

For much of the time, since its introduction in the 1970s, Community Service has been seen as an 'alternative', rather than as a sentence in its own right. Until the 1991 Criminal Justice Act, it was an alternative to custody, and throughout it has been an alternative to a Probation Order for those people who are felt to be unmotivated or at a lower risk of re-offending. However, of late, Community Service is being seen as an effective, positive sentence in its own right and one which can have an impact on re-offending.

What works in community service?

Chris Mackett describes the development of Pro-Social Modelling in Community Service

Developing the role of Community Service

Cambridge University Institute of Criminology held a conference for Cambridgeshire Probation Service staff in December 1997 to introduce

the idea of 'Pro-Social Modelling'. This was a method of working developed in Australia by Christopher Trotter (Trotter 1996). He found that offenders supervised by Australian Community Corrections officers who had been assessed as acting as pro social models (i.e. those who gave encouragement and reinforced positive behaviour) had significantly lower breach and re-conviction rates than comparable groups of offenders.

Such an approach seemed to fit with Community Service, both in terms of the significant amount of time that supervisors spend with offenders and because Community Service gives an excellent opportunity for supervisors to model a range of behaviours. In conjunction with Dr Sue Rex from the Institute of Criminology, we ran a pilot project, whereby a number of supervisors were trained in pro-social modelling (PSM) in early 1998, and their supervision evaluated from October 1998.

Pro-Social modelling depends upon the Community Service supervisor using him or herself as a model for the behaviour of the people they

supervise. This includes being punctual, ensuring that they themselves keep to any applicable rules, applying rules to others in a transparently fair way and explaining both the task in hand, and any decisions that they have to take during the work session. The way that the supervisor does things can be as important as what they do - using people's names, having a relaxed but positive attitude, asking, rather than telling people to do tasks, using appropriate humour and so on. Tasks need to be allocated to Community Service workers in a transparently fair way, with unpleasant jobs shared around. The supervisor needs to ensure that members of the work party are involved as far as possible in planning the work, and have the opportunity to express a view as to how things should be done. Reward needs to be given for specific efforts or achievement, usually through praise for work that is done to the best of someone's ability; sharing any comments that come back from the beneficiary can be especially valuable.

The pilot was not without difficulties, for instance, there was a turnover of supervisors, it was more difficult to train those who came into post after the start of the pilot. Community Service staff found it difficult to ensure that Community Service workers in the pilot were always allocated to the 'PSM supervisors'. There was also the commonly expressed view that 'Pro-Social Modelling is only a fancy name for what Community Service supervisors do anyway.'

Positive outcomes

In the light of these problems, the findings of the pilot are perhaps particularly striking. Sue Rex found that, in comparison to the non project group, the offenders who had been supervised by 'Pro-Social Models' for at least 60 per cent of their orders:



Courtesy of Cambridgeshire Probation Service

- Were almost twice as likely to have gained at least one 'excellent' work rating
- Were less likely to have one or more unacceptable absences - 55 per cent as against 83 per cent for the non project group
- Were less likely to have been breached - 14 per cent as against 22 per cent. The full report of the pilot will be published in due course.

Using the experience of the pilot, Cambridgeshire Probation Service, working with Bedfordshire, submitted a successful bid for Pro Social Modelling in Community Service to become a Pathfinder project, under the Home Office Effective Practice Initiative. From March 2000, we shall be involved in a larger scale assessment of the impact of PSM on offenders on Community Service. The additional funding from the Home Office has enabled us to extend PSM, both quantitatively and qualitatively. All the Community Service supervisors in both counties have been trained in PSM, so that allocation to a specific supervisor becomes less important. In order to enable the supervisor to have more significant contact with individuals, we are ensuring that no more than eight people will be allocated to each supervisor.

In her study of Community Service in Scotland McIvor found that Community Service resulted in lower re-conviction rates if the offenders understood the purpose of the work, had direct contact with the beneficiary and could acquire new skills (McIvor 1992). Sue Rex has devised an audit form which gives a numerical 'McIvor' score to each project, and we intend to place those offenders judged using the Offender Group Re-conviction Score (OGRS) to be at a higher risk of re-offending in the projects that should have

the greatest impact upon them. We have also revised our agreements with beneficiaries of Community Service projects to include an expectation that they will explain the purpose of the work, remain in contact as the work continues and to give some - one hopes positive - feedback at the end. An elderly person in Cambridgeshire for whom Community service workers had done some gardening seemed to appreciate the PSM approach: "I think you treat the workers with respect. They will do the same to you. I have found it so. I give them refreshment and always thank them when the job is done. I will be most grateful to see them come again."

PSM does not alter the fundamental nature of Community Service. Offenders are required to do what is still normally hard physical work. They have to work as instructed and will be returned to court if they fail to comply. However, PSM does involve us in a slight re-framing of Community Service so that we ensure that offenders understand the benefits and purpose of what they are doing, that they are supervised in an open, consistent and fair way, and are offered the opportunity to develop new skills. The increasing emphasis on the rehabilitative aspects of Community Service and on enforcement in Probation Orders blurs the distinctions between the community sentences: in due course, it may be difficult to say which is the alternative.

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References

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Community sentences - a sentencer's view

Michael Calvert considers how community sentences fit into the sentencing picture, how well they meet our objectives and what improvements we should seek.

The 1991 Criminal Justice Act decreed that community sentences should be used for offences of the middle band of seriousness. Lesser offences are dealt with by a fine or discharge; for more serious offences only a custodial sentence is justified. This is according to the principle of 'just deserts'; that we should sentence according to the seriousness of the offence. Its effect is that community sentences are the guideline sentences for offences such as burglary of non-dwellings, common assault, theft, deception and some offences of driving with excess alcohol.

Besides 'just deserts' there are other objectives the sentencer should have in mind; reparation, protecting the public and rehabilitation. The overriding purpose of sentencing in the youth court is the prevention of reoffending and this will also be a strong factor in sentencing decisions in the adult court. The lack of a clear cut aim can lead both to inconsistency in sentencing and confusion as to the aim of a community sentence.

The alternatives to community sentences are fines and custodial sentences. Fines are the most cost effective punishment if they can be enforced, but the offender may not have sufficient means to pay a realistic penalty. There has been a reduction in the proportionate use of the fine which could to some extent be due to the 1991 Criminal Justice Act limiting its use to cases not sufficiently serious to merit a community sentence.

A custodial sentence is the most effective way of protecting the public while the prisoner is inside. But the 50,000 adult short-term prisoners passing through the prisons each year receive no sentence plan to address the reason for their offending. Neither will those sentenced to a year or less be

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supervised on release, let alone receive treatment. Many will be homeless, many more without employment, but they will receive little or no official assistance on either count despite these factors being shown to lead to further offending.

For those who believe that the carrot is a more effective way of changing human behaviour than the stick and look for constructive sentences, community penalties are more attractive. The Community Service Order demands unpaid work but it has strong constructive elements; the need for punctuality, the work ethic and working for those disadvantaged in other ways. The curfew order, as well as keeping offenders off the streets at times when they are most likely to offend, will teach the importance of planning one's time, shopping cannot be done during curfew! The Probation Order, with or without conditions, is the most constructive punishment of all; its purpose is to deal with the reasons for an individual offending.

Developing Effectiveness

But why is it that community sentences, which are constructive sentences aimed at preventing offending, are no more effective, on a national scale, in this respect than custodial sentences?

James Maguire has pointed out in his book *What Works: Reducing Reoffending* that community sentences operated according to certain principles will have a positive effect on recidivism, whereas those which have strong punitive elements can increase recidivism by some 25 per cent.

The programmes to aim for should be behaviour based or social skills training and need to be properly structured and evaluated. Active, participatory group programmes are likely to be the most effective.

In 1998 the Probation Inspectorate published the *What Works Project - Strategies for Effective Offender Supervision* which showed that "certain community programmes involving the same population significantly outperformed custodial sentences in reducing offending". Unfortunately few such programmes were being operated; most were not well evaluated; too few offenders completed them and there were continual changes to their design. Often there was no clear needs assessment of the offender and the programmes did not fit his/her overall supervision plan. Too many programmes were on a one to one basis. The report concluded that we should have a national system where the choice of programmes, their design and the way they are evaluated are all decided centrally.

Later in 1998 the Inspectorate published the follow up report - *Evidence Based Practice* - which for the first time in 90 years laid down national guidelines for probation work showing just how programmes should be delivered, evaluated and monitored.

It is encouraging to find how positively the probation

service are responding to this change in the pattern of their core work. In particular the Association of Chief Officers of Probation (ACOP) is leading the way in seeking more widespread use of best practices. The pending national reorganisation of the service will facilitate the central organisation of programmes.

Obstacles to success

Sentencers need to be sensitive to the difficulties the probation service must be under in managing community sentences effectively. How can they cope with government policy which swings from accepting a caring client-based service, to the disastrous 'Prison Works' and drastic cuts in the probation budget, to considering them as a law enforcement agency? What an appalling effect this must have had on the morale of probation officers! What effect have these cuts had on their fundamental work of managing Probation Orders? Have the courts been warned of these effects? How often will Probation Liaison Committees be told of, or have an honest debate about, the effects of the size of case load or how well the service is enforcing orders.

When one hears of case loads of 80 or more, or that in less than 30 per cent of cases were Probation Orders or CSOs being operated or enforced according to National Standards, surely these are facts which the court should know. It is not only wrong but counter productive as far as recidivism is concerned for a court to make an order which is not to be properly executed.

Probably the two main reasons for the failure generally of community sentences to be

successful at preventing offending are faults in the programmes delivered and lax enforcement. If an offender is not made to comply with a court order he will be contemptuous of both the order and the court, and that will encourage him to reoffend.

Community sentences should in the future play an increasingly central part in the punishment of non-violent offenders. If community sentences are properly executed and enforced, they should surely be more effective than short term prison sentences. For this to happen the probation service, which should continue to manage them, must be given the necessary resources, must remain community based and controlled and be encouraged to be more disciplined but still caring towards the offenders assigned to them.

Michael Calvert chaired the Magistrates' Association's Sentencing Committee until December 1999.

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