



BOOK REVIEW & LETTER

Probation Round the World, a comparative study, edited by Hamai, K; Ville, R; Harris, R; Hough, M; Zvekic, U; Routledge, London 1995 pb, £13.99 pp233 ISBN: 0 41511 517 5

Readers are familiar with the changing nature of the Probation Service in England and Wales, in particular, the legislative challenge of the past decade. But what of the position of the probation world shaped by the differences between common law and civil law, not to forget other dimensions of influence including colonialism, tribalism, the role of the churches, urbanization and revolution? *Probation Round the World* is an empirical study of a variety of different probation systems. It is not an inclusive study but covers probation in ten countries, ranging from the best resourced and most heavily professionalised in Britain and the old Commonwealth to the reliance on volunteer supervisors in Japan and the community based system which has recently been set up in Papua New Guinea.

This book is the result of collaborative research involving the United Nations Inter-regional Crime and Research Institute, the Home Office and experts in the ten countries in the study: Australia, Canada, Hungary, Israel, Japan, Papua New Guinea, the Philippines, Sweden, England and Wales and Scotland. The results portray probation systems in a state of flux. Faced with rising crime and the impact of world-wide recession, the industrialised countries have placed renewed importance on probation as a means not only of reducing re-offending but also of containing expanding prison populations. This had led to more pronounced 'correctional' systems than before, as probation includes a growing proportion of more serious offenders.

At the outset the authors sound a note of caution about the quality of some of the data. The editors relied on single case studies by local experts whose access to comparative data was limited and who were reliant on statistics which were sometimes incomplete or of limited reliability. The book, therefore, needs to be read in a spirit of genuine interest and enquiry. Its aim is constructive rather than prescriptive. Thus, in describing the development of probation models in North America, Australia or Britain, there is no suggestion of the benefits of imitation since while they may work in these countries, they may be undesirable or

unnecessary in the developing world.

The first part of the book comprises a review of the development and convergence of probation within the civil law and common law traditions. The second part describes the origins and functions of systems in the ten countries, drawing out salient differences and similarities.

It transpires that the world of probation is predominantly for middle range offenders. Most countries allow probation for serious offenders where mitigating circumstances permit. A trend, particularly in the western world, is for probation to be used alongside other controlling measures as an alternative to custody is increasingly apparent. Again, in the largely Anglophone countries the trend is away from a system of monopoly public services provision to a contract based approach; responsibility for services remains with the State but the State's role involves purchasing as well as providing services. Hence in these countries the range of facilities developed to help or monitor offenders emerges less from organic communities than from commercial systems whose continuation is measured in profitability not community support.

The contrast could not be greater with developing countries or Japan itself where supervision is dominated by lay supervisors recruited by the services from the community. Thus the greater the professionalism of services the less use is made of volunteers.

Overall, there is in most countries, a greater emphasis on accountability and clarity of purpose; and probation today is often not a single sentence but a framework for community corrections, containing the possibility of combinations of sentence, graded according to the gravity of the crime or the circumstances of the offender. Within this development as probation has matured, there is an appreciation of its strategic potential and of the necessity of a combination of flexibility and relevance in criminal justice.

The book is also a mine of selective information on training and service conditions even to the point of telling you that officers on Prince Edward Island, Canada need a minimum entrance of a Masters Degree. What price then for Mr Howard's NVQ's for probation officers in England and Wales?

*John Harding, Chief Officer
Inner London Probation Service*

Dear CJM,

It was most interesting to read Alec Samuels' article on sentencing in your magazine no. 22 (Winter 95/6 p8). At last some fresh (and sensible!) air on this subject.

As a probation officer I tried to promote a similar sentencing scheme (a 'prison prevention plan') from 1988 to my early retirement in 1995.

The important features of the scheme were (to summarise drastically): a sentencing package presented to the court as a clear alternative to imprisonment, to include community service compensation/restitution to victims and/or their families, rehabilitative programmes in the area of the problems presented (eg chemical abuse, domestic or other violence, sexual problems, employment, housing, relationships). Some of these programmes would be residential and long term. Effective supervision would be provided by the probation service: the cooperation of all the agencies involved would be enlisted and they would have to accept that they were helping the probation officers and client to fulfil a sentence of the court: it is part of the deal that none of the package can be changed, once ordered by the court, without express consultation with the judge. Follow-up reports to the court would be given on a regular basis; if ever the programme became too much for the client s/he could ask to be returned to prison, either for a short spell away from these demands or to complete their prison sentence. (I say 'complete' because inevitably many of these offenders would have been remanded to custody before sentence.)

This alternative sentencing scheme would have to be confined to the crown courts (the magistrates' courts already have a similar scheme in 'combination orders') to prevent 'net widening'.

Such a punishment/treatment plan would take anything from six to twelve weeks to draw up, and time would have to be allowed for this. Further, the judge would have to spell out just how long a sentence of imprisonment he was considering before remanding for a 'prison prevention report'.

*Will Watson
(Retired Probation Officer)*