

# The Wal-Marting of the Probation Service

Martin Wargent argues that market-based models of extra-large central management are destructive strategies for the Probation Service.

“The Probation Service has been a role model for other countries. From all over the world visitors have come, and still come, to see how community sentences work. Always ready to add new strings to its bow, its idealism and commitment to serving local communities has, however, been constant. So the Service has a tradition that is both proud and dynamic; there are still good reasons for visitors to come here from all around the world.”

These were the words that in 1997 the then Home Secretary Jack Straw used to describe the work of probation staff in England and Wales. The Labour government had inherited a Service which was innovative, stable, well trained and looking forward, not without trepidation, to changes that were inevitably coming its way. When change came there was almost universal support for reducing the number of areas and making the governance of the Service more relevant by keeping sentencers on local

The responsibility for what remains of the probation system passes from the control of local people to the Home Secretary in an unprecedented centralisation.

What can explain such a dramatic change of direction? Not performance, which has been good against Home Office targets. Yet the current Home Secretary felt able to criticise openly the work of probation staff to an audience of prisoners in Wormwood Scrubs in November of last year, which raised many eyebrows, not only in probation circles. What could be behind this *volte-face*? There is a view that demand for a commercial model of probation practice came from No. 10, but this is mainly speculation. At a time when all political parties are talking up partnerships and devolving power to local communities, the probation service is being remodelled in quite a different way. There is much criticism of the model from many quarters

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boards but making local citizens more definitively the employers, responsible for local area services. The performance of the whole Service was, even to a government intent on modernising, not an issue. The Probation Minister in 2000, Paul Boateng, went on record to say “The figures show that probation is very effective in helping to prevent further offences. That is a credit to the professionalism of our staff.”

Legislation coming into force in 2001 helped to create a National Probation Directorate and almost overnight the 70 or so civil servants in the Home Office who had overseen policy and finance for the local services expanded to 500.

Now in 2007 the Directorate has been swallowed up by the National Offender Management Service which has some 1,600 staff in the Home Office. In advance of yet more legislation, this civil service behemoth is working on a model of probation practice that necessitates the creation of an artificial market in community sentences and court reports, and envisages the break up and takeover of probation areas by the private sector. This business model of competition, not cooperation, is to be run by regional civil servants letting contracts for ‘probation functions’ which can be undertaken by any person.

and much of the blame is directed at politicians. But although ministers are always accountable in the final analysis, it might well be that they are also victims of what has been called the ‘dismal discipline’ of management.

The management editor of *The Observer*, Simon Caulkin, has drawn attention to problems stifling enterprise in the UK and creating a destructive vision in public services. Put simply he suggests that the increased emphasis on management and managers has increased the risk of failure, and in the criminal justice world it is not hard to see how this might be happening.

The Home Office readily points out the increase in probation expenditure since 1997, but the number of trained probation officers has increased by little, whilst the numbers of managers and the very significant increases in Home Office budgets and managerial staff is easily observed.

Face to face work, particularly home visiting, has declined as the time necessary to fill in complex computer forms has risen. Risk assessment, a valuable tool, has led all too easily to a managerial tendency towards risk avoidance, which dehumanises supervision. The breach rate

for Community Orders and Prison Licences has risen so alarmingly that it is now a major factor in prison overcrowding.

One way of framing the current crisis over the future of the probation service is not to see it as caused in the main by politicians, many of whom seem to inherit the model from their predecessors without much analysis. Rather it can be seen as a management and control obsessed civil service constructing an outdated model for change and clinging to it through ministerial change, isolated from the criticism of practitioners, sentencers, police and other local agencies and oblivious of the healthier appetite for citizen involvement shown in less remote departments.

Management models may well be no longer the supposed solution to all our problems but the problem itself. The symptoms are clear to most of us. Increasing bureaucracy and risk obsession, an intensification of work as a result, productivity that lags behind key European countries, and a public sector in considerable disarray. Caulkin's view is that management, a technology that was supposed to amplify and energise human effort, has ended up consuming the extra capacity it created (Caulkin, 2007). Take for example the £7 billion spent by the public sector on consultancy over the past three years, to no good purpose according to the National Audit Office.

Caulkin calls this scenario a "toxic interplay of vested interests", and quotes the management theorist Russell Ackoff, who describes it as a trap in which the "wrong things are done righter". And the wrong thing is central planning, an "amoral, dysfunctional and dangerously self-reinforcing, command and control model that would not have been out of place in the Soviet Union". IT vendors are employed to graft expensive solutions onto the existing infra-structure (and how well we see that), regulators spring up to deal with the abuses the system creates and the edifice buckles under its own weight. In the harshest, purest and least modified form, the probation 'market' has all the hallmarks of central planning in its most inappropriate and pernicious form.

The Home Office model for the Probation Service is formulated on the assumption that individuals are motivated exclusively for opportunistic, economic reasons. Some commentators have pointed out that this is ironically more suited to an establishment for disciplining psychopaths than one for motivating the well intentioned. The model denudes management of ethical considerations. Repression, hierarchy and control are needed to prevent the abuses which the model encourages. Incentives and sanctions will litter the chaos that a Wal-Mart approach will bring to criminal justice.

It's the quality and sensitivity of management in organisations which matters, because organisations like the Probation Service work on cooperation, teamwork and innovation, not on competition and unadulterated efficiency. Markets, says Caulkin,

are blind and impersonal, but organisations can choose the better strategy for the right results, maybe delaying short-term gain for a better outcome later.

The disorganisation so frequently commented upon regarding NOMS allows the flawed planning to continue; hastily updated plans are rushed out to meet legislative deadlines, and internal inconsistencies abound. One rationale for the new model is to create a purchaser and provider split. Yet the intended legislation makes the Home Secretary undertake both roles in a bizarre contradiction of the model's own logic. Ministers may be forgiven for speaking in favour of the NOMS 'solutions' when it seems to be beyond the department's ability to produce a more rational policy, despite its number of managers and the years of unfulfilled waiting for a coherent Bill to be drafted. The sheer size of the NOMS superstructure imposed on probation and prisons, but mainly on probation, is evidence of the managerial, centralised-control, market-driven, artificial model brought alarmingly, and rather anachronistically, to life.

It almost goes without saying that such thinking results in the vicious circle of counterproductive target setting, provoking resistance from professional staff, followed by officials interpreting this as evidence of self-interest and responding with more sanctions and more targets.

In 2007 the Probation Service looks back, not only to 1997 as a time of hope tinged with anxiety, but also with considerable pride to its origins of a century ago and its decades of dedication. The centenary celebrations this year may coincide with an Act that reduces hope and drives the opening wedge into the larger 'criminal justice market'. Never was there a better time for politicians to take a hard look at how abandoning leadership to burgeoning officialdom brings unintended consequences.

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#### References

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