

The Treatment and Rehabilitation of Offenders on Probation: An Assessment of the Changing Faces of Probation Service in England and Wales

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Abstract

In the field of criminal justice, one of the most difficult tasks facing practitioners is how to work effectively with offenders. The aetiology of criminality is complex, yet the public expect the responsible agencies to discourage potential offenders from offending, and actual offenders from re-offending. This article describes the origins and development of the treatment and rehabilitation of offenders on probation in England and Wales. It highlights how the Probation Service started its journey as a voluntary service and eventually became an integral part of the modern day criminal justice system. In this context, it explains all those important events which have transformed the Probation Service from a philanthropic organisation to a social welfare activity and, more contemporarily, into a correctional service charged with dispensing punishment. It ends by suggesting that there are lessons to be learned for jurisdictions in other countries so that effective policy and practice may be drawn upon, and mistakes which have been made can be avoided by others.

Keywords

Community Punishment, Effective Practice, Nothing Works, Probation Service, Rehabilitation, Treatment, Welfare, What Works

Introduction

The word 'probation' derives from the Latin *probare*, meaning to test or to prove. Thus, a person on Probation has his/her punishment suspended by the Court on the understanding that he/she will try to reform; if not, further sanctions will be applied. Probation as a concept has unusual origins. Most historical literature on the subject cites the first probation 'activity' as having been initiated in the United States in 1841 by John Augustus, a Boston shoemaker, who began voluntarily to bail defendants from court under his supervision on condition that he would ensure their good behaviour and re-appearance in court on the appointed date (Bochel, 1976). Other voluntary and philanthropic work with offenders in the USA and the UK led eventually to the setting up of modern day Probation Services in those countries and elsewhere. During the twentieth century, the Service in England and Wales was seen as one of the best in the world, described by a leading criminologist as 'the most significant contribution made by this country to the new penological theory and practice which struck root in the twentieth century' (Radzinowicz, 1958). However,

its developments over time have endured mixed fortunes in line with prevailing philosophies and politics. Other authors have characterised these changes as having taken place within specific phases (e.g. McWilliams, 1983, 1985, 1986, 1987; Crow, 2001; Chui and Nellis, 2003). Drawing on these understandings, this article sets out its own six phases to assess the changing face of the Probation Service in England and Wales, and concludes with a consideration of the implications of this assessment for the future of that Service and for those in other countries.

Saving the Sinners : The Missionary Phase (1876 – 1907)

Arguably preceding the work of John Augustus in the USA, the conditional release of offenders in England was initiated by the magistrates of Warwickshire Quarter Sessions in 1820, a system whereby young offenders, after receiving a nominal one day imprisonment, were released on conditions under the supervision of their parents or masters (Raynor and Vanstone, 2002). Later on in 1840, Mathew Davenport Hill started a similar experiment in Birmingham for young offenders (Bochel, 1976). However, most literature on the history of Probation in England and Wales views its real beginnings in the work of the Police Court Missionaries, founded in 1876 by the Church of England Temperance Society (Raynor and Robinson, 2009). Its impetus lay in a letter sent from a Hertfordshire printer, Frederick Rainer, to his friend Canon Ellison, who was the chairman of the Society. In Rainer's words:

'Once a person got into trouble there seemed no hope for him but only offence after offence and sentence after sentence' (Rainer, cited in King, 1964:2)

Probation historians identify this as a defining moment for the Probation Service in England and Wales and Rainer's name remains well-known and respected in Probation circles. The Society responded to his letter by beginning to appoint missionary workers in a range of Metropolitan Police Courts in London during 1876. The work of the Police Court Missionaries soon expanded and, by 1900, there were 'over a hundred men and nineteen women' working in this role (King, 1964:3). The Society's role was to bail offenders and place them under the supervision of the Missionaries, whose job was to 'reclaim' their lives and souls. The majority of offenders supervised were those charged with either drunkenness or drink-related offences (Mathieson, 1992). It is important to note that the Police Court Missionaries were basically Christian volunteers, rather than professionally trained people, and that the reformation of offenders, or 'sinners' also revolved around the concept of 'mercy'. They had to show reasons to the court as to why 'mercy' should be shown to the offenders whom they were seeking to reform (McWilliams, 1983).

The initial success of this voluntary work soon opened the debate about accepting and adopting such an approach as a public service. The Summary Jurisdiction Act 1879 is regarded as the first Probation statute in Britain (Leeson, 1914; McWilliams, 1983). The Act gave legal recognition to the existing voluntary practice of the Police Court Missionaries. It allowed the conditional release of young or petty offenders, both male and female, without sentence, under their supervision (Raynor and Vanstone, 2002). However, McWilliams (1983) has argued that it was also a government move to reduce prison numbers and prison costs rather than to rehabilitate offenders, a theme which has continued to pervade the history of the Probation Service in England and Wales, and beyond.

In the meantime, on the other side of the Atlantic, the Massachusetts informal Probation system, which had been in practice since John Augustus' initiative in 1841, was given a statutory status in the Massachusetts Act of 1878. The Act required the appointment of paid Probation Officers to work with different courts in Boston. These developments encouraged policy makers in Britain to follow in the footsteps of the Americans by introducing the conditional release of first offenders under the supervision of Police Court Missionaries, which was passed by the House of Commons in 1886, then rejected by The House of Lords, but ultimately passed the following year. The Probation of First Offenders Act, 1887 included provisions for the supervision of offenders similar to those in the Massachusetts Act of 1878. Its major development was the introduction of the word 'Probation' for the first time in the penal history of Britain. However, the scope of this Act was limited. It was available to first offenders involved in more serious offences such as larceny and false pretences, and other offences not punishable by more than two years imprisonment. Further, despite its official recognition, Probation remained the work of the Missionaries outside the State administrative structure (Chui and Nellis, 2003).

Thus, the birth of the modern Probation system in both the USA and England and Wales can be traced back to the 'pioneering activities of philanthropic individuals rather than any initiative by the State or other official bodies' (Brownlee, 1998:64).

The Treatment and Rehabilitation of Offenders: The Welfare Phase (1907-Early 1970s)

The efforts of the Police Court Missionaries, and the American example of a statutory Probation system, paved the way for the enactment in England and Wales of the Probation of Offenders Act in 1907. The scope of the 1907 Act was much wider than that of the Probation of First Offenders Act, 1887. It was not limited to first offenders, but included all types of offenders except those involved in murder and treason. Probation would now be applicable to 'all reclaimable offences'

(Leeson, 1914:7). Probation was not viewed as a sentencing option in its own right; it was rather 'instead of sentence', in reality an alternative to custody available to the Courts (Nellis, 2001). The 1907 Act asked Magistrates' Courts to appoint paid Probation Officers whose job would be to 'advise, assist, and befriend' offenders under their supervision and to find these offenders suitable employment (Brownlee, 1998:65).

In fact, almost half of those appointed as Probation Officers were former Police Court Missionaries who were still being funded by the Church of England Temperance Society (Jarvis, 1972). The Society also retained control over the direction and philosophy of the Probation Service alongside the Petty Sessional Probation Committees, and this remained the case until 1936. Nevertheless, the Probation of Offenders Act, 1907 was the first legislation to bring the Probation Service under State control (Chui and Nellis, 2003). Furthermore, the Act not only laid down the foundation of the Probation system in England and Wales, it was later exported to the British colonies including the Indo-Pak subcontinent (King, 1964). In 1923, new sections were inserted into the Criminal Procedure Code of 1898 (amended 1923) which empowered courts in the British colony of India (which included Pakistan) to place certain offenders on Probation.

The Probation of Offenders Act, 1907, a fundamentally constructive initiative, nevertheless soon began to reveal its limitations and weaknesses. It was widely used in some courts but relatively little in others. There were wide variations in practice and even in the appointment of Probation Officers (Leeson, 1914). Three subsequent developments then began to influence its future direction. The first was the foundation of its professional body, the National Association of Probation Officers in 1912; the second was a move towards setting up a countrywide Probation Service; and the third was the publication of a Home Office Departmental Committee report on 'The Training, Appointment and Payment of Probation Officers' in 1922 (King, 1964). The latter's recommendations were incorporated into the Criminal Justice Act of 1925 (amended 1926). The 1925 Act legislated for the establishment of a comprehensive Probation Service across the country and empowered courts to appoint Probation Officers. Whilst the Service was now countrywide, the Act nevertheless preserved its local basis (Whitfield, 1998).

There is no doubt that the Criminal Justice Act 1925 (amended 1926) provided the basic framework for the development of the Probation Service in England and Wales. However, there were still some problems hindering the Service's progress. Its preservation in local hands resulted in an uneven development, according to varying local responses. The Home Office asked the local Probation Services to ensure the careful selection of Probation Officers, and to give them as many cases as they could manage to supervise. However, the appointment of Probation Officers

was not regular. Some Courts had part-time unqualified Probation Officers, and some did not have any at all. Many Courts did not have any female Probation Officers (Whitfield, 1998).

McWilliams (1985) cited two important documents published in the mid-1930s, which played an important role in rectifying the problems outlined above and promoted the gradual move of Probation towards a professional service. The first was *A Handbook of Probation and Social Work of the Courts*, produced by the National Association of Probation Officers in 1935, and the second was the *Report of the Departmental Committee on the Social Service in the Courts of Summary Jurisdiction* published in 1936. Both documents acknowledged the difficulties currently hindering Probation work. Although they both recommended a move away from the missionary ethos to the diagnosis and treatment of offenders, they nevertheless suggested retaining its missionary zeal. Furthermore, the 1936 Home Office Departmental Committee recommended that Probation should remain under the control of local areas while the Home Office itself should take more responsibility for the organisation and direction of the service (Williams, 1970). The recommendations of the 1936 Committee were later incorporated in the Criminal Justice Act 1948.

Thus the religious, reforming ethos and the legislative developments of the first half of the twentieth century had laid the foundations for a Probation Service which represented a welfare-orientated and rehabilitative ideal, but was now ripe for a more professional and treatment-based approach to its charges. This was reinforced by the desire of post-Second World War governments to reconstruct and develop State welfare services after the devastation of war. It

'required State action and could not be left to markets because much of it was carried out on behalf of people who had few or no resources and consequently no market power'.

(Rayner, 2012: 176)

Probation Officers in the period following the Criminal Justice Act, 1948 began to be trained in one-to-one casework and other 'treatment' techniques, again emanating from their counterparts in America. Offenders had to consent in Court to a Probation Order, report regularly to their Probation Officer and receive visits from him or her at home. Probation Officers were highly respected by their Courts and their Services, and had almost complete autonomy as to how they worked with their Probationers. Most favoured the one-to-one casework approach as propounded by Biestek (1961) but some found group work most effective and others employed activity-based methods. Professional debate within the National Association of Probation Officers and indeed in local Probation teams often centred around such

vexed questions as to whether treatment was something which could be applied to a 'diagnosed' problem (McWilliams, 1986), whether it could simultaneously embrace both care and control, welfare and punishment, or whether these concepts were mutually exclusive (Boswell 1985; Boswell, Davies and Wright, 1993). In the meantime, however, little effort was being made to discover to what extent these efforts were having the desired effect of preventing re-offending. These chickens were gradually to come home to roost as the century wore on.

Nothing Works : Diversion from Custody Phase (Mid 1970s – 1982)

From the 1970s, the Probation Service started to head into a third and somewhat chaotic phase, marked by considerable moves from its traditional welfare-oriented theory and practice towards more punitive community measures, aimed primarily at reducing the prison population. Probation was increasingly perceived as 'soft on crime' (Robinson and McNeill, 2004:281). The apparent lack of effectiveness of rehabilitation programmes in reducing offending came under attack from politicians and academics, resulting in the emergence of the 'Nothing Works' agenda (Davies, Croall and Tyrer, 2005). In 1974, Martinson published his infamous paper, 'What Works? Questions and Answers about Prison Reform'. His assertion that very few, if any, methods succeed in rehabilitating offenders, was based on a review of 231 research studies using different therapies with offenders between 1945-67. These studies had looked at a wide range of therapeutic techniques such as counselling, individual and group work (Easton and Piper, 2005). In his article, Martinson presented a pessimistic picture about the whole range of treatment programmes. He concluded that:

'With few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism' (Martinson, 1974, cited in Easton and Piper, 2005:286).

In the UK, the Home Office Research Unit conducted a research study on the Intensive Matched Probation After-Care and Treatment Programme (IMPACT) in 1976, to see whether intensive community-based treatment programmes worked with offenders who otherwise would go to prison (Folkard, Smith and Smith, 1976). The research was carried out in four areas: Dorset, Inner London, Staffordshire and Sheffield during 1971-72. Approximately 500 male offenders aged 17 or above were allocated to either a control group or an experimental group. Crow (2001) stated that 'the findings were consistent with Martinson's conclusion that no general treatment effect could be demonstrated' (Crow, 2001:28).

Further, Brody's (1976) work, *The Effectiveness of Sentencing*, generally seen as the British version of Martinson's study, supported Martinson's views. Brody reviewed UK sentencing policies and found 'no evidence to suggest that a particular

type of sentence was more effective than others in preventing re-offending' (Easton and Piper, 2005: 286). The evidence from these studies constituted a serious blow to the dominant rehabilitation philosophy (Hedderman and Hough, 2004). Martinson's paper was mistakenly quoted in many places, which resulted in the emergence of the 'nothing works' phase in the penal paradigm. As Whitfield put it:

'Martinson's work produced a very pessimistic assessment of the effectiveness of a whole range of treatment provision, which was generally taken to conclude that, in fact, nothing works; or not very much at all' (Whitfield, 1998:15)

The attack from politicians and academics on the traditional optimism about rehabilitation of offenders led to a decrease in the use of Probation Orders in the Courts. Offenders were sentenced to fines instead of being placed on Probation. A further development was the introduction of shorter Probation Orders of six months' duration, and the courts' reliance on these. Bottomley and Pease (1986:90) argued that the decade of 1968-78 could be characterised as the 'decade of probation's decline'.

The proponents of the rehabilitation philosophy widely criticised Martinson's work. Advocates of the treatment philosophy, including Palmer (1975), argued that some programmes can work for some offenders and that Martinson in 1974 had overlooked these. What he [Martinson] was looking for, was 'a guaranteed way of reducing recidivism' (Crow, 2001:58).

Martinson later admitted to methodological deficiencies in his 1974 study. He produced more positive evidence and came up with the conclusion that some approaches work with some offenders. After his early review of the effectiveness of correctional treatment which led to the 'nothing works' article, Martinson later studied a further 555 treatment programmes, which led him to a different conclusion:

'However, new evidence from our current study leads me to reject my original conclusions and suggest an alternative more adequate to the facts at hand....The very evidence presented in the article indicates that it would have been incorrect to say that treatment had *no* effect ... More precisely, treatments will be found to be 'impotent' under certain conditions, beneficial under others, and detrimental under still others' (Martinson, 1979, cited in Crow, 2001:59).

Easton and Piper suggested that, by the late 1970s, Martinson's work was considered to be 'out of date' because the proponents of rehabilitative approach argued that:

Large scale studies of re-offending do not tell us enough about *which* individuals were helped by *which* programmes, and the individual who is helped may be overlooked in data on those who were not (Easton and Piper, 2005:286).

Despite all the new evidence from Martinson's work and others, there was little support left for the treatment model. This evidence had appeared at a time when the damage had already been done and rehabilitation was dead in the water (Whitfield, 1998). However, there were some positive outcomes following the professional despondency engendered by Martinson, whereby:

'Practitioners had to find their own sources of optimism and belief in what they were doing. As a consequence the 'nothing works' era actually became a period of creativity and enthusiasm in the development of new methods and approaches' (Raynor, 2002:1182).

Overall, however, the 'Nothing Works' phase had reduced the credibility of the work of the Probation Officer, and it ended with the Service being mainly viewed as a provider of alternatives to custody 'aiming to change the minds of sentencers rather than those of offenders'

(Rayner, 2012: 181)

The Punishment in the Community Phase (1982 – 1997)

The increasing concern about Probation being a 'soft option' had led to the addition of new provisions to the Probation Order, first through the Criminal Justice Act, 1972 and later on in the Criminal Justice Act, 1982, where offenders placed on Probation were required to attend Day Training Centres for up to a maximum of sixty days. These programmes were related to drug or alcohol education (May, 1994). The Criminal Justice Act, 1991 added to the list of community penalties, such as a Combination Order and Curfew Order with electronic monitoring.

In 1988 the government published a Green Paper entitled *Punishment, Custody and the Community* (Home Office, 1988). This document further signalled the direction of the Probation Service away from penal welfarism. It suggested that people chose to commit crimes and that they must have an idea of what would happen to them if they offended. The 1988 Green Paper was followed by the White Paper, *Crime, Justice and Protecting the Public* (Home Office, 1990). Noting that 'prison is an expensive way of making a bad person worse', it advocated the use of more community-based options for less violent crimes such as burglary and theft. Its legislative manifestation came in the shape of the Criminal Justice Act, 1991.

The Criminal Justice Act 1991 was the turning point in the history of community penalties in Britain. Its core philosophy was that *the punishment should*

be proportionate to the seriousness of the crime, which revealed the government's 'tough on crime' sentencing policy (Whitfield, 1998:17). Already popular in the USA and Canada, the 1991 Act provided a new coherent sentencing framework based on the principle of 'just desert' with only the most serious offences being punished with imprisonment.

The major thrust of the 1991 Act was a move from 'alternatives to custody' to 'punishment in the community'. Under this Act, community punishments, including Probation, became sentences in their own right, rather than alternatives to custody. The Crime (Sentencing) Act, 1997 had already removed the requirement for offenders to consent to a Probation Order. *Social Inquiry Reports (SIRs)* were replaced by *Pre-Sentence Reports (PSRs)*. It was not only a change of the name, but of the content as well:

'Pre-sentence reports now shift the focus on probation officer's report writing away from the diagnosis of the offender's needs, towards the sentencing requirements of the court'

(May, 1994:876)

The Criminal Justice Act 1991 made it clear that the rehabilitation of offenders ethos had now been replaced by one of punishment. For the Probation Service, public protection and reducing offending, rather than rehabilitating offenders, had become the foremost objectives. The Probation Service experienced another serious blow when the then Home Secretary, Michael Howard, announced that 'prison works' (Robinson and McNeill, 2004:281). Addressing the 1993 Conservative Party Conference at Blackpool, he stated:

'Let us be clear. Prison works. It ensures that we are protected from murderers, muggers and rapists – and it will make many who are tempted to commit crimes think twice' (Howard, 1993, cited in Worrall, 1997:39)

In 1994, Howard announced his 27 points policy under the banner of 'Prison Works', in which the emphasis was on incapacitating offenders rather than punishing them in the community in line with the philosophy which had been set out in the 1990 White Paper. All these developments seriously undermined Probation work, added to which it has been argued that the Service was seriously neglected during 1993-97 (Chui and Nellis, 2003). As a consequence, it sought to guarantee its survival by searching for new means of establishing its credibility.

The 'What Works' and Effective Practice Phase (1997 - 2009)

In 1997, New Labour was elected to power and, for a time optimism returned to the Probation Service in England and Wales. Towards the end of the twentieth

century, there appeared to be political encouragement for the Probation Service to play a more effective role in reducing crime. A new literature and new 'effective practices' drawing on concepts such as motivational interviewing and the identification of criminogenic need, had begun to emerge, based on the principle of 'What Works' according to which 'some things work for some people some of the time' (Hedderman and Hough, 2004:153). These developments included McIvor's review of evidence on effective sentencing for the Scottish Office in the 1990s; the conference on 'What Works' in 1991; the launch of the Effective Practice Initiative in 1995; and the publication of McGuire's edited collection of papers from the 'What Works' conference (McGuire, 1995); the launch of the 'What Works' pathfinder projects and the Joint Accreditation Panel in 1999; and the launch of the National Probation Service in England and Wales in 2001 (Raynor, 2003).

Among British research studies, STOP (Straight Thinking on Probation) was an important study carried out in Wales, which was initiated by Mid-Glamorgan Probation Service in 1991. The basic concept of this programme was developed from Ross and Fabiano (1985), a Canadian cognitive behavioural programme, 'Reasoning and Rehabilitation'. Raynor and Vanstone (1994) evaluated the STOP programme based on the reconviction data of the previous 12 months. They found a 35% reconviction rate for programme completers, as against the predicted 42% rate, added to which none of those who were reconvicted received a custodial sentence.

However, it gradually became apparent that the new political administration was not minded to intervene in existing sentencing practices. The emphasis on tougher management and enforcement continued. The prison population continued to rise. The government published a consultation paper entitled *Joining Forces to Protect the Public* (Home Office, 1998) to consider the possibility of integrating the Prison and Probation Services together under one umbrella. This report did not attract much support, and the posited merger did not take place. However, in 2004, the administration of the two Services was brought together under the 'National Offender Management Service' (NOMS), since when NOMS has assumed central responsibility for offender management, both in custody and the community (Robinson, 2005).

For most of its history, the Probation Service in England and Wales was managed locally and relatively autonomously by 54 area-based Probation Committees. However, when the National Service was set up in 2001, with the National Probation Directorate based in London, these areas were reduced to 42 under the governance of local Probation Boards, in order to match the boundaries of the Police Force and Crown Prosecution Service areas. The rationale for this creation was to give the Probation Service the same access to the central criminal justice policy as police and prison officers.

The Marketisation of Probation Phase (2010 onwards)

In May 2010, a Conservative-led coalition government came to power in a climate of deep global economic downturn. It required all Ministries to make heavy cuts and sought to reduce State responsibility for providing community-based disposals, privatisation already having entered the custodial sector. The Green Paper *Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders* (Ministry of Justice, 2010) talked of reducing the (expensive) prison population through a 'rehabilitation revolution', but this soon lost favour with other politicians still wanting to be seen as 'tough on crime'. It also proposed a strategy for the commissioning of traditionally Probation-led services from the paid voluntary and private sectors, via a 'payment by results' system, according to the numbers of offenders who do not re-offend. Pathfinder schemes are already in train and it is widely feared that large corporate bodies with a profit motive, will begin to take over the delivery of these services, and be accountable not to the community but to their shareholders. England and Wales has arrived at a situation in which the State appears no longer to consider that it has a responsibility for its offenders which it should implement by funding a uniquely professionally-trained Probation Service.

Conclusion

The contemporary Probation Service in England and Wales has travelled far away from its volunteer and philanthropic beginnings. It had a golden era of development in the first half of the twentieth century after which empirical and ideological attacks on the rehabilitative ideal left it providing 'alternatives to custody', 'punishment in the community' and 'offender management' to Courts, rather than a focus on what offenders needed to help them stop crime. The politicisation of crime has compelled the Probation Service continually to revise its approach to working with offenders. Where this has succeeded, usually through its own input, it has survived. However, where government is imposing its central will, with little meaningful consultation, and an intent to cut both funds and State responsibility, the outlook appears bleak. Jurisdictions in other countries need to value the contributions their Probation Services make to the preservation of civilised society, and their Probation Services need to be ever-vigilant in collecting and presenting to those jurisdictions, the evidence of their effectiveness.

References

- Biestek, F. (1961) *The Casework Relationship*. London: Unwin University Books
- Bochel, D. (1976) *Probation and After Care: Its Development in England and Wales*. Edinburgh: Scottish Academic Press
- Boswell, G.R. (1985) *Care, Control and Accountability in the Probation Service*. Norwich: UEA Social Work Monographs
- Boswell, G.R., Davies, M. & Wright, A. (1993) *Contemporary Probation Practice*. Aldershot: Avebury
- Bottomley, A. K, and Pease, K. (1986) *Crime and Punishment: Interpreting the Data* Milton Keynes: Open University Press
- Brody, S.R.(1976) *The Effectiveness of Sentencing*. Home Office Research Study 35. London: HMSO
- Brownlee, I. (1998) *Community Punishment: A Critical Introduction*. London: Longman
- Chui, W.H and Nellis, M (2003 'Creating the National Probation Service – New Wines, Old Bottles?' in W. H. Chui and M. Nellis (Eds.) *Moving Probation Forward: Evidence, Arguments and Practice*. Harlow: Longman, pp. 1- 18
- Crow, I. (2001) *The Treatment and Rehabilitation of Offenders*. London: Sage Publications
- Davies, M., Croall, H. and Tyrer, J. (2005) *Criminal Justice: An Introduction to the Criminal Justice System in England and Wales* (3rd Ed.). Harlow: Longman
- Easton, S. and Piper, C. (2005) *Sentencing and Punishment: The Quest for Justice*. Oxford: Oxford University Press
- Folkard, M.S., Smith, D.E. and Smith, D.D. (1976) *IMPACT Volume 11: The Results of the Experiment*. Home Office Research Study 36. London: HMSO
- Hedderman C. and Hough, M. (2004) 'Getting Tough or Being Effective: What Matters?' in G. Mair (Ed.) *What Matters in Probation*. Devon: Willan Publishing, pp. 146– 169
- Home Office (1990) *Crime, Justice and Protecting the Public: the Government's Proposal for Legislation*, 965. London: HMSO
- Home Office (1998) *Joining Forces to Protect the Public*. London: The Stationary Office, Dd. 604145
- Home Office (1998) *Punishment, Custody and the Community*, 424. London: HMSO

- Jarvis, F.V. (1972) *Advise, Assist and Befriend: A History of the Probation and After-care Service*. London: National Association of Probation Officers
- King, J.F.S.(1964) *The Probation Service* (2nd Ed.) London: Butterworths
- Leeson, C. (1914) *The Probation System*. London: P.S. King and Son
- Martinson, R. (1974) 'What works? Questions and answers about prison reform', *The Public Interest*, 35: 22-54
- Mathieson, D. (1992) 'The Probation Service' in E. Stockdale and S. Casale (Eds.) *Criminal Justice under Stress* London: Blackstone Press Limited, pp. 142-159.
- May, T. (1994) 'Probation and Community Sanctions' in M. Maguire and R. Morgan (Eds.) *The Oxford Handbook of Criminology*. Oxford: Clarendon Press
- McGuire, J. (Ed.) (1995) *What Works, Reducing Re-Offending*. Chichester: John Wiley
- McWilliams, W.(1983) 'The Mission to the English Police Courts 1876 – 1936' , *Howard Journal of Criminal Justice*, 12: 129–47
- McWilliams, W. (1985) 'The Mission transformed: Professionalism of Probation between the Wars', *Howard Journal of Criminal Justice*, 24: 257–74.
- McWilliams, W. (1986) 'The English Probation System and the diagnostic ideal', *Howard Journal of Criminal Justice*, 25: 241-60
- McWilliams, W. (1987) 'Probation, pragmatism and policy', *Howard Journal of Criminal Justice*, 26: 97-121
- Ministry of Justice (2010) *Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders*. Cmd. 7972. London: Ministry of Justice
- Nash, M. (2004) 'Probation and Community Penalties' in J. Muncie and D. Wilson (Eds.) *Student Handbook of Criminal Justice and Criminology*. London: Cavendish Publishing Limited, pp. 235 – 248.
- Nellis, M. (2001) 'Community Penalties in Historical Perspective' in A. Bottoms, L. Gelsthorpe and S. Rex (Eds.) *Community Penalties: Change and Challenges*. Devon: Willan Publishing, pp. 16–40.
- Palmer, T.(1975) 'Martinson Revisited', *Journal of Research in Crime and Delinquency*, 12: 133–52.
- Radzinowicz, L. (Ed.) (1958) *The Results of Probation*. A Report of the Cambridge Department of Criminal Science. London: Macmillan
- Raynor, P. (2002) 'Community Penalties: Probation, Punishment and 'What Works' in M. Maguire, R. Morgan and R. Reiner (Eds.) *The Oxford Handbook of Criminology*. Oxford: Clarendon Press

- Raynor, P. (2003) 'Evidence-Based probation and its Critics', *Probation Journal: The Journal of Community and Criminal Justice*, 50 (4): 334–345
- Raynor, P. (2012) 'Is Probation Still Possible?', *Howard Journal of Criminal Justice*, 51(2): 173-189
- Raynor, P. And Robinson, G. (2009) 'Why Help Offenders? Arguments for Rehabilitation as a Penal Strategy', *European Journal of Probation* 1 (1): 3-20
- Raynor P. and Vanstone, M. (1994) *Straight Thinking on Probation: Third Interim Evaluation Report: Reconvictions within 12 Months*. Bridgend: Mid-Glamorgan Probation Service
- Raynor, P. And Vanstone, M. (2002) *Understanding Community Penalties: Probation, Policy and Social Change*. Buckingham: Open University Press
- Robinson, G. (2005) 'What Works in Offender Management', *Howard Journal of Criminal Justice*, 44 (3): 307–318.
- Robinson, G. and McNeill, F. (2004) 'Purposes Matter: Examining the 'ends' of Probation' in G. Mair (Ed.) *What Matters in Probation*. Devon: Willan Publishing
- Vanstone, M. (2004) *Supervising Offenders in the Community: A History of Probation Theory and Practice*. Aldershot: Ashgate
- Whitfield, D. (1998) *Introduction to the Probation Service* (2nd Ed.). Winchester: Waterside Press
- Williams, J.E.H. (1970) *The English Penal System in transition*. London: Butterworths
- Worrall, A. (1997) *Punishment in the Community: The Future of Criminal Justice*. Harlow: Longman

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