

Public Perceptions of Probation

Michael Teague describes the National Probation Service's contribution to the criminal justice system, and considers how public perceptions of community sentencing are constructed.

It is generally accepted by informed observers that providing accurate information about the criminal justice system engenders greater public confidence in that system. The Home Office study *Improving Public Attitudes to the Criminal Justice System: The Impact of Information* (2002) provides recent evidence to substantiate this view. Presenting straightforward, factual information boosts public understanding of, and confidence in, sentencing decisions. Well-informed people are less likely to assume that sentences are overly lenient, or that a community-based disposal amounts to a 'let off'.

The Government's position is unequivocal: it wants a criminal justice system that "engenders confidence and is responsive to the public's needs". (*Criminal Justice System, Annual Report, 2001-2002*). Lord Falconer, Home Office Minister for Criminal Justice, Sentencing and Law Reform, acknowledges that while offending triggers major public concerns, crime patterns and the criminal justice system are often widely misunderstood.

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A crucial criminal justice agency is the National Probation Service (NPS). The scale of the NPS's achievement since its creation on 1st April 2001 should not be underestimated. The Service commences supervising around a total of 175,000 offenders each year; some 122,100 offenders (70%) commenced community sentences in the year ending in December 2001. The remaining 30% were sentenced to custody with a subsequent period of statutory community supervision on license. Overall, the Service's daily caseload surpasses 200,000.

Despite the undoubted scale of probation intervention the NPS provides the taxpayer with substantial value for money. It received only 4% of the criminal justice budget in 2001-2 (compared with 13% going to the Prison Service and 55% for the Home Office police grant).

Substantial organisational, structural and cultural shifts, arguably the greatest changes since the Probation Service was founded at the start of the 20th century, are underway within the NPS. The development and delivery of accredited offending behaviour programmes, based on cognitive-behavioural principles, proceeds apace. Over 13,000 offenders have already commenced such programmes in the community; the NPS aims to achieve 30,000 completions by 2003-4. This pioneering and innovative evidence-based initiative is worthy of attention, not just on the national but the international

stage.

Despite these developments within the NPS, the degree to which the work of this key statutory criminal justice agency impinges on the public consciousness is debatable. The average member of the public is probably unaware of the scale of the work of the Service or probation's contribution to public protection and rehabilitation.

A clear awareness of the need to expand public knowledge of probation is evident at the top. NPS National Director Eithne Wallis has highlighted the need for greater openness, transparency and public accountability in the strategic framework document, *A New Choreography* (2001). This emphasised the NPS's aim of providing a "credible community sanctions agency for managing offenders and delivering interventions which work in reducing their recidivism and dangerousness". The need for credible community sanctions has never been greater; the prison population in August 2002 was 71,289; this was up by 4,054 (6%) on the previous year.

Chief Inspector of Probation Professor Rod Morgan, too, asserts that the NPS must develop its ability to communicate the vigour of probation's contribution to criminal justice through an imaginative and effective media strategy. He judges that more must be done to heighten public awareness of the NPS's highly effective work. "Local publicity packages could be produced which tell the good stories which abound within the Service of victims reassured, offenders' lives transformed, community service beneficiaries satisfied and employers of ex-offenders convinced that their decision to offer employment was right." (HMIP press release, June 18, 2000).

The degree of success enjoyed by NPS in communicating the nature of its mission is limited (and hugely under-researched). It is worth considering one high profile example of how public perceptions of community sentencing are constructed. When the footballer Jonathan Woodgate was convicted of affray at Hull Crown Court in December 2001, he was sentenced to a Community Punishment Order (CPO) of 100 hours.

A CPO (previously known as a Community Service Order) is hardly an obscure community sentence; 52,200 CPOs were imposed in the year ending in March 2002. Probation National Standards offer unambiguous guidelines on the purpose of a community sentence. It should provide a rigorous,

effective punishment; reduce the likelihood of reoffending; rehabilitate the offender (if possible); make reparation to the community; and minimise risk of public harm. As part of the NPS's bread and butter work, one might suppose that public awareness of the rationale underpinning such a sentence would be high.

Yet according to *The Observer* (December 16, 2001), "the footballers walked free from court." *The Daily Telegraph's* (15 December) front-page headline, "Leeds soccer stars go free", offers the reader a virtually identical message. "Freedom for the football cavemen" was the *Daily Mail's* (15 December) headline over two pages. The article began by stating "two England footballers walked free from court yesterday". The CPO was not mentioned until the tenth paragraph, and then only in passing. A community sentence, it appears, is virtually invisible; equated, in any case, with freedom; a derisory response to offending; and hardly worth serious discussion.

The Times' (December 15) front-page headline read: "Thug and liar walk free". Just in case you missed the point, the article's third paragraph noted that Woodgate "escaped a prison sentence". It was not until the ninth paragraph that a fleeting reference to "community service" was made. The *Daily Express* (15 December) also stated in the second paragraph of their front-page article that Woodgate "walked free". They did correctly assess that he had been sentenced to a CPO, but failed to acknowledge this until the inside pages.

The Guardian's (15 December) front page headline was "Woodgate freed over street attack" with a much smaller headline acknowledging, "England player gets community service for affray". Another *Guardian* (December 14) article was titled "Woodgate guilty of affray but avoids prison". Even *The Guardian's* Sports section (15 December) could not resist; their front-page headline was "Free to go". *The Independent* (15 December), at least, noted that Woodgate had been sentenced to "community service" in the second paragraph of a front-page article.

The Mirror's (15 December) nine-page coverage of the case should have left plenty of space to discuss the mechanics of community sentences. Yet the *Mirror* editorial (15 December), headed "Sentences too soft for true justice", focused on condemning "a paltry 100 hours community service" without attempting to explain what that might involve. *The Sun* (15 December), likewise, devotes its opening seven pages to the case. The front page is headlined "You thug" It is not until the seventh paragraph that the sentence of "100 hours community work" is mentioned. The nature of the CPO was ignored, except to suggest it was wholly inadequate in terms of seriousness.

One hardly needs to be expert in close textual analysis to discern a pattern. Just about every newspaper insisted Woodgate was sentenced to a Community Service Order, not a Community Punishment Order. It is debatable whether changing the names of community penalties, as introduced by *Criminal Justice and Court Services Act* (2000), has enhanced public awareness or promoted a wider appreciation of probation intervention. The Probation Inspectorate's latest *Annual Report* observes that if community punishment involves work perceived by the offender to be valuable to the wider community whilst simultaneously increasing his/her own self esteem, then "It is hard to conceive a term that better reflects those characteristics than community service" (HM Inspectorate of Probation 2002). In any case, the label stuck on the sentence is effectively irrelevant, because the majority view is that a community sentence equates to "walking



free from court" "escaping a prison sentence", "avoiding prison", is a "paltry" sentence, and so on.

Despite the acres of press coverage, the lay reader is left with no idea what a CPO actually involves. The only certainty is that the offender "walks free". Headlines such as "Probation staff deliver effective community sentences to reduce reoffending and protect the public" or "NPS delivers world-class offender assessment and supervision programmes" are conspicuous by their absence.

The NPS makes an invaluable – though consistently undervalued – contribution, not just to the criminal justice system but also to the wider community. Dedicated probation staff working at the coalface of criminal justice with difficult and dangerous offenders are well equipped to deal with constructive criticism. But they do not deserve to have their professional efforts at best misrepresented, or at worst ignored. Their unremitting daily experience has ensured they grasp that community sentences are neither a reprieve nor a soft option. After years of being undervalued and undermined by the media, they have a right to expect better. Public perceptions of probation effectiveness will only improve when the media portrayal of probation work bears some resemblance to its practice.

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