when we need to be professional and sell ourselves well, really. (Vicky, Case Manager)

The need for probation staff to 'sell' themselves in the community shows the salience of professional conduct to identity formation. As members of a privately led organisation which has lost some standing with other (publicly managed) criminal justice agencies, discussed above, how staff present themselves can thus act as a counter to organisational prejudice:

I think [professionalism is] a hallmark, really, of the reputation and image of the organisation. I'd see myself as an ambassador: if I go to a multi-agency meeting, then I'm representing [the] CRC, not myself as an individual; and if I was sharing personal views then I would be quite honest about that being my personal view. (Sarah, Interchange Manager)

Expanding on the importance of the service's reputation for its credibility, Fizz (Senior Case Manager) alluded to a higher professional calling that is compatible with Mawby and Worrall's (2013) *lifers*:

... there's an expectation that you're going to be trustworthy, like a police officer. For me, it's a position that should mean that you are a member of the public who [sic] somebody could seek help from and that you would do your utmost to help that person.

While probation lacks unmistakable symbols (i.e. the blue uniform and helmet of the police officer) which means direct involvement with the public is minimised

(Mawby & Worrall, 2013), the probation officer is, in Fizz's view, similarly obliged to help. Professionalism, therefore, is something to be *constantly* demonstrated:

I think of [professionalism] as something that, like when you are a doctor you are a doctor 24 hours a day: you don't switch off if a crisis happens. For me, it's the same sort of thing: you don't switch off; you are somebody who is worthy of that position of all the time. (Fizz, Senior Case Manager)

Fizz's link to the medical profession highlights how trust is an important factor in professional status (e.g. Parsons, 1952; Fournier, 1999). Professionals must "be worthy of that trust, to put clients first, to maintain confidentiality and not to use their knowledge for fraudulent purposes" (Evetts, 2013: 780). Hence, proper sharing of information is crucial to professionalism in probation:

... for me, personally, professionalism is about how you behave and present yourself – not just with other professionals, but [also] anywhere. [...] It's about how you behave in front of them and what information you give, because it's on a need to know basis. (Rhonda, Case Manager)

I suppose, for me, [professionalism is] ensuring that you're... respecting your clients; remembering that, obviously, in terms of the kind of work that we do, the information is confidential [and] respecting that. (Will, Case Manager)

Professionalism, I guess, [is] taking pride in your work, showing up, doing your hours, putting your all in; erm, you know, keeping confidential information, not talking about your service users to the people outside the organisation, working well with your colleagues. (Samuel, Case Manager)

The ability to demonstrate professionalism to multiple actors in the 'network of accountability' (Fournier, 1999) – offender/clients, taxpayer/clients, and overlapping organisations - is thus integral to professional identity formation at Elizabeth Street. Set against the (continued) devaluation of training and the surrender of professional jurisdiction (Abbott, 1988) to the NPS since *TR*, staff expressed professionalism in normative terms:

I would say professionalism is... *not just doing the right thing, but being seen to do the right thing*. Professionalism is a judgement based on those things, I suppose. (George, Senior Case Manager; my emphasis)

A lot of people talk about good will, but I think [professionalism is] about *doing the right thing*. [...] I want the service user to get the best service; it's why I come into work. (Sarah, Interchange Manager; my emphasis)

Accordingly, the need to portray oneself as competent inculcates professionals with a disciplinary subjectivity: a commitment to *being professional*, to 'doing the right thing', not only serves as a self-regulatory mechanism (Fournier, 1999), but is also important to maintaining a professional identity of which staff can be proud.

5.6 Conclusion

Against the backdrop of competing demands for an approach that was at once 'tough on crime' and 'efficient', the probation service has struggled in recent decades to locate a language with which it could identify (Farrant, 2006; Robinson & Ugwudike, 2012). While such shifts have partially succeeded in changing the culture of the organisation, extant in Mawby and Worrall's (2013) *offender manager* ideal type, staff remained committed to the profession and, in particular, the professional relationship with the offender/client. However, the enforced 'migration' (Burke *et al.*, 2016) of probation staff from public to private sector employment as a result of *TR* has accelerated longer-term trends away from commitment to the organisation: most staff work *in*, but are not *of*, the CRC. Perceived divergence with a public sector ethos has, somewhat unfairly, diminished the standing of the staff amongst the wider criminal justice infrastructure and contributed to (further) organisational disaffection. This derives not only from scepticism of the for-profit inclinations of the CRC, but also from misunderstandings over the work it performs. As such, practitioners have rallied around the label of 'probation' – both as a *practical* way to navigate organisational animosity and as a *symbolic* way to (re)assert a professional identity.

Mawby and Worrall's (2013) typology provides a comprehensive account of occupational cultures within probation, and thus a useful framework for analysis of identity. However, the paucity of probation service officers relative to probation officers in their study means it is not wholly applicable probation work in the CRCs, not least because of how qualified and unqualified practitioners were allocated as a result of *TR*. Continuing a Foucauldian line of thought, 'professionalism', far from being the exclusive province of qualified practitioners, has been extended as a self-disciplining mode of conduct in probation (Fournier, 1999; Evetts, 2013). That probation staff across all grades, training pathways, and lengths of experience primarily interpret their professionalism via their actions with clients and partner agencies represents how the term has been reconfigured in accordance with structural transformations. *TR*, it appears, has continued this process by eroding staff jurisdiction and constraining professional development, whether *horizontal* or *vertical*. The declining importance of such traditional markers of professional identity means that it has become increasingly difficult to articulate what makes probation distinct, other than a commitment to the client. Personal values and the motivations necessary for doing the job in the 'right' way thus compensate for this decline and are reflected in a discursive shift in understandings of professionalism, which disciplines 'at a distance' (Miller & Rose, 1990; Fournier, 1999).

The next chapter focuses upon how the discourses which have contributed to the reshaping of professionalism and professional identity are manifest in the artefacts of probation supervision. Utilising ethnographic description, it discusses the spatial distribution of power/knowledge at Elizabeth Street and its implications for practice (Foucault, 1977). The decision to remove 'probation' from staff job titles, therefore, extends beyond mere corporate distinction and into normative expectations for action with clients and external agencies.

Chapter Six - Probation practice, architecture, and an *art of distributions*

6.1 Introduction

This chapter explores probation practice via ethnographic description of the ‘architecture’ of Elizabeth Street, a bespoke office in a large city. The concept of architecture has both ‘literal’ and ‘metaphoric’ significance within criminal justice (Armstrong & McAra, 2006: 26). The former refers to the physical sites in which punishment is delivered; the latter concerns the “architecture of penal imagination” (Armstrong & McAra, 2006: 26) – that is, the political spaces within which analytics of punishment are assembled and authenticated. Physical structures, their form and functions, are thereby significant dimensions of ongoing processes of legitimisation in penal discourse (Armstrong & McAra, 2006). As discussed in the previous chapter, attempts to instate a ‘punitive managerial’ (Cavadino *et al.*, 1999) organisational culture within probation have partially succeeded in reshaping understandings of professionalism. As the (metaphoric) foundations which braced probation from political interference and upheld professionalism crumbled, the (literal) architecture within which probation work occurs has been rebuilt in accordance with a ‘modernising’ agenda (Robinson, 2013; Phillips, 2014a). Practice has been increasingly subjected to centralised control (Burke & Collett, 2015); removed from the communities probation serves (Bottoms, 2008); and reconfigured around information technologies, technicising and depersonalising “the humane face of the criminal justice system” (Phillips, 2017: 211). Accordingly, the architecture of the probation office and its “artefacts of supervision” (Burke & Collett, 2015: 83) have come to reflect a managerial emphasis on efficiency and accountability (Phillips, 2014a). This chapter, therefore, focuses on how the physicality of the research site influences the behaviour of its inhabitants and its effects on professionalism in probation.

The first part of the chapter discusses the significance of architecture for criminal justice institutions. Like Phillips (2014a), it argues that the punitive, managerial flows of recent decades have seeped into the design of the contemporary probation office. The second part provides an ethnographic description of the research site to show how disciplinary practices are spatially, temporally, and relationally encoded. Here, it draws upon the four facets of Foucault’s (1977) *art of*

distributions – enclosure, partitioning, functionality, and rank – as lenses through which to explore the architecture of the office and its impact on probation work. *Enclosure* demonstrates how the probation estate has been rationalised to facilitate efficient collection of knowledge on individual clients. *Partitioning* describes the spatial distribution of key actors and artefacts within the office. *Functionality* emphasises the ever increasing importance of information technologies to contemporary practice, inhibiting the amount of time practitioners are able to spend performing face-to-face work with clients. *Rank* discusses the surveillant role of Interchange Managers and how this impacts power relations. The third part of the chapter highlights how the parent company’s ‘personalisation’ operating model has shifted practice towards an increasingly administrative, standardised modality that depends less upon relationships with clients than on signposting and referrals to other agencies.

The chapter argues that a disciplining *art of distributions* (Foucault, 1977: 141) at Elizabeth Street is not exclusive to *TR*; rather, the reforms present an acceleration of the managerial dynamics that have come to define probation practice in recent decades – namely, the prevalence of targets, audit, and information technologies. The physicality of the research site, its “play of spaces, lines, [and] screens” (Foucault, 1977: 177), is deployed to demonstrate the disciplinary consequences for professionalism at Elizabeth Street. In this sense, the use of ‘architecture’ extends beyond rudimentary structure into the office’s “design, layout and location” (Phillips, 2014a: 121).

6.2 Criminological architecture: From the spectacular to the mundane

Prisons are the most obvious sites for architectural analyses in criminological literature, for they offer material and symbolic admonitions of the consequences of criminal infractions (Armstrong & McAra, 2006). Tracing the historic design of prisons, Jewkes and Johnston (2007) argue that their composition offers insight into dominant penal philosophies at particular historical junctures. Ignatieff (1980), for instance, describes how the shadow cast by Pentonville penitentiary over a working class district of Victorian north London alerted labourers to their fate should they slip beyond the precarious sanctity of market relations and into criminality. Similarly, the presence of stone gargoyles atop the walls of some Victorian prisons conveyed to

observers the unpleasant consequences of a violation of the law, thereby affirming the legitimacy of the sovereign (Jewkes & Johnston, 2007). In a Foucauldian sense, then, architecture communicates power; it is a physical expression of ideology and influence (Foucault, 1977).

Foucault (1977) juxtaposed the torture and execution of a criminal in 1757 with a prison timetable eighty years later to show how the spectacular violence of the ‘scaffold’ was replaced by the mundane violence of orderliness. The exercise of disciplinary power was transformed from being *imposed upon* to *instated within* bodies, the result of a succession of minute adjustments across the social realm designed to familiarise individuals with the requirements of the nascent capitalist system (see also Thompson, 1967). For Foucault (1977: 139), the ‘disciplinary institutions’ (schools, hospitals, factories, prisons) in which such training occurred were architecturally engineered according to a precise logic of distribution to enhance the productivity of their inhabitants. His analysis of designs for a Panopticon prison, discussed in Chapter Three, theorised how power can be encoded with physical structures. He thus emphasised the polyvalence of panopticism: the “pure architectural and optical system” (Foucault, 1977: 205) symbolised new forms of power/knowledge premised on controlling populations, serving as a metaphor for the societal expansion of disciplinary practices.

The ‘architecture’ of probation offices has seldom been explored (Phillips, 2014a), perhaps because probation exists as “part of the background fabric of the state” (Morgan, 2003: 3). In contrast to the prison, probation’s legitimacy is derived not from the symbolic messages communicated by commanding structures, but from an understated authority to do what Mawby and Worrall (2013) call the *dirty work* – that is, the vital, if largely unappreciated, task of instilling change within offenders. As discussed in the previous chapter, however, criminal justice *discourse* (Feeley & Simon, 1992) has accentuated the ‘control’ aspects of probation’s role in recent decades. Hence, the service’s remodelling has been extended to the physicality of the late-modern probation office (Robinson, 2013; Phillips, 2014a).

Phillips (2014a) contends that probation offices have increasingly come to reflect managerial modes of practice. Based on ethnographic research, he describes in detail an office “designed specifically for the purpose of probation in the early 21st century” (Phillips, 2014a: 121). He uses Goffman’s (1969) ‘front stage’/‘back stage’ dichotomy, in which social actors alter their performance to the needs of their

audience, to conceptualise different zones within the building. The ‘front stage’ represents areas such as interviews rooms, where probation staff meet with clients and engage in face-to-face work; the ‘back stage’, on the other hand, refers to the private offices from which clients are prohibited, where the majority of probation work takes place. Probation practice, Phillips (2014a) argues, has moved from being a predominantly ‘front stage’ profession to a ‘back stage’, computer-based occupation, situated in open-plan offices that service large geographic regions. Accordingly, the architecture of the probation office is a manifestation of the “punitive managerialism” (Cavadino *et al.*, 1999: 54) of recent decades, in which risk assessment technologies occupy a central position. The next section, therefore, applies Foucauldian thought to the architecture of the research site - which, like the office in Phillips’s (2014a) study, was repurposed for the needs of contemporary probation practice.

6.3 The architecture of Elizabeth Street: An *art of distributions*

For Foucault (1977: 141), an *art of distributions* is the embryonic stage from which discipline evolves. This requires *enclosure* – that is, an architecture distinct from all others that facilitates collation of knowledge on its inhabitants (Foucault, 1977: 141). The ‘disciplinary institutions’, though homologous in their modes of organisation, were each designed to house a particular category of the populace – hospitals for the sick, schools for pupils, prisons for offenders, etc. – and reorient them to societal ends. But mere confinement, for Foucault (1977: 143), was insufficient; a desultory mass must be organised, via *partitioning*, so that every body has its place and each place its body. How actors and artefacts are dispersed within a given locus is crucial to instating a regimen of order. Such allocation permitted the acquisition of information and meant that individuals could be controlled, simultaneously creating the conditions for the further collection of knowledge. This perpetual “power/knowledge spiral” (Cohen 1985: 25) transforms space and movement: behaviours are catalogued and quantified to establish rhythm and repetition (Foucault, 1977). Accordingly, ‘disciplinary institutions’ were rendered *functional sites*, identifying and correcting difference to produce docile bodies (Foucault, 1977: 143). Finally, organising and arranging inhabitants by *rank* hierarchised and surveilled bodies, suffusing discipline over a web of relations

(Foucault, 1977: 146). An *art of distributions*, therefore, structures “the disposition of buildings, rooms, [and] furniture” (Foucault, 1977: 148) in such a way as to influence the practices of the subjects of their power. Forms of scrutiny that are at once individualising and standardising are woven into the fabric of an institution: “Discipline is a political anatomy of detail” (Foucault, 1977: 139).

Now, of course, Foucault’s (1977) disciplinary thesis was concerned with the evolution of *modern* punishment, which he took as a metaphor for the extension of such practices into the wider social sphere. His analysis predates late-modern penality and the emergence of managerialism and marketisation; however, as Chapter Three argued, there are similarities. Managerial discourses have extended disciplinary practices not only to the supervised, but also to the *supervisors* via processes of target, audit, and National Standards (Power, 1997; Fournier, 1999; Phillips, 2011). *TR* was presented as a means to reverse such a top-down, target-centric approach, to restore practitioner discretion and reconnect services with local communities (MoJ, 2010, 2013a). A Foucauldian emphasis on architecture, including the “analytical arrangement of space” (Foucault, 1977: 203), can thus advance our understandings of probation practice before and after *TR*.

6.3.1 *Enclosure: Rationalising the probation estate*

For Foucault (1977), the emergence of enclosed spaces into which those adjudged to require reformation could be concentrated negated the threats that these groups might pose, as well as providing an opportunity for their training. Probation materialised in the shadow of one such *enclosure*, as an organisation counterposed to the disciplinary effects of imprisonment: dispersed throughout communities, probation officers sought to arrest the disciplinary power of the prison through means of social enquiry (McWilliams, 1983, 1985; Vanstone, 2007). Late-modern penal developments have, however, removed probation practitioners from the community and consigned practice to large, open-plan offices (Bottoms, 2008; Phillips, 2014a).

As Bottoms (2008) notes, before the Criminal Justice and Court Services Act 2000, Probation Boards, in conjunction with local authorities, could decide where and how many probation offices were located within a particular area. In 2001, “all probation property was vested in the NPS, not in local Probation Boards, who were prohibited from owning or renting land” (Bottoms, 2008: 161). These trends were

also evident within the city in which the research site is located: several local offices have since been closed, with probation work delivered from just two buildings. A wresting of provincial control was effected not only to reduce costs, but also to provide facilities suitable for contemporary practice (Bottoms, 2008). There are, of course, merits to this approach – for example, *street-level bureaucrats* can attend to clients more efficiently when service users travel to them (Lipsky, 2010), while spaces can be designed with staff safety in mind (Bottoms, 2008) - but implicit in such a directive was the view that probation practitioners' time is better spent in administrative hubs as opposed to the community. Rationalising the probation estate allowed for more efficient knowledge collection on clients, as rehabilitation was reshaped in accordance with risk management and enforcement (Robinson, 2008).

Elizabeth Street is a two-storey, L-shaped building, the longer side of which runs parallel to a busy route out of the city centre. The office was intended to serve clients in the south of the city, with another building in the centre servicing those residing in the north. *TR* was presented as a means to reconnect probation with local communities (MoJ, 2013a); after implementation, however, the NPS was moved to the city centre building, while the CRC are the sole occupants of the office in the south. Accordingly, Elizabeth Street's function as the site to which low-to-medium risk offenders serving a sentence in the community *must* report invites comparisons with a Foucauldian 'disciplinary institution' and its attendant analytics:

Because it is about a power dynamic: I think for service users to come to this office – it's my location, not their location - who might have been in custody throughout their previous life, they might have issues with authority. So, for a lot of service users, they might have difficulty coming to an institution. Because that's what I think this is: it's very much like an institution, a hospital, school, or a prison, take your pick. (Sarah, Interchange Manager)

Indeed, the location of the office means that it is difficult for many clients to access:

... having to come to [the office] when they don't live in this area, that's had an impact on the level of compliance. This office is in this area because it's in the area that it's supposed to cover; that was the idea of it being here. But

whether you're from this office or not, you have to come here. (Fizz, Senior Case Manager)

... service users have to get two buses to get here. There's no city centre reporting office. For some people, if they're struggling financially, if they can't drive, then they're struggling to meet their orders. (Trudy, Case Manager)

This resonates with McDermott's (2016: 198) experiences of the move to a "new 'better' located building" by MTCNovo when they assumed control of London CRC, by whom she is employed as a practitioner. She argues that such consolidation created problems for offenders due to the distances they must travel to attend appointments. Similarly, Durnescu (2011: 236) has written on the time offenders spend travelling, and the financial costs incurred, as being part of "pains of probation". While clients attending Elizabeth Street do not have to commute as far as the 200km distances of some service users in Durnescu's (2011) native Romania, they often take multiple buses, for which the CRC will subsidise only half of the fee – *if* the client lives beyond two and a half miles from the office. That the office is now the sole *enclosure* to which to report for low-to-medium risk clients mirrors a decades-long rationalisation of the probation estate (Phillips, 2014a). The office, therefore, allows for systematic and efficient collection of knowledge on individual clients.

6.3.2 Partitioning: Spheres of practice

There have been no structural changes to Elizabeth Street since *TR*; however, the manner in which staff are concentrated and distributed within its architecture remains relevant to understanding of how probation sought to establish its legitimacy as an efficient, punitive force. The main entrance to the building is situated where the lines of the 'L' meet. Downstairs, in a small waiting room, a plaque informs visitors that the building was repurposed in 2008 for the needs of the NPS. By contrast, the parent company's insignia is absent, perhaps because CRCs compete for state-approved monopolies on geographic regions rather than the custom of involuntary clients (OFT, 2010). As part of the refurbishment, protective glass was installed in

front of reception and a CCTV camera was wired overhead. While these developments are hardly unique to probation, they convey to clients a sense of ‘otherness’ that arguably contravenes the principles of respect and non-judgement on which the service was predicated (Mawby & Worrall, 2013; Deering & Feilzer, 2015). Upstairs, smaller, private rooms were dismantled in favour of two large, open-plan offices, thereby making room for more staff. As such, space was *partitioned* for specific means (Foucault, 1977): the face-to-face work with clients takes place ‘downstairs’; the technicised elements of practice occur ‘upstairs’.

Once a client has made him- or herself known to the receptionist, their supervising practitioner will be notified by telephone or over the public-address system and will make their way ‘downstairs’. Clients are met in the waiting room and ushered through a locked door that leads to labyrinthine corridors surveyed by yet more CCTV cameras, from which 15 interview rooms splinter. These rooms vary in size, but rarely contain more than a large table and a stack of chairs. The walls are typically bare, save for a few leaflets on the complaints procedure and data protection. Though each table is fixed with a panic button, they were untouched throughout the entirety of the research. Indeed, the staff I observed were relaxed about sitting well beyond the reach of such alarms when conducting an interview. Space can thus be used to compensate for the unequal power relations inherent to mandatory supervisor-offender relationships and to make the latter feel at ease, particularly in sensitive circumstances:

The client is a long-term drug user. Released from prison earlier today, he has been having suicidal thoughts and is visibly upset. Jo, who is usually jovial and jokey, is solemn and serious; she moves around the table and sits directly opposite him, a sympathetic hand on his shoulder and another on his hand. She is attempting to make eye contact, but he is fixed on the floor. She constantly reassures him of his potential: ‘You can do it; I need you to believe that.’ Still searching for eye contact, Jo reminds him of the positive relationships in his life – namely, with his brother and parents. Eventually, she manages to hold his gaze for more than a few seconds; his body language becomes gradually more relaxed and, consequently, his mood improves. They agree that he will return to his methadone script and reengage with a drug treatment charity. She ends the meeting by arranging the next and reminding

him to call her if overcome by suicidal thoughts. (observation no.17: Jo, Case Manager, and client, Elizabeth Street)

Here, Jo used the space to her advantage; any pretence at a power dynamic was removed by demonstrating empathy for the client's situation, making him feel safe and cared for. This type of work typifies why most practitioners want to enter the service:

... all they're interested in is the service users. There is a clear tension between the preference, if you like, of most of our staff and the requirements of the job, which is about accountability. (Charlie, Senior Manager)

'Downstairs' work offers practitioners the opportunity to deconstruct the symbolic messages otherwise conveyed by the architecture of the institution, which engenders suspicion and mistrust. The standard supervision meeting consists of questions on clients' personal circumstances (employment, housing, substance use, relationships, etc.), with particular emphasis on any changes; (lack of) engagement with probation and other relevant organisations; and goals for the future. Of the 47 observed supervision meetings between a practitioner and a client, 41 were conducted in the research site (see *Table 4.1*); their average length was approximately 17 minutes. Practitioners bring a notebook into meetings and attempt to record as much information as possible. Once the meeting has finished, practitioners will escort clients back to the waiting room before returning upstairs to log their notes. Time constraints, however, hinder how long staff are able to spend with clients:

It tends to be a check-in with service users. I don't feel I've got any time to do any sort of intervention with service users due to the nature of how the job is now. (Trudy, Case Manager)

The 'upstairs', then, is where the majority of probation work occurs, in two open-plan offices. Corporate branding is, again, absent - such that an outsider would struggle to deduce which company leads the CRC. In contrast, noticeboards are populated with information from the two unions that represent many probation staff,

Napo and Unison, detailing campaigns for better working conditions. This colonisation of communal space is indicative, perhaps, of a small victory for staff over the parent company in an area over which they have some semblance of control. Most staff are allocated to one of three ‘flex teams’, each corresponding to an area of the city from which their caseloads are drawn. The north-east team are located in the smaller office, along the base of the ‘L’; the larger office houses the north-west and south teams, parted lengthways on opposing sides of the room, along with a partner agency who are also co-located in the building. These teams are further sub-divided into ‘custody’ and ‘community’ specialisms, which dictate the complexion of clients on practitioners’ caseloads. A small, fourth ‘flex team’ dedicated to female clients also shares the larger office; a fifth is ostensibly responsible for delivering accredited programmes, but, in practice, Case Managers fulfil this function from within a ‘flex team’ alongside their individual caseload of clients. Six Interchange Managers share three small offices; two pairs bookend the larger office, while the other is located at the foot of the ‘L’.

There are, in total, 68 desks in the bigger office, approximately 40 of which are used regularly. The relative emptiness of the bigger office makes the smaller office, in which only five of 38 desks are unoccupied, seem busier by comparison. As Foucault (1977: 143) observed, “[e]ach individual has his own place; and each place its individual.” To amend Foucault, then, each individual has their own place, but many places in the office are *missing* an individual. This abundance of space represents attempts to render probation more ‘efficient’ under *TR* and is reflective of the belief that the market can deliver better results with fewer resources (MoJ, 2011, 2013a). Desks are organised in banks of six, and staff share their immediate surroundings with colleagues with similar specialisms. The result is a collaborative environment: rarely do practitioners struggle with a problem alone; instead, it is it is voiced aloud to the office and a small group will often gather to discuss solutions. This evidences the productive potential of spatial regulation (Foucault, 1977):

I think that collaborative element is the nature of probation and the history behind it. People have always been helpful and supportive and encouraging, passing on knowledge to others. I think that if that hadn’t have been the case, then people would have gone under a long time ago. (Rhonda, Case Manager)

I think, you know, it takes a village to raise a child. [...] We can't do this job alone; we need support from our colleagues. (Vicky, Case Manager)

Supporting, and being supported by, colleagues is thus part of *enculturation* – “that is, the normal process by which new members acquire the norms, values, behaviours and other tools of [a] particular culture” (Robinson, 2018: 322). In her study of probation work in two English magistrates’ courts, Robinson (2018) found that probation service officers were dependent upon the willingness of experienced staff to share their knowledge to learn the skills required to practise. The layout of the offices at Elizabeth Street thereby facilitates socialisation into the role:

I have spoken to people and they are landed with a caseload; they have to go with it and ask their colleagues around them what they're supposed to do. Or they'll happily get on with something until somebody says, ‘why are you doing it like that?’ (Rhonda, Case Manager)

I'd say, without my colleagues, you wouldn't learn the role; you wouldn't learn the admin side of the role. (Mo, Case Manager)

The administrative element of probation practice has acquired greater (financial) importance since *TR*. Against the backdrop of the devaluation of probation training, described in the previous chapter, staff are being (re)socialised into a probation culture at Elizabeth Street in which ‘upstairs’ obligations to work with information technologies takes precedence over ‘downstairs’ work with clients.

6.3.3 *Functional sites: A disciplinary machine?*

Foucault (1977: 144) used the example of the eighteenth century factory, of the distribution of individuals in accordance with machinery, to emphasise how workers were at once separated and linked. The computer is, unequivocally, the machinery central to probation’s contemporary functionality (Phillips, 2017); it isolates staff in their work whilst ensuring that they remain connected to the national IT systems (OASys and nDelius) on which risk management depends. The shift towards risk management and its attendant technologies has thus expedited

probation's ascension to the 'information age' (Castells, 2000), organising staff time and intermediating relations between other colleagues and agencies (Phillips, 2017). Senior Case Managers and Case Managers are assigned to a desk in one of the open-plan offices. Each space is uniform and equal, screened on three sides; they consist of a desktop computer, mouse, keyboard, and an Ethernet cable which connects the computer to the local area network. Another cable links laptops purchased by the parent company to encourage "agile working" (McDermott, 2016: 198) to the desktop monitor, enabling staff to work from two screens simultaneously. Mobile phones also replaced landlines, such that ringtones and text message alerts reverberate around the offices. Indeed, greater use of information technologies was an integral aspect of many of the winning CRCs' bids, invoked as vital to the restoration of professional autonomy (McDermott, 2016). This technology has been positively received:

... we've got flexible IT: as a member of staff, I could go out and work in... the community centre and represent the organisation and actually build really good networks with other partners who represent different organisations and services users, so if we're thinking about brokering services then I've got really good knowledge and really good relationships on how I recommend or refer people to those services. (Sarah, Interchange Manager)

[The IT] is a lot more flexible now, a lot more modern. I think it was stuck in the past before *TR*, so that's definitely one of the positives. (Trudy, Case Manager)

In theory, mobile information technologies allow for probation work to move beyond centralised hubs and out into the community (McDermott, 2016). One of the justifications for *TR* was that probation had become overly technicised, bureaucratic, and detached from local communities (e.g. MoJ, 2010, 2013a). For example, a House of Commons Justice Committee (2011: 18) report claimed that "probation staff spend only 24% of their time in contact with offenders". Based on the results of a web survey distributed by the Committee to gain practitioners' views on, among other things, contact time with offenders, responses highlighted OASys as a key factor in diminished face-to-face work. Many cited the repetitive and time-

consuming nature of inputting data on OASys, which one of their respondents described as “the equivalent of e-servitude” (House of Commons Justice Committee, 2011: 119).

However, despite a “critical consensus” (Hardy, 2014: 316) on risk, which alleges that rehabilitation and its concomitant modes of knowledge and practice has been vanquished by rational technologies, studies suggests that practitioner frustrations with risk assessment tools do not constitute a wholesale rejection of their utility (Robinson, 2002, 2003; Mair *et al.*, 2006; Fitzgibbon, 2007, 2008; see Chapter Two). Mair *et al.* (2006: 21), for example, found scant evidence of a ‘Luddite’ mentality towards OASys when it was implemented in the early 2000s. Risk assessment technologies are not a substitute for professional knowledge or discretion; rather, proficient use depends upon more ‘traditional’ casework approaches (Fitzgibbon, 2007, 2008; Hardy, 2014). In this sense, technology should not be considered “anti-professional” (Robinson, 2003: 607), not least because the diversity of clients’ circumstances requires a nuanced approach to assessment.

Synthesising the literature on risk assessment technologies, Phillips (2017) argues that practice and technology cannot be separated; together, they contribute to a new mode of working in which the majority of probation interactions are arbitrated through technological devices. This exposition draws upon ‘actor-network theory’ “to consider the ways in which human and non-human actants are critical to the way in which probation practice is constituted” (Phillips, 2017: 209). He builds upon Bourdieusian analyses of probation practice (e.g. Robinson *et al.*, 2014; Phillips, 2016) to show that information technologies are often seen as an imposition of the *field*, an affront which is resisted via a probation *habitus* (see Chapter Two). However, this perceives probation technologies as objective and impartial tools rather than playing “an active role in the development of a narrative or form of practice” (Phillips, 2017: 210). Technology, therefore, is not only a reality of the contemporary *field*, but also a structuring factor in the probation *habitus*. This suggests that staff have accepted risk assessment and learnt to adapt their professionalism to the information age:

OASys is a box-ticking exercise, but it is a useful guide. I’d be loath to lose OASys; it’s a good way of guiding what you think someone’s criminogenic needs are. (Arthur, Senior Case Manager)

On any given day, however, technological laments are extended to the office. Such public denouncements address everyone and no-one; the opportunity to express frustration with the systems is more important to practitioners than receiving a response. The following examples, from different days, typify staff annoyance with inconsistent information technologies at Elizabeth Street:

My nDelius is down again.

Is anyone struggling to get onto OASys? I'm just getting a blue screen.

It's a task just getting onto my machine; it's frozen, so I had to start all over again.

(notes from fieldwork)

Indeed, these technological issues predate *TR*: for instance, an HMI Probation (2014: 4) report on probation's transition from a public to a partially private service described the "predictable challenge" posed by Ministry of Justice software that was insufficiently integrated, and warned of its likely impact on 'innovation'. As a result, CRCs received £23m in compensation because of enforced delays to the implementation of providers' operating models (House of Commons Committee of Public Accounts, 2016). Such is the frequency of IT failures that Interchange Managers encourage their teams to manually record when the systems are down, for crashes inhibit the CRC's ability to deliver on performance metrics. On several occasions during the fieldwork, OASys and nDelius breakdowns limited the tasks staff could perform, which resulted in the cessation of work until they were repaired. While there was other work staff could have undertaken during such interregnum, that many chose to socialise with colleagues highlights the centrality of IT to probation practice and the value of respite from the monotony of recording.

Technological difficulties, moreover, exacerbate the sheer weight of recording expected of practitioners:

We have to log every appointment, every time you see [clients]; ideally, every time you speak to another agency you'd log in that. Every email you

get, you should be logging that. I try, but it's difficult to find the time.
(Samuel, Case Manager)

Every phone call, even if they don't answer: nDelius. Every text message: nDelius. Everything you do: nDelius. You have to back everything up. What frustrates me is that my word means nothing here. But if I put my word onto the computer, and I could put any old shite on the computer, then it counts.
(Matilda, Senior Case Manager)

Recording is difficult because of IT. [...] Somebody comes in, you record it on nDelius and that was where it was. If anything happened, they'd bring all the records up. [...] I know what they're saying: if it's not on nDelius, then it didn't happen. But there's so many things to try and remember. (Camilla, Case Manager)

These trends are by no means unique to *TR*, for research has shown that recording has been integral to probation practice for some time (e.g. Davies and Gregory, 2010; Phillips, 2011). Matilda's inference that information does not count if it is not recorded through the formal channels further accentuates an organisational bias towards digitised accountability over personal intuition. Here, "knowledge is reified and becomes 'information' through the process of being written down" (Phillips, 2017: 217-8). Practitioners are disciplined by a ceaseless obligation to record, and thereby generate, knowledge (Foucault, 1977). And yet, practitioners see the value of recording as a way to evidence decision-making, thereby safeguarding against blame (Kemshall, 1998: 68; see Chapter Two):

Any decision-making has got to be defensible, just in case anything goes wrong – which a lot of us are quite worried about. (Trudy, Case Manager)

[Recording is] very much back-covering, very much covering your back.
(Marie, Case Manager)

I think they like to say we work within a blame-free culture, but I don't believe that that's the case. [...] Record *everything*: that's the best you can do. (Mo, Case Manager)

However, the amount of administrative work that practitioners are expected to complete has been magnified by *TR*, not least because of administrative staff redundancies made by the parent company when they acquired control of the CRC:

You felt a little bit more security when [administrative staff] were there: in two seconds, things were done. That hit a lot of officers hard, as well, because we didn't have a bloody clue how to set up an OASys; it was an admin role to set up letters or set up OASys, and we needed that. We were literally stumped when they said, 'right, you've got to set up letters, set up OASys'. It's as though you had to learn your job again from scratch. (Camilla, Case Manager)

I've had to pick up that admin work. It's stuff like sending letters – I do that; I send my own letters out. Previously, I would complete the breach report but admin would prepare the breach report and admin report prior to me adding my professional part to it, you know, prior to the analysis and the rationale behind the report. And that takes up quite a lot of time, chasing documents, chasing stuff from prisons, chasing stuff from the court - admin used to do all of that. (Arthur, Senior Case Manager)

These comments highlight how the clerical burden has impacted negatively upon practitioners: time otherwise spent exercising traditional markers of professionalism, such knowledge and autonomy, is now expended on administrative chores. Attempts to render service provision more 'efficient', a key objective of *TR* (MoJ, 2013a), have served to concentrate practitioners 'upstairs'. Matilda (Senior Case Manager), however, challenged this economic understanding of 'efficiency', arguing that her time is better spent in the community:

I'm not being disrespectful, but which is cost effective: is it better that I write a letter? Or hire somebody to do all those bits, so I can get out and do what we've been trained to do?

The loss of administrative staff has thus resulted in computer-based practice becoming further embedded since *TR*, continuing trends towards time-consuming data entry (e.g. House of Commons Justice Committee, 2011). Mirroring the national picture (HMI Probation, 2019a), extra administrative pressures alongside demands to record *everything* have affected caseloads:

Being understaffed is an issue. People's caseloads are too high; too much is expected of them. (Samuel, Case Manager)

While you're getting very little credit for the work that you're doing, the amount of work associated with that case is far greater than how the computers measure workloads and what have you. It makes it very difficult, riding by the seat of your pants trying to get everything done. (Will, Case Manager)

For many practitioners, these trends are counterproductive to what they believe to be the essence of professional work in probation – that is, face-to-face work conducted with clients (see Chapter Five):

I want to be able to do more face-to-face things. [...] I want to be able to sit down and help people, more one-to-one focused... [but] you just can't do a 60-70-odd caseload, run groups, and go out into the community. (Camilla, Case Manager)

You do spend the majority of your time behind your computer unfortunately, but I would like to spend more time with service users. I would like to do more home visits. I know we're expected to do them with some clients, but it's time constraints – we can't be in two places at once. (Vicky, Case Manager)

... the hardest part of the job is the recording... which does bother me because the amount of time you spend doing that means that you lose that time face-to-face with the job. (Marie, Case Manager)

While practitioners accept that recording is an inevitable part of the job, there is a clear preference to engage with clients in a compassionate capacity. These responses highlight how professional identity at Elizabeth Street is framed by practitioners' self-expectations for providing a service to their clients.

A commitment to the client thereby resonates with much probation literature on the persistence of an *ideology of service* which prioritises the individual (e.g. Mawby & Worrall, 2013; Deering & Feilzer, 2015; see Chapter Two). Since *TR*, however, the time available for 'downstairs' work has been further tempered by 'upstairs' obligations to information technologies. Clients can seem like a distraction:

I come into the office and sit [and] feed my computer, do a lot of checking and stuff. I try and see clients in between that, but a lot of it, I feel, is that the client is getting in the way of me doing my computer work: 'Okay, there's someone here', so I'll break off from my computer, go see the client and, hopefully, he won't have too many issues that he's brought for me so I can go back and finish my computer work. (Arthur, Senior Case Manager)

As such, the office's functionality is geared towards accountability. Contrary to how the reforms were presented as a means to liberate professionalism in probation, practitioners are dispersed 'upstairs' amongst information technologies rather than in the community. This represents a continuation of managerial practice after *TR*: the manner in which staff are distributed at Elizabeth Street serves to discipline staff, as they are restricted to managing their clients at a distance.

6.3.4 Rank: Flows of power

The convergence of demands to record, extra administrative responsibilities, and caseload pressures after *TR* have resulted in the growing importance of the computer as a mediator of relations. Here, *rank* (Foucault, 1977) provides an

example of an increasingly administrative mode of working, dispersing discipline over a “network of relations” (Foucault, 1977: 176). As Chapter Two argued, establishing a hierarchical structure within probation was crucial to the service’s professional project in the postwar period (Morgan, 2007). Since the parent company assumed control of the CRC, senior probation officers’ roles have changed considerably, manifest in their reconstitution as Interchange Managers. Just as the loss of administrative staff meant that practitioners assumed more clerical responsibilities, Interchange Managers have been similarly affected by redundancies at a managerial level:

Health and safety plays a massive part on a regular basis, which wasn’t part of my role previously as a senior probation officer. So, some of the things I do might be about making contact with people about building issues... or the toilets. [...] It’s busier, definitely busier. It just feels like some days... I’m on a hamster wheel. (Sarah, Interchange Manager)

Prior to the split, we had a number of people who were responsible for all different kinds of stuff – building managers, HR, finance, a training team. They were made redundant. They were the most significant losses. As a senior probation officer, those were not responsibilities that would have sat with us previously. To be honest, I like all aspects of the job and I’ve not got a problem with doing them; it’s the amount. (Louise, Interchange Manager)

A reduction in the number of managerial roles, Louise continued, has also diminished opportunities for *vertical* progression, discussed in Chapter Five:

The number of roles has decreased quite dramatically so, in terms of opportunities to move forward, they have decreased.

Interchange Managers’ roles are thus constrained by new administrative duties; their work, too, is predominantly computer-based. Monitoring performance has arguably become the most important part of the Interchange Manager role. They use an online tool straightforwardly entitled ‘Performance Management’, which permits the surveillance of individuals *and* teams against PbR metrics. This makes

possible the identification of difference in performance between staff members and the potential for correction (Foucault, 1977):

We're very performance-led, so if there's issues, if my team were coming out with problems, that's monitored closely [and] the work is scrutinised. If there was any feedback from audits that someone in my team is not achieving, then [my boss] would want to know what I've got in place – whether training, capabilities – to make sure that's sorted. (Louise, Interchange Manager)

There are certain things that they require of us – [the parent company], based on information from the MoJ – that requires certain cases like domestic abuse, a huge amount of our cases, to be reviewed every six weeks, which will take up a significant amount of our time. (Kate, Interchange Manager)

Kate's response, in particular, highlights how Interchange Managers are an important link in a “network of accountability” (Fournier, 1999: 286) comprised of the state (via the Ministry of Justice), the parent company, and practitioners. As such, they are subject to frequent and fluctuating organisational pressures:

... if [practitioners] don't hit performance targets then [the CRC] lose a lot of money. There's a massive focus on performance. If there's a problem, then we do have to drop everything and sort it out. We've always had a focus on performance, even in the Trust days; the difference is, now, if we don't meet those targets then we lose money. (Kate, Interchange Manager)

Some days you can come in and your focus is on whatever the message was on Monday. [...] I think we are very much focused on performance targets. There's very much a message from the top about, 'we must do this, it's critical'; and it's linked to our integrity and reputation. (Sarah, Interchange Manager)

As discussed in Chapter Three, while this type of scrutiny predates *TR* (e.g. Phillips, 2011), the contractual logic of PbR means that targets have accrued greater financial significance. Interchange Managers are, therefore, the conduits between

practitioners and senior management (and, by extension, the Ministry of Justice), responsible on a day-to-day basis for ensuring that performance targets are met:

If you miss a target, then you'll be called in and asked why you've not completed it by managers. I think managers are aware about how staff are feeling about things like that, but they're under pressure too. Our managers' roles have changed, too; they've got a lot of extra work that's behind the scenes, so we don't see what's going on. There's lots of pressure. (Maddie, Senior Case Manager)

Here, power is not embodied in a person; rather, it is dispersed *throughout* the organisation, disciplining staff and entrenching computer-based practice. Practitioners are constantly alerted to performance targets, for which email is the dominant mode of communication:

[The Interchange Managers] know we have to meet targets, so they contact you by email or they send charts... so we know that we have a certain number of days left to meet the deadline. (Leon, Case Manager)

I don't like the pressure: it's all targets. Email after email after email after email about targets. Where's the time for the person? (Rhonda, Case Manager)

... we get bombarded with emails. They'll say: 'you need to be doing things this way' or 'you need to be recording it this way'; it's remembering everything, remembering to hit targets. Then we're getting more emails, chasing up if you've not done something. (Maddie, Senior Case Manager)

Staff are thus more valuable to the CRC when 'upstairs' rather than 'downstairs'. Much like Bentham's Panopticon, practitioners are disciplined by the knowledge that their actions are constantly surveilled. Interchange Managers do not need to have a physical presence, for practitioner performance is constantly *seen* on information technologies:

I would chase up where somebody has a plan to be completed that day because, actually, staff should know about it already. So, the conversation we've had with staff is that they should favour the emails they get to tell them something to do. (Sarah, Interchange Manager)

The heightened financial importance of meeting targets since *TR* has also marginalised the human element of the Interchange Manager role:

What I feel bad about is that... I don't feel like I give enough time, or I have enough time, for staff and helping with practice. For me, it's a constant tension because I'd like to have time to, you know... all of this stuff here [points to a stack of papers]: I need to read [them] but I haven't got time. I want more time to support them. (Kate, Interchange Manager)

Staff articulated conflicting understandings of whether or not scrutiny had increased as a result of *TR*. Some took scrutiny to refer to the extent of surveillance of probation work:

From our perspective, we're closely scrutinised. *We're audited to death*. For example, in [this region], we've had three [HMI Probation] inspections in six months, which is absolutely ridiculous. (Charlie, Senior Manager; my emphasis)

There's more scrutiny, but the quality of that scrutiny is less[ened]. There's a focus on quantity rather than quality, now; we're in the quantity game in the CRC. (Arthur, Senior Case Manager)

Others, however, interpreted scrutiny over work in terms of time with Interchange Managers, acknowledging that this has declined since *TR*:

... you're only really going to get a manager call you up on stuff if something's gone wrong; it's rare that you'll be called into the office. I can't remember the last time that I had a supervision. (Samuel, Case Manager)

Differing perspectives on scrutiny over probation work indicate that, irrespective of how it is interpreted by staff, the CRC is preoccupied with quantity over quality (see also Robinson *et al.*, 2014). Interchange Managers, too, are guided by a professional identity that emphasises care and support, but are constrained in their ability to operationalise such principles. This highlights how the disciplinary power of market mechanisms has limited their professionalism to a form of ‘appropriate’ conduct (Fournier, 1999) from behind a computer. In this sense, like practitioners, Interchange Managers are exposed to contradictory logics of professionalism and accountability:

... supervision should be about overseeing people’s work, supporting them; there’s no time to sit down and say, ‘bring a case and we’ll work through it together’. *Sometimes I feel like more of a glorified administrator.* (Kate, Interchange Manager; my emphasis)

Changes to the Interchange Manager role resemble Foucault’s (1977) observation that anybody can fulfil the surveillant function at the centre of the tower in the Panopticon, a point evidenced by Arthur (Senior Case Manager):

I wouldn’t want to be a manager here, because that’s now an auditing role: you just sit in the office tapping on the keyboard, checking that I’ve done my stuff and telling me when I haven’t.

This is not to deny the skills, knowledge, qualifications, and experience Interchange Managers have exhibited to progress up the probation hierarchy; rather, to highlight how *TR* has deprofessionalised their role. *Rank*, therefore, ensures that practitioners remain focused on performance; Interchange Managers are the interlocutors that allow for the individualisation of practitioners and the standardisation of their work, dispersing discipline throughout the organisation (Foucault, 1977).

6.4 Personalisation or standardisation?

An *art of distributions* (Foucault, 1977) provides insight into the managerial forces that have shaped, and continue to shape, probation practice at Elizabeth Street.

Since *TR*, probation work for low-to-medium risk offenders has been further enclosed within a single location. Within this architecture, staff are distributed ‘upstairs’, where they are most valuable to the functioning of the CRC; regardless of *rank*, they are disciplined by the normalising gaze of targets, reconfigured in contractual form (see also Chapter Three). The pressures under which practitioners operate have resulted in a further reliance upon signposting to other agencies to deliver services. As a result, probation practice is at once individualised *and* standardised (Foucault, 1977): clients are summarily assessed according to their *individual* circumstances, before being referred to the relevant agencies; but, for practitioners, such delegation has resulted in *standardised* practice which deprives them of the opportunity to establish meaningful relationships. Ashley, a Senior Manager, made this expected change explicit:

What people have not been great at, historically, is referring people to other services, of holding them to [themselves] and then going, ‘I’ve got too much to do’. As much as Senior Managers need to think about delegating, practitioners do too. [...] As much as I’ve got sympathy for people and their workloads, they’re not doing that.

At the centre of the parent company’s operating model is ‘personalisation’, a discourse which emerged during the latter years of New Labour’s period in government (Needham, 2011; Needham & Glasby, 2014). For Needham (2011), however, the myriad ways in which personalisation is deployed to describe the means *and* ends of public sector reform, as well as its scope for application, means that efforts towards definitional precision are unproductive. Rather, she interprets personalisation as “a set of stories that were being told about public services and the people who use them and work in them, that together constituted a narrative of public service reform” (Needham, 2011: 4) centred on tailoring services to individuals’ needs. In this sense, the appeal of personalisation spans across the political spectrum; it can be presented as a means through which to reduce the costs of services and drive improvements in practice, as well as a response to the purported failures of alternative delivery models - whether bureau-professionalism, managerialism, or privatisation (Needham, 2011).

In a probation context, Fox and Marsh (2016: 173) assert that personalisation is a form of ‘social innovation’ that utilises “non-financial social resources to achieve important social goals”. This emphasis on *non-financial* capital means that direct payments to clients or personal budgets, two core features of personalisation services (Needham & Glasby, 2014), are not part of the parent company’s operating model. At Elizabeth Street, practitioners aim to *individualise* practice by determining the strengths on which to build to progress towards ‘desistance’, the process through which offenders learn to live non-offending lives (Farrall & Calverly, 2006). Given the pressures described in the previous section, however, the scope for practitioners to personally deliver work with their clients has been reduced, as efforts are instead directed towards ‘upstairs’ obligations to recording. As such, ‘personalisation’ at Elizabeth Street typically refers to attempts to tailor work to the individual by coordinating with other organisations, often located within the voluntary sector:

The client is a career criminal, involved in illicit substance use since he was very young. Jo discovered that the client was using heroin again after he accidentally sent her a text message intended for his dealer. She informed him that he must reengage with a drug treatment charity or risk breach. There is also an issue with his housing: the client has amassed over £800 in rent arrears. As such, Jo agreed to set up a meeting for him with the housing association so he can stay on top of his rent. (observation no.10: Jo, Case Manager, and client, Elizabeth Street)

The client is on a suspended sentence order for multiple driving offences. He has failed to comply with a responsible driving accredited programme. The client’s biggest concern was employment and Leon agreed to refer him to a local charity which helps offenders find work. The client’s cannabis use, Leon believes, has contributed to mental health issues that have hindered his employment prospects. As such, Leon encouraged him to seek help from a local drug treatment charity. (observation no.11: Leon, Case Manager and client, Elizabeth Street)

These examples highlight the problems, and their intersections, which typically underpin clients’ offending behaviour: substance use, mental health,

insecure housing, and a lack of employment. In both instances, no work was delivered *with* the client; rather, the emphasis was on employing professional judgement to ‘personalise’ the services that they can receive elsewhere. Whilst voluntary sector organisations can provide specific and vital services, this mode of practice nonetheless emphasises how professionalism at Elizabeth Street has been reshaped. The importance of professional knowledge and autonomy has declined; instead, practitioners must be able to demonstrate their professionalism through forms of appropriate conduct to multiple actors in the ‘network of accountability’ (Fournier, 1999). This not only includes their manner with clients in supervision meetings, but also how they later record information and communicate with adjacent organisations (see Chapter Five). On the one hand, they must be able to establish rapport and empathise with clients; on the other hand, they must work efficiently to garner (and share) the requisite information and to translate it into the quantitative data (sentence plans, OASys reports, etc.) specified by performance metrics (see Chapter Seven). The resultant tensions inherent to probation staff constructions of their professional identities are, therefore, manifest in the symbolic division of the architecture of Elizabeth Street between ‘upstairs’ and ‘downstairs’.

And yet, a dependence upon referrals is not unique to *TR*, but rather, echoes New Labour’s OMM, discussed in the previous chapter: supervision should “involve more than intervention from the supervising officer/offender manager” (Robinson, 2011: 29). The ‘offender manager’ is the *administrator* on which a sentence pivots, convening relevant practitioners from different organisations to deliver end-to-end supervision (Robinson, 2011; Mawby & Worrall, 2011). In this sense, clients are “the object of action” (Burke & Davies, 2011: 2), as opposed to the subjects of practice. One practitioner welcomed such change:

... what we’ve learnt since moving from probation to the CRC is about letting go, because we were too involved in supervision before. Clients were like babies that you didn’t want to let go [of]. It’s about feeling comfortable about not seeing someone so frequently and understand[ing] that that person can still be monitored. (Leon, Case Manager)

This response exemplifies the importance placed by the Coalition government on voluntary sector organisations to the delivery of *TR*, reconnecting communities with

local organisations as opposed to state bureaucracy (e.g. MoJ, 2013a). For example, practice under *TR* “might include signposting offenders to accommodation, education, or health services or offering a mentor. Providers will have responsibility for the day to day management of the majority of offenders” (MoJ, 2013a: 10). This enthusiasm for signposting reflects the growing prominence of ‘boundary spanning’, or the belief “that complex social problems demand similarly complex, cross-organisational, responses” (Needham *et al.*, 2017: 290). As Chapter Three noted, though, many charities involved with *TR* are struggling financially and have expressed reservations about the sustainability of the sector (Clinks, 2018; House of Commons Justice Committee, 2018a, 2018b).

However, some practitioners perceived the pressures to signpost as an incursion on their professional *jurisdiction* (Abbott, 1988):

Practice should not be about saying, ‘you’ve got an issue on mental health, I’ll make you a referral here’, but to make that journey with [clients] and help them desist from offending. It’s very much like, ‘right, you’ve told me about your issue but I can’t do anything about that, so I’ll make you a referral here; they can do something with that’. (Trudy, Case Manager)

Resource-wise, [practice] doesn’t look very professional ‘cos you can’t really do much; you’re basically signposting. In terms of service user perspective, it doesn’t really look professional because all you’re doing is signposting, giving the work to other agencies. Whether or not those other agencies fulfil that need correctly, professionally, is another story. (Mo, Case Manager)

Mo’s response, in particular, accentuates how the discursive resources of professionalism signify expectations for particular forms and standards of conduct (e.g. Fournier, 1999), which, she implies, are in decline at the CRC. Accordingly, staff at Elizabeth Street expressed frustration at the lack of time available to spend with their clients:

[The office] feels like a reporting centre: you can just tick that you’ve seen people here and that’s their compliance. To me, that’s really sad because... I

don't feel like I'm giving the best support to the client. (Trudy, Case Manager)

... we don't have the time to get to know somebody, what makes them tick; it's a conveyor belt. It feels like I'm an auditor; I audit cases. (Maddie, Senior Case Manager)

And yet, the realities of caseload pressures means that many have come to reluctantly accept that signposting is a means through which to lighten the weight of workloads:

Unless we look outside of the organisation for resources, then we're not going to be successful. Case Managers, on the caseloads they're on, we're not going to see any change. (Sarah, Interchange Manager)

It's that assumption... that [voluntary organisations are] doing the work themselves. It's that kind of trust, really, that they're gonna do the work in the way that you'd like them to. Not that that's always the right way to work, but you know that you can't do it yourself. (Matilda, Senior Case Manager)

... we're encouraged to signpost [...] but before, there was one relationship. I found it really difficult. I thought I can just do it myself, but then caseloads get bigger and you're glad for [voluntary organisations] being there. (Maddie, Senior Case Manager)

These responses highlight the difficulties of reconciling the CRC's demands for efficient practice with the desire of staff to work with clients, to give their professional *selves* to their role. For Maddie, therefore, the expected shift towards signposting has impacted the construction of her professional identity:

I can't remember the last time I even did a benefits claim. It just becomes embedded in you and becomes embedded in what's expected: 'we don't do that, that's not our job', when it was. *I feel like I'm a project manager. I feel like that's what the role is now.* (my emphasis)

On the one hand, a greater reliance on referrals since *TR* could be interpreted as a means through which to reconnect with local communities. On the other hand, enforced signposting further challenges ‘traditional’ understandings of probation practice which prioritise the importance of relationships (Robinson, 2011). To this end, the parent company’s changes to staff job titles (see Chapter Five) better reflect how practitioners should construct their professional identity, ‘project managing’ cases from behind a computer whilst services are delivered elsewhere:

It was changed to reflect that we were no longer part of the National Probation Service; that was the main driver. The view was, at the time, that a Case Manager implied more about project management, coordination of cases, and that has always been the ideal scenario: Case Managers, yes, will see the service user on whatever frequency, but would be the lynchpin for coordinating services around that. (Charlie, Senior Manager)

The symbolic importance of the parent company’s removal of ‘probation’ from staff job titles offers a telling semantic clue as to expectations for future practice within the office, communicating to practitioners that they should seek to predominantly rely on other agencies for service provision. As a result, practitioners are further concentrated and dispersed within an architecture in which their value is calculated constantly and quantitatively by information technologies.

6.5 Conclusion

A Foucauldian interpretation of architecture draws attention to how external dynamics are reflected in the physicality of particular environments, encouraging (and discouraging) certain behaviours (Foucault, 1977; Armstrong & McAra, 2006). The manner in which staff are distributed within the architecture of Elizabeth Street provides insight into contemporary probation practice. The cumulative effects of an *art of distributions* (Foucault, 1977) shows how the office is structurally attuned to the demands of late-modern probation work: discipline is dispersed throughout “a network of relations” (Foucault, 1977: 146), pervading space, time, and relationships. Rather than reversing managerial flows and restoring practitioners’

decision-making autonomy, *TR* offers a continuation of such practices. Situated in large, open-plan offices that service *all* low-to-medium risk offenders in the city, practice is geared towards brief excursions ‘downstairs’ to extract information from clients before returning ‘upstairs’ to reify the ‘knowledge’ on which case management depends. Information technologies are, therefore, the key artefacts of probation supervision, the machinery that locates staff within a circuitry of discipline.

While there have been no architectural changes to Elizabeth Street since *TR*, the preponderance of empty space, of unused computers, demonstrates how workloads at all levels of the office have been exacerbated. For practitioners, the convergence of higher caseloads, additional administrative duties, and pressures to record all interactions has further diminished opportunities to build and maintain relationships with their clients. Interchange Managers, moreover, have assumed a disciplining role in a service for which monitoring the performance of teams *and* individuals has acquired greater financial importance, ensuring that practitioners generate the information required to meet PbR metrics (discussed in the next chapter). In this sense, information technologies permit a panoptic gaze: practitioner performance is *individualised*, with the aim of *standardising* probation work so that it most easily conforms to targets (Foucault, 1977). Probation work at Elizabeth Street points towards an increasingly standardised modality that, like New Labour’s OMM, “pushes the boundaries of probation practice” (Robinson, 2011: 29). Practitioners are increasingly constrained in their ability to address clients’ diverse needs; instead, they must rely upon delegation to other, often commercially embattled, agencies. While *TR* did not create the challenges evident at Elizabeth Street, it has nonetheless cultivated the conditions for their aggravation. In this sense, the reforms can be situated along a managerial continuum in which processes of targets, audit, and standardised practice have gradually become entrenched.

The next chapter, therefore, explores professional autonomy at Elizabeth Street in more depth. In particular, it focuses on the extent to which probation staff are able to control the socio-economic and the technical organisation of work (Freidson, 1970).

Chapter Seven - Payment by Results, ‘penal accountancy’, and the regulation of autonomous conduct

7.1 Introduction

This chapter builds upon the ‘office rationalization’ (Braverman, 1974: 24) described in the previous chapter, exploring the consequences of such efficiencies for autonomy in probation and the resultant impact on professional identity. The ability to exercise discretion in decision-making, to control the content of labour, has long been a marker of professional status (e.g. Carr-Saunders & Wilson, 1933; Jamous & Peloille, 1970; Fournier, 1999). Indeed, throughout the consultation process for *TR*, the Coalition government’s invocation of ‘professionalism’ was most clearly expressed in terms of *restoring* autonomy for providers and practitioners (e.g. HM Government, 2010; MoJ, 2010, 2013a). Disposing of centrally imposed performance targets and relaxing National Standards, they argued, would permit greater discretion and encourage innovation (MoJ, 2013a, 2013b). Likewise, the Coalition government’s aspiration for the PbR mechanism was to hold providers to account, not on the services they deliver but on reductions in reoffending (MoJ, 2010, 2013b). Despite these attempts to delay probation and decentralise decision-making, the chapter argues that the introduction of private providers has added another layer to a “network of accountability” (Fournier, 1999: 286) in which professionalism in probation is negotiated with reference to multiple stakeholders – the state, the taxpayer/client, the offender/client, and, additionally, the *parent company* (as proxy for the market). As a result, the further dispersal of disciplinary power has constrained both autonomy and innovation.

The first part of the chapter applies Freidson’s (1970) distinction between autonomy over the socio-economic conditions of work and autonomy over technique to probation. An inability to influence the former has exposed the service to successive organisational restructurings and challenges to the latter. Accordingly, claims of ‘Taylorised’ probation practice (e.g. Gale, 2012; Fitzgibbon & Lea, 2014) are explored in relation to *TR*. The second part demonstrates the impact of the Payment by Results (PbR) mechanism on probation staff, arguing that it functions as a form of “penal accountancy” (Foucault, 1977: 177) which has perpetuated the process of Taylorisation (see also Chapter Three). The third part of the chapter

focuses on Arthur, a Senior Case Manager: working *in* the community is integral to his construction of professional identity; however, this mode of what he terms ‘street probation’ exacerbates the pressures related to meeting performance metrics. He is selected for analysis precisely because his methods are atypical within Elizabeth Street. The chapter, therefore, contends that probation staff have been compelled to *economise* their autonomy, adapting their professionalism in accordance with the ‘fee for service’ targets on which the CRC depends for payments.

7.2 Professionalism, autonomy, and probation

Freidson (1970) distinguished between autonomy over technique and autonomy over the social and economic organisation of work. The former, he argued, demarcates a profession from ‘lesser’ occupations; while the latter can never be absolute, for “the state has ultimate sovereignty over all and grants conditional authority to some” (Freidson, 1970: 24), it contributes to a profession’s capacity for self-regulation. An absence of autonomy over the socio-economic terms of work does not necessarily degrade claims to professional status, “so long as a profession is free of the technical evaluation and control of other occupations in the division of labor” (Freidson, 1970: 25). Professions, therefore, strive to resist routinisation and to preserve their ‘indetermination’ (Jamous & Peloille, 1970). However, this privileged position must be constantly legitimised, for a ‘profession’ must demonstrate that it is worthy of such status (Fournier, 1999). This is typically attempted with recourse to the public good (Freidson, 1970): if the relevant actors (state, public, clients, etc.) can be made to understand the value of a profession, to place their trust in its knowledge and methods, then professionals’ ability to control both the terms and the content of their work is enhanced (Fournier, 1999).

7.2.1 Socio-economic organisation of probation work

Freidson (1970: 361) further differentiated between the ‘social’ and the ‘economic’. The ‘social’ concerns a profession’s ability to resist interference from external forces and to exert control over affiliated occupations, such as the (male-dominated) medical profession’s historic supremacy over (female-dominated) nursing (Witz, 1992; Davies, 1995). The ‘economic’ refers to income, or the extent

to which professionals are able to dictate the terms of their remuneration. Here, “the source of compensation” (Freidson, 1970: 361), whether public funds or private individuals, is crucial to a profession’s power over the ‘social’ organisation of work. Analysing the medical profession in the U.S., Freidson (1970) argued that the state protected practitioners from market forces. There is no ‘free’ market for medical services; rather, the state ensures that practitioners have a monopoly over access to clients by virtue of licenced knowledge. In this way, the fee-paying public are assured of a profession’s capacity to exercise their autonomy in a responsible manner (Freidson, 1970). By contrast, probation’s clients are involuntary: offenders are not free to accept or reject provision, nor can they withdraw their purchasing power if dissatisfied with the service. As such, probation’s dependence upon the state means that it has lacked the ‘economic’ capacity to set the terms of its own remuneration (Jarvis, 1972; Gard, 2012).

As Chapter Two argued, while authority over the ‘social’ organisation and governance of probation ultimately rested with the state, the service was trusted to rehabilitate offenders free from technical oversight for most of the twentieth century (May & Annison, 1998). Maruna (2007) has shown that, until the 1970s, popular representations of probation were generally positive. The media played an important role in maintaining alignment between public attitudes towards probation and the service’s mission and values, a process integral to legitimising professional claims (Fournier, 1999). In the decades that followed, however, probation was conspicuously absent from media debates (Maruna, 2007). When the service did feature, portrayals were usually focused on high profile and often tragic incidents (Maruna, 2007; Phillips, 2014b), such as the murder of Naomi Bryant by Anthony Rice whilst he was on probation in 2005 (HMI Probation, 2006). This has contributed to a deficiency of public understanding about the service’s ends and means:

Probation... doesn’t really interest the public. You can have quite a lot of negative stories but, with the exception of a very small cohort of the public, the public are not generally interested. [...] Unless there’s a serious further offence that involves a child - which, fortunately, are very, very infrequent - then the public aren’t generally bothered. (Charlie, Senior Manager)

I think that the public doesn't really understand what we do. Probation is a bit of a misnomer; I think there's a lack of understanding about what we do and what we give. (Sarah, Interchange Manager)

As Chapter Five argued, probation also lacks cultural symbols (Geertz, 1973) that enable a profession to capture the public imagination and cultivate a distinct identity (Mawby & Worrall, 2013):

There isn't a connection with the public. We're not sexy like the police: we don't have The Bill, do we [laughs]? (Charlie, Senior Manager)

Public affinity with probation has been undermined by the politicisation of criminal justice discourse in recent decades (Feeley & Simon, 1992; Reiner, 2007; Downes & Morgan, 2007, 2012). The convergence of the 'Nothing Works' (Martinson, 1974) movement and the right realist reframing of the recipients of social security as 'undeserving' in the 1970s and 1980s (e.g. Murray, 1990) facilitated new approaches towards crime control which sought to marginalise offenders' socio-economic circumstances (Garland, 2001):

I think, in general, the public hasn't got a good understanding of what probation is; I've noticed that, even in people who are educated. It's only when you explain to them the meaning of it, in fact, that they tend to be more inquisitive about why a person does what he or she does. *People do not think about the background of the person.* (Leon, Case Manager; my emphasis)

A perceived decline in the appeal of rehabilitation in the minds of the public (Robinson, 2008) prompted the rise of managerial discourses of 'economy' and 'efficiency' in the 1980s, described in Chapter Five. The network of interests to whom probation practitioners were answerable was expanded to the taxpayer/client (Fournier, 1999). Hence, 'value for money' in the provision of criminal justice services proved a salient justification for greater state intervention (Garland, 2001; Morgan, 2007). That probation's clientele is overwhelmingly lower-class has further hindered its ability to connect with the public (Mawby & Worrall, 2013; Burke & Collett, 2015). Likewise, the service is "not protected by the bulwarks of other

established professions” (HMI Probation, 2019a: 72), such as a nationally recognisable professional body in the mould of the British Medical Association (Johnson, 1972). As such, the presumption that offenders are held in particularly low esteem by a punitively-minded public, although challenged for its superficiality (e.g. Maruna & King, 2004; Allen & Hough, 2007), has exposed the service to successive restructurings (Morgan, 2007).

Neither probation’s organisational structure nor efforts towards fiscal responsibility are, however, “the natural ingredients of a newsworthy story” (Hedderman & Murphy, 2015: 228). The service’s low public profile resulted in relatively little political or media attention when *TR* was announced, which meant that the reforms were largely uncontested outside of the service and academia (Hedderman & Murphy, 2015). Analysing media reports of plans for *TR*, Phillips (2014b) contends that where the Coalition government was able to articulate a positive vision of the reforms through discourses such as ‘rehabilitation’ and ‘innovation’ (see Chapter Three), arguments presented by organisations such as Napo and the (typically left-leaning) media outlets supportive to their cause depicted the service as effective at meeting its targets. The effect, he argues, was to inadvertently affirm the Coalition government’s view that probation was constrained by managerial interventions and unnecessary bureaucracy. *TR* did not seek to relinquish the centrality of the taxpayer/client, but rather, to overlay their interests by supporting practitioner autonomy to reduce reoffending *and* private sector incentives to profit, via the PbR mechanism (MoJ, 2011, 2013a). For staff at Elizabeth Street, however, the political economic imperative towards deficit reduction (e.g. HM Government, 2010, 2011; MoJ, 2010, 2011), rather than enhanced professionalism or client welfare, was the catalyst for *TR*:

I don’t know anybody who was in agreement with the privatisation of the probation service within the office. At all levels, I don’t think anybody was jumping up and down at the idea. It was tied into quite a lot of other issues in terms of money: there’s always, always, always an issue about money and it was to do with austerity. (Fizz, Senior Case Manager)

All this privatisation... [was] doomed from the beginning, but nobody wanted to listen. It was a quick fix to save money, but they haven’t saved

anything. There are a lot of broken people out there that need resources putting into them. You're not going to do that in a day or overnight. If you haven't got the time or the resources because you're looking for a quick fix, then you've failed before you've even commenced. (Jo, Case Manager)

Consistent with other Probation Trusts (BBC, 2013), many members of staff at Elizabeth Street voted for and partook in industrial action to display their opposition to *TR*, just before the reforms were implemented:

I was one of the people that was protesting: we didn't want the split! (Louise, Interchange Manager)

I can remember going on strike about [*TR*] for a day and feeling very passionate about it at that point. I went on strike because probation as we knew it was changing. I didn't agree that private companies were coming in to, you know, do work that shouldn't really have been done by private companies. It's not for profit: these are vulnerable people and you shouldn't be making money out of them. (Maddie, Senior Case Manager)

Despite widespread hostility, there was also an air of inevitability towards *TR*, not least because of the extent of intervention by the state in recent decades:

... we are absolutely 100% used to changes, from whatever government; we're used to that. (Fizz, Senior Case Manager)

It feels like we've been on a journey for such a long time, and it just continues. It doesn't feel like there's been stability for such a long time. In fact, I can't even remember when there was. That says something, doesn't it? The fact that I've just boxed that up. (Louise, Interchange Manager)

Such fatalism displays a sense of powerlessness amongst probation staff suffering from change fatigue. As discussed in Chapter Five, *TR* is the third major restructuring of the service since 2001. The establishment of the NPS and its subsequent envelopment within NOMS sought to further modify probation's culture,

rendering it more ‘efficient’ and ‘accountable’ via quasi-market mechanisms (Morgan, 2007; Robinson & Burnett, 2007; Robinson & Ugwudike, 2012). Accordingly, *TR* represents the logical conclusion of a decades-long period of marketising reforms to the service (see Chapter One):

... it was very much almost like people just knew that [*TR*] is what had to happen. (Kate, Interchange Manager)

It started in 2003 and the-then Labour government. It was termed something called contestability, I think. There were threats of that, and I remember management saying, ‘we’re going to be a business now; this is all going to change’. [...] They seemed to drop the contestability part of it and, you know, this restarted when Chris Grayling announced it. (Arthur, Senior Case Manager)

Since *TR*, however, staff at Elizabeth Street have continued to feel excluded from decision-making processes:

I don’t feel like I’m listened to. I would consider myself an expert, so I feel I don’t consider myself listened to at all. (Vicky, Case Manager)

[The parent company] made lots of big promises, a lot of which, you know, that they were going to involve people in. They always said that they’d involve us in the work, but they haven’t. (Kate, Interchange Manager)

Staff have a lot of views, and they’re listened to locally; but they don’t get to where they need to be because, you know, it’s a big organisation. (Sarah, Interchange Manager)

That the parent company is, in Sarah’s terms, ‘a big organisation’ which leads multiple CRCs means staff must abide by managerial directives. The nature of winning multiple contracts thus demanded a measure of consistency across all regions:

[The parent company bid] for [several] areas and they could manage them by rationalising it, economies of scale, making it more financially viable.
(Ashley, Senior Manager)

This suggests that *TR* has decentralised decision-making only insofar as authority has been delegated to the senior management team:

They were imposing conditions, ways of working on us. It was like, ‘you’re going to have this amazing, modernised service with laptops’, and it all just felt like we were being spoken to as if we didn’t know what we were doing.
(Fizz, Senior Case Manager)

Probation has, therefore, lacked the capacity to influence the socio-economic conditions of work. The service’s understated public persona has been compounded by its dependence upon the state for clients *and* funding, inhibiting its ability to resist organisational restructurings. As a result, practitioner autonomy over technique has been, and continues to be, particularly susceptible to external interventions of the state and, latterly, of the market.

7.2.2 ‘Taylorising’ technique?

The consequences of “centrally controlled services” (MoJ, 2010: 8) on probation practitioner autonomy has been the focus of considerable academic enquiry in recent years (e.g. Davies & Gregory, 2010; Gregory, 2010; Phillips, 2011). As such, some scholars have drawn parallels between probation practice and processes of ‘Taylorisation’ (Gale, 2012; Fitzgibbon & Lea, 2014). Derived from the work of Frederick Winslow Taylor on the factories of late nineteenth century America, Taylorisation refers to how knowledge on a particular labour process is methodically collated by managers and repurposed as formulaic rules that direct action (Braverman, 1974; see Chapter Two). According to Braverman (1974: 78), Taylorism seeks to render the labour process “independent of the craft” through the arrogation of workers’ knowledge. Labour is dehumanised via “the separation of conception from execution” (Braverman, 1974: 79) – that is, management plans how tasks should be performed by workers. Management thus deploys “*this monopoly*

over knowledge” (Braverman, 1974: 82; emphasis in original) to systematically plan the working day. In this way, workers become dissociated from their labour; tasks are standardised and fragmented, and can be performed by cheaper, lower-skilled workers.

The growth of unqualified probation service officers relative to qualified probation officers has generated debate over Taylorisation in probation (e.g. Bailey *et al.*, 2007; Gale, 2012; Fitzgibbon & Lea, 2014; Mair, 2016). Introduced as ‘ancillaries’ in the 1970s to assist probation officers in their role, managing generic cases and performing specialist functions like unpaid work, there was a marked increase in probation service officers to cover the shortfalls when training for probation officers was abolished, albeit temporarily, in 1995 (Bailey *et al.*, 2007; see Chapter Two). The demise of social work knowledge was thus indicative of efforts to reshape professionalism in probation in accordance with accountability to the taxpayer/client (Fournier, 1999; Farrant, 2006). Over several decades, probation service officers’ *jurisdiction* (Abbott, 1988) has been gradually expanded to encompass tasks typically performed by probation officers (Gale, 2012; Fitzgibbon & Lea, 2014) and, by 2012, the former comprised approximately 50% of staff (Mair, 2016). Rhonda, a vastly experienced Case Manager, outlined the changes to her role since she began as an ancillary:

In probation, there’s always been a culture of ‘if the cap fits’ for [probation service officers]: one minute we could do things and the next minute we couldn’t; one minute we could take on [domestic violence (DV)] cases, next minute we couldn’t. That was all dependent upon... how many cases we had coming through. The only difference then was [probation officers] wrote reports for courts and managed sex offenders, stuff like that. But then they got us writing reports for court with no wage rise; we were just getting closer and closer to being a Senior Case Manager.

Rhonda’s comment suggests that definitions of the roles and responsibilities of probation service officers have been subject to political vagaries. For the probation officers in Gale’s (2012) study, probation service officers’ encroachment on the supervision of low-to-medium risk offenders resulted in less face-to-face time with their clients and more paperwork, such as report writing. Conversely, probation

service officers enjoyed the variety that accompanied their role. Similarly, based on questionnaires and interviews with practitioners, Bailey *et al.* (2007) found that, while probation service officers felt some anxiety over working with higher-risk offenders, most welcomed the extra responsibilities. For Fitzgibbon and Lea (2014), the increase in probation service officers is part of a broader managerial strategy towards Taylorisation, which simplified the decision to split offenders according to risk of harm under *TR*. In no uncertain terms, however, they argue that:

The assertion that unqualified personnel are capable of monitoring and supervising offenders, not just in unpaid work but also in the crucial area of motivating offenders to desist from crime – which requires skills that experienced probation officers take years to acquire – is quite frankly fanciful and misleadingly disingenuous. (Fitzgibbon & Lea, 2014: 35)

Given that most probation officers (i.e. Senior Case Managers) were allocated to the NPS at the time of the split (Kirton & Guillaume, 2015), probation service officers (i.e. Case Managers) constitute the bulk of staff at Elizabeth Street (see Chapter Five). In this sense, consistent with Taylorism, the knowledge of qualified practitioners was expropriated to work with high-risk offenders in the NPS (MoJ, 2013a). Though these changes were beyond the purview of the parent company, staff at Elizabeth Street nonetheless mourned the loss of experienced colleagues:

Lots of skills and knowledge from experienced officers has been lost through all the [probation officers] that have gone. They've either gone down [to the NPS] or they've left completely. (Camilla, Case Manager)

This suggests that the process of *enculturation* (Robinson, 2018: 322; see Chapter Six) at Elizabeth Street has been negatively impacted by the loss of vital knowledge and experience:

We'd regularly have... conversations within the office around the high-risk cases and the case management with experienced probation officers - with twenty or thirty years in the service who worked with some really complex mental health cases, who really know their stuff around prisons, can navigate

the Mental Health Act and around prison law, things like that - and that trickled down, had an impact on the office 'cos you'd just shout over the office. That just doesn't happen anymore; expertise has been lost, and it's quite frustrating. (Arthur, Senior Case Manager)

According to the parent company, Senior Case Managers should hold no more than 45 cases, while the limit for Case Managers is 65. The implication is that Senior Case Managers should supervise more complex cases:

Even though we're supposed to be low- and medium-risk of harm, some of the cases managed by the Senior Case Managers are very risky cases that you wouldn't give to a Case Manager – things like child protection, high level domestic violence. (Kate, Interchange Manager)

However, the paucity of qualified staff at Elizabeth Street means that, in practice, the overwhelming majority of Case Managers supervise cases that should be managed by Senior Case Managers:

The number and type of cases we're expected to do, for example, as a [probation service officer], now Case Manager, I would never have held a domestic violence case, historically. I would say 70% of my cases have got some kind of domestic violence attached. (Will, Case Manager)

I've got people on my caseload who probably should be with Senior Case Managers because they're quite complex. It's an argument that is had quite often in team meetings: what is the difference? (Trudy, Case Manager)

This is supported by the most recent annual report by HMI Probation (2019a: 74), which contends that unqualified staff are “doing work formerly undertaken by probation officers.”

Senior Case Managers, too, argued that there had been a blurring of the boundaries between job roles since *TR*:

I think in theory there is [a difference]; in practice, there's less. There's very strict guidance around what case can be managed by a Senior Case Manager and what case can be managed by a Case Manager, but the implementation of that isn't consistent. (Arthur, Senior Case Manager)

The child protection cases should come to Senior Case Managers, but that doesn't happen. You find that Case Managers have got quite complex domestic violence cases. There should be a distinction: I think that there's definitely a place for the Senior Case Manager role, but it's very rare that a Senior Case Manager will get asked to take over a case because it's become too complex. (Maddie, Senior Case Manager)

I'd say in the past it was pretty clear in terms of the job role, but lots of stuff has gone [from the Senior Case Manager role], so it's much less clear. At one point, they were talking about the [Senior Case Managers] having the high-end domestic violence cases and holding the child protection cases, but I know lots of Case Managers who've got child protection cases and I'm damn sure some of them will have domestic violence cases. That demarcation is not clear now. (George, Senior Case Manager)

For the parent company, the enforced loss of many qualified practitioners means that negligible differences between the Case Manager and the Senior Case Manager roles are partly born of necessity. Case Managers were, however, more critical of their enhanced responsibilities:

All [Senior Case Managers] do is what we do. I don't think that there's any difference to the role any more, whatsoever - except the seven grand or whatever the pay difference [is]. (Mo, Case Manager)

The roles have changed; it's changed across the board. [...] We're jacks of all trades, masters of none. The gap between roles has closed. The only difference is wages. (Jo, Case Manager)

The NPS delivers the PQIP, the pathway to becoming a Senior Case Manager (Smyth & Watson, 2018; see Chapter Five). The parent company must not only meet the costs of the training, but also the resultant rise in a practitioner's salary upon completion. These financial obligations, therefore, act as a disincentive to replacing qualified staff:

Why would we pay for somebody to do a probation qualification, because it costs a lot of money? You just wouldn't. (Charlie, Senior Manager)

This means that, concurrent with the principles of Taylorism, Case Managers are 'acting up' in their role, albeit on the same terms and conditions. These links to wages also highlight a lack of practitioner autonomy over the 'economic' organisation of work (Freidson, 1970).

For new Case Managers, then, occupational socialisation at Elizabeth Street is no longer shaped by the acquisition of abstract knowledge, but by an ability to adapt to a caseload with whom they would previously have been 'unqualified' to work:

There's loads of cases [Case Managers are] dealing with that should really be seen by Senior Case Managers; but unless you know that it should really be dealt with by a Senior Case Manager, then you just crack on with it. (Rhonda, Case Manager)

Case Managers are just getting on with it, and if nobody is monitoring that then nothing changes. It feels like people are just getting on with it; they don't know any different. (Maddie, Senior Case Manager)

These comments support the findings presented in Chapter Five, which highlighted the importance of client-centred practitioner values and motivations for entering the service to professional identity at Elizabeth Street. As Arthur, a Senior Case Manager, summarised:

The old [probation officer] and the new Senior Case Manager role, not much changed. I'd say that more changed with the [probation service officer] role

and the Case Manager role, and that caused a lot of issues, anxieties... because we were told that *everyone was going to do everything*. (my emphasis)

The ‘upskilling’ of Case Managers to work with clients who have committed more serious offences points to an increasingly Taylorised mode of probation practice dependent upon cheaper labour. In this sense, *TR* can be situated along a managerial continuum on which the knowledge required of practitioners has been transformed by accountability to the taxpayer/client, through discourses of ‘punitiveness’ and ‘efficiency’ (see Chapter Five). Despite the Coalition government’s claims to empowering staff with professional discretion (e.g. MoJ, 2010, 2013a), practitioners possess an *economised* form of autonomy – that is, “the illusion of making decisions by choosing among fixed and limited alternatives which deliberately leaves insignificant matters open to choice” (Braverman, 1974: 27). For example, management does not meticulously plan each aspect of practitioners’ days, which means autonomy was frequently expressed in terms of time management:

The job comes with quite a lot of autonomy: you’re left to your own devices quite a lot in terms of clocking in your hours, so just making sure that you do keep on track on that, you know, to make sure that you are doing the full hours that come with the work (Samuel, Case Manager)

There’s a degree of flexibility: there always has been with things like working hours, so if I wanted to finish work early one day and finish late the next day then I can do that. (Will, Case Manager)

Each member of staff at Elizabeth Street has a physical diary with which to organise their days. The diary is, therefore, a key artefact of probation supervision; it is not only a practical device with which to structure time, but also a symbolic link to the (limited) autonomy that accompanies their role:

I feel like we do have some autonomy here. I think that leads into being professional, because we’re allowed to have some autonomy. We can work

from home if we want to work from home; we're in control of our own diaries. (Matilda, Senior Case Manager)

I run my own diary – I love the flexibility of that. That's one of the things I love about this job. (Rhonda, Case Manager)

Probation research has also demonstrated that autonomy is crucial to assessing offender risks and needs (e.g. Fitzgibbon, 2007, 2008; Mawby & Worrall, 2013; Hardy, 2014). Robinson (2003), for example, found that while risk assessment technologies better enabled practitioners to classify offenders' risk status, judgement was in large part dependent upon knowledge and expertise. She draws upon Jamous and Peloille's (1970: 112) 'Indetermination/Technicality (I/T) ratio' to argue that 'technicality' has certainly increased with the rise of risk assessment technologies, but it is "supplementary to the 'professional' assessment of the offender" (Robinson, 2003: 606). As such, Mawby and Worrall (2013) conclude that autonomy occupies a central role in how practitioners construct their occupational identities. That face-to-face probation practice takes place behind the closed doors of interview rooms has aided the preservation of autonomy (Burke & Collett, 2015). This "bottom-heavy" (Fitzgibbon & Lea, 2014: 28) supervisor-offender relationship was echoed by practitioners:

I might spend 40 minutes or I might spend 10 minutes with somebody [in an interview room]. In terms of the fact that I record it, that's the ticking of the box; but in terms of what went on in there, who knows what went on? Nobody knows. (George, Senior Case Manager)

What goes on in an interview room, you know... there's nobody looking over our backs. We're trusted: there's a lot placed in us to do what needs to be done. (Maddie, Senior Case Manager)

These comments show that the introduction and regular revision of National Standards from 1992 onwards, which attempted to separate "conception from execution" (Braverman, 1974: 79) by controlling for discrepancies in service provision (Bailey *et al.*, 2007; Mair, 2016), have not altogether Taylorised probation

practice. Enforcement policy in the early-2000s provides an example of efforts to restrain practitioner autonomy:

I remember there was a time in probation in the mid-2000s where the emphasis was very much on enforcement and people were being returned to court for missing the odd appointment on the back of a good reporting history. (George, Senior Case Manager)

And yet, regardless of such directives, some practitioners were reluctant to breach (i.e. return to court) their clients for a lack of compliance:

Some officers completed a lot of breaches and others never breached anybody. That autonomy was being exercised differently by different officers. [...] I'd say that can be a big difference between individual officers when deciding whether or not to breach somebody. (George, Senior Case Manager)

Here, the ability to contemplate clients' circumstances and exercise discretion is integral to probation practice:

I'm of the old school where motivation and engagement are the most important things. I'm not someone who goes around breaching people. Some people need a kick up the arse and they do need to go back to court; but I'm from a team where, if someone comes in once a fortnight and engages, then that's a miracle. (Fizz, Senior Case Manager)

A hesitancy to breach, Fizz continued, is not only a way to maintain a productive relationship with a client, but also a strategy of workload management (see also Phillips, 2016):

I'll try anything to get people to engage and maybe I should be breaching more, but it's more work.

For staff, therefore, a deprofessionalising shift from 'Indetermination' to

‘Technicality’ (Jamous & Peloille, 1970; Robinson, 2003) is not yet complete:

I don’t think there’s any hard, fast rules to the decisions we make, and I think a multi-skilled approach is giving someone a bit of leeway with their practice. (Vicky, Case Manager)

I think to some degree we [have autonomy], so you’ll see in the observed practice of officers that it varies significantly in terms of how long they might spend with somebody or how often they’d see them. If you were to take a hypothetical situation where someone is being seen by two different officers, you’d see marked differences between [them]. (George, Senior Case Manager)

I think there’s a lot of potential for creativity and to work in different ways, to work with the service user. I don’t think everyone does that; some people have got a set of activities that they use over and over again, so that’s their toolbox that they use, whereas other people will personalise what they do with others. [...] I think that’s a good thing: it’s not one-size-fits-all, and people have autonomy and discretion. (Louise, Interchange Manager)

These responses support Mawby and Worrall’s (2013) claim that practitioners find *meaning* in autonomous practice. Louise’s comment, in particular, advances a positive view of practitioner discretion; however, the opportunity for such exercise is often limited. As the previous chapter argued, ‘upstairs’ obligations to administrative duties means that discretion has largely been reduced to decisions on the voluntary organisations to which offenders should be referred. This suggests that, in practice, ‘personalisation’ affords practitioners limited room for manoeuvre:

You could spend a lot of time with a service user prior to *TR*, trying to map out where they want their life to go, what they needed to do to fulfil that. You’d sort of work with the service user, take them to appointments, take them down to housing; but that’s completely changed now. [...] There’s none of that nurturing approach to working with the service user, or that’s very frowned upon if you do that with the service user. (Trudy, Case Manager)

Here, it is important to note that Trudy joined the probation service in 2012. Her reflections on practice before *TR* was implemented, in 2014, may thus use nostalgic understandings of the past to make sense of the present (see also Mawby & Worrall, 2013). Nevertheless, her account of practice since *TR* hints at an *economised* form of autonomy: staff *can* exercise discretion over how they spend their time, but the realities of work mean that this control is deployed in a circumspect manner which is consistent with broader managerial objectives. *TR* was also implemented at a time of austerity, impacting the services that orbit probation such as prisons and the police (Garside & Ford, 2015; Fox *et al.*, 2016):

Our job's got so tied up in Payment by Results and as long as [clients] don't go out and commit offences in that order, then it's fine. But within that order, they could have had all hell break loose, but we just don't have the capacity to do it with caseloads, with what's available in [the city] – all the government cuts on shutting hostels down and that type of thing, or even other resources. [...] We just don't have the resources any more. (Camilla, Case Manager)

Indeed, Fox and Marsh (2016) concede that PbR, a form of 'financial innovation', has the potential to inhibit 'personalisation', as CRCs must continue to meet their contractual requirements (see Chapter Six). The next section, therefore, explores the impact of the PbR mechanism on practitioner autonomy.

7.3 'Ticking boxes': Payment by Results and 'penal accountancy'

As argued above, managerial restrictions upon practitioner autonomy in probation were justified via appeals to the taxpayer/client and enforced through quasi-market mechanisms of targets and National Standards (Davies & Gregory, 2010; Phillips, 2011). Contrary to the Coalition government's attempts to delegitimise a top-down mode of governance, "to reduce unnecessary bureaucracy, empower frontline professionals and make them more accountable" (MoJ, 2010: 46), Taylorisation has become further entrenched. Since *TR*, the network of interests to whom practitioners are answerable (Fournier, 1999) has expanded to include an

additional layer of *market* accountability. However, no market exists free from state intervention (Polanyi, 1944; Crouch, 2011) - not least for probation services, where the state has a *monopsony* over probation (see Chapter Three). As the only fee-paying client, the state fixes the prices at which CRCs are paid and controls the flow of activity, via the courts – probation’s “shop window” (Robinson, 2011: 154). The logic which informs markets is thus predicated upon “the relationship between measurement and improvement” (Muller, 2018: 31; Power, 1997). This renders probation, and other professions (Power, 1997), inseparable from *examination* (Foucault, 1977; see Chapter Three).

Given their inability to generate new business, CRCs are remunerated via a (state-funded) PbR mechanism composed of three parts: ‘fee for use’, ‘fee for service’, and ‘Payment by Results’ (NAO, 2016: 21). As discussed in Chapter Three, however, CRCs are dependent upon ‘fee for service’ payments for the bulk of their income (HMI Probation, 2017a; House of Commons Committee of Public Accounts, 2018b). For example, the failure to establish supply chains has impacted the services available for the NPS to commission from the CRCs on a ‘fee for use’ basis (HMI Probation, 2018a). Further, proven reoffending figures are not available for two years, which disincentivised prospective providers from bidding for contracts in which funding was overdependent upon results (Burke & Collett, 2015; NAO, 2019). Successes can also be difficult to directly attribute to the interventions provided by CRCs (Hedderman, 2013; NAO, 2019):

The client is a long-term drug user with a history of mental health problems, serving a community order for possessing Class-A drugs. He was staying at a homeless shelter and, through two local charities, Leon has managed to get him into supported accommodation. He now lives in a one-bed flat and has managed to reduce his heroin and crack cocaine usage from 4-5 times per day to once or twice per week. (observation no.15: Leon, Case Manager, and client, Elizabeth Street)

This example shows how probation can play a vital role in bringing together different organisations to engender change, extant in Leon’s referral to a partnership of two local charities. However, the client’s progress towards abstaining from illicit drug use is arguably the result of more stability in terms of his accommodation as

opposed to a particular intervention by Leon. Neither charity is, moreover, officially partnered with the CRC; they will not benefit from the proceeds of the outcome-based measure of PbR, should the client successfully complete his order. Conversely, if this accommodation was unexpectedly rescinded and the client's offending intensified, then the CRC would be punished for factors beyond their control. Accordingly, private providers have been preoccupied with meeting the targets for which payments are more easily garnered, such as the completion of initial sentence plans (e.g. HMI Probation, 2017a).

The latest available Community Performance Quarterly Management Information (January-March 2018) shows that CRCs are assessed according to eight 'Assurance' and twelve 'Service Level' metrics (MoJ, 2018b). These 'fee for service' targets are colloquially derided in the research site as 'SLs':

I couldn't even tell you what the SL's are. SL1, 2, 3, 4, 5, 6, 7, 8 - whatever they are, it's meaningless to me. (Rhonda, Case Manager)

Contrary to the Coalition government's preference for "fewer targets for providers" (MoJ, 2010: 8), these metrics have merely reconfigured centrally imposed output measures in contractual form. If providers do not meet these specifications, then they can be financially penalised (NAO, 2017). This rationale corresponds to Foucault's (1977: 180) "penal accountancy", discussed in Chapter Three. Practitioners must achieve the requisite level of performance, measured "on the basis of two opposed values... a positive pole and a negative pole" (Foucault, 1977: 180). Providers are punished for missing targets via the withholding of (state) funding; by contrast, meeting targets is 'good', irrespective of whether the service delivered is meaningful.

Since *TR*, then, a failure to properly record information has acquired greater financial significance. Ashley, a Senior Manager, reflected on how such an approach has negatively impacted upon professional development:

I think what we've done is done a lot of chasing performance - because we lose a lot of money if we don't chase performance - and not enough around kind of forward-looking [practice]. We've tried to, but it's been very reactive rather than being proactive in terms of trying to improve performance, improve skills.

In this way, PbR functions as a “micro-penalty of time” (Foucault, 1977: 178): ‘fee for service’ targets reward punctuality and punish lateness:

I think [practice is] much more focused on targets now, getting stuff done. If you didn’t have an OASys done on time before, I think it did matter, somewhere, but we didn’t really know much about it. [...] That’s totally changed now. The priority now is getting stuff done rather than seeing the people. (Maddie, Senior Case Manager)

... we’ve got all the targets to hit, everything more or less has a target now: it’s sort of weighing up which target to hit, which one is going to have the biggest impact on the CRC. There’s a lot to juggle now. (Trudy, Case Manager)

These comments further suggest an adulterated form of probation in which practitioner perceptions of their practice have been partially reshaped by providers’ need to remain competitive in the probation marketplace. According to the performance metric ‘SL003R’ (MoJ, 2018b: 5), for example, initial sentence plans for clients serving a community order or a suspended sentence order must be completed on OASys within 15 days of first contact:

I’m measured if I can complete an initial sentence plan in 15 days; that doesn’t make someone a good or a bad probation officer if they can’t complete an initial sentence plan in 15 days. That relegates us to a role behind our desk, but I measure success differently. [...] We’re just ticking a box; it’s not doing anything for the client because we’re not out there doing things with the client. (Matilda, Senior Case Manager)

We’re not bothered about whether the initial sentence plan is done on time. We’re not. Because [the parent company are] getting paid for it, it’s got to be measurable. For something to be measurable, it has to be reduced into something that’s not as complex as an actual person. (Maddie, Senior Case Manager)

These responses highlight the tensions between practice which once relied upon expert judgment acquired through training and experience and the tasks that have been decomposed into a series of standardised measurements. Such disparity can be particularly acute in instances where practitioners encounter unexpected scenarios:

Rhonda received a phonecall from a client threatening to commit suicide, so she decided to conduct an emergency home visit. We arrived at the client's house, which he shares with his brother and father, in the middle of an argument. Rhonda immediately removed the client from the situation, and we went for a drive. We stopped at a chemist to give the client the opportunity to collect his methadone script and he and Rhonda had a chat in the car park. The client reiterated that he wanted to kill himself. Rhonda tried to calm him down and suggested that he speak to a crisis team that helps suicidal people; however, she was disconnected because of the volume of calls they were experiencing. Rhonda then rang a mental health unit, but was told they 'have no male beds in the country'. Ultimately, the consensus was that he should go to A&E to seek help from a mental health nurse, and we dropped him off at the hospital (observation no.37: Rhonda, Case Manager, and client, home visit)

This emergency call occurred on a day that Rhonda had allocated for catching up with her administrative functions. Her response to this situation illustrates how practitioners understand their professional role: Rhonda expects herself to be able to make a difference in clients' lives and thus prioritised a personal response over her administrative work. In monetary terms, however, this approach is less valuable to the CRC, as the logic of PbR dictates that time would have been better spent ensuring that targets were completed. This suggests crucial differences between practitioner and CRC understandings of 'appropriate' conduct (see also Robinson *et al.*, 2014).

As the previous chapter demonstrated, the intensification of work since *TR* means that staff are able to spend less time 'downstairs' with their clients. Here, practitioner understandings of professional conduct are shaped not only by their commitment to the client, but also by their accountability to the parent company:

It takes time for people to open up. I have a deadline to complete an initial sentence [plan], but I won't have that information as I personally want it because that person has got loads of other stuff going on. But I still have to write the report. You have to say when you see them, 'can you just give me something based on these headings, just something?' I understand that, because you have to have something written down. (Fizz, Senior Case Manager)

We're doing assessments on people who we might have only met once. To meet somebody for the first time and to ask them very intimate questions doesn't sit very well; there's no professional rapport there. You're just going straight in to these intimate questions with people. (Trudy, Case Manager)

The CRC expects practitioners to complete an induction form with new clients upon first contact, in which basic demographic information is collated. Personal circumstances are supposed to be explored in greater depth in an interview scheduled for the following week. And yet, the combination of time pressures and the risk of client non-attendance, means that these meetings are frequently incorporated:

The client has recently been sentenced to an 18-month community order for a DV offence. Following a day working in his ex-partner's garden, her daughter refused to consent to him staying overnight. He had been drinking and became angry, smashing all of the windows of her house with bricks. He has a lengthy history of prior offences, some of which are DV-related. This interview was quite long because Val seized the opportunity to both induct the client and delve into his personal circumstances so as to complete the initial sentence plan. The client, it transpires, spends approximately £50 per day on cocaine. He also suffers with depression, which makes abstaining even more difficult. (observation no.29: Val, Case Manager, and client, Elizabeth Street)

This example, again, highlights the overlap between mental health, drug use, and offending behaviour; it demonstrates how the CRC's clients are low-to-medium risk

of harm, but have multiple and complex needs. Val's decision to amalgamate the induction and initial sentence plan meetings demonstrates how practitioner autonomy is more commonly expressed as a strategy of time management as opposed to control over the work delivered with offenders. This further suggests an *economised* form of autonomy in which conformity to targets is foregrounded in the decision-making process.

Accordingly, rather than liberating providers and practitioners to 'innovate', PbR has contractually embedded a punitive analytics: as Foucault (1977: 184) observed, "The Normal is established as a principle of coercion". There is a widespread sense amongst staff that practice has been reduced to 'ticking boxes':

... if you don't tick the right box at the right time, then it becomes a fail; and we're paid according to that, of course. (Charlie, Senior Manager)

It's all target-driven now; everything is a tick-box exercise. I don't feel like I know my service users, which I think is quite sad because that's not why I came into probation – to tick boxes, to get things done in a certain amount of time. (Trudy, Case Manager)

As a probation service, or a Probation Trust, we had more camaraderie; it was different, more 'we are the probation service and this is what we do'. But I feel, now, we're like a private company and we're more interested ticking boxes and stupid stuff. I feel that we have lost a bit of credibility. (Vicky, Case Manager)

These responses can be read as expressions of frustration with the predominance of 'upstairs' work with information technologies over 'downstairs' work with clients (see Chapter Six). The pecuniary portents of meeting the targets for which the CRC is paid demonstrate how a network of accountability has been extended to encompass *market* "criteria of legitimacy" (Fournier, 1999: 288). Staff must demonstrate 'appropriate' conduct to the client through their actions, but also to the parent company via their ability to 'tick boxes'.

Experiences of 'failure' exemplify the arbitrariness of attempts to quantify individuals with complex needs:

I had an email the other day saying that I'd had three failures for [clients] being arrested prior to their order being completed, so that's classed as a failure on the organisation. One of them has 78 convictions for 102 offences of an acquisitive nature. When I looked at it, I thought, yeah, he's been arrested again; but he's been arrested seven months into his order when, on his previous order, he'd lasted three days. Sometimes you've got to chalk up the little things. I'm there to look at the people, not the numbers. (Marie, Case Manager)

'Get this done, get that done; can you do this at midnight, at the weekend so that it gets done?' But [the parent company] still say, 'you've failed this, you've failed that'. No – we did not fail. We did not fail; you failed us. It's not good for morale. (Rhonda, Case Manager)

Such emails further highlight the Panoptic gaze of information technologies, discussed in the previous chapter. Instead, staff interpretations of 'success' were commensurate with desistance:

Success can be in small steps. The area I've worked in most is with domestic abuse perpetrators, seeing them go from assaults and constant police call-outs to coming in and telling me that they've had an argument and used a time out. Or there has been a police call-out but it's gone from physical to verbal. It's not necessarily a success, but it's stepping stones. (Louise, Interchange Manager)

... we're never going to get the whole all singing, all dancing, crime-free lifestyle that most of them struggle to maintain, but some baby steps will make massive changes further down the line. (Vicky, Case Manager)

In probation work, success is about reducing the risk of offending. It's very difficult, sometimes, to reduce offending entirely. The average person in the community would find it difficult to understand reducing reoffending. If a person is committing six to ten thefts from shops a day, you know, if that

person then commits six to ten thefts from shops per week, this is reducing offending. (Leon, Case Manager)

These responses highlight how reconviction is a poor indicator of a client's progression over the duration of a community sentence (Hedderman, 2013). As such, there is a clear distinction between how staff define 'success' compared to their perceptions of the parent company:

For [the parent company], it's about completion, because it's financially motivated. If success is based on completion of targets, then I still have to complete certain tasks, like an OASys [risk assessment], even if there's been no engagement; it's not going to be worth the paper it's written on, but I still have to do it. (Fizz, Senior Case Manager)

[The parent company are] a business; they're out to make money, at the end of the day. [...] If they've met all the targets that they need to meet, then that's success. (Will, Case Manager)

[The parent company] are just money-orientated. How I see it, they want somebody, whatever they've done, to come through the system and get through an order with no breaches, no recall, because that costs them money, because that's deemed a failure to them. They're not bothered about the circumstances or why any of that might have happened. [...] Of course, it's a failure to us in that sense if somebody breaches – obviously we have a duty of care to the public – but they're figured-focused. You can't put somebody in numbers; you just can't do it. (Camilla, Case Manager)

The above responses indicate that many practitioners blame the parent company for the ubiquity of targets. And yet, Camilla's response shows how PbR contracts have transformed power relations in probation: 'failure', whether breaches or recalls, costs the parent company money, demonstrating how they, too, are located within a network of accountability. While the government has been criticised by the National Audit Office (2017, 2019) for their reluctance to fine CRCs for poor performance (see Chapter Three), penalising them to the full extent to which they are

liable further extracts resources from frontline services. Attempts, therefore, to overlay the parent company's incentives to profit with practitioner allegiances towards clients and 'a duty of care to the public' (Camilla, Case Manager) have proved structurally incompatible, entrenching managerial practices. In this context, autonomy is expressed through an ability to find the most expedient means through which to meet 'fee for service' metrics. This implies a difference between 'quality' and 'quantity' in practice (see also Robinson *et al.*, 2014):

... when we talk about quality versus quantity as a probation officer, there is something about when I go into an interview, I might need something a bit longer. You know, so managing your time – seeing clients, recording it appropriately and in enough time for the next. It can be a challenge because you don't know what you'll see until you get there, do you? (Sarah, Interchange Manager)

It's always been the case that it's very easy to look at targets in a quantitative sense, so in terms of a more qualitative sense, spending time with that person, it's not accounted for. (George, Senior Case Manager)

In response to a House of Commons Justice Committee (2018a) report which lamented the proliferation of telephone supervision in some CRCs, new standards have been introduced which aim to enhance 'quality', specifying minimum face-to-face contact requirements (HMI Probation, 2019a). And yet, the addition of another target has created further challenges:

It's causing staff massive amounts of issues because it's all based on calendar months, when the letters have been sent on certain days and what not. Say you're my probation officer and I can't make it. I phone you and say, 'Matt, I can't come in on Tuesday, but I can come in on Thursday. Is that alright?' Well, of course, unless you've got a concern of what they're doing on Tuesday, then you'd just say that it's absolutely fine and they'd come in on Thursday and it'd be recorded. (Charlie, Senior Manager)

Now, however, this knowledge must be ‘reified’ (Phillips, 2017; see Chapter Six). As Charlie continued:

... you end up with an appointment that needs to happen on Tuesday, not Thursday. You have to go through a whole series of changes to evidence that and change it. The phone conversation we’ve just had isn’t evidence; you have to send a letter out, which creates work.

This highlights the burdensome nature of verification (Power, 1997), or what Muller (2018: 21) has called “the tyranny of metrics”, especially when provider outputs directly correspond to their payments. Staff, moreover, blamed Charlie for these changes:

What I found out last week, bizarrely, was that staff believed that was me and that I wanted to change the process. They had no understanding that this was being driven by the minister, David Gauke; it’s the minister that wants this to happen!

Despite practitioner perceptions, disciplinary power does not originate from the parent company (as proxy for the market); rather, it functions as part of “an uninterrupted network” (Foucault, 1977: 177) that flows throughout the probation pyramid.

Attempts to remove bureaucracy, to delay probation, have increased the actors to whom practitioners are accountable (see Chapter Three). However, the structural flaws inherent to the PbR mechanism have disincentivised CRCs from investing in new services and deterred the state from punishing poor performance (NAO, 2019). Practitioner autonomy has thus been *economised*, inhibited by organisational demands towards prompt recording so as to remain competitive in the probation marketplace.

7.4 Autonomy and professional identity

Thus far, the chapter has argued that practitioner autonomy has been severely impeded, if not totally Taylorised, by the intensification of workloads and the

structure of the PbR mechanism. For Arthur, a Senior Case Manager with 15 years' experience in the service, autonomy is the most important signifier of professionalism in probation:

[Professionalism is] about being given space and time to do the work, really. It's about not having to go and have things checked; less about being managed and more about being given space and time to reflect and form your own judgements about cases.

In Bourdieusian terms, his understanding of professionalism emphasises the conflict between a *doxa* predicated on expertise and the realities of the technicised probation *field* (Bourdieu & Wacquant, 1992; Phillips, 2017) described in the previous chapter. Indeed, Arthur reflected upon how opportunities to apply autonomy have declined since he joined the service in 2003:

[My autonomy has] reduced, or it's gradually been reduced, since I started 15 years ago. I'd say there's been more of a reduction recently in terms of how we are being drip-fed the work that we do with our clients, and it's less about – or it seems to be less about – what fits in with them and us being told, 'right, you need to do this piece of work with the client', whether that's an induction or a risk assessment. *It's becoming more like a production line.* (my emphasis)

While Arthur's perceptions of his professionalism remain unchanged, the increasingly Taylorised conditions under which probation operates since *TR* have further deprofessionalised staff. This contradicts Arthur's belief that probation work should be community-facing, rooted in social work:

... the primary purpose [is] to reduce reoffending through applying social work values; working with people in the communities, with their families, addressing what their criminogenic needs are with their families.

Under the 'personalisation' model, however, Arthur feels that community work, while vitally important to engendering change, is difficult to perform:

This is the difficulty we have when we're working with clients in the probation office. [...] I think, with this current model, we're just looking at maturation, when someone matures and makes that process internally, because we're not working with people out there in the communities with people who have more influence than we do. When I meet with people's families, I always say to them: 'I have a legal framework, but you have more influence over that individual; if we can get our heads together and work together, then we can get somewhere'.

This further highlights the limitations of a 'personalisation' approach which, in practice, depends upon practitioner discretion to identify the most appropriate agencies to deliver interventions (see Chapter Six). And yet, Arthur takes care to ensure that he can deliver on community-facing probation practice:

Don't get me wrong, I can take time out of my diary and I'll spend a day out driving around the streets or driving around... the area that I cover; but it's few and far between.

Where possible, therefore, Arthur spends his time in the community, a pursuit he calls 'street probation'. In this sense, he makes a claim to a professional identity distinct from other staff at Elizabeth Street. This involves organising supervision meetings in a local community centre and conducting home visits:

The client was not present for this meeting; instead, it was a conversation between Arthur and his mum. The client is on a suspended sentence order for breaching his previous community order, given for DV offences. There is a very real risk that the client will go to prison: he lacks the motivation to comply with probation and is also having issues with his ex-partner, against whom the offences were committed. His mum says that the client is adhering to a restraining order and has no intention of seeing his ex-partner, but she is determined to aggravate the situation by seeing him. Together, they agree that they will speak to the client at the same time. She asks Arthur to send her an official letter so that it does not look like she has set this up. Arthur advocates

reporting the ex-partner to the police so that they are at least aware of her conduct. (observation no. 40: Arthur, Senior Case Manager, and client's mum, community centre)

The client has been in and out of prison for decades, stealing to fund his drug use. He lives in a large house which is divided into self-contained, single-room flats. We parked outside and, to my surprise, Arthur lowered the car window and started to bellow the client's name. I asked him why, to which Arthur responded that clients who live in such properties seldom answer the front door; this way, he argued, is easier. After a minute or so, a first-floor window opened. Arthur asked the client if he could come in; but his request was rejected, so the contact was used to remind the client of their next meeting. Arthur said that, in all likelihood, the client would not permit his entry because he was engaged in illicit drug use. The purpose of this type of check-up was thus to 'keep him on his toes'. (observation no. 41: Arthur, Senior Case Manager, home visit)

For my benefit, perhaps, the latter example may contain a performative element; but this mode of practice corresponds to how Arthur founds his professional identity on social work values and the autonomy to enact them. His proactive approach, therefore, contrasts with others' perceptions of 'reactive' practice:

I sit at my computer now and I don't know what the priority is, because everything is an equal priority. It's just overwhelming, what [the parent company] throw at you all the time. Am I actually going out and managing risk? No. Am I dropping in on my clients? No. I have to take their word every time they come into the office because I haven't got time to check what they're telling me is true. It's very reactive, and that's not my style: I'm very proactive. We could prevent so much if we changed our approach to work a little bit more. (Matilda, Senior Case Manager)

[Practice] seems to be quite reactive, too, instead of being proactive. We've had the DV audit – didn't get a great review in that, so now mandatory DV training is coming out. I guess, yeah, we need training in domestic violence

awareness, but that's in response to the audit rather than before. It seems that everything's a little bit too late, a bit of an afterthought. (Trudy, Case Manager)

However, Arthur's decision to 'take time out of his diary' and engage in community work has consequences:

If you take your attention off something... then before you know it a couple of weeks has passed and you don't know what's going on. Don't get me wrong, there's always been an element of that within the work, but it just seems that *we're spinning more plates now*. [...] The focus has definitely shifted to ensuring that we hit the targets, you know, at all costs. (my emphasis)

His autonomy is thus constrained by the need to meet performance metrics:

I think that any senior manager who sat down and had a discussion with me about success would agree wholeheartedly. We're agreed on the ends; it's the means that we disagree on. [...] I need to come into this office and feed my computer because, otherwise, the other plate that I've got spinning over here - which is keeping my initial sentence plans, keeping the court work driven - will start to wobble.

Arthur's 'plate spinning' analogy exposes the tensions between targets and autonomy, as the former increasingly regulates the latter. His willingness to compromise his administrative duties highlights the enduring importance of autonomy to his construction of a professional identity: that he actively makes time for community work demonstrates its importance as a source of meaning on the 'production line' of Taylorised practice. The frequency with which Arthur's computer must be 'fed' (see Chapter Six), therefore, suggests that accountability to the *parent company* (as proxy for the market) has further instated disciplinary constraints within his operationalisation of professionalism.

7.5 Conclusion

The probation service's historic dependence upon the state, for clients *and* for funding, has inhibited its ability to control the social and economic organisation of its work. Such subordination does not necessarily impede an occupation's professionalism, if its knowledge and methods are trusted (Freidson, 1970; Fournier, 1999). Before the managerial turn of the 1980s, for example, offender rehabilitation was of mutual benefit; what was good for offenders was also in the public interest (Garland, 2001). After the dismantling of the Keynesian state (Clarke & Newman, 1997), however, the social value of rehabilitating offenders was severed from the public good, whose interests were expressed in terms of fiscal prudence. The requisite constraints on practitioner autonomy to attain such efficiencies initiated a process of 'Taylorisation': over several decades, social work knowledge was replaced by the rational logic of risk assessment and practitioner conduct was regulated by mechanisms that aimed to mirror the market. The challenge to practitioner autonomy over technique proved the basis for the Coalition government's articulation of *TR*; however, Taylorisation has been *intensified* since the reforms, further curbing practitioner autonomy. No longer is abstract knowledge a determinant of whom a practitioner supervises: the loss of qualified staff to the NPS, alongside the greater workload pressures derived from the 'office rationalization' (Braverman, 1974) discussed in the previous chapter, has eroded the boundaries between the Case Manager and Senior Case Manager roles.

And yet, Taylorisation in probation is by no means absolute. As the case study of Arthur shows, probation practitioners can *choose* to exercise autonomy; but, more often than not, they opt against doing so because of the resultant pressures. This suggests that staff possess an *economised autonomy*: decision-making discretion is most frequently expressed as a strategy of time management, notably via referrals to adjacent organisations, for practitioners lack the capacity to deliver 'personalised' services to clients. This approach also benefits the parent company, as they are better able to meet the targets which enable them to remain competitive. As such, PbR has failed to incentivise 'innovative' practice and further embedded the process of Taylorisation. The dominance of the 'fee for service' element of the mechanism, in particular, means that the targets for which providers are paid function as a form of "penal accountancy" (Foucault, 1977: 177). *TR* has thus expanded the network of

interests to whom practitioners are answerable. Rather than delayering probation, an extra layer of *market* accountability has been added to the probation pyramid, distilling disciplinary power.

The next chapter explores the tensions between practitioner autonomy and a client-centred *ideology of service* in probation, through the lens of *organizational professionalism* (Evetts, 2013). A desire to engage in ‘emotional labour’ (Hochschild, 2012), therefore, contributes to high levels of stress, strain, and sickness.

Chapter Eight - ‘*The right kind of person for the job*’? Professionalism, probation values, and emotional labour

8.1 Introduction

This chapter pulls together staff understandings of ‘probation values’ at Elizabeth Street, how they are operationalised, and the consequences for individuals and the CRC. As shown in Chapter Two, the sociology of the professions literature has typically emphasised the importance of an *ideology of service* as a criterion of professional propriety (Macdonald, 1995). Classical functionalist studies highlighted how such values epitomised professionals’ role as moral counterweights to the potential excesses of market and state (e.g. Carr-Saunders & Wilson, 1933; Durkheim, 1957). Post-functionalist interpretations of professionalism did not seek to refute these service ideals, but rather, to reposition them as a means through which to enhance their control over the labour process and to strengthen their market position (e.g. Freidson, 1970; Larson, 1977). Combining the functionalist and neo-Weberian perspectives, Evetts’s (2013: 783) notion of *organizational professionalism* contends that while many occupations, particularly in the public sector, are subject to greater political and managerial control, a ‘discourse of professionalism’ centred upon client-centred values can be utilised to self-motivate staff (see Chapter Two). Against the backdrop of organisational demands for the proper recording from which CRCs’ payments are derived, discussed in the previous chapters, the people-oriented values that structure practitioner engagement with clients are a source of meaning for probation staff. The resultant tensions can, however, produce considerable stress and strain. Paradoxically, therefore, what makes a person ‘right’ for probation can also expose them to ‘burnout’ – that is, “the experience of physical, emotional and mental exhaustion that can arise from long-term involvement in occupational situations that are emotionally demanding” (McFadden *et al.*, 2015: 1547).

The first part of the chapter briefly sketches the history of probation values, drawing upon Bourdieusian themes of *field*, *doxa*, and *habitus* to theorise their development (Bourdieu, 1990; Bourdieu & Wacquant, 1992). The introduction of the profit-motive after *TR*, McNeill (2013: 85) argued, had the potential to ‘corrupt’ probation values; but a client-centred *ideology of service* persists amongst staff at

Elizabeth Street. As such, a probation *habitus* manifests in a desire to work with ‘people’ over ‘things’ (Hochschild, 2012: 9). The second part demonstrates how these ideals inform ‘appropriate’ professional conduct (Fournier, 1999) through practitioners’ willingness to engage in ‘emotional labour’ (Hochschild, 2012). This highlights the frequency, variety, intensity, and duration of practitioners’ emotional engagement with clients (Morris & Feldman, 1996). The third part shows how expectations for emotion work, both habitual and imposed, can contribute to high levels of sickness in probation – evidenced by a case study of Will, a Case Manager who was absent from work for two and a half months due to the strains of the job. The fourth part explores professional identity and occupational socialisation at Elizabeth Street amongst two new recruits, Marie and Mo, Case Managers who began their employment in probation after *TR* was implemented. Despite their differences, both adhere to a value set that prioritises the client, although they negotiate the pressures of work in markedly different ways.

8.2 Probation values: Permanence or decline?

The establishment and maintenance of a distinct *ideology of service* is key to the process of professionalisation, strengthening a collective identity and providing clarity over a profession’s mission and obligations to its clients (Wilensky, 1964; Freidson, 2001; Evetts, 2013). However, probation values have never been formally stated (Nellis, 1995; Deering & Feilzer, 2015). In this absence, the service typically retreated into the humanitarian, social work ideals privileged in popular histories of probation (Gelsthorpe, 2007), “for which the phrase ‘advise, assist and befriend’ was once a kind of moral shorthand” (Nellis, 1995: 19). Tracing probation values since the service’s beginnings, Gelsthorpe (2007) notes that their development is more complex than the ‘advise, assist and befriend’ narrative implies. For example, as Chapter Two demonstrated, the formative influence of the CETS and the police court missionaries on probation cannot be overstated (Vanstone, 2007). Mawby and Worrall (2013) have shown that religion continued to influence probation at the micro-level of some *lifers* (see Chapter Five). However, the religious values that informed the service were gradually displaced by an ethos of treatment, as ‘saving souls’ gave way to scientific rehabilitation from the 1930s onwards (McWilliams, 1983, 1985).

And yet, penal values have changed considerably in recent decades (McWilliams, 1987; Gelsthorpe, 2007), extant in the rise of the punitive discourse of the ‘offender’ (see Chapter Five). In the aftermath of the ‘Nothing Works’ (Martinson, 1974) movement of the 1970s, a collapse of faith in the scientific treatment of offenders undermined the trust on which probation professionals depended for their legitimacy (McWilliams, 1987; Garland, 2001) – part of a wider derision of the bureau-professionalism on which the Keynesian state depended (Clarke & Newman, 1997; see Chapter Two). The rise of managerial discourses, in particular, sought to replace abstract service ideals with measurable objectives that regulated organisational practices (Clarke & Newman, 1997; Power, 1997). In this climate, generic social work values lacked contemporary relevance for probation, proving incongruous with the aims of efficiency and cost-effectiveness (Nellis, 1995) and resulting in the removal of social work training requirements in 1995 (Robinson, 2008). Hence, Gelsthorpe (2007: 486) has argued that “[t]here is a *lacuna* in the value base” (emphasis in original), for the service has failed to articulate an *ideology of service* commensurate with the (often conflicting) interests of multiple groups – probation staff, government, victims, and the public.

That said, recent empirical research has highlighted the existence a relatively homogeneous value set within probation, inclusive of non-judgemental attitudes towards offending, a belief in clients’ capacity to change, and recognition of socio-structural disadvantage as a determinant of offending behaviour (e.g. Deering, 2010; Mawby & Worrall, 2013; Deering & Feilzer, 2015; see Chapter Two). Indeed, staff at Elizabeth Street, whose experience varies from 24 years (Kate) to nine months (Marie), echoed such beliefs:

Probation tends to attract people with similar values, which is... why I really like the job - because you come in and you’re spending your time with people who have a similar value base to you. Those values are about not judging people, believing that people can change, accepting that people behave in certain ways because of social or psychological circumstances. (Kate, Interchange Manager)

I think that the organisation is pinned on values... [such as] ... not being judgemental, being empathic [sic], being understanding, but also [having]

sympathy with the victims. So, it's about being empathic [sic], but also about believing that they can change because you can't go on meeting somebody that you might see for the next two years and not believe that they can change. (Marie, Case Manager)

The sediment of humanitarian endeavour, therefore, continues unite different generations of staff, challenging a “narrative of decline” (Mawby & Worrall, 2013: 142) in probation.

Given the difficulties of codifying probation values to conform to managerial objectives of enforcement and accountability (Nellis, 1995; Robinson & Ugwu-dike, 2012), Bourdieusian themes of *field*, *doxa*, and *habitus* have proved a rich source of theoretical inspiration for scholars seeking to make sense of how such ideals are operationalised on an ever-changing landscape (e.g. Forbes, 2010; Robinson *et al.*, 2014; Phillips, 2016). For Bourdieu, a *field* is a semi-autonomous space in which inhabitants compete for power and status (Bourdieu & Wacquant, 1992). *Doxa* refers to “an uncontested acceptance of the daily lifeworld” (Bourdieu & Wacquant, 1992: 73), or the tacit assumptions which comprise the *field*. Taken together, they constitute a *habitus*, defined by Bourdieu (1990: 53) as “systems of durable, transposable dispositions, structured structures predisposed to function as structuring structures, that is, as principles which generate and organize practices.” In other words, *habitus* acknowledges how ‘structured structures’ – *fields* - composed of individual and collective experiences also act as ‘structuring structures’ by influencing social action. History is foregrounded in constructions of the present, thereby orienting future decisions “more reliably than all formal rules and explicit norms” (Bourdieu, 1990: 54). To illustrate his point, Bourdieu (1990) used the example of an artist, whose style does not reflect a succession of epiphanous inspirations but has *evolved* over the course of a career. Practice is not conceived of in an isolated present, nor is it structured by immutable understandings of the past; rather, it is relationally constituted of past, present, and future. In this way, *habitus* is capable of assimilating and adapting to developments of the *field*, overpassing dichotomised conceptions of structure and agency by recognising their interdependence (Bourdieu, 1990).

The regularity with which organisational change, or ‘symbolic violence’ (Bourdieu & Wacquant, 1992; Phillips, 2016), has been enacted upon the service in

recent decades has meant that probation has been characterised as a *field* of significant conflict (e.g. Robinson *et al.*, 2014; Burke *et al.*, 2016). And yet, as Chapter Five demonstrated, efforts to instate an organisational identity within probation that was simultaneously ‘punitive’ and ‘efficient’ has not radically transformed the type of workers attracted into the service (see also Mawby & Worrall, 2013). The opportunity to work with offenders thus constitutes part of probation’s *doxa*, or a taken-for-granted aspect of the *field*:

Staff, generally, come into probation to work with service users - 90% plus of staff come in to work with service users. What they don’t come in to do is become an administrative function. (Charlie, Senior Manager)

Charlie’s comment exemplifies how probation has become a “site of struggles” (Bourdieu & Wacquant, 1992: 112) between organisational objectives and practitioner motivations. This is supported by studies of new probation recruits, which show that managerial pressures towards accountability meant first impressions of the service did not conform to expectations (Annison *et al.*, 2008; Deering, 2010). Instead, staff enter the service because they believe that they can make a difference:

... it’s about how an individual moves from A to B. Individuals are here because they might have certain things going on in their lives at particular times. It’s about recognising that and helping them reach their goals. And gaining their dreams: everybody has dreams. (Jo, Case Manager)

The result is a probation *habitus* that draws upon values and experiences, both individual and collective, to structure action:

When you’ve worked for a while, the values become ingrained; when you do something, you’re doing it on autopilot. (Jo, Case Manager)

This response highlights how ‘ingrained’ values help practitioners to make sense of their work against the backdrop of persistent organisational restructurings. As Phillips (2016) notes, however, probation practitioners’ *habitus* has become structurally attuned to the objective conditions of the *field* – namely, a shift towards

enforcement. Participants in his study did not necessarily disagree with the formal rules, but nonetheless circumvented breaches so as to preserve relationships with their clients (see Chapter Two). This shows how a probation *habitus* retains a humanitarian ethos whilst adapting to changes in the *field*. Further examples of such a realignment can be found in Mawby and Worrall's (2013) *offender manager*, as well as how staff at Elizabeth Street discussed the rehabilitative aims of probation alongside the service's obligations to risk management and public protection (see Chapter Five). In this sense, *habitus* is a malleable concept that facilitates understanding of how values interact with historic and social conditions to structure practice (Bourdieu, 1990).

TR, however, represented a further imposition on the *field*, one that jeopardised a probation *habitus* that is derived in part from an ethos of public service (e.g. McNeill, 2013; Robinson *et al.*, 2016). The Coalition government's summary of responses to a consultation document entitled *Punishment and Reform: Effective Probation Services* (MoJ, 2012) acknowledged this dissonant potential: "staff members were generally opposed to the policy of opening up to competition the management of offenders and believed that this should be a function directly provided by public servants" (MoJ, 2013c: 5). Indeed, most staff at Elizabeth Street displayed a similar aversion to the profit-motive:

If I'd started my career and said, 'one day I'm going to work for a private company', that's something that I would never have predicted. I'm doing something that's counterintuitive to all my moral-political values. I do not believe that anybody should be making money out of the criminal justice system; it's just not okay. (Fizz, Senior Case Manager)

My first thought was, how on earth can you make money out of people's lives and misfortune? You can't: we're not here to be a private company and to make money out of people. I don't understand how you can make money out of people. (Rhonda, Case Manager)

And yet, research indicates that a probation *habitus* has survived the transition to the private sector. Amongst the *guardians* in Burke *et al.*'s (2016: 10) ethnography of the passage from public to private employment, a probation *habitus* functioned as a

coping mechanism that allowed them to make sense of an unstable *field* by focusing on the client (see Chapter Three). Where research indicates that the fragmentation and commercialisation of the legal profession (Sommerlad, 2002) has resulted in the breakdown of a homogenous code of ethics, if such uniformity ever existed (e.g. Francis, 2005), the introduction of the profit-motive following *TR* has failed to impact probation values. Jo, a Case Manager, encapsulates this ‘business as usual’ (Burke *et al.*, 2016: 9) approach:

The foundation has remained very much the same, but they just put different bricks and mortar on. The core purpose of the job is still there. [...] It’s pointless being resistant because it’s got to be done. [...] For me, it’s about remaining focused on the individual. (Jo, Case Manager)

Ashley, a Senior Manager, linked people-oriented values to practitioner perceptions of probation as a ‘vocation’, which encourages staff to give more of themselves to the role:

I would say that the majority of people I know who come into this job see it as a vocation... which is why you work harder. [...] I think people come in with those values around fairness, equity, responsibility, rights, and supporting people through all those things.

However, Ashley argued that, since *TR*, the client no longer occupies a central position in the minds of practitioners, whose needs now take precedence:

I think what privatisation has done is skewed those values for people. [...] Whereas I used to say, ‘what do we need?’ and they’d respond with, ‘accommodation, accommodation providers in the building’ – all about the service user. Now, it’s very much about ‘when are we getting paid more? When are we gonna get this or that? Our workload’s this’ - which is all valid, but I never hear on the end of it. I rarely hear, ‘because of the impact this is having on the service user’.

Ashley's comments resonate with Evetts's (2013) notion of *organizational professionalism*: a marked increase in individual workloads as a result of *TR* can be offset by values that self-motivate staff to 'work harder'. The residue of humanitarian endeavour, therefore, persists within probation, although it is operationalised on a transformed *field* in which the pressures have been intensified. Given practitioners' manifest desire to engage with their clients and engender change, the next section considers 'emotional labour' (Hochschild, 2012) to be an integral part of a probation *habitus*.

8.3 Probation work as emotional labour

Shared professional values can shape common ways of perceiving (and constructing) problems, as well as their potential solutions (Freidson, 2001; Evetts, 2013). People-oriented values are, in Will's (Case Manager) terms, what makes somebody 'the right kind of person for the job':

I think that you've got to have certain values to be... the right kind of person for the job. Being able to sort of assist people in that sense, to assist them to identify the problems in their own lives; and then, beyond that, to want to make some positive changes, to see that change is possible.

An eagerness to support clients thus constitutes the service's *doxa* (Bourdieu & Wacquant, 1992), as practitioners are predisposed to probation work:

A lot of probation's skill is, you need to have the basics around risk management and understand risk; but, actually, a good probation officer is about your ability to create relationships and trust. A qualification doesn't give you that; that's a skill set. And it's a skill set that I'm not entirely sure you can learn, if I'm honest. You can develop it, but I think that you've either got that skill set or you haven't. (Charlie, Senior Manager)

You have to have a level of interpersonal skills; *you have to be made for the role*. Sometimes, I don't know how certain people get this role. (Mo, Case Manager; my emphasis)

These responses suggest that being capable of establishing and maintaining relationships is the defining professional trait in probation. Charlie's assertion that such a 'skill set' outweighs professional qualifications further indicates how professionalism in probation has become detached from education and training and increasingly resembles 'appropriate' conduct with the client (e.g. Fournier, 1999; see Chapter Five). Expanding on her comment, Mo (Case Manager) recalled an experience with a client who felt that his previous practitioner was not 'made for the role':

As an example, I'll give you what a service user's complained to me about. He's been a drug user since he was 16: he uses heroin and crack on a regular basis. His officer was quite young, spoke quite well, and she just could not relate. He said, 'I don't want to talk to a young girl who's got no clue about life, who... thinks I can just come off heroin'.

This implies that the ability to empathise with clients, to identify with their feelings, attitudes, and emotions, is a crucial aspect of practitioners' role. Here, probation practice differs from traditional expressions of professionalism, which have emphasised rational detachment from the client as a means to convey knowledge and acquire status (e.g. Parsons, 1952). Davies (1995), for example, argues that the gendered care and intimate engagement required of (female) nurses has inhibited their professional project, as their conduct is often juxtaposed with the emotionally distant and impartial (male) doctor (see Chapter Two). Similarly, as Mo continued, probation practice depends upon the display of compassion and approachability:

I think he was trying to compare the way she was [with] the way he was, and he said, 'I don't feel like I can open up and tell her everything because I'm embarrassed about my life'. So, it's a hard job when you meet people like that; you have to speak to them in a way they understand and communicate with them in a way that they understand.

This example highlights how 'feelings rules' (Hochschild, 2012: 18) govern exchanges in probation, as practitioners must *demonstrate* to clients 'that they

understand'. This is to say that professional conduct is not derived from rules that are codified in formal ethics (Bourdieu, 1990), but rather, an intuitive feel for and ability to convey the behaviours that are 'appropriate' (Fournier, 1999; Kadowaki, 2015). A probation *habitus*, therefore, structures how staff manage emotions.

Emotions are responses to particular stimuli that communicate information; in this way, they shape and are shaped by interactions (Fineman, 2000; Hochschild, 2012). For Hochschild (2012: 7), emotional labour:

... requires one to induce or suppress feeling in order to sustain the outward countenance that produces the proper state of mind in others. [...] This kind of labor calls for a coordination of mind and feeling, and it sometimes draws on a source of self that we honor as deep and integral to our individuality.

Despite material differences in the organisation of work, she identified common ground between the labour of a child in a nineteenth century English factory and a flight attendant in 1980s America. The shift from working with 'things' to working with 'people' gave rise to new forms of labour that depended not upon workers' somatic functions, but upon the commercialisation of their feelings and emotions (Hochschild, 2012: 9). Both the child labourer and the flight attendant must detach themselves from the aspects of the self upon which their jobs are dependent. Where the former must separate himself from his body, the latter must dissociate herself from her emotions. In this sense, Hochschild (2012: 7) draws upon the Marxist concept of alienation to explore how post-industrial labour is similarly commodified and how it impacts workers. She argues that emotional alienation manifests in two distinct ways: 'emotive dissonance' results from 'surface acting', as the worker must contrive emotions different from their true feelings when dealing with clients; emotional exhaustion, by contrast, is a consequence of 'deep acting', as workers attempt to convince themselves that feelings are real (Hochschild, 2012: 33).

Emotional labour has thus provided a framework within which to conceptualise how employees working in client-facing organisations regulate their conduct (e.g. Morris & Feldman, 1996; Fineman, 2000). Developing Hochschild's (2012) analysis, Morris and Feldman (1996: 987) argue that emotional labour possesses four specific components: 'frequency of appropriate emotional display'; 'attentiveness to required display rules'; 'variety of emotions required to be

displayed'; and 'emotional dissonance generated as the result of having to express organizationally desired emotions not genuinely felt'. The 'frequency of appropriate emotional display' refers to the number of interactions between service providers and their clients. Merely observing regularity, however, fails to account for the emotional depth of such interactions. As such, 'attentiveness to required display rules' accounts for both the 'duration' and the 'intensity' of emotional exchanges (Morris & Feldman, 1996: 989-90). Likewise, the greater the 'variety of emotions required to be displayed', the greater the emotional demands placed upon the worker. Finally, when the emotions required of the worker conflict with their 'real' feelings, if such authenticity can ever truly be ascertained (Fineman, 2000), the result can be 'emotional dissonance' or alienation from the self (Morris & Feldman, 1996: 992; Hochschild, 2012). These four facets of emotion work combine to shape the conditions and consequences of labour for many employees working in the service sector (Morris & Feldman, 1996).

Probation is one such arena in which emotional labour is prominent (e.g. Phillips *et al.*, 2016, 2018; Westaby *et al.*, 2016). By managing their own emotions, whether engendering enthusiasm or repressing revulsion, probation staff seek to influence their clients' behaviour to work towards a "proper state of mind" (Hochschild, 2012: 7) – that is, free from criminal proclivities. There are, however, key differences between probation work and Hochschild's (2012) original conception of emotional labour. For example, unlike the flight attendants in Hochschild's (2012) study, interpersonal labour in probation is not explicitly commodified. The nature of working with involuntary clients means that staff are not instruments of labour on which the CRC depend to guarantee returning custom. As a result, probation staff are not subject to formal direction on how and when to express emotion, nor is there an "emotion supervisor immediately on hand" (Hochschild, 2012: 153) to regulate conduct. This also hints at a measure of autonomy: the CRC does not attempt to manipulate or control emotion; rather, appropriate display is derived from individual norms and values. In this sense, probation practice arguably reflects a third form of emotional labour, 'genuine expression', in which "the worker actually feels the emotion that is required or expected" (Kadowaki, 2015: 328). This resonates with Westaby's (2010) findings on immigration solicitors, who induce real feelings with their clients to make sense of their work. The CRC depends upon a probation *habitus* that is more reliable than explicit rules (Bourdieu, 1990). Hence,

‘genuine expression’ of interest in clients’ wellbeing means that staff self-regulate their conduct through a *discourse of professionalism* (Evetts, 2013):

The basics of professionalism, for me, are adhering to policies, making sure that... you’re dealing with other agencies and service users. The way you communicate is appropriate to them; it’s about having integrity, *doing the right thing*. Quite a lot, we’re not monitored by anybody, so it’s down to us to do what’s right. (Maddie, Senior Case Manager; my emphasis)

I think that one of our core values is to be professional at all times and I think that, you know, we’re expected to display that at all times. I think that I would display it in the relevant circumstance; it’s part of my core values, to be professional at all times. (Vicky, Case Manager)

Against the backdrop of the shift towards unqualified labour (see Chapter Five) and autonomy that has been *economised* by PbR metrics (see Chapter Seven), an adherence to client-centred probation values is arguably the decisive factor in professional identity formation at Elizabeth Street. Such a probation *habitus* enables staff to make sense of their role and find value in their work:

I think we’re good at... supporting people in a way that makes it meaningful. (Louise, Interchange Manager)

I would say there’s a common belief in terms of... helping somebody turn their life around, etc. I think that belief is pretty fundamental, and I think that people here would share that belief. (George, Senior Case Manager)

Even though it’s not the National Probation Service anymore, we’re still providing a service – whether that be help, assistance, guidance, whatever it may be; it’s ensuring that you keep that at the forefront, and obviously working in different ways to suit different needs. I always like the high challenge, high support; it’s having that at the forefront. (Camilla, Case Manager)

These responses suggest that professional identity in probation draws from a sense of self (Krejsler, 2005; Hochschild, 2012), or *doxa* (Bourdieu & Wacquant, 1992), which is operationalised through a desire to work *with* clients. Concurrent with *organizational professionalism* (Evetts, 2013), this inner direction means that the organisation can *expect* professional conduct without having to *enforce* it, with scrutiny instead oriented towards quantitative targets (see Chapter Six). Instead, an ingrained commitment to ‘doing the right thing’ for clients allows for discipline ‘at a distance’ (Miller & Rose, 1990; Fournier, 1999). In other words, probation staff demand a certain quality of service of *themselves*:

... if guys stop showing up, you’ve got no way of tracing them and you think, what the hell is going on? Or if you’ve got guys when they come in and they don’t really engage, and they leave and you’re thinking, what could I have done? That’s where I feel the pressure... pressure from myself. (Samuel, Case Manager)

Since *TR*, however, information technologies occupy an enhanced role in the everyday realities of probation staff. Counter to Hochschild’s (2012) observations on the material conditions of labour, and how *TR* was presented as a means to reverse a target-centric approach and reconnect probation with the communities it serves (e.g. MoJ, 2013a), practice has continued to move from ‘people’ to ‘things’ (see Chapter Six):

I get here and I normally have about 45 missed calls from 5pm that I’ve not been in to deal with. Then I’ve got loads of emails, so I’ll probably do that for at least a couple of hours. Then I need to check enforcement and my alerts to see if I’ve got any new cases... or if any of my current cases are in court or have been recalled. Then I might have maybe three or four appointments during the day that I’ll see that need writing up afterwards. I spend all day behind the computer updating things like nDelius, updating OASys, doing referrals to other agencies, chasing around my clients. (Matilda, Senior Case Manager)

On the surface, such trends would appear to suggest that the regularity with which practitioners are able to perform emotional labour has diminished; yet, as Matilda's comment indicates, considerable time is spent on the phone checking up on the whereabouts of their clients. The 'frequency of appropriate emotional display' (Morris & Feldman, 1996: 989) has thus been partially transposed from face-to-face interaction onto information technologies (see also Chapter Six). Given that compliance can be poor, practitioners must remind clients of their legal obligations to attend the office in ways that avoid conflict:

Camilla's 11am supervision did not attend, but I overheard her on the phone to him shortly after. She struck a humorous tone: 'I never want to see you again when we get to the end of your order! But you have to come and see me next week or I'll have to breach you, okay?' Camilla later informed me that his excuse, a doctor's appointment, was more than likely untrue and that he had probably been put off by the rain; but she was happy to accept it and reschedule the appointment so as to avoid a breach. (notes from fieldwork)

Camilla's caustic reprimand typifies how practitioners manage their own and their clients' emotions. Humour has been shown to be a valuable resource with which to negotiate everyday challenges in a variety of organisational contexts, whether social care (e.g. Fogarty & Elliot, 2019), police and ambulance services (e.g. Charman, 2013), or the military (e.g. Godfrey, 2014). Here, Camilla's tone of voice enabled her to express her own frustrations at the client's non-compliance without being overtly confrontational, thereby maintaining a productive relationship. While this interaction is neither extended nor intense, it nonetheless presents a range of emotions (Morris & Feldman, 1996: 991): positive (reinforcement), neutral (legal authority), and negative (disciplinary).

Practitioners must not only induce a variety of emotions, but also suppress feelings if they are to work with certain clients. For Fizz (Senior Case Manager), a reluctance to constantly quell emotion was a key factor in opting for the CRC:

The work is exhausting; it's emotionally draining. [...] When the split came... [the government] asked us, what [organisation] do you want to be in?

How can you make a decision like that? Who the hell wants to work with just high-risk offenders? (Fizz, Senior Case Manager)

Indeed, Phillips *et al.* (2016: 183) have demonstrated the ‘relentless’ nature of engaging exclusively with high-risk clients for staff in the NPS. Staff enjoyed the challenge of working with this cohort, although many struggled to manage the resultant anxieties. A practitioner response to their work, moreover, supports these claims (Lee, 2017). Drawing on her experience of working with women offenders supervised by the NPS, Lee (2017: 54) concludes that “TR has altered the ability to express and reflect on the emotional impact of direct work with a high-risk caseload, most notably in the reduced frequency and quality of line management supervision.” This testimony is similar to the lack of time available for Interchange Managers to spend supervising staff, discussed in Chapter Six.

The nature of certain clients’ crimes can also result in “surface acting” (Hochschild, 2012: 33):

The client is serving a community order for downloading child pornography, knowledge of which he denies. Clearly very intelligent, he develops computer software for a living. Barry later told me that he feels uncomfortable around the client, not least because he does not believe somebody with his client’s knowledge of computers could be unaware of what the files contained. His view is that the client ‘had a very good solicitor’, which explains the leniency of his sentence and a medium risk of harm label. Given that he has repeatedly denied awareness of the indecent images, Barry decided that there was no point attempting to discuss the offence. Instead, the majority of the interview was given to their shared interests, notably film, and Barry’s purported lack of computer skills. (observation no.17: Barry, Senior Case Manager, and client, Elizabeth Street)

Barry thus concealed his scepticism about the client’s protestations of innocence, as well as his personal discomfort. Outward displays of warmth and interest in the client, however superficial, were utilised to establish trust, which is essential to the professional project (e.g. Fournier, 1999). Such ‘surface acting’ can, instead, be viewed as a form of professional conduct:

... being respectful when you see the guys, not passing any judgement when you come across people who might have some things going on that might come to your mind – putting that to the back of your mind; *being professional*, remembering that I'm at work, asking questions to [clients], not butting in, and then working out what you can do for them. (Samuel, Case Manager; my emphasis)

For the most part, though, staff at Elizabeth Street actively seek to engage in 'genuine expression' of emotions with their clients – that is, inducing real feelings (Westaby, 2010; Kadowaki, 2015). As Krejsler (2005: 348) notes, “the professional who has a professional style that is integrated with her/his personality is likely to be in an advantageous position.” Practitioners are cheerful, interested, and encouraging when talking to their clients. Professionalism, like emotion, is thus displayed at all times, and is crucial to a profession's legitimacy (Fournier, 1999). The myriad challenges, past and present, faced by clients throughout their life course means that practitioners must constantly be prepared to undertake emotional labour:

You could have one person who's in crisis, which turns your whole day upside down and everything falls into disarray. A lot of the time, the job is about crisis management. You plan your day as much as you can, but at any point you might have to change. Even though you try and structure your day, every day is different and everything can change at the drop of a hat. (Vicky, Case Manager)

Practitioners' use of the term 'crisis' typically refers to a sudden change in a client's circumstances, whether material or psychological. When such instances occur, practitioners often demand of themselves displays of 'attentiveness' that are both extended and intensive (Morris & Feldman, 1996). Here, recourse to 'genuine expression' (Westaby, 2010; Kadowaki, 2015) of emotions means that practitioners prioritise clients over the CRC's requirements for timely recording, discussed in the previous chapter:

On the occasion that I've had people in crisis, I've been in there for two hours. But the notes on nDelius suggest that I've only been in there five minutes because I don't have time to record it. I've just not got the time. I'm massively, massively behind on contacts with my entire caseload. (Marie, Case Manager)

One day, when I was expecting to have an admin day, empty diary, I had a crisis day because [a client] was suicidal. That took three hours, three hours out of my day. [...] You can't cut people off when they're in crisis. (Rhonda, Case Manager)

These responses highlight the tensions between a client-centred *ideology of service* and administrative duties in the realisation of professionalism (Evetts, 2013; Robinson *et al.*, 2014). Staff consider affective displays of emotion to be the 'professional' course of action and ostensibly possess the autonomy to deliver this service to clients. This work is essential to preventing harm:

If somebody's in crisis, if there's something with mental health, it would be unprofessional to say to them, 'okay, you're in crisis, but I don't have time to process all that information – goodbye'. Professional conduct would be getting in touch with the mental health crisis team, making sure they're not going to kill themselves, and make sure they get that extra support, wherever needed. (Mo, Case Manager)

Mo's comment also suggests that emotional labour in probation entails "boundary spanning" (Needham *et al.*, 2017: 290), as practitioners must balance appropriate displays of feeling with the inter-organisational communication that is crucial to staff understandings of professional practice (see Chapters Five and Six). Indeed, as discussed in the previous chapter, the CRC's requirements for proper recording means that attempts to exercise autonomy are often limited to cross-coordination between clients and other organisations:

... it's balancing the fact that you are working with human beings. Our work operates in the context that a lot of stuff goes wrong. The challenge is having

to balance all of those individuals to do the best job that you can. You can have a day plan and it can be wiped out by the first phonecall. If you're already up to your eyes in it, it can be very difficult because you don't have that capacity – or it's very difficult to work it in. (George, Senior Case Manager)

And yet, a willingness to react to crises, to drop everything to ensure a client's wellbeing, demonstrates how practitioners mobilise a *discourse of professionalism* as a form of self-motivation (Evetts, 2013):

I always bought into a probation service that could make change and, you know, change people's lives for the better; now, I feel like we can do that still, but at a cost to the service because there's so much target work to do. I want to spend my time downstairs with service users, and I can't say, 'well, actually, I can't spend that time with you'. So, *I'll let my admin work suffer so that I can spend time with the service user*. (Vicky, Case Manager; my emphasis)

I try to make sure that I spend more time applying the job that I'm paid to do; but there have been times where I am three or four weeks behind on my write-ups. I know that's no good if somebody else goes in [to nDelius] to have a look because the information they require isn't there. That's not to say that the information is not there because it's not recorded. If you've got people coming in in crisis or there's something going on, then that's my priority. (Jo, Case Manager)

These comments epitomise how *organizational professionalism* (Evetts, 2013) is enacted within probation. Dedicating time to clients is thus both challenging and rewarding:

I think to do your job thoroughly and spend as much time as you can and do the assessments properly with the clients is a tough thing to do. I think we achieve that, in most cases, but that's the challenge: deciding what the focus of your work is and making sure that you can do the best job that you can do.

I think we're lucky that we have a lot people who care a lot and want to do meaningful work. (Louise, Interchange Manager)

As such, probation under *TR* is at once dependent upon and disrupted by 'people who care a lot'. For the organisation, a probation *habitus* ensures that clients' problems receive appropriate emotional responses that can prove crucial to preventing (further) harm, although this often comes at the expense of the targets on which the CRC depends for payment. For practitioners, a probation *habitus* serves to self-motivate staff to provide a professional service; however, the constant need to draw upon real feelings can lead to emotional exhaustion (Hochschild, 2012).

8.4 Stress, strain, and sickness in probation

Attempts to establish equilibrium between the CRC's demands for proper recording and what staff consider to be the 'professional' course of action have the potential to produce stress and strain. Indeed, the impact of managerial reforms, including "increased workloads and... reducing direct client contact" (Wilberforce *et al.*, 2014: 813), on social workers' stress has been well documented (e.g. Parry-Jones *et al.*, 1998; Coffey *et al.*, 2009; Baginsky *et al.*, 2010). Westaby *et al.* (2016: 114) have challenged the mutual exclusivity of personal and professional environments for probation practitioners via the notion of 'spillover', which "posits that one's professional life can affect one's personal life." This is based on Greenhaus and Beutell's (1985) work-family conflict model, which argues that such boundaries can be undermined by 'time-based', 'behaviour-based', and 'strain-based' conflicts. 'Time-based' conflict relates to an inability to complete work during office hours, which means that it is taken home. The introduction of mobile IT, discussed in Chapter Six, has facilitated work that extends beyond contracted hours:

You are quite literally married to this role, I would say. I work late at night at home and everything to get reports done. I know there's always been targets and deadlines and everything, but everything now has become time-scaled. [...] Every day is busy; every day is different. The role is forever changing; time scales are forever changing. (Mo, Case Manager)

I can work from home, which is a double-sided sword because I try to keep my work and home life separate. [...] But on the flip side, if I can work at home undisturbed getting these hours and hours long reports completed, then it's beneficial to have that. (Will, Case Manager)

'Behaviour-based' conflict manifests when the behaviours expected of a professional role are unwelcome in one's personal life. Here, the emotional toll of working with clients with a history of violence can impact upon personal relationships:

... a lot of our work is domestic violence, which impacts on your life: the trauma you get from reading reports can be significant. It can make you be untrustful [sic] towards men, as a woman; it makes you hyper-vigilant to certain behaviours in the opposite sex. We should have in-house counselling, but we don't. [...] You are exposed to vicarious trauma, secondary trauma... because some of it can be really, really nasty. (Mo, Case Manager)

Hence, 'strain-based conflict' occurs when practitioners feel unable to 'switch off':

How do you measure the fact that you had a difficult situation the day before and you didn't sleep well, which affects your performance? How do you measure that? You had a case that was already a risky situation, you know, risk of harm the day before? You cannot go home and go to sleep and forget about it. You carry it; you cannot switch off completely. (Leon, Case Manager)

Camilla (Case Manager) noted that 'strain-based conflict' can result from the demands placed upon staff from the CRC:

... we're just expected to do everything and more, but with less. It's always from the hierarchy, from the top down: 'you've got laptops, you've got phones: just do it'. But it's not as simple as that. There's always cracks somewhere; just keep sticking the plaster back over it. I'd say it can't get any worse, but I'd only jinx myself.

Such pressures are not always *imposed*, but are also *habitual*. As Camilla continued:

I'm a sucker to myself, really, because if something needs to be done then I'll say, 'yeah, I'll do that'. I like the trickier ones, the more challenging ones: I like taking them.

Her comments highlight how *organizational professionalism* operates in a probation context. Practitioners' good intentions, derived from their values, can be exploited as part of an attempt to sustain the quality of service whilst caseloads increase (Evetts, 2013). Such self-motivation is thus a source of anxiety:

It's a scary thing to think that, because caseloads are so high and staff stress and everything else, people were just falling at the wayside until, unfortunately, you got a phone call to say that they'd been remanded or, God forbid, they'd committed [a serious further offence]. (Camilla, Case Manager)

Indeed, some staff have been forced to revise their expectations of work to maintain personal-professional boundaries:

When I moved here as a manager, I was going home exhausted and I don't want to go back to feeling like that. I made the conscious decision in my life that I would do my best, but there is just one of me; I have to say that a lot. I made a conscious decision to preserve my health and wellbeing in terms of what this role demands of me. (Sarah, Interchange Manager)

You have to lose your desire to get to know this person over a period time so you can write that something up. [...] What I try to do is spend time with somebody, gradually getting to know them, but that's not what the service wants: *the service wants something*. (Fizz, Senior Case Manager; my emphasis)

These comments hint at a measure of alienation from probation work, as Sarah and Fizz rationalised a reduced standard of service as necessary for self-preservation

(Hochschild, 2012). Fizz's response, in particular, suggests that investing oneself in the client and engaging in emotional labour is prerequisite to good practice, but can be detrimental to meeting the CRC's demands. The 'something' that the service wants (i.e. proper recording) can constrain practitioners' ability and, ultimately, their willingness to prioritise personal relationships with clients. In other words, staff must become dissociated from 'genuine expression' (Westaby, 2010; Kadowaki, 2015) of emotion.

Given the strains on staff, both habitual and imposed, it should come as little surprise that sickness and absence are prevalent within the CRC:

... we're not supported about the caseload; people [are] leaving in droves, getting ill. I mean, there's always been sickness in probation – that's another story – but this is completely through stress, I would say. (Rhonda, Case Manager)

Rhonda's comment supports Kate's (Interchange Manager) frustrations at how practitioners receive little support and supervision from Interchange Managers, in large part due to the time constraints upon the latter (see Chapter Six). And yet, despite Rhonda's assertion that 'there's always been sickness in probation', there has been very little research which explores the problem. Robinson and Burnett (2007) made passing reference to the potential for increased rates of sickness after the NOMS reforms. Likewise, HMI Probation's (2017a) *Annual Report* briefly mentioned the impact of TR on sickness, linking such absences to increased caseloads, but failed to investigate its extent in any depth. That CRCs are not obliged to publish data on staffing (see Chapter Three) explains the lack of empirical data in the private sector. The only comprehensive study of staff sickness in probation comes from the National Audit Office (2006), which analysed the financial impact on the NPS during the period 2004/05. The report highlighted how sickness was higher in the probation service than comparable public sector occupations, acknowledging the links between excessive workloads, stress, and job dissatisfaction. These issues were, however, framed in decidedly managerial terms of cost and efficiency: "Reducing the level of sickness absence would lead to significant savings. Sickness absence cost approximately £31.6 million in equivalent working time costs, some 5.6 per cent of staff costs."

While no data on staffing in the CRCs are available, sickness and high staff turnover are significant issues at Elizabeth Street:

... we've lost staff and we've not been able to replace staff or because we've spent more money on agency staff, so it's cost more money than it could have done. [...] We've had to spend money on extra staff. We've had some sickness, and I don't know whether the changes have impacted on that or not, but clearly paying a salary to someone who isn't there has an impact. (Sarah, Interchange Manager)

Staff loss, stress, long-term sickness... people [are] leaving because they can't hack it. I did stick to probation - and it's paid off in that I've still got a job - but there's gonna be more sickness and staff loss. (Camilla, Case Manager)

In addition, sickness and absence can affect those who remain:

Staff sickness... has a knock-on effect of how you work with your service users, what can be offered to service users. [...] It can be unsafe as well. (Mo, Case Manager)

People are off work for quite a long time with work-related stress, anxiety, and that's hard when you're in a small team carrying high caseloads. That negative impact's not nice, and it can have a physical impact on you, getting tired and demotivated. Yeah, staff morale has been impacted - significantly and very negatively. [...] People make it quite well known. (Trudy, Case Manager)

Will, a Case Manager with eleven years' experience in the role, spoke openly of a recent stress-related absence:

I had two and a half months off this year, completely related to stress because of the volume of work and additional tasks that we never had to do in our role

before, which is administrative kind of stuff and not being able, no matter how hard I work, to tick every box.

His experience of probation conforms to Evetts's (2013) notion of *organizational professionalism*. On the one hand, he is motivated by working with people, demonstrating a (functionalist) *ideology of service*:

The people, the interviewing side of it, as it stands now, the interviewing side of it is the side I enjoy: working with people.

On the other hand, the expectation that targets will be met represents how the autonomy over work emphasised by neo-Weberians (e.g. Freidson, 1970) largely operates within the parameters established by the "penal accountancy" (Foucault, 1977: 180) of PbR (see Chapter Seven). While acknowledging that these targets are not exclusive to TR, Will linked their escalation since the reforms to his time off sick:

Historically, there's always been targets associated with the work, but it was much looser. For example, there was always a deadline for the completion of an initial sentence plan – which used to be five weeks; it's three weeks now – but it wasn't financially motivated. There [are] targets associated with certain aspects of the job, [but] the vast majority of the targets weren't an issue.

Will no longer recognises the job: he wants to spend time with clients and engage with them in an emotional capacity, but the CRC's requirements must take precedence:

If I haven't got the time to sit with people like [I] used to have, or talk to them on the phone, then I feel like I'm just ticking boxes, going through the motions. I'm not getting to know these people as well as I used to do. I understand the risk that they pose and managing those risks; but *if I understood the person, if I had the opportunity to get to know them more - spend more time with them in supervision, for example, or do home visits –*

then I would have a better understanding... of managing their risk long-term, or even short-term. (my emphasis)

A preference for ‘genuine expression’ (Westaby, 2010; Kadowaki, 2015) contributed to emotional exhaustion and, as such, he has become resigned to ‘surface acting’ so as to meet organisational requirements (Hochschild, 2012). How Will understands his job, and thus his professional identity, has changed to become more focused on what the CRC wants as opposed to what, in his view, the client needs:

I suppose, having had time off work because of the stress, what I expect of myself has changed, I think. I think that’s a good way of putting it. *I always expect a lot of myself*: I like to do a good job, a thorough job. [...] And I think, coming back to work, coming to the realisation that I have to do things differently for my own well-being beyond anyone else, has changed what I expect of the job. (my emphasis)

The demands Will placed upon *himself* exacerbated what is expected of him by the CRC. His experience thus corresponds to a large social work literature on ‘burnout’ (e.g. McFadden *et al.*, 2015; Winstanley & Hales, 2015; Hussein, 2018), as physical and mental exhaustion arose from involvement in an emotional demanding environment. Accordingly, while Will’s client-centred values remain, he recognises that he cannot act upon them in the desired fashion. This resonates with Hochschild’s (2012: 21) observation that, “[w]hen a speed-up of the human assembly line makes “genuine” personal service harder to deliver, the worker may withdraw emotional labor and offer instead a thin crust of display.” In Bourdieusian terms, then, Will’s *habitus* has adapted to the demands of a *field* in which targets have accrued greater (financial) significance. In the long-run, this could be problematic for a service that has historically been premised on humanitarian endeavour:

... if people are not happy with the service, *they won’t do it with their heart; they’ll do it mechanistically*. That’s not what we want; what we want is people who work here because they want to and they’ve got the right values to do it, to achieve what the service user needs. (Ashley, Senior Manager; my emphasis)

Ashley's comment recognises the importance to the CRC of staff who are guided by the 'right values'; but, as Will testified, enacting such ideals can lead to emotional exhaustion and, ultimately, detachment from the role. Prioritising the client can thus conflict with the CRC's demands for 'delivering what is expected':

The biggest issue is time: we're constantly changing, so have we got time to do road shows on values? It's what are the priorities, not necessarily the values underpinning [them]. The reality now is making sure that we are delivering what is expected. (Ashley, Senior Manager)

In this sense, practitioner understandings of professional identity conform to Foucauldian understandings of professionalism (Fournier, 1999; Evetts, 2013), manifest in the tensions between divergent practitioner and organisational notions of 'appropriate' conduct. A willingness to engage in emotional labour is a taken-for-granted element of the probation *field* (Bourdieu & Wacquant, 1992), which does not need to be explicitly enforced. Staff must possess the 'right' values to work within probation but, paradoxically, a desire to work *with* people and give the client a professional service exposes staff to enhanced stress and strain. As a result, ensuring that the 'right' people enter the service is crucial to the future of probation:

... recruitment has a huge part to play in whether you get the right people in the job for the right reasons. I think it's one of the most difficult challenges that we've got around the value base to the role because people didn't choose to work for a private organisation and that's what has happened. (Ashley, Senior Manager)

The next section, therefore, explores the experiences of two new Case Managers, Marie and Mo, who joined probation in 2017.

8.5 Right for probation? Recruitment and occupational socialisation at Elizabeth Street

As argued above, staff at Elizabeth Street who experienced the transition from public to private employment were overwhelmingly opposed to *TR* (see also Deering & Feilzer, 2015; Kirton & Guillaume, 2015). For new recruits, a lack of contact with probation as a public sector institution raises questions about professional identity formation within such ‘assemblages’ (Newman & Clarke, 2009). Mo and Marie entered the probation service via different pathways: the former has worked in the civil service and, later, criminal justice charity administration; the latter has had a long and successful career in the private sector, discussed in Chapter Five. This divergent exposure to sectors motivated by profit perhaps explains their respective views on *TR*:

It was never gonna work; you can’t make money out of this sector. It’s like education, like the NHS; you can’t make money out of this sector. (Mo, Case Manager)

I think people should just remember that you’re here to help people. Who pays your salary is kind of irrelevant. (Marie, Case Manager)

Mo’s response implies adherence to an ethos of public service, from which probation values are partially derived (e.g. Robinson *et al.*, 2016). Marie, on the other hand, is more receptive to private, for-profit involvement in probation, positioning clients’ needs above personal values. Indeed, an eagerness to help people was a determining factor in their respective decisions to join the service:

I come from a really deprived area, so crime has always been a way of life around me despite me never being involved in it. When I started working at [a] prison, I realised how badly families are treated and the impact of basically the ripple effect of what committing crime has – not just on the offender, but on the families, the parents, the kids, [the] wives. (Mo, Case Manager)

Hostility doesn't bother me. I've been in far more stressful and possibly dangerous situations in my old job than I've faced here. Clients treat me with far more respect. In some ways, they're quite similar: I like working with people; I like seeing the fruits of somebody that's been able to make a change and move on, which, obviously, here can be a better life. It's the same thing, just a very different cohort. (Marie, Case Manager)

Regardless of their attitudes towards *TR*, shared client-centred values further imply that the opportunity to work *with* people is the primary source of professional identity in probation, or the service's *doxa* (Bourdieu, 1990; Bourdieu & Wacquant, 1992).

The manner in which individuals construct their professional selves is also shaped by how the CRC seeks to cultivate 'appropriate' working identities (Fournier, 1999; Krejsler, 2005). Training thus exerts significant influence over professional identity formation (e.g. Freidson, 2001; Evetts, 2013). Marie and Mo experienced the same training, albeit at different times:

I had a six-week long induction where I was thrown information at all day long every day for a very long time. [...] But the biggest part of the training was how to deal with people, not being confrontational, breaking down the barriers – that was very easy. I think you can either do that or you can't. (Marie, Case Manager)

The training... was done in blocks over a six-week period. [...] We did all about questioning, like [asking] open questions. Ultimately, it's about breaking down those barriers with service users. (Mo, Case Manager)

These responses highlight the importance placed upon emotional labour, to 'breaking down the barriers'. Ensuring that practitioners understand how to communicate appropriately and to manage emotions thus suggests alignment between individual and organisational values. That both had to learn the IT on the job also presupposes a certain level of computer literacy which is important to the process of *enculturation* at Elizabeth Street (Robinson, 2018: 322):

I think the induction was very thorough, but, for me, it would've been better to get the induction six weeks later. What even is OASys? What is nDelius? It was almost not very tangible... very much getting chucked in at the deep end (Marie, Case Manager)

I basically learned by the seat of my pants and by my colleagues. [...] The training has been, I would say poor because, in terms of actual practicalities of doing the job, you're learning off other people. (Mo, Case Manager)

However, excessive caseloads mean that Marie and Mo have had limited opportunities to enact their training, as the majority of their time is spent recording information (see Chapter Six):

There's not enough staff to manage caseloads; the staff that we have got have got massive caseloads and feel that they can't do the job to the best of their ability, or properly, because all you do is tick-boxing. (Mo, Case Manager)

I'm regularly here until 8 or 9 on a Wednesday and a Thursday evening, having got in at 8[am], and that's just trying to play catch-up. I've got so many people, I literally need to see them back-to-back and you don't have time to record it. I'd probably need two weeks of not seeing anybody to actually get them up-to-date, but that's not going to happen. (Marie, Case Manager).

These experiences correspond to *organizational professionalism* (Evetts, 2013): the CRC depends upon, and even cultivates, a professional identity predicated on relationships to ensure that clients are supported whilst expecting practitioners to fulfil considerable administrative functions.

Despite their similarities, Marie and Mo cope with organisational demands in differing ways. Marie, for instance, is sceptical of what she perceives to be a civil service culture marked by professional self-interest:

There's a lot of, I think, kind of old-school, civil service entitlement that goes on. I've never worked in the civil service; I've only ever worked in the

private sector and it was very simple: you either did what you were supposed to, or you didn't have a job. [...] If people here are in a job to help those that are far less fortunate than us, there's an awful lot of whinging about stuff that doesn't matter.

This 'civil service entitlement', she speculated, contributes to high rates of sickness and absence in probation:

I think [the office is] a very supportive place. If I was to say, 'I can't cope with this', it would be dealt with. I'm not sure it always should be; I think sometimes you have to get on with it. [...] There is a habit here of when the going gets tough, you go off on sick.

In the absence of organisational strategies aimed at supporting staff, such as in-house counselling services, this role is fulfilled by colleagues. This willingness to help clients and colleagues forms a crucial part of the probation *habitus*; however, as argued above, it can exacerbate workload pressures.

Mo also highlighted the support of colleagues as crucial to Elizabeth Street's functioning, although she framed complaining about the conditions of work in more positive terms:

People will complain about caseloads, how much certain aspects change and whatever; but then that can always be positive. We still come every day; we still try every day. You know, it can be quite good coming to work because your colleagues are there to support you.

This resonates with how staff in Mawby and Worrall's (2013) research drew nostalgically from prior understandings of probation work to make sense of the present. And yet, Marie was suspicious of how staff remembered the pre-*TR* service:

Overwhelmingly, people think it was better before. When we get an email about a change, there's complete uproar in this place and I find it absolutely mind-boggling. I don't think that it will have been as amazing before as

people are remembering it to be. It's just rose-tinted glasses, isn't it? People don't like change.

On the one hand, for Marie, romanticised understandings of probation inhibit the service's ability to develop. On the other hand, the accuracy of such an institutional memory is arguably irrelevant; what matters is how it can permeate new recruits and reinforce a commitment to the client.

The manner in which some members of staff express their discontent with the CRC is thus unpalatable to Marie:

When we had [an] audit, we were sent an email that said, naturally, 'there's an audit; make sure everything is okay'. People here specifically didn't do that, just so they could say that they didn't have the time because the job's so bad. They made a decision not to correct their shortfall, or their failings, without any consideration for how their manager would look. For me, you should always look to do the best job that you can, but to purposely not do it just to throw your teddies out the cot, is not okay; it's unprofessional.

Here, for Marie, 'professional' conduct demands a measure of allegiance - if not to the CRC, then to the Interchange Managers. Mo, however, takes a different view of what is 'appropriate' (Fournier, 1999), seeking to expose what she perceives to be the parlous state of the profession over the reputation of the CRC:

I think that the inspectors should see the cases as they are because we haven't got enough staff and our caseloads are massive. I welcome those types of scrutiny because they bring the change about that's needed. [...] I've been told, 'can you do this? can you do that?' because the inspectors are in. But it's difficult to do every single thing on a case, even though that is what I aim for and that is what I try to do on a daily basis.

In many ways, then, Mo and Marie are very different: where the former resists, the latter persists. Mo is morally opposed to private, for-profit involvement in probation and believes that the CRC's difficulties should be exposed as a means to drive change. Marie, on the other hand, is more relaxed about private sector

provision of probation; expressed frustrations with ‘unprofessional’ staff who defy management; and copes with the challenges of the role by drawing upon her prior experiences of private sector employment. Where Mo is willing to accept moaning about *TR* as a contributory factor in a shared culture, perhaps even a perverse source of morale, Marie derides such complaints as evidence of ‘civil service entitlement’. Their similarities, however, suggest the persistence of a probation *habitus* centred on the client, which means that they are willing to expose *themselves* to the pressures that accompany the role. This shared commitment renders the question of which is ‘right’ for probation redundant. Rather, the comparison between Marie and Mo conforms to Mawby and Worrall’s (2013: 153) observations of a (feminised) probation workforce in which being “highly organized [and] computer-literate” are prized attributes. Client-centred values are, therefore, the primary source of professional identity, which simultaneously serve as a source of meaning *and* the basis for discipline ‘at a distance’ (Miller & Rose, 1990; Fournier, 1999).

8.6 Conclusion

Against the backdrop of a probation *field* remade according to the logic of competition and profit, this chapter has demonstrated the endurance of a shared *ideology of service* at Elizabeth Street, which supports other research on the relative homogeneity of probation values (e.g. Deering, 2010; Mawby & Worrall, 2013; Deering & Feilzer, 2015). That staff want to work *with* people is a precondition of the *field*, evidence of a *doxa* that is reinforced by non-judgemental attitudes towards criminality and a belief in the capacity of an individual to change. And yet, the actions required of probation staff by the CRC are typically achieved via engagement with ‘things’ (Hochschild, 2012) – that is, the information technologies that are fundamental to late-modern probation practice (discussed in Chapters Six and Seven). No such organisational oversight, however, informs how practitioners are to engage with ‘people’. Here, Bourdieu’s (1990: 53) concept of *habitus*, a ‘structuring structure’, helps to make sense of how abstract humanitarian ideals are translated into practice. The ability to perform emotional labour, to induce and suppress feeling, is integral to a probation *habitus*. For practitioners, this desire to work with clients to engender change contributes to an ‘appropriate’ professional identity. The CRC is thus *dependent upon* and *impeded by* what makes the overwhelming majority

of probation staff ‘right’ for the job. In other words, the CRC is reliant upon such altruism as a means to avert potentially serious harms; yet, practitioners’ determination to preference the client detracts from their ‘upstairs’ work, where they are of greater pecuniary value to the organisation (see Chapters Six and Seven). These tensions, which have worsened since *TR*, can manifest in personal strains, as practitioners struggle to balance client-centred predispositions with the demands of the CRC.

While there are nuances in probation staff constructions of their professional identities, evidenced by the comparison between Marie and Mo and their respective coping strategies, a shared *habitus* allows for staff to find meaning in their work. These commitments to the client, however, render probation staff particularly vulnerable to sickness and absence - in part due to organisational requirements to meet such targets, but also because of the expectations practitioners place upon *themselves* to prioritise their clients. The frequency with which practitioners are able to engage in ‘genuine expression’ (Westaby, 2010; Kadowaki, 2015) of emotion, to deliver face-to-face work with clients, may have diminished; but, when the opportunity presents itself, the ‘intensity’ and ‘duration’ (Morris & Feldman, 1996) of such engagements reflects cultural understandings of ‘professional’ conduct. *Organizational professionalism* (Evetts, 2013) can be utilised to make sense of these conflicts: the CRC can *expect*, without having to *enforce*, a professional service from practitioners when working with clients, even as individual workloads increase. In this sense, pressures that are both *habitual* and *imposed* fall upon “the heroic individual practitioner” (Needham & Mangan, 2016: 272), who is expected to sustain meaningful, emotionally intense interactions with clients whilst engaging in self-care. The people-oriented values that render a practitioner ‘right’ for probation can thus enhance the likelihood of emotional exhaustion.

The manner in which professionalism in probation has been, and continues to be transformed, in recent decades raises normative questions of how the service measures value - especially since targets, reconfigured in contractual form via PbR, have acquired newfound commercial significance. The final chapter, therefore, summarises the arguments advanced in this thesis, offering a (Foucauldian) critique of the impact on staff of the decision to marketise the majority of probation provision in England and Wales and speculating on the future of a “mixed market approach”

(MoJ, 2018a: 3) to services following the decision to terminate CRCs' contracts two years early, in 2020.

Chapter Nine – Conclusion: *Transforming Rehabilitation* and the future of professionalism in probation

9.1 Introduction

This thesis has made an original contribution to knowledge on (changing) understandings of ‘professionalism’ in probation. By using the *TR* reforms as a case study of the impacts of marketisation on professionalism, the research has demonstrated the structural and the cultural difficulties of deploying market mechanisms to reconcile multiple (and often competing) demands for public services that are at once efficient *and* effective, humanitarian *and* profitable. This concluding chapter, therefore, outlines the arguments made throughout the thesis and speculates about the future of professionalism in probation. The first part summarises the key arguments pertaining to the impact of *TR* on probation culture, practice, autonomy, and values. It argues that probation is a profession in transition: while the market logic that has reorganised the service predates *TR*, the reforms have intensified the disciplinary portents of mechanisms such as target and audit and further reshaped staff understandings of professionalism. The second part reflects on the methodological contributions the thesis aimed to provide, including its strengths and limitations. The third part considers the findings’ implications for theory, policy, and future research. Finally, the fourth part reflects on the future of professionalism in probation, situating it within wider criminal justice debates – namely, the government’s ambitions to abolish short-term prison sentences of six months or less and the potential for greater use of electronic monitoring.

9.2 Probation staff experiences of the *TR* reforms

In her final report as Chief Inspector of HMI Probation, Dame Glenys Stacey lamented the “deplorable diminution of the probation profession” (HMI Probation, 2019a: 3) since *TR*. Such a criticism stands in stark contrast to the manner in which the *TR* reforms were presented – that is, as a means to liberate staff from the regulatory grasp of centralised state control and to reinvigorate ‘professionalism’ in probation (e.g. MoJ, 2010, 2013a). And yet, research that explicitly draws upon the sociology of the professions to conceptualise how the probation service has changed

in recent decades is scarce, which means that the contested nature of ‘professionalism’ is seldom acknowledged in a probation context. May and Annison (1998) provided a notable exception to this gap in the literature, drawing from functionalist and neo-Weberian interpretations of professionalism to theorise the evolution of the service. However, probation has undergone three significant restructurings (see Chapter Five) since their work was published. As such, this research is uniquely situated at the intersections of contemporary scholarship on the probation service and the sociology of the professions. The thesis has shown that the role of probation staff is no longer grounded in the ideal-typical tenets of professional status. ‘Professionalism’ in probation was reshaped according to the logic of the market long before *TR* was implemented; attempts to *restore* it by further embedding market mechanisms have only exacerbated the disciplinary constraints upon staff.

The adoption of Foucauldian understandings of the sociology of the professions (e.g. Fournier, 1999; Evetts, 2013) has provided an original lens through which to explore professionalism in probation and to situate its development within wider political economic shifts. Fournier (1999: 286) highlights how professions can be located within a “network of accountability”. Professional legitimacy, she argues, depends upon a profession’s (ongoing) capacity to establish and maintain the confidence of its clients, the state, and overlapping professions. In other words, a professional must demonstrate that they are “the sort of person who can be trusted” (Fournier, 1999: 287). In spite of theoretical differences, the sociology of the professions literature has typically understood that competence through (state) certification of a profession’s *knowledge*, following a prolonged period of *education and training* (e.g. Parsons, 1952; Freidson, 1970). This granted a profession considerable *autonomy over work*, which was further aided by an *ideology of service* that foregrounded the client’s interests (Carr-Saunders & Wilson, 1933; Larson, 1977). For functionalists, such values were the defining professional trait, epitomising the professions’ positive social function (Carr-Saunders & Wilson, 1933; Durkheim, 1957). Indeed, the probation service emerged as a public organisation at the turn of the twentieth century from such altruistic endeavour, as the state recognised that neither free markets nor the charity work performed by the CETS could alone assuage offenders’ problems (Garland, 1985). Encapsulated in the words “advise, assist and befriend” (Jarvis, 1972: 16), the social role of the first probation

officers resembled functionalist interpretations of professionalism, mitigating the worst excesses of *laissez-faire* economics and the state's power to punish.

For most of the twentieth century, the state, the public, and probation practitioners shared the common goal of offender rehabilitation (McWilliams, 1987; May & Annison, 1998). Such mutual understandings of the service and its social functions were arguably strongest in the postwar period of Keynesian demand-side management, in which criminality was perceived to be a response to socio-economic circumstance (Garland, 2001). Political confidence in the service was, however, undermined by rising crime, culminating in the 'Nothing Works' (Martinson, 1974) movement of the 1970s (Cohen, 1985). Such a shift in attitudes can be situated within a wider challenge to the Keynesian state in which professionals, particularly those in the public sector, were derided as self-interested impediments to economic prosperity (Clarke & Newman, 1997; Dean, 2010). In this sense, criticism of probation as ineffective and unwilling to change (Cohen, 1985; Mair, 2016) exhibited similarities with neo-Weberian interpretations of professionalism as a 'project' which prioritises autonomous practice over the client's best interests (e.g. Freidson, 1970; Larson, 1977). Beginning in the 1980s, a reorganisation of the state along neoliberal lines expanded the identity of 'the client' of public services beyond the end-user to include the taxpayer (Sommerlad, 2004). Professionals responsible for delivering public services were exposed to the principles of New Public Management (Hood, 1995), which introduced new market-based "criteria of legitimacy" (Fournier, 1999: 288), such as performance targets and audit, that aimed to displace professional autonomy (Power, 1997; Evetts, 2013). Accordingly, cultural distance emerged between probation professionals and the state in terms whose interests should take precedence – the offender/client or the taxpayer/client.

Against the backdrop of persistent postwar increases in crime, the confluence of social, economic, political, and cultural change resulted in seismic shifts in criminal justice policy and practice (Garland, 2001). The escalating politicisation of crime (Downes & Morgan, 2007, 2012), however, meant that the taxpayer's interests were expressed in contradictory ways. The conflicts inherent within a neoliberal demand for a more 'efficient' criminal justice system and a neoconservative emphasis on 'punitive' responses to crime have subjected the core features on which probation's claims to be a profession were grounded to fundamental challenge. Probation's social work knowledge base was undermined and, ultimately, abolished,

as practice came to be dominated by the logic of risk (Robinson, 2003); enforced via audit, performance targets and National Standards were introduced to limit practitioner autonomy and enhance accountability (Davies & Gregory, 2010); and organisational restructurings attempted to bring the service's culture and values into line with the new penal aims (Robinson & Ugwuodike, 2012), although successes have only been partial (e.g. Phillips, 2016). Deprived of these ideal-typical resources, professionalism in probation is negotiated with reference to both the quality of service delivered to the offender/client *and* the ability to deliver the punitive, efficient service demanded by the taxpayer/client (Robinson *et al.*, 2014). A disavowal of the properties on which the professionalisation of probation depended reflects broader shifts in the way that professionalism has been reshaped and extended to occupations with no traditional claims to such status (e.g. Fournier, 1999). This highlights how professionalism can be mobilised as a *disciplinary discourse*, as staff self-regulate their conduct to maintain a certain standard of service for the client (Fournier, 1999; Evetts, 2013).

A Foucauldian interpretation of professionalism is particularly relevant to the study of identity and culture(s) in probation since the *TR* reforms. That the Coalition government sought to empower 'professionalism' within the CRCs whilst allocating most qualified practitioners to the NPS suggests a discursive shift in understandings of the term as it pertains to probation. This presents a continuation of a long-term trend in which unqualified probation service officers have encroached upon the work of probation officers, particularly with clients who pose a low-to-medium risk of harm (Fitzgibbon & Lea, 2014). The (further) marginalisation of education, training, and the mastery of abstract knowledge since *TR* calls into question the applicability of previous research on the professional identities of probation staff, which use qualifications as a benchmark of professional status (e.g. Mawby & Worrall, 2013; see Chapter Five). Indeed, this study has demonstrated that identifying as a 'professional' is crucial to how probation staff at Elizabeth Street understand their role, regardless of their education and training.

While the decision to allocate most qualified probation staff to the NPS was taken by the Coalition government, the parent company sought to establish cultural difference by renaming staff job titles. The findings of this study indicate that attempts to cultivate new identities have simultaneously served to strengthen professional resolve amongst staff, irrespective of rank, whilst weakening

commitment to the CRC. This suggests that, while staff allegiance to their new employer is negligible, being a member of the probation service remains a source of professional pride. However, *TR* has contributed to the perception amongst the wider criminal justice infrastructure in the city of a probation hierarchy in which the expert knowledge of qualified practitioners is concentrated in the NPS, whilst inferior and unqualified staff perform ‘volume work’ (Arthur, Senior Case Manager) in the CRC. Such ‘two-tier’ (HMI Probation, 2017a: 6) understandings of probation have also been exacerbated the CRC’s for-profit inclinations, which contradict a probation culture that is derived in part from an ethos of public service (Robinson *et al.*, 2016). The retention of ‘probation’ when staff communicate with other agencies is thus a strategy through which to preserve their increasingly fragile legitimacy. One might expect such association to be exclusive to more experienced members of staff; however, practitioners who began their employment *after* the *TR* reforms were implemented also preference the profession over the CRC.

Staff commitment to the probation profession was most clearly expressed in terms of their attitudes towards clients. Regardless of education, training, or career background, understandings of professional identity at Elizabeth Street were underpinned by a desire to work *with* people – a Bourdieusian *doxa* (Bourdieu & Wacquant, 1992) which encapsulates why probation staff enter the service. This emphasis on an ability to establish and maintain meaningful relationships with clients was more important to constructions of professionalism than more traditional measures. In this sense, staff conveyed their professionalism in Foucauldian terms, as a form of ‘appropriate’ conduct: normative expectations for action were an important resource with which to (re)assert professional legitimacy with clients, colleagues, and other agencies.

However, the introduction of private providers has further bifurcated notions of ‘appropriate’ conduct. Chapter Six, for instance, highlighted how changing understandings of professionalism were extant in the “analytical arrangement of space” (Foucault, 1977: 203) at Elizabeth Street. While no physical changes have occurred within the research site since *TR*, how practitioners were dispersed within its architecture shows the tensions between practitioners’ preference for the client and the CRC’s obligations to meet the performance targets for which it is paid. Administrative staff redundancies, alongside pressures to record *every* interaction with clients and other agencies, have contributed to an increase in practitioners’

individual workloads and constrained their ability to spend time ‘downstairs’ with clients. These developments have also impacted Interchange Managers: job losses at a managerial level (HR, finance, training, etc.) have resulted in greater administrative responsibilities. As such, the human aspect of supervision has been marginalised by the surveillant functions of performance management. Where staff expressed ‘doing the right thing’ in benevolent terms, the pursuit of accurate and timely recording through information technologies was undoubtedly more relevant for the CRC. This dissonance is indicative of the manner in which *TR* has distorted how ‘value’ is measured in probation, manifest in the symbolic division of probation practice between the ‘upstairs’ and the ‘downstairs’ at Elizabeth Street.

The result of this disciplining *art of distributions* (Foucault, 1977: 141) is an increasingly standardised mode of practice which depends upon swift assessment of clients’ needs before signposting them to other organisations. In this context, the ‘personalisation’ model on which the parent company operates primarily referred to the work delivered not by probation practitioners, but by those in the (commercially embattled) voluntary sector. This is to say that probation practice is increasingly reliant on cheaper labour – not only of practitioners in the voluntary sector, but also of (unqualified) Case Managers. Staff consistently reported that the boundaries between the Case Manager and the Senior Case Manager roles have been eroded (see also HMI Probation, 2019a): the overwhelming majority of the former supervised clients that, by the parent company’s own guidelines, should be supervised by the latter. And yet, despite evidence to suggest the further Taylorisation of probation practice since *TR*, staff at Elizabeth Street frequently defended their capacity to exercise autonomy. This was typically expressed through the ability to manage their time and through the unmonitored, or ‘bottom-heavy’ (Fitzgibbon & Lea, 2014: 28), nature of the supervisor-offender relationship. The findings thus demonstrated how autonomy over work is a source of *meaning* for probation staff, a way to rationalise working within a *field* (Bourdieu & Wacquant, 1992) marked by cultural upheaval.

However, staff emphasis on autonomy contradicted criticisms of probation practice as ‘box-ticking’. The preeminence of ‘ticking boxes’ is exacerbated by the PbR mechanism, which functions as a form of “penal accountancy” (Foucault, 1977: 180): the CRC is rewarded with (state) funding for meeting targets and punished by its withdrawal for missing them. While most staff blamed the parent company for these changes, it is important to note that they, too, are located within a network of

accountability. The CRC's failure to meet performance metrics threatens financial stability, such that a focus on quantity over quality or innovation has become structurally entrenched as the most expedient way to remain competitive in the probation marketplace. The findings, therefore, indicated an *economised* form of autonomy in which the scope for self-determination has been limited by the realities of increased workloads, the clerical burden, and contractually enforced deference to the market.

Efforts to exercise autonomy often came at great personal expense for staff. A willingness to perform 'emotional labour' (Hochschild, 2012), even when practitioners know that doing so will be to the detriment of their administrative responsibilities, is a reflection of the permanence of client-centred probation values - of "pride in the service given rather than opportunity for personal profit" (Carr-Saunders & Wilson, 1933: 471). This supports other research which shows that the ideals that underpin probation practice have remained relatively stable amidst numerous organisational restructurings (e.g. Burnett & Robinson, 2007; Deering, 2010; Deering & Feilzer, 2015). The Bourdieusian notion of *habitus* – a structuring structure that draws from history and experience, individual and collective (Bourdieu, 1990) – can thus be deployed to explain how probation values are enacted in an environment that has been subject to continuous change.

The pressures on staff, both habitual *and* imposed, mean that emotional exhaustion is a particularly salient issue at Elizabeth Street. Work life frequently spills over into home life (Westaby *et al.*, 2016): staff are regularly exposed to 'secondary trauma' (Mo, Case Manager) and, consequently, can struggle to 'switch off completely' (Leon, Case Manager). For some practitioners, what they expect of *themselves* must be reconfigured as a means to cope; for others, like Will (Case Manager), however, a refusal to compromise can result in significant periods of time off sick. Probation, therefore, conforms to *organizational professionalism* (Evetts, 2013): amidst the loss of autonomy to the quantitative requirements of the PbR mechanism, a probation *habitus* serves to discipline 'at a distance' (Miller & Rose, 1990; Fournier, 1999). Indeed, this innate ability to prioritise the client renders somebody 'the right kind of person for the job' (Will, Case Manager). That such qualities are shared amongst members of staff who began their employment *after TR* was implemented suggests the types of people attracted into the service will

safeguard probation values and continue to inform practice that preferences the offender/client.

That staff at Elizabeth Street continue to take pride in probation, even as their work is disparaged by adjacent criminal justice organisations (i.e. the NPS) and devalued by the state and the CRC, emphasises the discursive power of professionalism. On the one hand, it is a fluid concept that can be appropriated to rationalise change. The Coalition government's mobilisation of professionalism, alongside the expectations imposed upon staff by the CRC, evidences its disciplinary potency. On the other hand, it can also act as a refuge into which staff can retreat to find meaning in work and adapt to change. The expression of professionalism in probation depends upon where a group or an actor is located within a network of accountability and to whom they are seeking to demonstrate their legitimacy. The next section thus reflects on how ethnographic methodology aided the recognition of multiple and competing interests (Brady, 2014) at Elizabeth Street after *TR*.

9.3 Reflections on the ethnographic approach

While several ethnographies explored the transition from public to private employment as a result of *TR* (e.g. Robinson *et al.*, 2016; Burke *et al.*, 2016), this research is the first to deploy ethnographic methodology to explore professionalism, identity, and culture *after* the private sector assumed responsibility for low-to-medium risk offenders. Indeed, in retrospect, this study would have lacked depth of understanding without ethnographic methods. One can only learn so much from academic texts and government reports on the probation service. The route from practice to academia is well travelled (see Vanstone & Priestley, 2016), which means that most probation scholars have first-hand knowledge of the service's "symbolic world" (Fielding, 1993: 157) – that is, the emblems, discourses, practices, and values that imbue its culture with meaning (Geertz, 1973). Prior to this research, however, I had no such experience: my introduction to staff at Elizabeth Street in March 2018, described in Chapter Four, was the first time I had visited a probation office. Bereft of the opportunity to experience supervision meetings, to decipher the multiplicity of acronyms used by staff, and to observe the workings of the information technologies which structure interactions in probation, interviews would have been marred by the researcher's frequent need for clarity. The immersive capacity of ethnography

facilitated a rich, ‘thick’ (Geertz, 1973: 9) understanding of the everyday realities of staff that academic writings on the service can struggle to capture. To this end, the detailed description of Elizabeth Street and its “artefacts of supervision” (Burke & Collett, 2015: 83) presented in Chapter Six were, in part, intended to address such a material gap in the literature.

Organisational ethnography can thus illuminate how professionalism has been, and continues to be, (re)shaped in the image of the market. However, obtaining access to a large organisation, particularly one that traverses the boundaries of the public and the private sector, can prove difficult. Organisational access does not, moreover, guarantee a sample who are willing to participate in the research, especially when potential informants are as busy as the staff described throughout this thesis. Close engagement proved beneficial not only to identifying a sample for observations and interview, but also to persuading staff to take part. Here, the deployment of two methods helped to bridge the divide between the everyday realities of staff and *post hoc* rationalisations of their work. If ‘truth’ can never truly be ascertained (Van Maanen, 1995), then such triangulation at least provided a means through which to enhance the credibility of how probation staff constructed their professional identity.

That said, the research was not without limitations. For example, the nature of participant observation meant that large quantities of observational data were excluded from the final presentation of the findings. Innumerable conversations shared with staff over lunch or en route to a prison visit were necessarily omitted, although they were invaluable to the development of the interview schedule. As ever, with ethnography, the research could have been conducted over a longer period of time. In the week before I was due to leave the field, the Ministry of Justice informed the CRC that they needed to be ‘leaner’ and that the majority of the Senior Case Managers would be seconded to the NPS for the duration of the *TR* contract. The consequences of this further loss of expertise on the office are, no doubt, worthy of further study.

Such is the pace of change in probation, however, ethnographic research on the service could quite feasibly be unending. The decision to exit on schedule, therefore, reflected a personal judgment that sufficient data had been generated. In broader terms of research design, the study could have benefited from a comparative element – whether a different probation office within this CRC or study of another,

the NPS, or perhaps an adjacent criminal justice jurisdiction, such as Scotland or Ireland. The views of probation staff who left the service after *TR* was announced could also have been consulted. This would have permitted greater triangulation of the findings on understandings of professionalism before *TR*, as well as the ability to draw out the aspects of probation post-*TR* that are unique to the private sector. Such comparisons will form the basis for further research.

Though this thesis aimed to make a contribution to the study of professionalism in probation, its methodological value extends into other occupational spheres. The research can be viewed as a single-case study (Yin, 2009) which can be mapped onto a variety of organisations, particularly where public and private (and voluntary) sectors intertwine and overlap. The neoliberal encroachment of market mechanisms upon the public sector (Power, 1997; Newman & Clarke, 2009) means that such a methodological approach can enlighten the ways in which policies filter through organisational norms, values, and cultures and into practice (Brady, 2014). The next section, therefore, reflects on how this thesis can influence theory, policy, and future probation research.

9.4 Implications for theory, policy, and future research

The field of community supervision is often considered an under-theorised area of criminal justice (Robinson & McNeill, 2017). Foucault's (1977) disciplinary thesis has arguably proved the richest source of theoretical insight for the emergence and development of probation as a *normalising* institution (e.g. Garland, 1985; Cohen, 1985; Simon, 1993). Since the 'punitive turn', however, theoretical accounts of community supervision have focused on the shift from correction towards control (e.g. Feeley & Simon, 1992; Garland, 2001; Robinson, 2008). While such research has been primarily concerned with how the ends of probation have evolved with late-modernity, this study has critically explored how understandings of professionalism have developed under the auspices of managerialism and marketisation. In Foucauldian terms, the effect has been to displace disciplinary techniques of normalisation from the supervised onto the *supervisors*, enforced by instruments that aim to emulate the market. This case study has demonstrated how the extension of the mechanisms that were presented as a means to *decentralise* services have, paradoxically, embedded the *centralising* tendencies associated with managerialism.

Theoretical frameworks which explore the structural and cultural impacts of marketisation on public services might, therefore, develop through a Foucauldian prism which locates state, market, professionals, and clients within “an uninterrupted network” (Foucault, 1977: 174) of power.

A *macro* level understanding of the manner in which state and market interweave should prove the starting point for attempts to theorise the marketisation of public services. Here, the constitution of a ‘market’, including its sources of funding and clients, exerts a significant influence over whether and how its purported advantages (dynamism, innovation, etc.) can be delivered (Crouch, 2011). Contrary to neoliberal discourse, the private sector is not a “unified, homogeneous zone of efficiency” (Crouch, 2011: 24). A market’s primary attribute is its diversity: if a consumer is willing to pay for a good, then the quality is presumed sufficient (Crouch, 2011). This logic, however, promotes false equivalence between the range of quality considered acceptable in the private sector and that which is expected in the provision of public services. Under *TR*, the state commands a *monopsony*, supplying providers with clients *and* fixing the prices at which they are paid. The Ministry of Justice’s “low risk appetite for failure” (NAO, 2019: 9) led to a system in which funding was heavily weighted in favour of prescriptive performance metrics and underpinned by punitive sanctions for failure to comply. In Foucauldian terms, the *hierarchical observation* (Foucault, 1977: 170) of state-administered targets was merely reimagined in contractual form. As such, CRCs are best conceptualised as *assemblages* (Newman & Clarke, 2009) of public, private, and voluntary providers. The preference throughout this thesis for ‘marketisation’, rather than the ‘privatisation’ advocated by other scholars (e.g. Fitzgibbon & Lea, 2014; Deering & Feilzer, 2015; Burke & Collett, 2015), thus reflected the close interrelation *between* state and market under *TR*.

At the *meso* level of the organisation, recognising where providers are located within a ‘pyramid’ of power (Foucault, 1977) moves discussion beyond dichotomised assertions of the public and the private (Newman & Clarke, 2009). CRCs have obligations not only to the state, but also to clients, employees, and shareholders. As articulated above, the multiple and conflicting demands of these interests have embedded structural tensions within probation. In this Foucauldian sense, power has no single point of origin: to blame the private sector for the failure of *TR* is to oversimplify an intricate agglomeration of competing and complementary

flows. The mobilisation of the taxpayer as a client of public services means that simply delivering value for money is insufficient; rather, it must also be *demonstrated* to the public (e.g. Power, 1997). To this end, *examination* (Foucault, 1977) is arguably more prevalent now than before the reforms: *TR* has magnified the need for audit and inspection of providers, whether public or private. The contradictions inherent to the organisation and governance of a public service for which no ‘pure’ (Crouch, 2011) market exists, extant within its system of fees, fines, and incentives, have thus diffused discipline throughout the probation marketplace.

As a result, a Foucauldian lens can be utilised to accentuate the impact of asymmetric power relations at the *micro* level of staff, for they are ultimately responsible for translating policy into practice. The introduction of the profit-motive establishes an additional layer of *market* accountability to which professionals are acquiescent. In probation, the effect has been to *normalize judgement* (Foucault, 1977), as ‘innovative’ practice has been stifled (HMI Probation, 2019a). Perceptions of professionalism as “discourse of occupational change and control” (Evetts, 2013: 786) are relevant to both managers and practitioners. The former, as this thesis has demonstrated, are under pressure from the CRC to ensure that targets are met; the latter, meanwhile, have been redirected from the clients in whom they are personally invested to impersonal work with information technologies. Here, *organizational professionalism* (Evetts, 2013) facilitates analysis that moves between the constraints *imposed*, from above, by the state and the CRC and *habitually*, from within, through professionals’ “inner compass” (Krejsler, 2005: 348). This theoretical orientation can also be applied to a multitude of professions that are subjected to a measure of regulation, whether internal or external.

The theoretical and empirical insights which have emerged from this thesis can thus inform policy developments – not only within the CRC in which the research was conducted, but also (inter)nationally. For example, the brief case study of Arthur (Senior Case Manager) in Chapter Seven highlighted the value of working remotely in the community, helping to deconstruct the power imbalances inherent within mandatory attendance of a ‘disciplinary institution’ (Foucault, 1977) managed on behalf of the state. His methods were selected for analysis precisely because they are atypical within Elizabeth Street. Practitioners now possess the mobile technologies to facilitate community working, a development that was welcomed by staff (see Chapter Six). However, the CRC could do more to encourage this type of

practice, a point supported by HMI Probation (2019a: 77). More effort could thus be made to establish links with local community centres which have private rooms for supervision meetings. This approach presents a means to counteract the rationalisation of the probation estate (discussed in Chapter Six) and could be particularly advantageous for organisations which cover large, rural areas. Having a 'patch' on which to work would only succeed, however, if individual workloads are decreased. The (re)hiring of administrative staff would benefit practitioners and managers at Elizabeth Street. The data presented in Chapter Six, for instance, suggest that clear separation of practitioner and clerical roles would increase the time available for the former to spend with their clients.

This thesis has also demonstrated the diminished importance of esoteric knowledge relative to a 'professional' outlook or attitude. The findings of this study have shown that the majority of Case Managers at Elizabeth Street are Senior Case Managers in all but name; yet, their only route to greater (financial) reward and recognition is blocked by the Ministry of Justice. For this reason, the government could consider eliminating the stringent degree requirements for entry onto the PQIP, as enabling professional development could strengthen commitment to the service. Finally, probation is an emotionally demanding profession, but staff are not supported in their work. As such, the state and the CRC could do more to offer counselling services to mitigate the impact of 'vicarious trauma' (Mo, Case Manager) on staff, which can contribute to stress and sickness.

The impending changes to probation policy should, of course, be accompanied by further study of the service's culture, practice, autonomy, and values. This research could better engage with the sociology of the professions literature to contextualise how probation has changed in recent decades so as to enhance understanding of the service's future direction(s). While the ideal-typical tenets of professionalism – education and training, knowledge, autonomy, and values (e.g. May & Annison, 1998; Clare, 2015) - are frequently used to highlight deskilling in probation, research is seldom situated within the broader extension of professional status to other occupations which do not exhibit such traits. Similar attention could also be given to practitioners operating in the voluntary sector (see Tomczak, 2017; Tomczak & Buck, 2019), while there does not appear to be any published research on understandings of professionalism amongst administrative staff. Critical

perspectives on professionalism can better account, therefore, for the ways in which probation is likely to be reshaped by in the future.

9.5 The future of professionalism in probation

The only certainty on the probation horizon is that the *TR* contracts will be terminated early (MoJ, 2018a). In March 2019, the former Justice Secretary, David Gauke, appeared set on the continuation of a mixed market: “There is a place for the private sector and the voluntary sector, as well as for the public sector, in probation” (House of Commons Hansard, 2019). Indeed, in May 2019, the Conservative government revealed that the NPS would (re)assume responsibility for the day-to-day management of *all* offenders, while private and voluntary sector providers will deliver unpaid work and accredited programmes when the *TR* contracts expire (MoJ, 2019b). Each of the eleven realigned NPS regions “will be expressly required to buy all interventions from the market, spending an estimated £280m a year” (MoJ, 2019b: 4). However, the flaws inherent to making markets for probation services described throughout this thesis raise questions about the future of both private sector involvement in the service and professionalism in probation.

The details of future private sector provision of probation services have yet to be fully articulated. Much like the *TR* reforms, though, the Ministry of Justice’s (2019b) plans for probation emphasise the importance of increasing efficiency and strengthening transparency. Where *TR* depended upon the PbR mechanism, the latest proposals do not specify how providers will be held to account (MoJ, 2019b). As the use of PbR has been abandoned in a probation context (NAO, 2019), the government will need to find a way to ensure that the taxpayer/client receives value for money whilst the quality of unpaid work and accredited programme provision for the offender/client is sufficient. That ‘Innovation Partners’ will be granted a monopoly over these services in the NPS regions (MoJ, 2019: 4; see Chapter Three) arguably disincentivises the development of new ways of working once contracts have been secured, whilst discouraging the dissemination of good practice. Chapters Six and Seven also highlighted the dangers of redundancies and staff resignations on individual workloads at Elizabeth Street. If similar developments occur amongst the staff responsible for unpaid work and accredited programmes, then the resultant increase in clients relative to staff could detract from service quality. The findings of

this thesis suggest that antipathy towards the private sector and its staff is not likely to dissipate; accordingly, the potential remains for a ‘two-tier’ (HMI Probation, 2017a: 6) probation service.

Structural changes will also be accompanied by the establishment of “an independent statutory register for probation professionals” (MoJ, 2019b: 4), with the intention of (re)forging a common identity and culture amongst *all* staff within the NPS after the dissolution of the CRCs. This builds upon similar proposals by HMI Probation (2019a) to bring the probation service into line with other established professions, such as medicine, in which practitioners will need to be certified to practise. Such a register would mandate professional training whilst ensuring that clients and the public are protected from gross negligence via debarment (HMI Probation, 2019a; MoJ, 2019b). The Ministry of Justice (2018a) wishes to house the professional register within the NPS, but HMI Probation (2019a) are seeking to establish a measure of independence from the NPS (as proxy for the state) due to its status as the largest employer of probation professionals. The latter suggestion represents an attempt to promote professionalism ‘from within’ as opposed to ‘from above’ (McClelland, 1990), or a shift from the managerial inclinations of *organizational professionalism* to a more collegiate model of *occupational professionalism* in which practice and values are regulated by the profession rather than the employer (Evetts, 2013: 787). And yet, the emphasis placed upon “lengthy systems of education, vocational training and socialization, and the development of strong occupational identities and work cultures” (Evetts, 2013: 787) means that the benefits of such change will take time to realise. Indeed, HMI Probation (2019a: 74) conclude that, given the number of redundancies and those that left the service as a result of *TR*, “we can expect a shortage of professional staff for some years yet.”

While a desire to enhance professionalism in probation seems to be more substantive than the discursive manner in which the term was mobilised as part of the *TR* reforms (e.g. MoJ, 2010, 2013), this may yet be undermined by competing governmental priorities. A renewed interest in professionalism stands alongside proposals to reduce the prison population by abolishing short-term sentences of six months or less (Gauke, 2019). Given the extant problems within probation, however, it is difficult to see how the service can absorb any extra capacity. To achieve its aims of reducing reoffending *and* the costs of justice, the Conservative government is contemplating a significant expansion of electronic monitoring (EM) - defined by

Nellis (2014: 489) as “the use of remote surveillance technologies to pinpoint the locations and/or movements of offenders and/or defendants”. That EM is being given fresh impetus following a period of significant challenge for the service raises questions about how, if at all, professionalism in probation can be aligned with the ends of surveillance and control. Indeed, EM is likely to prove more economical than the time and investment required to strengthen an understanding of professionalism in probation that successive governments have sought to undermine.

A dependence upon EM would also be consistent with the logic of the *field* (Bourdieu & Wacquant, 1992), described throughout this thesis, in which probation has become increasingly reliant upon information technologies to pursue efficiency and accountability. Likewise, Hannah-Moffat (2018) shows how big data and algorithms are already shaping criminal justice decisions with regard to parole in the U.S. The use of such technologies in probation in England and Wales could, again, prove a cheaper and more transparent form of decision-making than traditional forms of professional knowledge and autonomy. As such, the future of professionalism in probation is at a crossroads: if ideological commitments to reducing fiscal expenditure mean that techno-managerial solutions become a *surrogate for*, rather than a *supplement to*, probation, then the incentives to preserve and uphold the service’s history, culture, and values could be diminished.

References

- Abbott, A. (1988) *The System of Professions: An Essay on the Division of Expert Labor*. Chicago, IL: University of Chicago.
- Albertson, K. and Fox, C. (2019) The marketisation of rehabilitation: Some economic considerations. *Probation Journal*, 66(1), pp. 25-42.
- Allen, R. and Hough, M. (2007) Community penalties, sentencers, the media and public opinion. In: Gelsthorpe, L. and Morgan, R. (eds.) *Handbook of Probation*. Cullompton, Willan, pp. 565–601.
- Annison, J., Burke, L. and Senior, P. (2014) *Transforming Rehabilitation: Another example of English ‘exceptionalism’ or a blueprint for the rest of Europe?* *European Journal of Probation*, 6(1), pp. 6-23.
- Annison, J., Eadie, T. and Knight, C. (2008) People first: Probation officer perspectives on probation work. *Probation Journal*, 55(3), pp. 259-271.
- Armstrong, S. and McAra, L. (2006) Audiences, borders, architecture: The contours of control. In: Armstrong, S. and McAra, L. (eds.) *Perspectives on Punishment: The Contours of Control*. Oxford: Oxford University.
- Baginsky, M., Moriarty, J., Manthorpe, J., Stevens, M., MacInnes, T. and Nagendran, T. (2010) *Social Workers’ Workload Survey: Messages from the Frontline*. London: Department for Children, Schools and Families.
- Bailey, R., Knight, C. and Williams, B. (2007) The Probation Service as part of NOMS: fit for purpose? In: Gelsthorpe, L. and Morgan, R. (eds.) *Handbook of Probation*. Cullompton: Willan.
- Bardens, J. and Garton-Grimwood, G. (2013) *Introducing “Payment by Results” in Offender Rehabilitation and Other Reforms*. London: House of Commons Library.
- Bazeley, P. and Richards, L. (2000) *The NVivo Qualitative Project Book*. London: SAGE.
- BBC (2013) Probation officers vote to strike over privatisation. *BBC News*, 18 October 2013. Available at: <https://www.bbc.co.uk/news/uk-24580263>
- Beck, U. (1992) *Risk Society: Towards a New Modernity*. London: SAGE.
- Bell, E. (2011) *Criminal Justice and Neoliberalism*. Basingstoke: Palgrave Macmillan.

Bevort, F. and Suddaby, R. (2016) Scripting professional identities: how individuals make sense of contradictory institutional logics. *Journal of Professions and Organization*, 3, pp. 17-38.

Blyth, M. (2013) *Austerity: The History of a Dangerous Idea*. Oxford: Oxford University.

Bottoms, A. (2007) The relationship between theory and empirical observations in criminology. In: King, R. and Wincup, E. (eds.) *Doing Research on Crime and Justice*. Oxford: Oxford University.

Bottoms, A. (2008) The community dimension of community penalties. *The Howard Journal*, 47(2), pp. 146-69.

Bourdieu, P. (1990) *The Logic of Practice*. Cambridge: Polity.

Bourdieu, P. (2004) From the king's house to the reason of state: A model of the genesis of the bureaucratic field. *Constellations*, 11(1), pp. 16-36.

Bourdieu, P. and Wacquant, L.J.D. (1992) *An Invitation to Reflexive Sociology*. Cambridge: Polity.

Brady, M. (2014) Ethnographies of neoliberal governmentalities: From the neoliberal apparatus to neoliberalism and governmental assemblages. *Foucault Studies*, 18, pp. 11-33.

Brannan, M., Rowe, M. and Worthington, F. (2012) Editorial for the *Journal of Organizational Ethnography*: Time for a new journal, a journal for new times. *Journal of Organizational Ethnography*, 1(1), pp. 5-14.

Braverman, H. (1974) *Labor and Monopoly Capital*. London: Monthly Review Press.

Brewer, J.D. (2000) *Ethnography*. Buckingham: Open University.

Broad, R. and Spencer, J. (2015) Understanding the marketisation of the Probation Service through an interpretive policy framework. In: Wasik, M. and Santatzoglou, S. (eds.) *Who Knows Best? The Management of Change in Criminal Justice*. Basingstoke: Palgrave Macmillan.

Bryman, A. (1995) *Research Methods and Organization Studies*. London: Routledge.

Burke, L. and Collett, S. (2015) *Delivering Rehabilitation: The Politics, Governance and Control of Probation*. London: Routledge.

Burke, L. and Collett, S. (2016) Transforming Rehabilitation: Organizational bifurcation and the end of probation as we knew it? *Probation Journal*, 63(2), pp. 120-135.

Burke, L. and Davies, K. (2011) Introducing the special edition on occupational culture and skills in probation practice. *European Journal of Probation*, 3(3), pp. 1-14.

Burke, L., Millings, M. and Robinson, G. (2016) Probation migration(s): Examining occupational culture in a turbulent field. *Criminology & Criminal Justice*, pp. 1-17.

Burrage, M., Jarausch, K. and Siegrist, H. (1990) An actor-based framework for the study of the professions. In: Burrage, M. and Torstendahl, R. (eds.) *Professions in Theory and History: Rethinking the Study of the Professions*. London: SAGE.

Cameron, D. (2012) *Transcript of the Prime Minister's speech to the Centre for Social Justice*. 22 October 2012. Available at: <https://www.gov.uk/government/speeches/crime-and-justice-speech>.

Canton, R. and Dominey, J. (2017) *Probation. Second Edition*. London: Routledge.

Carr-Saunders, A.M. and Wilson, P.A. (1933) *The Professions*. Oxford: Oxford University.

Carter, P. (2003) *Managing Offenders, Reducing Crime: A New Approach*. London: Home Office.

Castells, M. (2000) *The Rise of the Network Society: Economy, Society and Culture Volume One. Second Edition*. London: Wiley-Blackwell.

Cavadino, M., Crow, I. and Dignan, J. (1999) *Criminal Justice 2000*. Reading: Waterside Press.

Cavadino, M., Dignan, J. and Mair, G. (2013) *The Penal System. Fifth Edition*. London: SAGE.

Charman, S. (2013) Sharing a laugh: The role of humour in relationships between police officers and ambulance staff. *International Journal of Sociology & Social Policy*, 33(3-4), pp. 152-166.

Christie, N. (2000) *Crime Control as Industry: Towards Gulags, Western Style*.

Third Edition. London: Routledge.

Clare, R. (2015) Maintaining professional practice: The role of the probation officer in community rehabilitation companies. *Probation Journal*, 62(1), pp. 49-61.

Clark, D. (2016) *The Global Financial Crisis and Austerity: A Basic Introduction*. Bristol: Policy.

Clarke, J. and Newman, J. (1997) *The Managerial State: Power, Politics and Ideology in the Remaking of Social Welfare*. London: SAGE.

Clarke, J., Gewirtz, S. and McLaughlin, E. (2000) Reinventing the welfare state. In: Clarke, J., Gewirtz, S. and McLaughlin, E. (eds.) *New Managerialism, New Welfare?* London: SAGE.

Clinks (2016) *Change and Challenge: The Voluntary Sector's Role in Transforming Rehabilitation*. London: TrackTR.

Clinks (2018) *Under Represented, Under Pressure, Under Resourced: The Voluntary Sector in Transforming Rehabilitation*. London: TrackTR.

Cohen, S. (1985) *Visions of Social Control*. Cambridge: Polity.

Coffey, A. and Atkinson, P. (1996) *Making Sense of Qualitative Data: Complementary Research Strategies*. London: SAGE.

Coffey, M., Dugdill, L. and Tattersall, A. (2009) Working in the public sector: A case study of social services. *Journal of Social Work*, 9(4), pp. 420–442.

Collins, S. (2016) Commitment and probation in England and Wales. *European Journal of Probation*, 8(1), pp. 30-48.

Conservative Party (2010) *Invitation to Join the Government of Great Britain: The Conservative Manifesto 2010*. London: Conservative Party.

Crewe, B., Liebling, A. and Hulley, S. (2010) Staff culture, use of authority and prisoner quality of life in public and private sector prisons. *Australia and New Zealand Journal of Criminology*, 44(1), pp. 94-115.

Crouch, C. (2011) *The Strange Non-Death of Neoliberalism*. Cambridge: Polity.

Crowe, D., Gash, T. and Kippin, H. (2014) *Beyond Big Contracts: Commissioning Public Services for Better Outcomes*. London: Collaborate at South Bank University.

Davies, C. (1995) *Gender and the Professional Predicament in Nursing*. Buckingham: Open University.

Davies, C.A. (1999) *Reflexive Ethnography: A Guide to Researching Selves and Others*. London: Routledge.

Davies, K. and Gregory, M.J. (2010) The price of targets: Audit and evaluation in probation practice. *Probation Journal*, 57(4), pp. 400-414.

Dean, M. (2010) *Governmentality. Second Edition*. London: SAGE.

Deering, J. (2010) Attitudes and beliefs of trainee probation officers: A 'new breed'? *Probation Journal*, 57(1), pp. 9-26.

Deering, J. (2014) A future for probation? *The Howard Journal for Criminal Justice*, 53(1), pp. 1-15.

Deering, J. and Feilzer, M. (2019) Hollowing out probation? The roots of Transforming Rehabilitation. *Probation Journal*, 66(1), pp. 8-24.

Deering, J. and Feilzer, M.Y. (2015) *Privatising Probation: Is Transforming Rehabilitation the end of the probation ideal?* Bristol: Policy.

Denzin, N. and Lincoln, Y. (1998) Entering the field of qualitative research. In: Denzin, N. and Lincoln, Y. (eds.) *Strategies of Qualitative Enquiry*. London: SAGE.

Dey, I. (1993) *Qualitative Data Analysis: A User-Friendly Guide for Social Scientists*. London: Routledge.

Downes, D. and Morgan, R. (2007) No turning back: The politics of law and order into the millennium. In: Maguire, M., Morgan, R. and Reiner, R. (eds.) *The Oxford Handbook of Criminology. Fourth Edition*. Oxford: Oxford University.

Downes, D. and Morgan, R. (2012) Overtaking on the left? The politics of law and order in the 'Big Society'? In: Maguire, M., Morgan, R. and Reiner, R. (eds.) *The Oxford Handbook of Criminology. Fifth Edition*. Oxford: Oxford University.

Durkheim, E. (1957) *Professional Ethics and Civil Morals*. London: Routledge.

Durnescu, I. (2011) Pains of probation: Effective practice and Human Rights. *International Journal of Offender Therapy and Comparative Criminology*, 55(4), pp. 530-546.

Etzioni, A. (1969) Preface. In: Etzioni, A. (ed.) *The Semi-Professions and Their Organization: Teachers, Nurses, Social Workers*. New York, NY: Free Press.

Evetts, J. (2003) The sociological analysis of professionalism: Occupational change in the professional world. *International Sociology*, 18(2), pp. 395-415.

Evetts, J. (2013) Professionalism: Value and ideology. *Current Sociological Review*, 61(5-6), pp. 778-796.

Farrall, S. and Calverly, A. (2006) *Understanding Desistance from Crime: Theoretical Directions in Resettlement and Rehabilitation*. Maidenhead: Open University.

Farrall, S. and Jennings, W. (2014) Thatcherism and crime: The beast that never roared? In: Farrall, S. and Hay, C. (eds.) *The Legacy of Thatcherism: Assessing and Exploring Thatcherite Social and Economic Policies*. Oxford: Oxford University.

Farrall, S., Jackson, J. and Gray, E. (2009) *Social Order and the Fear of Crime in Contemporary Times*. Oxford: Oxford University.

Farrant, F. (2006) Knowledge production and the punishment ethic: The demise of the probation service. *Probation Journal*, 53(4), pp. 317-333.

Farrow, K. (2004) Still committed after all these years? Morale in the modern-day probation service. *Probation Journal*, 51(3), pp. 206-220.

Faulkner, D. (2008) The new shape of probation in England and Wales: Values and opportunities in a changing context. *Probation Journal*, 55(1), pp. 71-83.

Faulkner, D. (2014) *Servant of the Crown: A Civil Servant's Story of Criminal Justice and Public Service Reform*. Sherfield-on-Loddon: Waterside Press.

Feeley, M.M. and Simon, J. (1992) The New Penology: Notes on the emerging strategy of corrections and its implications. *Criminology*, 30(4), pp. 449-474.

Fielding, A.G. and Portwood, D. (1980) Professions and the state – towards a typology of bureaucratic professions. *Sociological Review*, 28(1), pp. 23-53.

Fielding, N. (1993) Ethnography. In: Gilbert, N. (ed.) *Researching Social Life*. London: SAGE.

Fineman, S. (2000) Emotional arenas revisited. In: Fineman, S. (ed.) *Emotions in Organizations. Second Edition*. London: SAGE.

Fitzgibbon, D.W. (2008) Deconstructing probation: Risk and developments in practice. *Journal of Social Work Practice*, 22(1), pp. 85-101.

Fitzgibbon, D.W.M. (2007) Risk analysis and the new practitioner: Myth or reality? *Punishment & Society*, 9(1), pp. 87-97.

Fitzgibbon, W. and Lea, J. (2014) Defending Probation: Beyond privatisation and Security. *European Journal of Probation*, 6(1), pp. 24-41.

Flick, U. (2009) *An Introduction to Qualitative Research. Fourth Edition*. London: SAGE.

Fogarty, M. and Elliot, D.L. (2019) The role of humour in the social care professions: An exploratory study. *British Journal of Social Work*, pp. 1-19. DOI:10.1093/bjsw/bcz027

Forbes, D. (2010) Probation in transition: A study of the experiences of newly qualified probation officers. *Journal of Social Work Practice*, 24(1), pp. 75-88.

Foucault, M. (1977) *Discipline and Punish: The Birth of the Prison*. London: Penguin.

Foucault, M. (1978) *The Birth of Biopolitics: Lectures at the College de France 1978-1979*. Basingstoke: Palgrave Macmillan.

Foucault, M. (1991) Governmentality. In: Burchell, G., Gordon, C. and Miller, P. (eds.) *The Foucault Effect: Studies in Governmentality*. Chicago: University of Chicago.

Fournier, V. (1999) The appeal to 'professionalism' as a disciplinary mechanism. *Social Review*, 47(2), pp. 280-307.

Fox, C. and Marsh, C. (2016) 'Personalisation': Is social innovation possible under Transforming Rehabilitation? *Probation Journal*, 63(2), pp. 169-181.

Fox, C., Bannister, J. and Miszczak, P. (2016) The 2010-2015 coalition and criminal justice: continuities and contradictions. *Safer Communities*, 15(2), pp. 110-120.

Francis, A.M. (2005) Legal ethics, the marketplace and the fragmentation of the legal profession. *International Journal of the Legal Profession*, 12(2), pp. 173-200.

Freidson, E. (1970) *Profession of Medicine: A Study of the Sociology of Applied Knowledge*. New York, NY: Dodd, Mead & Company.

Freidson, E. (1988) *Professional Powers: A Study of the Institutionalization of Formal Knowledge*. London: University of Chicago.

Freidson, E. (2001) *Professionalism: The Third Logic*. Cambridge: Polity.

Gale, J. (2012) Government reforms, performance management and the labour process: the case of officers in the UK probation service. *Work, Employment & Society*, 26(5), pp. 822-838.

Gamble, A. (2009) *The Spectre at the Feast: Capitalist Crisis and the Politics of Recession*. Basingstoke: Palgrave Macmillan.

Gard, R. (2007) The first probation officers in England and Wales 1906-14. *British Journal of Criminology*, 47, pp. 938-954.

Gard, R. (2012) The creation of a 'fully public service': Probation in England and Wales between the wars. *Probation Journal*, 59(4), pp. 323-338.

Garland, D. (1985) *Punishment and Welfare: A History of Penal Strategies*. Aldershot: Gower.

Garland, D. (1990) *Punishment and Modern Society: A Study in Social Theory*. Oxford: Clarendon.

Garland, D. (2001) *The Culture of Control: Crime and Social Order in Contemporary Society*. Oxford: Oxford University.

Garside, R. and Ford, M. (2015) *The Coalition Years: Criminal Justice in the United Kingdom*. London: Centre for Crime and Justice Studies.

Gauke, D. (2019) *Justice Secretary David Gauke sets out long-term future for justice*. 18 February 2019. Available at: <https://www.gov.uk/government/news/justice-secretary-david-gauke-sets-out-long-term-for-justice>

Geertz, C. (1973) *The Interpretation of Cultures*. New York, NY: Basic Books.

Gelsthorpe, L. (2001) Accountability: Difference and diversity in the delivery of community penalties. In: Bottoms, A., Gelsthorpe, L. and Rex, S. (eds.) *Community Penalties: Change and Challenges*. Devon: Willan.

Gelsthorpe, L. (2007) Probation values and human rights. In: Gelsthorpe, L. and Morgan, R. (ed.) *Handbook of Probation*. Cullompton: Willan.

- Giddens, A. (1991) *Modernity and Self-Identity*. Stanford, CA: Stanford University.
- Gilligan, C. (2003) *In a Different Voice: Psychological Theory and Women's Development*. London: Harvard University.
- Godfrey, R. (2016) Soldiering on: Exploring the role of humour as a disciplinary technology in the military. *Organization*, 23(2), pp. 164-183.
- Goffman, E. (1969) *The Presentation of Self in Everyday Life*. London: Allen Lane/Penguin Press.
- Goode, W. (1960) Encroachment, charlatanism and the emerging profession. *American Sociological Review*, 25, pp. 902-914.
- Gordon, C. (1991) Governmental rationality: An introduction. In: Burchell, G., Gordon, C. and Miller, P. (eds.) *The Foucault Effect: Studies in Governmentality*. Chicago, IL: University of Chicago.
- Greenhaus, J.H. and Beutell, N.J. (1985) Sources of conflict between work and family roles. *The Academy of Management Review*, 10(1), pp. 76-88.
- Gregory, M. (2010) Reflection and resistance: Probation practice and the ethic of care. *British Journal of Social Work*, 40, pp. 2274-2290.
- Gregory, M. (2011) Practical wisdom and the ethic of care in probation practice. *European Journal of Probation*, 3(3), pp. 60-77.
- Hammersley, M. (1995) *The Politics of Social Research*. London: SAGE.
- Hammersley, M. and Atkinson, P. (2007) *Ethnography: Principles in Practice. Third Edition*. London: Routledge.
- Hannah-Moffat, K. (2018) Algorithmic risk governance: Big data analytics, race and information activism in criminal justice debates. *Theoretical Criminology*, pp. 1-18. DOI: 10.1177/1362480618763582
- Hardy, M. (2014) Practitioner perspectives on risk: Using governmentality to understand contemporary probation practice. *European Journal of Criminology*, 11(3), pp. 303-318.
- Harvey, D. (2005) *A Brief History of Neoliberalism*. Oxford: Oxford University.
- Hedderman, C. (2013) Payment by Results: Hopes, fears and evidence. *British Journal of Community Justice*, 11(2-3), pp. 43-58.

Hedderman, C. and Murphy, A. (2015) Bad news for probation? Analysing the newspaper coverage of Transforming Rehabilitation. *Probation Journal*, 62(3), pp. 217-233.

Her Majesty's Prison & Probation Service (n.d.) *Research at HMPPS*. Available at: <https://www.gov.uk/government/organisations/her-majestys-prison-and-probation-service/about/research>

HM Government (2010) *The Coalition: Our Programme for Government*. London: HM Government.

HM Government (2011) *Open Public Services White Paper* [Cm. 8145]. London: HMSO.

HMI Probation (2006) *An Independent Review of a Serious Further Offence Case: Anthony Rice*. Manchester: HM Inspectorate of Probation.

HMI Probation (2014) *Transforming Rehabilitation – Early Implementation: An independent inspection setting out the operational impacts, challenges and necessary actions*. Manchester: HM Inspectorate of Probation.

HMI Probation (2016) *A Thematic Inspection of the Provision and Quality of Services in the Community for Women who Offend*. Manchester: HM Inspectorate of Probation.

HMI Probation (2017a) *2017 Annual Report*. Manchester: HM Inspectorate of Probation.

HMI Probation (2017b) *The Implementation and Delivery of Rehabilitation Activity Requirements*. Manchester: HM Inspectorate of Probation.

HMI Probation (2017c) *HMI Probation for England and Wales: Corporate Plan 2017-2020*. Manchester: HM Inspectorate of Probation.

HMI Probation (2018a) *Probation Supply Chains: A Thematic Inspection by HM Inspectorate of Probation*. Manchester: HM Inspectorate of Probation.

HMI Probation (2018b) *Enforcement and Recall: A Thematic Inspection by HM Inspectorate of Probation*. Manchester: HM Inspectorate of Probation.

HMI Probation (2019a) *Report of the Chief Inspector*. Manchester: HM Inspectorate of Probation.

HMI Probation (2019b) *An Inspection of Devon, Dorset and Cornwall Community Rehabilitation Company*. Manchester: HM Inspectorate of Probation.

HMI Probation and HMI Prisons (2016) *An Inspection of Through the Gate Services for Short-Term Prisoners*. Manchester: HM Inspectorate of Probation.

HMI Probation and HMI Prisons (2017) *An Inspection of Through the Gate Resettlement Services for Prisoners Serving 12 Months or More*. Manchester: HM Inspectorate of Probation.

Hochschild, A. (2012) *The Managed Heart: Commercialization of Human Feeling*. Los Angeles, CA: University of California.

Hollin, C. and Palmer, E. (2006) Criminogenic need and women offenders: A critique of the literature. *Legal and Criminological Psychology*, 11, pp. 179-195.

Home Office (1998) *Prisons and Probation: Joining Forces to Protect the Public*. London: Home Office.

Hood, C. (1995) The 'new public management' in the 1980s: Variations on a theme. *Accounting, Organizations and Society*, 20(2-3), pp. 93-109.

House of Commons Committee of Public Accounts (2016) *Transforming Rehabilitation: Seventeenth Report of Session 2016-17* [HC 484]. London: House of Commons.

House of Commons Committee of Public Accounts (2018a) *Oral Evidence: Investigation into Changes to Community Rehabilitation Contracts, Wednesday 17 January* [HC 676]. London: House of Commons.

House of Commons Committee of Public Accounts (2018b) *Government Contracts for Community Rehabilitation Companies: Twenty-Seventh Report of Session 2017-19* [HC 897]. London: House of Commons.

House of Commons Committee of Public Accounts (2019) *Transforming Rehabilitation: Progress Review. Ninety-Fourth Report of Session 2017-19*. London: House of Commons.

House of Commons Hansard (2017) *Topical Questions Debate in the Commons Chamber*, 5th December 2017. Available at: <https://hansard.parliament.uk/Commons/2017-12-05/debates/423CACC7-FBFB-4E16-9ADD25801D70E10B/TopicalQuestions?highlight=community%20rehabilitation%20companies#contribution-733B98A0-4919-457D-980B-F438F50BCD21>

House of Commons Hansard (2019) *Probation Services*, 12 March 2019. Available at: <https://hansard.parliament.uk/Commons/2019-03-12/debates/20C776F4-3609-441B-948D-B50C1671D400/ProbationServices?highlight=probation#contribution-CC767541-777E-4EC9-BE51-B174AC144E72>

House of Commons Justice Committee (2011) *The Role of the Probation Service: Ninth Report of Session 2010-12*. London: House of Commons.

House of Commons Justice Committee (2015) *Prisons: Planning and Policies: Ninth Report of Session 2014-15*. London: House of Commons.

House of Commons Justice Committee (2017) *Oral Evidence: Transforming Rehabilitation, Tuesday 21 March 2017* [HC 1018]. London: House of Commons.

House of Commons Justice Committee (2018a) *Transforming Rehabilitation: Ninth Report of Session 2017-19*. [HC 482] London: House of Commons.

House of Commons Justice Committee (2018b) *Oral Evidence: Transforming Rehabilitation, Tuesday 27 February 2018*. [HC 482] London: House of Commons.

Hucklesby, A. and Corcoran, M. (2016) Introduction. In: *The Voluntary Sector and Criminal Justice*. Basingstoke: Palgrave Macmillan.

Hughes, E.C. (1963) Profession. *Daedalus*, 92, pp. 655-668.

Hussein, S. (2018) Work engagement, burnout and personal accomplishment among social workers: A comparison between those working in children and adults' social services in England. *Administration and Policy in Mental Health and Mental Health Services Research*, 45, pp. 911-923.

Ignatieff, M. (1980) *A Just Measure of Pain: The Penitentiary in the Industrial Revolution 1750-1850*. New York, NY: Columbia University.

James, A.L., Bottomley, K., Liebling, A. and Clare, E. (1997) *Privatizing Prisons: Rhetoric and Reality*. London: Sage.

Jamous, H. and Peloille, B. (1970) Changes in the French University-Hospital System. In: Jackson, J.A. (ed.) *Professions and Professionalization*. Cambridge: Cambridge University.

Jarvis, F.V. (1972) *Advise, Assist, Befriend: A History of the Probation and After-Care Service*. London: National Association of Probation Officers.

Jarvis, S. (2002) A critical review: Integrating knowledge and practice. *British Journal of Community Justice*, 1(1), pp. 65-78.

Jewkes, Y. and Johnston, H. (2007) The evolution of prison architecture. In: Jewkes, Y. (ed.) *Handbook of Prisons*. Cullumpton: Willan.

Johnson, T. (1982) The state and the professions: peculiarities of the British. In: Giddens, A. and Mackenzie, G. (eds.) *Social Class and the Division of Labour: Essays in Honour of Ilya Neustadt*. Cambridge: Cambridge University.

Johnson, T.J. (1972) *Professions and Power*. London: Macmillan.

Kadowaki, J. (2015) Maintaining professionalism: emotional labor among lawyers as client advisors. *International Journal of the Legal Profession*, 22(3), pp. 323-345.

Kemshall, H. (1998) Defensible decisions for risk: Or it's the doers wot get the blame. *Probation*, 45, pp. 67-72.

Kirton, G. and Guillaume, C. (2015) *Employment Relations and Working Conditions in Probation after Transforming Rehabilitation: With a special focus on gender and union effects*. London: School of Business and Management, Queen Mary University London.

Knight, C. (2002) Training for a modern service. In: Ward, D., Scott, J. and Lacey, M. (eds.) *Probation: Working for Justice*. Oxford: Oxford University Press.

Knight, C. (2007) Why choose the Probation Service? *British Journal of Community Justice*, 5(2), pp. 55-69.

Kostera, M. (2007) *Organisational Ethnography: Methods and Inspirations*. Warsaw: Studentlitteratur.

Krejsler, J. (2005) Professions and their identities: How to explore professional development among (semi-)professions. *Scandinavian Journal of Educational Research*, 49(4), pp. 335-357.

Kvale, S. (1996) *InterViews: An Introduction to Qualitative Research Interviewing*. London: SAGE.

Larson, M.S. (1977) *The Rise of Professionalism: A Sociological Analysis*. Berkeley, CA: University of California.

Lee, R. (2017) 'It's relentless': The impact of working primarily with high-risk offenders': A practitioner response. *Probation Journal*, 64(1), pp. 50-55.

Leys, C. (2001) *Market-Driven Politics: Neoliberal Democracy and the Public Interest*. London: Verso.

Lincoln, Y.S. and Guba, E.G. (1985) *Naturalistic Inquiry*. Beverly Hills, CA: SAGE.

Lipsky, M. (2010) *Street-Level Bureaucracy: Dilemmas of the Individual in Public Services*. New York, NY: Russell Sage.

Ludlow, A. (2014) *Transforming Rehabilitation: What lessons might be learned from prison privatisation?* *European Journal of Probation*, 6(1), pp. 67-81.

Macdonald, K.M. (1995) *The Sociology of the Professions*. London: SAGE.

Mair, G. (2016) 'A difficult trip, I think': The end days of the probation service in England and Wales? *European Journal of Probation*, 8(1), pp. 3-15.

Mair, G. and Canton, R. (2007) Sentencing, community penalties and the role of the probation service. In: Gelsthorpe, L. and Morgan, R. (eds.) *Handbook of Probation*. Cullumpton: Willan.

Mair, G., Burke, L. and Taylor, S. (2006) 'The worst tax form you've ever seen'? Probation officers' views about OASys. *Probation Journal*, 53 (1), pp. 7-23.

Mann, M. (1993) *The Sources of Social Power Volume II: The Rise of Classes and Nation-States, 1760-1914*. Cambridge: Cambridge University.

Manning, P.K. (1995) The challenges of postmodernism. Van Maanen, J. (ed.) *Representations in Ethnography*. London: SAGE.

Marshall, T.H. (1950) *Citizenship and Social Class and Other Essays*. Cambridge: Cambridge University.

Martinson, R. (1974) What works? – Questions and answers about prison reform. *Public Interest*, 35, pp. 22-54.

Maruna, S. (2007) The Probation Story: One Hundred Years of Probation in the Media. *Vista: Perspectives on Probation*, 11(2).

Maruna, S. and King, A. (2004) Public opinion and community penalties. In: Bottoms, A. E., Rex, S., and Robinson, G. (eds.), *Alternatives to Prison: Options for an Insecure Society*. Cullompton, Willan, pp. 83–112.

Mason, J. (2002) *Qualitative Researching. Second Edition*. London: SAGE.

Mawby, R. and Worrall, A. (2011) 'They were very threatening about do-gooding bastards': Probation's changing relationships with the police and prison services. *European Journal of Probation*, 3(3), pp. 78-94.

Mawby, R. C. and Worrall, A. (2013) *Doing Probation Work: Identity in a Criminal Justice Occupation*. Abingdon: Routledge.

Mawby, R.C., Crawley, P. and Wright, A. (2007) Beyond probation and towards prison-polibation? Joint agency offender management in the context of the Street Crime Initiative. *International Journal of Police Science and Management*, 9(2), pp. 122-134.

May, T. and Annison, J. (1998) The de-professionalization of probation officers. In: Abbott, P. and Meerabeau, L. (eds.) *The Sociology of the Caring Professions. Second Edition*. London: University College London.

McClelland, C.E. (1990) Escape from Freedom? Reflections on German professionalization, 1870-1933. In: Torstendahl, R. and Burrage, M. (eds.) *The Formation of Professions*. London: SAGE.

McDermott, S. (2016) Probation without boundaries? 'Agile working' in the Community Rehabilitation Company 'transformed' landscape. *Probation Journal*, 63(2), pp. 193-201.

McFadden, P., Campbell, A. and Taylor, B. (2015) Resilience and burnout in child protection social work: Individual and organisational themes from a systematic literature review. *British Journal of Social Work*, 45(5), pp. 1546-1563.

McLaughlin, E. and Muncie, J. (2000) The criminal justice system: New Labour's new partnerships. In: Clarke, J., Gewirtz, S. and McLaughlin, E. (eds.) *New Managerialism, New Welfare?* London: SAGE.

McLaughlin, E., Muncie, J. and Hughes, G. (2001) The permanent revolution: New Labour, new public management and the 'modernization' of criminal justice. *Criminal Justice*, 1(3), pp. 301-318.

McNeill, F. (2013) Transforming Rehabilitation: Evidence, values and ideology. *British Journal of Community Justice*, 11(2-3), pp. 83-86.

McNeill, F. and Beyens, K. (2013) Introduction: Studying mass supervision. In: McNeill, F. and Beyens, K. (eds.) *Offender Supervision in Europe*. Basingstoke: Palgrave Macmillan.

McWilliams, W. (1983) The Mission to the English Police Court 1876-1936. *The Howard Journal*, 22, pp. 129-147.

McWilliams, W. (1985) The Mission transformed: Professionalisation of probation between the Wars. *The Howard Journal*, 24(4), pp. 257-274.

McWilliams, W. (1986) The English probation system and the diagnostic ideal. *The Howard Journal*, 25(4), pp. 241-260.

McWilliams, W. (1987) Probation, pragmatism and policy. *The Howard Journal*, 26(2), pp. 97-121.

Miller, P. and Rose, N. (1990) Governing economic life. *Economy and Society*, 19(1), pp. 1-31.

Millerson, G. (1964) *The Qualifying Associations: A Study in Professionalization*. London: Routledge.

Millings, M., Burke, L. and Robinson, G. (2019) Lost in transition? The personal and professional challenges for probation leaders engaged in delivering public sector reform. *Probation Journal*, 66(1), pp. 60-76.

Ministry of Justice (2010) *Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders* (Cm. 7972), London: HMSO.

Ministry of Justice (2011) *Competition Strategy for Offender Services*. London: HMSO.

Ministry of Justice (2012) *Punishment and Reform: Effective Probation Services* [Cm. 8333] London: Ministry of Justice.

Ministry of Justice (2013a) *Transforming Rehabilitation: A Strategy for Reform* [Cm. 8619]. London: HMSO.

Ministry of Justice (2013b) *Target Operating Model: Rehabilitation Programme*. London: HMSO.

Ministry of Justice (2013c) *Punishment and Reform: Effective Probation Services. Summary of Consultation Responses*. London: Ministry of Justice.

Ministry of Justice (2014) *Transforming Rehabilitation Programme Payment Mechanism*. London: Ministry of Justice.

Ministry of Justice (2016) *Story of the Prison Population: 1993-2016 England and*

Wales. London: HMSO.

Ministry of Justice (2018a) *Strengthening Probation, Building Confidence* [Cm. 9613] London: Ministry of Justice.

Ministry of Justice (2018b) *Community Performance Quarterly Management Information Release*. London: Ministry of Justice.

Ministry of Justice (2019a) *Population Bulletin: Weekly 31 May 2019*. London: Ministry of Justice.

Ministry of Justice (2019b) *Strengthening Probation, Building Confidence: Consultation Response*. London: Ministry of Justice.

Morgan, R. (2003) Foreword. In: Her Majesty's Inspectorate of Probation Annual Report 2002/2003. London: Home Office.

Morgan, R. (2007) Probation, governance and accountability. In: Gelsthorpe, L. and Morgan, R. (eds.) *Handbook of Probation*. Cullompton: Willan.

Morris, J.A. and Feldman, D.C. (1996) The dimensions, antecedents, and consequences of emotional labor. *The Academy of Management Review*, 21(4), pp. 986-1010.

Muller, J.Z. (2018) *The Tyranny of Metrics*. Oxford: Princeton University Press.

Murray, C. (1990) *The Emerging British Underclass*. London: IEA Health and Welfare Unit.

Nash, M. (1999) Enter the 'polibation officer'. *International Journal of Police Science and Management*, 1(4), pp. 360-368.

National Audit Office (2006) *The Management of Staff Sickness Absence in the National Probation Service*. London: Stationery Office.

National Audit Office (2014) *Probation: A Landscape Review*. London: House of Commons.

National Audit Office (2015) *Outcome-Based Payment Schemes: Government's Use of Payment by Results*. London: House of Commons.

National Audit Office (2016) *Transforming Rehabilitation*. London: House of Commons.

National Audit Office (2017) *Ministry of Justice, HM Prison and Probation Service: Investigation into Changes to Community Rehabilitation Company contracts*. London: House of Commons.

National Audit Office (2019) *Transforming Rehabilitation: Progress Review* [HC 1986]. London: Home Office.

National Probation Service (2001) *A New Choreography: An Integrated Strategy for the National Probation Service for England and Wales. Strategic Framework 2001 – 2004*. London: Home Office.

Needham, C. (2006) Customer care and the public service ethos. *Public Administration*, 84(4), pp. 845-860.

Needham, C. (2011) *Personalising Public Services: Understanding the Personalisation Narrative*. Bristol: Policy Press.

Needham, C. and Glasby, J. (2014) Taking stock of personalisation. In: Needham, C. and Glasby, J. (eds.) *Debates in Personalisation*. Bristol: Policy Press.

Needham, C. and Mangan, C. (2016) The 21st-century public servant: Working at three boundaries of public and private. *Public Money & Management*, 36(4), pp. 265-272.

Needham, C., Mastracci, S. and Mangan, C. (2017) The emotional labour of boundary spanning. *Journal of Integrated Care*, 25(4), pp. 288-300.

Nellis, M. (1995) Probation values for the 1990s. *Howard Journal of Criminal Justice*, 34(1), pp. 19-44.

Nellis, M. (2003) Probation training and the community justice curriculum. *British Journal of Social Work*, 33(7), pp. 943-55.

Nellis, M. (2007) Humanising justice: The English Probation Service up to 1972. In: Gelsthorpe, L. and Morgan, R. (eds.) *Handbook of Probation*. Cullompton: Willan.

Nellis, M. (2014) Understanding the electronic monitoring of offenders in Europe: Expansion, regulation and prospects. *Crime, Law and Social Change*, 62, pp. 489-510.

Newburn, T. (1995) *Crime and Criminal Justice Policy*. London: Longman.

Newman, J. and Clarke, J. (2009) *Publics, Politics, and Power: Remaking the Public in Public Services*. London: SAGE.

Neyland, D. (2008) *Organizational Ethnography*. London: SAGE.

O'Neill, M. (2014) *PCSOs as the paraprofessionals of policing*. Dundee: University of Dundee.

Office of Fair Trading (2010) *Choice and Competition in Public Services: A Guide for Policy Makers*. London: Frontier Economics.

Office of Fair Trading (2011) *Commissioning and Competition in the Public Sector*. London: Office of Fair Trading.

Osborne, D. and Gaebler, T. (1992) *Reinventing Government: How the Entrepreneurial Spirit is Transforming the Public Sector*. Reading, MA: William Patrick.

Padfield, N. and Maruna, S. (2006) The revolving door at the prison gate: Exploring the dramatic increase in recalls to prison. *Criminology & Criminal Justice*, 6(3), pp. 329-352.

Parry-Jones, B., Grant, G., McGrath, M., Caldock, K., Ramcharan, P. and Robinson, C.A. (1998) Stress and job satisfaction among social workers, community nurses and community psychiatric nurses: Implications for the care management model. *Health and Social Care in the Community*, 6(4), pp. 271-85.

Parsons, T. (1952) *The Social System*. London: Tavistock.

Perkins, A. (2015) *The Welfare Trait: How State Benefits Affect Personality*. Basingstoke: Palgrave Macmillan.

Phillips, J. (2011) Target, audit and risk assessment cultures in the probation service. *European Journal of Probation*, 3(3), pp. 108-122.

Phillips, J. (2014a) The architecture of a probation office: A reflection of policy and an impact on practice. *Probation Journal*, 61(2), pp. 117-31.

Phillips, J. (2014b) Probation in the news: Transforming Rehabilitation. *British Journal of Community Justice*, 12(1), pp. 27-48.

Phillips, J. (2016) Myopia and misrecognition: The impact of managerialism on the management of compliance. *Criminology & Criminal Justice*, 16(1), pp. 40-49.

Phillips, J. (2017) Probation practice in the information age. *Probation Journal*, 64(3), pp. 209-225.

- Phillips, J., Fowler, A. and Westaby, C. (2018) Self-disclosure in criminal justice: What form does it take and what does it achieve? *International Journal of Offender Therapy and Comparative Criminology*, 62(12), pp. 3890-3909.
- Phillips, J., Westaby, C. and Fowler, A. (2016) 'It's relentless': The impact of working primarily with high-risk offenders. *Probation Journal*, 63(2), pp. 182-92.
- Polanyi, K. (1944) *The Great Transformation: The Political and Economic Origins of Our Time*. Boston, MA: Beacon.
- Pollitt, C. (1993) *Managerialism and the Public Services*. Oxford: Basil Blackwell.
- Portwood, D. and Fielding, A. (1981) Privilege and the professions. *Sociological Review*, 29 (4), pp. 749-773.
- Power, M. (1997) *The Audit Society: Rituals of Verification*. Oxford: Oxford University.
- Raynor, P. and Vanstone, M. (2007) Towards a correctional service. In: Gelsthorpe, L. and Morgan, R. ed. *Handbook of Probation*. Cullompton: Willan.
- Raynor, P. (2012) Is probation still possible? *The Howard Journal of Criminal Justice*, 51(2), pp. 173-189.
- Raynor, P. and Lewis, S. (2011) Risk-need assessment, sentencing and minority ethnic offenders in Britain. *British Journal of Social Work*, 41, pp. 1357-1371.
- Raynor, P. and Vanstone, M. (2016) Moving away from social work and half way back again: New research on skills in probation. *British Journal of Social Work*, 46, pp. 1131-47.
- Reiner, R. (2007) *Law and Order: An Honest Citizen's Guide to Crime and Control*. Cambridge: Polity.
- Ritchie, J. and Spencer, L. (1994) Qualitative data analysis for applied policy research. In: Bryman, A. and Burgess, R.G. (eds.) *Analyzing Qualitative Data*. London: Routledge.
- Ritchie, J., Spencer, L. and O'Connor, W. (2003) Carrying out qualitative analysis. In: Ritchie, J. and Lewis, J. (eds.) *Qualitative Research Practice*. London: SAGE.
- Robinson, A. (2011) *Foundations of Offender Management: Theory, Law and Policy for Contemporary Practice*. Bristol: Policy.

Robinson, A. (2013) Transforming Rehabilitation: Transforming the occupational identity of probation workers? *British Journal of Community Justice*, 11(2-3), pp. 91-102.

Robinson, G. (2002) Exploring risk management in probation practice: Contemporary developments in England and Wales. *Punishment & Society*, 4(1), pp. 5-25.

Robinson, G. (2003) Technicality and indeterminacy in probation practice: A case study. *British Journal of Social Work*, 33, pp. 593-610.

Robinson, G. (2008) Late-modern rehabilitation: The evolution of penal strategy. *Punishment & Society*, 10(4), pp. 429-445.

Robinson, G. (2018) Transforming probation services in Magistrates' courts. *Probation Journal*, 65(3), pp. 316-334.

Robinson, G. and Burnett, R. (2007) Experiencing modernization: Frontline probation perspectives on the transition to a National Offender Management Service. *Probation Journal*, 54(4), pp. 318-337.

Robinson, G. and Crow, I. (2009) *Offender Rehabilitation: Theory, Research and Practice*. London: SAGE.

Robinson, G. and McNeill, F. (2017) Punishment in the community: Evolution, expansion and moderation. In: Liebling, A., Maruna, S. and McAra, L. (eds.) *Oxford Handbook of Criminology Sixth Edition*. Oxford: Oxford University.

Robinson, G. and Ugwudike, P. (2012) Investing in 'toughness': Probation, enforcement and legitimacy. *The Howard Journal*, 51(3), pp. 300-316.

Robinson, G., Burke, L. and Millings, M. (2016) Criminal justice identities in transition: The case of devolved probation services in England and Wales. *British Journal of Criminology*, 56(1), pp. 191-173.

Robinson, G., Priede, C., Farrall, S., Shapland, J. and McNeill, F. (2014) Understanding 'quality' in probation practice: Frontline perspectives in England & Wales. *Criminology & Criminal Justice*, 14(2), pp. 123-142.

Saks, M. (2012) Defining a profession: The role of knowledge and expertise. *Professions and Professionalism*, 2(1), pp. 1-10.

Schwartzman, H.B. (1993) *Ethnography in Organizations*. London: SAGE.

Senior, P. (2013) Editorial – Probation: Peering through the uncertainty. *British Journal of Community Justice*, 11(2-3), pp. 1-8.

Shaw, M. and Hannah-Moffat, K. (2000) Gender, diversity and risk assessment in Canadian corrections. *Probation Journal*, 47(3), pp. 163-172.

Sheil, F. and Breidenbach-Roe, R. (2014) *Payment by Results and the voluntary sector*. London: NCVO.

Silverman, D. (2013) *Doing Qualitative Research. Fourth Edition*. London: SAGE.

Simon, J. (1993) *Poor Discipline: Parole and the Social Control of the Underclass, 1890-1990*. Chicago, IL: University of Chicago.

Smyth, G. and Watson, A. (2018) Training for a transformed service: The experience of learners in 2016. *Probation Journal*, 65(1), pp. 61-76.

Sommerlad, H. (1995) Managerialism and the legal profession: A new professional paradigm. *International Journal of the Legal Profession*, 2(2-3), pp. 159-185.

Sommerlad, H. (1999) The implementation of quality initiatives and the New Public Management in the legal aid sector in England and Wales: Bureaucratisation, stratification and surveillance. *International Journal of the Legal Profession*, 6(3), pp. 311-343.

Sommerlad, H. (2002) Women solicitors in a fractured profession: Intersections of gender and professionalism in England and Wales. *International Journal of the Legal Profession*, 9(3), pp. 213-234.

Sommerlad, H. (2004) Some reflections on the relationship between citizenship, access to justice, and the reform of legal aid. *Journal of Law and Society*, 31(3), pp. 345-368.

Spradley, J.P. (1979) *The Ethnographic Interview*. Fort Worth, TX: Holt, Rinehart and Winston, Inc.

Thompson, E.P. (1967) Work-discipline and industrial capitalism. *Past & Present*, 38, pp. 56-97.

Tomczak, P. (2017) The voluntary sector and the mandatory statutory supervision requirement: Expanding the carceral net. *British Journal of Criminology*, 57, pp. 152-171.

Tomczak, P. and Buck, G. (2019) The voluntary sector: A hybrid sociology. *British Journal of Criminology*, 59(4), pp. 898-918.

Travis, A. (2017) Private companies could pull out over probation costs. *The Guardian*, 21 March. Available at: <https://www.theguardian.com/society/2017/mar/21/private-companies-could-pull-out-of-probation-contracts-over-costs>

Trede, F. (2012) Role of work-integrated learning in developing professionalism and professional identity. *Asia-Pacific Journal of Cooperative Education*, 13(3), pp. 159-167.

Trotter, C. (2014) *Working with Involuntary Clients: A Guide to Practice. Third Edition*. London: Routledge.

Van Maanen, J. (1995) An end to innocence: The ethnography of ethnography. In: Van Maanen, J. (ed.) *Representations in Ethnography*. London: SAGE.

Vanstone, M. (2007) *Supervising Offenders in the Community: A History of Probation Theory and Practice*. Aldershot: Ashgate.

Vanstone, M. and Priestley, P. (2016) Prospect: Probation past, present and future. In: Vanstone, M. and Priestley, P. (eds.) *Probation and Politics: Academic Reflections from Former Practitioners*. London: Palgrave Macmillan.

Wacquant, L. (2009) *Punishing the Poor: The Neoliberal Government of Social Insecurity*. London: Duke University.

Walker, S., Annison, J. and Beckett, S. (2019) Transforming Rehabilitation: The impact of austerity and privatisation on day-to-day working cultures and working practices in 'probation'. *Probation Journal*, 66(1), pp. 113-130.

Ward, T. and Maruna, S. (2007) *Rehabilitation*. Oxon: Routledge.

Waring, J. and Bishop, S. (2011) Healthcare identities at the crossroads of service modernisation: The transfer of NHS clinicians to the independent sector? *Sociology of Health and Illness*, 33, pp. 661-676.

Watson, T.J. (2012) Making organisational ethnography. *Journal of Organizational Ethnography*, 1(1), pp. 15-22.

Weber, M. (1946) Class, status, party. In: Gerth, H.H. and Wright Mills, C. (eds.) *From Max Weber: Essays in Sociology*. Oxford: Oxford University.

Weber, M. (1968) *Economy and Society: An Outline of Interpretive Sociology. Volumes I and III*. New York: Bedminster.

Westaby, C. (2010) 'Feeling like a sponge': The emotional labour produced by solicitors in their interactions with clients seeking asylum, *International Journal of the Legal Profession*, 17(2), pp. 153-174.

Westaby, C., Phillips, J. and Fowler, A. (2016) Spillover and work-family conflict in probation practice: Managing the boundary between work and home life. *European Journal of Probation*, 8(3), pp. 113-127.

White, A. (2014) Post-crisis policing and public-private partnerships. *British Journal of Criminology*, 54, 1002-1022.

Whitehead, P. (2015) *Reconceptualising the Moral Economy of Criminal Justice: A New Perspective*. Basingstoke: Palgrave Macmillan.

Wilberforce, M., Jacobs, S., Challis, D., Manthorpe, J., Stevens, M., Jasper, R., Fernandez, J.L., Glendinning, C., Jones, K., Knapp, M., Moran, N. and Netten, A. (2014) Revisiting the Causes of Stress in Social Work: Sources of Job Demands, Control and Support in Personalised Adult Social Care. *British Journal of Social Work*, 44, 812-830.

Wilensky, H.L. (1964) The professionalization of everyone? *American Journal of Sociology*, 70, pp. 137-58.

Wincup, E. (2017) *Criminological Research: Understanding Qualitative Methods*. London: SAGE.

Winstanley, S. and Hales, L. (2015) A preliminary study of burnout in residential social workers experiencing workplace aggression: Might it be cyclical? *British Journal of Social Work*, 45(1), pp. 24-33.

Witz, A. (1992) *Professions and Patriarchy*. London: Routledge.

Wyld, G. and Noble, J. (2017) *Beyond Bars: Maximising the Voluntary Sector's Contribution in Criminal Justice*. London: New Philanthropy Capital.

Ybema, S., Yanow, D., Wels, H. and Kamsteeg, F. (2009) Studying everyday organizational life. In: Ybema, S., Yanow, D., Wels, H. and Kamsteeg, F. (eds.) *Organizational Ethnography: Studying the Complexities of Everyday Life*. London: SAGE.

Yin, R.K. (2009) *Case Study Research: Design and Methods. Fourth Edition.* London: SAGE.

Appendix A

Information Sheet for Probation Staff: Probation Staff Experiences of the *Transforming Rehabilitation* Reforms

I seek permission to draw on your experiences of the *Transforming Rehabilitation* (*TR*) reforms for a research project. Please read the following information carefully so you can understand why the project is being undertaken and what it will involve should you choose to participate. Please ask questions if there is anything that is not clear or you would like more information. Take your time to decide whether or not you wish to take part.

What is the purpose of the research?

This is a PhD project funded by the University of Leeds. The research will provide an in-depth look at how probation staff employed by a CRC have experienced the *TR* reforms. It specifically explores how organisational change has affected the probation work that is delivered to service users, as well as its impact on probation culture and professional identity. As the people responsible for implementing, delivering, and overseeing probation work, your voices are essential to gaining greater understanding of *TR*.

Who will be involved in the research and where will it take place?

I hope to recruit approximately 24 participants who work within probation – namely, practitioners, managers and senior managers. The research will take place in a probation office. Participation in this research is entirely voluntary. If you do decide to take part, you will be given this information sheet to keep and asked to sign a consent form. Consent for data to be used can be withdrawn without reason up to two weeks after an observation or interview.

How will the research be carried out?

The methods of data collection will include observation of supervision appointments with service-users, sitting in on team meetings, and interviews with participants. Observations will not be digitally recorded, but interviews will be should the interviewee agree. No use of digital recordings will be made without your written permission, and no one outside of this project will be allowed access to the original recordings. All data will be stored securely in accordance with the Data Protection Act 1998, as well as the University of Leeds Code of Practice on Data Protection.

Participants will not be required to make any extra arrangements beyond their normal working day, with the exception of one one-hour interview which will be conducted during working hours. Should you wish for the interview to take place outside the probation office, then arrangements that better suit your schedule can be made. Data collection will last approximately 6 months and is expected to finish in July 2018. The research project will be finished by September 2019, although preliminary findings will be available before this point.

What will the research produce?

This research contributes to the requirements of a PhD thesis, and I hope to publish the findings. I will also produce interim reports on my findings for ██████████ CRC, as well as a final summary upon completion of the fieldwork. These reports are not concerned with the work of individual staff, but rather, general patterns of practice. They will be available to anyone who wishes to see them. Whilst there are no immediate benefits or risks of this project for participants, it is hoped that the fieldwork will provide participants with the opportunity to reflect critically on their work and contribute to improved practice. All participants will remain anonymous. Pseudonyms for both individuals and ██████████ CRC will be used throughout the course of research and in the final, written findings.

Contact details

Thank you for taking the time to read through this information sheet. For further information, please do not hesitate to contact me or the supervisors of this project, Professor Hilary Sommerlad and Dr Emma Wincup:

Matthew Tidmarsh
Liberty Building, University of Leeds
Leeds
LS2 9JT
lwmt@leeds.ac.uk
07931 779793

Professor Hilary Sommerlad
Liberty Building, University of Leeds
Leeds
LS2 9JT
h.a.k.sommerlad@leeds.ac.uk
0113 343 9937

Dr Emma Wincup
Liberty Building, University of Leeds
Leeds
LS2 9JT
e.l.wincup@leeds.ac.uk
0113 343 7453

Appendix B

Consent Form for Probation Staff to take part in: Probation staff experiences of the *Transforming Rehabilitation* reforms

	Add your initials next to the statements you agree with
I confirm that I have read and understand the information sheet dated [insert date] explaining the above research project and I have had the opportunity to ask questions about the project.	
I understand that my participation is voluntary and that I am free to withdraw within two weeks of an observation or an interview without there being any negative consequences. In addition, should I not wish to answer any particular question or questions, I am free to decline.	
I give permission for members of the research team to have access to my anonymised responses. I understand that my name will not be linked with the research materials, and I will not be identified or identifiable in the report or reports that result from the research. I understand that my responses will be kept strictly confidential.	
I agree for the data collected from me to be used in relevant future research.	
I agree to take part in the above research project and will inform the lead researcher should my contact details change.	
I confirm that I am happy for data to be digitally recorded.	

Name of participant	
Participant's signature	
Date	
Name of lead researcher [or person taking consent]	
Signature	
Date*	

*To be signed and dated in the presence of the participant.

Once this has been signed by all parties the participant should receive a copy of the signed and dated participant consent form, the letter/pre-written script/information sheet and any other written information provided to the participants. A copy of the signed and dated consent form should be kept with the project's main documents which must be kept in a secure location.

Appendix C

Information and Consent Form for Service Users: Probation Staff Experiences of the *Transforming Rehabilitation* Reforms

I would like to get your permission to watch your probation supervision meeting and take notes for a research project. Please ask questions if there is anything that you do not understand or you would like more information. Take your time to decide whether or not you wish to take part.

You can choose not to be observed. Consent for data to be used can be withdrawn without reason up to two weeks after an observation.

I will handwrite notes during your meeting. All data will be stored securely in accordance with the Data Protection Act 1998, as well as the University of Leeds Code of Practice on Data Protection.

	Add your initials next to the statements you agree with
I confirm that I have read and understand this information sheet and dated [insert date] explaining the above research project and I have had the opportunity to ask questions about the project.	
I agree for the data collected from me to be used in relevant future research.	

Name of participant	
Participant's signature	
Date	
Name of lead researcher [or person taking consent]	
Signature	
Date*	

*To be signed and dated in the presence of the participant.

Contact details

Thank you for taking the time to read through this sheet. For more information, please do not hesitate to contact me or the supervisors of this project, Professor Hilary Sommerlad and Dr Emma Wincup:

Matthew Tidmarsh
Liberty Building, University of Leeds
Leeds
LS2 9JT
lwmt@leeds.ac.uk

Professor Hilary Sommerlad
Liberty Building, University of Leeds
Leeds
LS2 9JT
h.a.k.sommerlad@leeds.ac.uk

Dr Emma Wincup
Liberty Building, University of Leeds
Leeds
LS2 9JT
e.l.wincup@leeds.ac.uk