

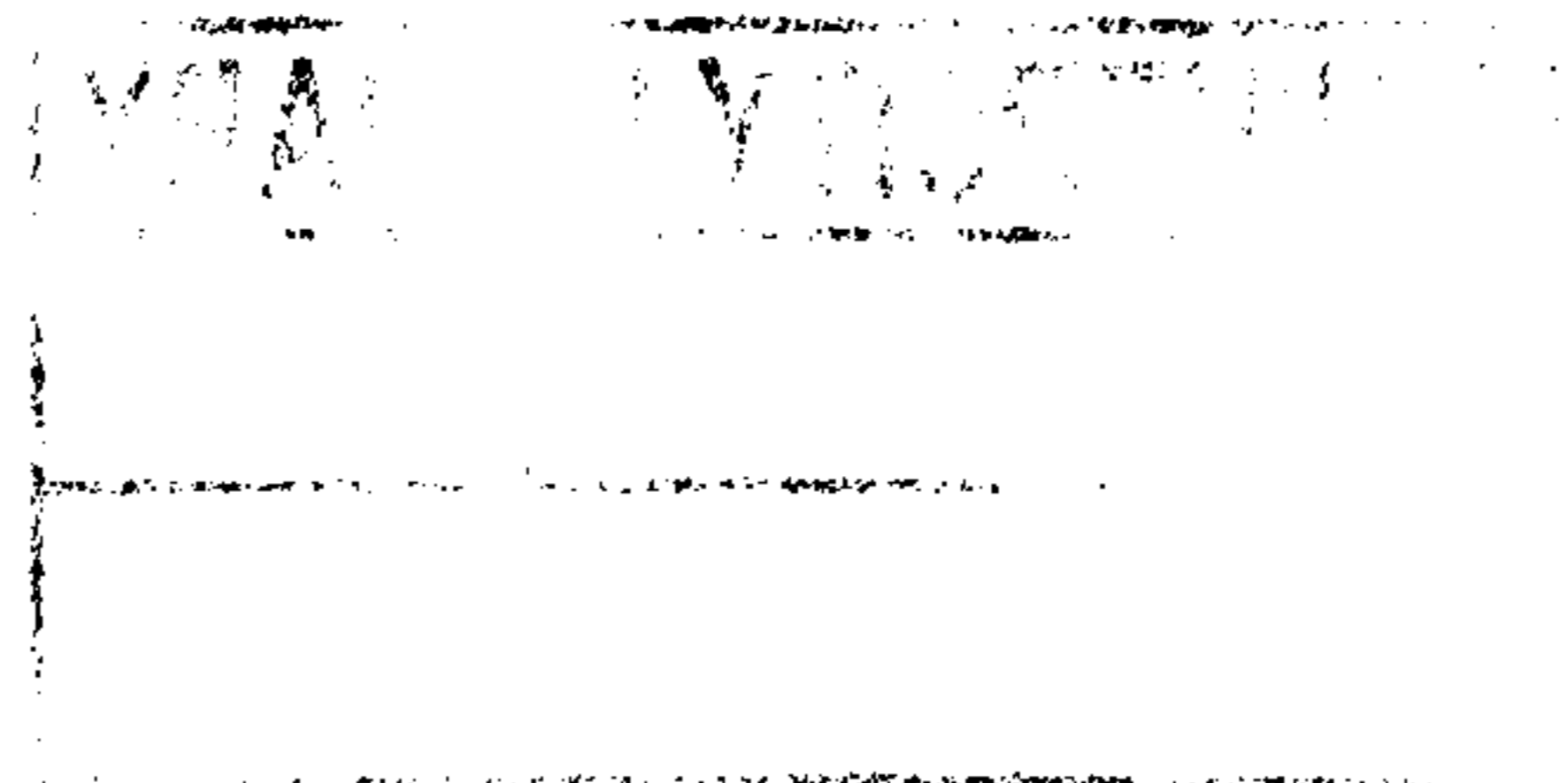
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**BY**

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**VOLUME TWO**



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### Volume One

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### *Green Divider*

1990: *Practice Teaching and the Art of Social Work*, Norwich: University of East Anglia, Social Work Monograph no.88.

### *Red Divider*

1994: 'Review Article: Selected Writings from the British Criminology Conference, 1991, vols.1-2', *Issues in Social Work Education*, 14(1), pp.98-103.

### *Blue Divider*

1995: 'College Reflections on Practice Theory', *Social Work Education*, 14(3), pp.5-24.

### *Yellow Divider*

1997: 'The Qualification of Probation Officers: Thoughts for the Future', *Probation Journal*, 44(4), pp.205-10.

### Volume Two

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**Working with  
Structural and  
Ideological  
Change:  
An Example  
from Probation**

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**Social Work Monographs**

Monograph No. 185  
ISBN No. 1 85196 017 5

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The author qualified at Exeter University as a social worker / probation officer in 1978. From 1989 he worked on the DipSW / DipHE course at Croydon College, returning to practice as a probation officer with South East London Probation Service in 1995. He is currently a senior practitioner working in Croydon but will shortly be taking up a post in the School of Social Work at Kingston University. He received the Advanced Award in Social Work from the Surrey and Sussex PQ Consortium in June 2000. This was done through the portfolio only route taking the combined pathway.

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This monograph could only have been written in a reflective and forward looking practice setting such as I have enjoyed at the Croydon office. I write, however, in a private capacity and the opinions expressed in this monograph are my own. My particular thanks go to Jane Lindsay, whose careful reading of drafts and comments and, before that, her role as my AASW mentor I have valued greatly.

## PREFACE

The theme running through this monograph is that the probation officer's professionalism lies within social work. There is a risk that the removal of the probation qualification from that of social work and the preoccupation of probation policy and practice with the discourse of criminal justice will result in the two disciplines moving apart to the detriment of them both.

A social worker reading this monograph, however, will find the tensions and issues that s/he faces in the daily pressures of practice repeatedly echo through these pages. Above all, this is a paper by a *practitioner*: a reflective commentary on his practice within a world of rapidly changing organisational structures driven by assertive political ideologies. It addresses the question of the extent to which the generic social work ethics, knowledge and methods in which he qualified are applicable within this changing context. The answer reached is that practice develops incrementally but that it is social work's holistic genericism that allows us to respond flexibly, creatively and effectively in our encounters with clients and communities (Clark, 2000, pp.166-71).

Over the course of this exploration, key concepts are raised which have as much resonance for the social worker as the probation officer. Multi-disciplinary working is as significant for probation staff as for the local authority care manager or the increasingly integrated mental health teams. We are all enjoined to have due regard for evidence based practice and to build a research awareness into our practice and this monograph presents a critique of the tenets of evidence based practice that cuts across the social care professions. The impact of a risk averse society is as great in social work practice with the mentally ill as it is in work with offenders while much of our understanding of risk prediction and management was pioneered in the field of child protection. The at times harrowing contributions to the book edited by Hunt

(1998; see also Clark, 2000, pp.153-5) about whistleblowing in the social services point an accusing finger at prescriptive managerialist proceduralism and its relentless demands on the first loyalties of practitioners that besets the social work world as much as it does that of probation. The reductionist individualism of consumerism, that links with the market approaches of care management, finds its echo in case managed packages of community punishments and the individualised just deserts of confronting offending behaviour that increasingly drive probation practice. Finally, of course, so many of the clients overlap or move between the services: children in trouble, mentally ill people, those with drug dependencies, the marginalised and oppressed.

Faced by this complex world of practice, Howe (1999, pp.31-2) speaks to us all with his plea for ‘the need for tolerance, and I think above all compassion - compassion encourages understanding, it encourages flexibility; it discourages rigidity and it makes us cautious about too much moral rectitude’.

## I: INTRODUCTION

This monograph is about social work with offenders. I see trends in policy and practice which are leading to a narrowing of focus and over prescription in what we do. In this monograph, I set out to engage with these trends in a constructive and critical manner and to search for an alternative synthesis.

In seeking this synthesis, I have built the paper around a practice - theory cycle. An article, written when I was a college lecturer, provides the theory base (Elliott, 1995). A portfolio, produced following my return to practice for the Advanced Award in Social Work, provides the practice base. The portfolio tests and demonstrates in practice the theorising of the article. But, in keeping with Schon's (1987) cycle of reflecting on and in practice, each new stage in professional practice has the capacity to be developmental. Consequently, the portfolio builds on and develops the article's theory and this development is presented in this monograph.

The probation service, however, operates within a rapidly changing political and policy climate. It is not possible to engage with probation practice and its theory without addressing the wider context of change. Criminal justice is highly politicised. How a society reacts to crime is synonymous with how it reacts to social inclusion and exclusion (Prins, 1999, pp.16-17; Drakeford and Vanstone, 2000). I set out to demonstrate this in the structure of this paper. Ultimately, socio-economic factors in the very fabric of society and its politics drive the culture of its penal discourse. Hence the monograph's wide scope as the interconnections of the different levels of analysis are explored. This opening chapter gives an over-view of this structure.

The monograph begins with a brief review of the theory from the article, which is rooted in a social work value base of individualisation, respect and anti-oppressive practice. The real world relevance of the theory, however, can only be assessed if it is



placed within an understanding of its wider context: the penological, structural and operational realities, each influencing the other. Each level, therefore, is analysed in turn. The penological is characterised by the revival of interest in positivist rehabilitative treatment with offenders set within a framework of risk assessment and risk management. Such developments are to do with social inclusion and exclusion, requiring the next level of analysis, that of the structural dimension, taking in socio-economic and political philosophy perspectives. The paper presents a critique of criminal justice policies in terms of the growing reach of the criminal justice system - the current pre-eminence of justice and penal discourse at the expense of welfare discourse (Hudson, 1993, pp.114-8) - and an associated criminalisation of poverty. These developments disproportionately encompass minority groups, the marginalised and oppressed. An over-arching explanatory framework for these trends is provided by reference to Jordan's (1996) theory of poverty and social exclusion.

There follows a discussion of the operational consequences of this penological and structural critique. The rehabilitative agendas of What Works and effective practice are examined, the former being in practice predominantly cognitive-behavioural, the latter being a term capable of broader application. But the penological and structural factors render the rehabilitative agenda hostage to risk management and excessive enforcement. There is a daily operational environment of tighter enforcement and increased penological reach into communities with, to use Hudson's phrase, a legislative climate of 'sanction stacking' (1993, pp.133-8). Increased penal reach results in a concomitant management reach and the managerialist organisational culture of the probation service is described.

Only now is the scene set to examine aspects of the practice portfolio that I produced, with its themes of social work theory-practice within the current penal context. The foregoing analysis enables the constructive critique that I develop, arguing through points of convergence and divergence which take account of the real

world within which I operate. Using the theorising of the article (Elliott, 1995), but profiting from helpful terminology that I have gained from my reading in the intervening years, I describe a 'metatheoretical' practice based upon what Thompson (1995, pp.1-2, 59: italics in original) calls '*informed practice*' - a term which will recur throughout this paper - without which practitioners are prey to 'assumptions, prejudices and stereotypes that can lead to discrimination and oppression'.

Today's climate, even more than when the article was written somewhat over five years ago, places an emphasis on evidence based practice and this is an area where the portfolio is a development of the article. From one perspective, it may be said that the portfolio became an on-the-job study into the development of a model of practitioner evaluation, of the practitioner taking responsibility for evaluating the quality of her or his work and its outcomes. This search for evidence based practice lends confidence and depth to the metatheoretical practice that I set out to demonstrate. By the same token, it lends confidence to the critique of current practice developments in the probation service. Through the What Works initiative practice is liable to become overly dependent upon one method - the antithesis of metatheoretical practice - namely cognitive-behavioural practice. The adverse critique of the experimental research base upon which the present policy drive to cognitive-behavioural, or What Works, practice is based is examined and the case is made for incorporating what Pawson and Tilley (1997) call 'realistic evaluation' into the evaluative approach to practice. Evidence based practice itself, insofar as it drives the experimental research tradition, is also the subject of this critique. When using the term in relation to my own work, however, I adopt what Trinder (200b, pp.145-8) calls the social work pragmatist definition of evidence based practice.

The structural context and particularly the theory of poverty and social exclusion that is presented demands that serious attention is given to the community dimension of probation practice that needs to be supportive and enabling of those

legitimate networks and resources that already exist in and give strength to the deprived communities whence so many of the service's clients come. Consistent with and serving as an extension of this argument for community engagement is the case for making a commitment to the development of community based restorative justice.

The analysis given above results in a significantly different view of the probation service from the one presently propagated in policy making circles. That such a different view, a minority one perhaps (certainly within policy and leadership circles) but, as the referencing in this paper will show, one that is soundly supported, is put forward in this monograph led me to conclude it with certain proposals. As our route ahead becomes ever more prescribed, there is an intrinsic value in keeping our minds open to alternative but also professionally sound ways of thinking and mapping how these may be translated into practice and my proposals are:

- if people are to trust and cooperate with a helping process that enables change in their behaviour, they need to feel themselves to be the focus of that help: effective helping can serve other ends but it is never a means to other ends;
- case management as a way of organising practice needs to be compatible with this approach to helping. Case managers require discretion to exercise informed judgement over the issues of pacing and coherence in the operation of community sentence orders and post-prison licences while services need to be characterised by their accessibility for the client;
- consequently, the Diploma in Probation Studies, which is the professional qualification for probation officers, needs to retain and possibly expand its core curriculum rooted in ethics, the social sciences and a catholic methodological approach to practice if the future workforce of the service is to have robust transferable and adaptable skills. Pre and post qualifying education and training need to be compatible with this approach;

- issues of timing, scale, resourcing and centralisation in the national roll-out of the What Works programme, when combined with its disputed research base, holds out the possibility that this national initiative will disappoint, both in its operational implementation and its anticipated therapeutic impact. An alternative, using realistic evaluation along with practitioner evaluation which is more sensitised to local circumstances, is proposed as a means of generating evaluated and effective practice for the probation service;
- with developments in office-based practice should go a rediscovery of the social fabric of communities - which is not the same as active involvement with the network of externally generated agencies that police communities - in the form of community and restorative based practice;
- finally, the 'expressive as well as functional purposes' of probation (McNeill, 2000b, p.11) are reiterated: that there is a difference between prison and community, that the discourse of welfare needs reviving relative to the pre-eminent judicial discourse of punishment and that, if research confidently shows us anything, it is that punitive-effective-practice is a blatant self-contradiction in terms.

## 11: THE PRACTICE THEORY CONTEXT

Consumer satisfaction surveys direct us to the principles upon which good practice needs to be based. Clients respond to professional encounters that are based upon open negotiation, that serve to engage and empower and that treat people respectfully and as individuals (research examples from probation practice are: Bailey and Ward, 1992; Beaumont and Mistry, 1996; Mair and May, 1997: Research Summary, *Probation Journal*, 44(3), pp.166-8; Rex, 1999). As Packman (1986, p.187) found in her research into decisions about care proceedings for children, parents felt satisfied if

--- they felt involved and were consulted; the social worker listened and appreciated their point of view; the social worker visited frequently and was able to offer tangible help as well as emotional support; the social worker was a 'real' person, and not a faceless official.

These findings serve to validate the long-standing social work preoccupation with the professional relationship which is intrinsic to its value base. The rehabilitative task in probation practice is about enabling self-generated and sustained change by the service's clients within their social context and the knowledge and skills base for achieving this remains that of social work. Therefore, no apology needs to be made for reiterating the social work value base as applicable to probation work and, indeed, Williams's (1995, pp.1-20) exposition of underlying probation values does just this. Anti-oppressive practice, confidentiality, self-determination and individualisation - all of which are concepts with long histories of application within the complex world of statutory social work practice (Howe, 1999) - are linked by Williams with the occupationally more specific statements of opposition to custody, commitment to justice to offenders and the protection of victims and potential victims. The list concludes with the statement that purposeful professional relationships can facilitate change in clients (Williams, 1995, p.19):

Only if the social work methods mentioned earlier - warmth, empathy, real listening - are used and taken to heart, and combined with a concern for justice, will it be possible to influence clients positively. One of the major points of the research on what works is that there is no rehabilitative technology which can be removed from its context in a personal relationship bounded by humanistic values.

In the article *College Reflections on Practice Theory* (Elliott, 1995), I argue that these principles underlie a shared practice theory of social work which provides a core reference point for theorists and practitioners. This core reference point provides a benchmark against which all practice may be assessed and around which the concept of metatheoretical practice may be built whereby traditionally competing theoretical paradigms are progressively synthesised (Howe, 1987, pp.47-51; Boswell, 1989, pp.73-4; Thompson, 1995, pp.1-2, 59; Coulshed and Orme, 1998, pp.9-15). As Jordan (1979, p.129) expressed it:

I have described a number of different methods of helping based on what are usually considered as rival schools of thought. I have suggested that to be most effective, a social worker needs a range of responses that come fairly naturally to him, that enable him to be flexible and imaginative in his reactions to his client's problems. All these depend on an intuitive grasp of the essentials in the client's predicament, communication of the purposes of the methods suggested, and the creation of an atmosphere of trust and goodwill --- The worker needs to be seen as a credible and helpful person, not as a mere technical expert.

My return to practice provided me with the opportunity to test the feasibility of this theorising in front-line practice, under the pressures of a full caseload and within a complex policy and organisational environment where the social work discourse is clearly not in the ascendant. As Schon (1987, p.3) expresses it only too graphically, reflection *on* professional practice needs to be tested by reflection *in* the world of operational reality, which he calls the 'swampy lowland': it is 'In the swampy lowland [that] messy, confusing problems defy technical solution'.

The need for professional judgement, Schon argues, arises because the problems encountered by professionals are frequently of a complex nature that do not

lend themselves to routine responses. He calls these (*Ibid.*, p.6) the ‘indeterminate zones of practice’, areas of ‘uncertainty, uniqueness, and value conflict’ to which the skilled practitioner responds with artistry (*Ibid.*, p.13):

In the terrain of professional practice, applied science and research-based technique occupy a critically important though limited territory, bounded on several sides by artistry. There are an art of problem framing, an art of implementation, and an art of improvisation - all necessary to mediate the use in practice of applied science and technique.

I call this practice theory, a practice theory that is designed to address just those swampy issues that Schon identifies: uncertainty, uniqueness and value conflict. The theorising in the article that I then tested in practice was an articulation of practice theory, all of which was written up and provided with practice evidence through the medium most suited to this process, the practice portfolio. The discipline of producing an Advanced Award portfolio, which is subject to examination against competences moderated within a national framework of standards, served to provide a quality threshold akin to that of peer review. Writing this monograph returns me again to the public world of article writing and theorising and responds to the question that inevitably arises: what conclusions may be drawn for the probation service and its future possible policy directions from this process of reflection in which I have engaged and which has been subjected to the quality controls of peer review and examination?

## 111: THE PENOLOGICAL CONTEXT

One quality that made the portfolio, produced in the late 1990s, different from one that would have been produced when I was last in practice, in the early 1980s, is the enhanced emphasis upon evidence based practice. I needed to engage in a periodic process of evaluation, with a more rigorous focus on objectives and awareness of the outcomes of the work, than had previously been the case. This has undoubtedly led to more purposeful practice as I sought to develop and demonstrate in-built methods of practitioner self-evaluation. Good practice, of course, has always required a sense of purpose and direction and the effectiveness based research of Reid and Shyne (1969; see also Payne, 1991, pp.108-17), which led to the development of task centred practice, may stand as a well known example of the interaction of research and practice in social work. Over time, however, a greater research awareness has developed in tandem with the growth of a more robust research base and the probation and social work services are enjoined to take more account of this knowledge base in pursuit of improved evidence based practice (selected social work examples are: Cheetham, 1992; Shaw, 1996; Macdonald and Sheldon, 1998; Pierce, 1998; Hicks and Archer, 1998; probation examples are: McGuire, 1995; Bailey and Ward, 1997; Hayles and Kazi, 1998; Ellis and Underdown, 1998; Chapman and Hough, 1998).

Within the probation world, this process has led to the current predominance of the What Works model (McGuire, 1995; Vanstone, 2000). This is primarily based upon a cognitive-behavioural methodology. Its empirical research base, reflecting the origins of evidence based practice within the world of medicine (Trinder, 2000a), is outcome orientated. It is widely supported but not undisputed and there is evidence that well delivered programmes can reduce recidivism and consequently contribute to public safety. The model has captured the political high-ground and large scale expenditure and effort is currently going into re-positioning the probation service to



deliver a huge national What Works project. The project is centrally led by the Home Office and HM Inspectorate of Probation and a string of Home Office circulars chart its progress: so much so that Vanstone's (2000, pp.173-6; see also Robinson, 1999, p.422) reminder of an unbroken record of *practitioner* belief in the efficacy of rehabilitative work and readiness to adopt some early cognitive-behavioural initiatives in their practice is timely. The sequence of key probation circulars begins with 35/1998, with the title *Effective Practice Initiative*, which sets out a national implementation plan for the effective supervision of offenders. This identifies the What Works principles and the aim that 'every offender is supervised in accordance with those principles' (*Ibid.*, p.1) and launches the process of finding pathfinder programmes which, through a process of accreditation, are to form the national core curriculum (64/1999) around which supervision of offenders will revolve. The full scale of the project is evident from the circulars 31/2000, 32/2000 and 60/2000 which identify the programmes currently under development and the arrangements for the implementation of the core curriculum and the supporting structures that are required. A change of name for the whole project has taken place during the years 1998-2000 from effective practice, which may be seen as a relatively generic term, to What Works, which is clearly based on cognitive-behavioural practice.

All this amounts to re-emergence of the belief in rehabilitation after the years when, at least in policy terms, the belief was that nothing works (McGuire, 1995, pp.3-5; McGuire, 2000, p.95-7). Vanstone (2000) sees this as a coming together of the policy and practice agendas, the former having been diverted to one of diversion from custody as a response to nothing works while the latter retained a commitment to rehabilitation. This time, however, the probation service and criminal justice agencies are charged with the task of actively demonstrating the success of rehabilitation through reductions in recidivism and crime levels (Probation circulars 3/2000; 60/2000, p.5).

The drive back to rehabilitation, however, is only one strand in current penological developments. The rise of the prominence and rigour with which risk assessment and risk management is being approached is the other key strand, which also links to the government's over-riding objective of public protection. Indeed, if Vanstone sees a coming together of two formerly divergent strands, the emphasis upon predicting and managing risk, as an end in its own right, has been seen to open up a new area of divergence as the risk agenda is juxtaposed with the rehabilitative agenda. Kemshall (1996, p.133) writes:

Traditionally the Probation Service has espoused a welfare ethic, concerned with the humanitarian rehabilitation of offenders ---, and the identification and alleviation of offender need --- the Probation Service has been subject to a 'reforming' process in which both values and objectives have been largely reconstituted --- By the time the Criminal Justice Act 1991 was implemented, the Probation Service was no longer the rehabilitative arm of the criminal justice system. Rather, it had taken its place as one of the five agencies of an increasingly centralized and managed justice system ---, with a brief to administer tougher community penalties, protect the public, and assist courts in targeting serious offenders for incarceration.

Kemshall says that (*Ibid.*, pp.133-4) 'The shift --- to the effective management of a growing offender population without threatening public safety had begun' with risk assessment and effective risk management becoming the 'main preoccupations of the Probation Service'. Progress with this shift is predicated upon more objective and precise risk assessment and a raft of risk assessment tools has been or is in the process of being developed to improve the quality of prediction of both risk of reoffending and risk of causing harm. Kemshall (*Ibid.*, pp.134-41) discusses the background to this search for improved risk assessment and the combined actuarial and clinical model that she proposes is establishing itself in mainstream probation practice.

Robinson, on the other hand, argues (1999, pp.427-9) that the rehabilitation and risk assessment / management agendas should not be juxtaposed in the way described

by Kemshall. Instead, Robinson sees the rehabilitation model of What Works, which is based upon precise assessment and differentially targeted treatment programmes, involving different levels in the expenditure of resources, as perfectly linked with the more sophisticated risk assessment tools coming on stream. These assessment tools also identify criminogenic need - factors which increase the risk of reoffending and which provide the focus of a treatment programme - and this is seen as perfectly matched with both risk prediction and risk management. The tool currently used in the Service for which I work stands as a good example. It is called the Level of Service Inventory - Revised (LSI-R), combining actuarial and dynamic (criminogenic needs) assessments and it was developed in Canada, where the copyright rests (Andrews and Bonta, 1996). What Works is the implementation at the individual level of needs focused programmes through which the aggregate volume of risk posed by offenders is managed. Following on from this, the case management model is implemented whereby practitioners manage treatment programmes delivered primarily by others in such a way that the most expensive resources are reserved for offenders who pose the highest risk.

Rehabilitation, therefore, is no longer an end in itself: it is the empirically based means to the end of risk management. Robinson describes this conclusion as a 'tentative one' (*Ibid.*, p.430). Writing as a practitioner, it does not feel tentative at all. It exactly reflects my experience.

#### IV: THE STRUCTURAL CONTEXT

If rehabilitation is one means to the end of risk management - that is rehabilitation serves a secondary function - then it may be said that the administrative criminology described by McNeill (2000a, p.110) remains in the ascendant:

Administrative criminology has demonstrated some antagonism towards the notion of crime being 'determined' by social circumstances; re-asserting a belief in human choice in the criminal act; and advocating deterrent or incapacitation policies --- the recent trend has been towards acceptance of the inevitability of crime and the development of effective strategies for its management.

It may be seen from the quotation above that classical criminology (Lilly *et al.*, 1995, p.207) - that sees crime as the rational choice of the individual actor, which underpins the just deserts principles of the Criminal Justice Act 1991 - meshes with administrative criminology to form an approach to crime whose primary goal is risk assessment and management. Rehabilitation will have a place where the prognosis for success serves this primary goal but investment into restricting the opportunities for crime and into the supervisory surveillance and control of identified criminals and others will play an equal or greater part in the policy (see Hudson, 2000 for a critique of the expansion and use of closed circuit television within this policy context).

It was the Criminal Justice Act 1991, therefore, that developed graduated loss of liberty as the primary sentencing principle - 'Restrictions on liberty would become the connecting thread in a range of community penalties as well as custody --- The more serious the offence is, the greater the restrictions on liberty which would be justified as a punishment' (Home Office, 1990a, p.19) - and the Criminal Justice and Court Services Act, 2000 can be seen to take this principle much further. The number of gradations within complex sentencing packages steadily expands, especially with the extension of electronic monitoring for curfews and exclusion orders, compulsory drug

testing and drug abstinence orders. The presumption in the original bill that custodial sentences would follow the breach of community sentences, which has been amended although breach requirements now have a statutory base under the Act, clearly indicated the government's preferred thinking (Home Office, 2000b, pp.5-7). To this picture of government intentions may be added the Child Support, Pensions and Social Security Bill, 2000 concerning the withdrawal of state benefits following an allegation by a probation officer of a breach of a community order. Again, this has been subject to amendment by making it at least subject to judicial determination, but the principle of linking criminal sanctions and benefit eligibility has been established (National Association of Probation Officers, 2000a, p.10). Drakeford and Vanstone (2000, pp.375-8) argue the same case about developments in sentencing options. For their examples, they cite the growth of preventative detention and aspects of anti-social behaviour orders (Crime and Disorder Act, 1998, s1).

For the thrust of administrative criminology is indeed to extend the range of surveillance and control over an ever larger population, with the graduated penalties of just deserts providing the judicial justification and means for achieving this. The purpose is to achieve a thorough system of risk management, in which prediction and assessment, What Works and the technologies of surveillance permit ever greater precision in a process of bifurcation (Hudson, 1993, pp.32-8). Bottoms (1977) saw bifurcation as the split between tougher measures for the serious or dangerous offender and more lenient penalties for the rest. The problem is that the scale of lenience and toughness keeps moving up so that lenience ends up equating with what would have been deemed severe a decade before, as may be demonstrated by developments over time in sentencing patterns (Fletcher, 2000b, p.11) and extension in the use of preventative detention (Tuddenham, 2000, pp174-5). Government policy now is to work towards integrating imprisonment and probation, to achieve the seamless sentence (Home Office, 1998a, pp.15-19) and, to use the words of the Home Secretary, Jack Straw, quoted by the Howard League (2000a, p.4), the courts should

have greater flexibility in combining sanctions and the ‘boundaries between custodial and community penalties be made less rigid’.

The Consultation Document on the Prisons - Probation Review (Home Office 1998a, p.15) talks of the need to overcome the ‘cultural divide’ that inhibits effective joint working between the two agencies but Hedderman and Hearnden (2000, p.128) warn of the ‘fundamental differences in the programmes being run in prison and the community’. And, indeed, one can wonder whose culture may prove the more potent in any merging of cultures: it is foolhardy to ignore the issues of coercion, the exercise of power, the lack of accountability that exists within the prison system, ‘the strident culture of discipline, regulation and masculinity’ (Simm, 1992, pp.273-90, quotation, p.285; see also Raban, 1987; Jefferson *et al.*, 1991, pp.4-11; Adler and Longhurst, 1992; Elliott, 1994, pp.98-9; Howard League, 2000b, pp.3-5; Henham, 2000, who analyses the limitations of the English Prisons Ombudsman Scheme, see especially pp.290-4).

Current policies are, in effect, attempting to extend the controls of prison into the community and the extent to which this policy is breaking new ground is indicated by the comment of Lily *et al.*, who write from an American perspective where some of these developments are already more developed. Writing in 1995, they say (p.221):

These conservative times have resulted in a redefinition of the meaning and importance of community, public, and privacy. Just a few short years ago it would have been highly offensive to the American public to turn a home into a prison, a bedroom into a cell. But by the mid-1980s, several states followed the lead of Florida and Kentucky in passing laws permitting house arrest and electronic monitoring.

With some hesitation because I am well aware of the critique of Foucault’s work, particularly of his history (Merquior, 1991, pp.85-118; Forsythe, 1987, pp.5-8,

225-9), Hudson's appeal to him is apt when the social reach of Foucault's panopticism is recalled (Hudson, 1993, p.33; see also Merquior, 1991, pp.91-6):

Foucault's vision of a carceral society is thus becoming increasingly persuasive, with no longer any absolute distinction between imprisonment and community corrections, but a continuum of gradations between total freedom and total incarceration based on the idea of restriction of liberty as the unifying component of modern punishments.

Wacquant (1998, p.8; 1999), referring to the situation in the USA, writes of the 'new synergy' of the penal system's 'capture' and 'observation' functions, with now more than 250 million 'rap sheets', as against 35 million ten years ago, covering 30 million individuals, which is nearly one third of all adult males. The whole process is fuelled by neo-liberal economic thinking and the commercialisation of criminal justice (see also Drakeford and Vanstone, 2000, pp.373-4). Who gets caught in this system is also clear: Wacquant reports that in the USA a black male has a one-in-three chance of spending a year in prison whereas a white male has a one-in-23 chance. The Howard League (2000a, p.4) reports American Human Rights Watch research on the disproportionate impact the 'war on drugs' has had on black Americans, who are charged and imprisoned at higher rates than whites 'although the majority of drugs offenders are white and five times more white people are known to be drug users'. Black men are sent to state prison on drug charges at 13 times the rate of white men and the Howard League news report concludes by saying that one in every 20 black American men over 18 is in prison and in some states the proportion is one in every 13 men. Furthermore, the 2000 Presidential election has brought to wide public notice state laws disenfranchising people convicted of felony offences. In 1998, Human Rights Watch found that in Florida and Alabama 31% of all black men are disenfranchised for life: to use Wacquant's word, a striking synergy between the structures of power, criminalisation and citizenship rights (Campbell, 2000, p.1).

For Hudson, this is the key point in the UK as well. It is the poor, unemployed and minority populations who are embroiled with the criminal justice system, leading her to say caustically (1993, p.72) ‘the rich get richer and the poor get prison’. She argues that the ‘rich are overprotected and undercontrolled, whilst the poor are overcontrolled and underprotected’. Her detailed analysis of deinstitutionalisation in the mental health system may stand as one example, with the conclusion reached by her being that the process has resulted in the movement of a considerable part of this population into the criminal justice system: many of the mentally ill have not swapped hospitals for community care, they have swapped hospitals for prison; they are not two distinct populations but are overlapping populations with ‘considerable fluidity between’ them (*Ibid.*, pp.101-8; Pitts, 1992, p.145; Prins, 1999, pp.41-6). That the movement has been from treatment to punishment rather than the other way round she puts at the door of the decline of social welfare discourse and the rise of the penal and juridical discourse so that social welfare problems are reframed as crime problems (Hudson, 1993, pp.114-8). Wacquant calls it the criminalisation of poverty.

A sample of news and analysis articles from *Le Monde* and *Le Monde Diplomatique* may stand as recently published examples of the converse process: that of overprotection and undercontrol of the wealthy (De Brie, 2000; De Maillard, 2000; Inciyan, 2000; see also Taylor, 2000; Slapper and Tombs, 1999 and the review by Minkes, 2000, p.318, who concludes that Slapper and Tombs present ‘a compelling case for both the iniquity and the relative impunity of corporate criminals’). The French articles examine the linkages between - even the meshing of - globalisation, international finance, multi-national corporatism, off-shore finance centres and serious crime over which the exercise of controls is little more than an ‘*illusion* of an internationally co-ordinated permanent struggle by governments, police and the judiciary against financial crime’ (De Brie, 2000, p.17; italics added). The analysis made is that the interlocking of interests is too close for it to be otherwise. *Le Monde* (Inciyan, 2000, p.29) reports that the French Parliament’s Information Mission on



Financial Crime and Money Laundering in Europe found Monaco to be ‘an offshore centre conducive to money laundering’ whose criminal and financial legislation is ‘full of holes and a sham’. One wonders how many of the criminogenic factors relevant to this hidden offending population have been built into the prediction and assessment tools that the probation service is currently using. And, indeed, the partial nature of risk / needs classification and assessment tools based upon white, male working class populations is now subject to a wide ranging critique on the grounds that they are inaccurate and inappropriate when applied to minority ethnic and female populations: the central claim made for these tools, that they are objective and neutral, is disputed (Shaw and Hannah-Moffat, 2000).

Jordan (1996) presents a theory of poverty and social exclusion which both provides a framework for understanding the criminalisation of poverty and, by extrapolation, some guidance on how an organisation such as the probation service may productively work in the present economic and political climate with the large number of its clients who are poor and excluded from mainstream society (for additional research bases to this theory, see Jordan *et al.*, 1992; Jordan *et al.*, 1994; for socio-economic characteristics of people who make up the probation service’s caseload, see Crow on employment, Stewart on housing and Orme and Pritchard on health, all 1996, and B and E Consultants, 2000 on the very low levels of basic skills attainment : in-service training course). There is a determinism in Jordan’s theory, subject to certain economic conditions prevailing, and it identifies mechanisms by which conflict is generated within society, leading to the penological and enforcement contexts described in this paper. I shall, therefore, give space to a proper exposition of the theory. It builds on neo-liberal economic theory of the individual as a rational economic actor, leading to myriad choices as producers and consumers that make up the market conditions. It is not claimed that the ‘new orthodoxy’, as Jordan calls this economic theory in an earlier work (1989, chapter 2 and pp.97-106, 128-33), is an innately superior mode of social organisation, quite the reverse, rather it reflects the

economic and power structures that currently exist and any analysis needs to recognise this reality. Other types of social association (*Ibid.*, p.131)

come into existence and flourish briefly but, because of the predominantly commercial nature of the social system, they are under constant pressure to meet commercial criteria of success; if they show signs of succeeding, they are then under threat of being taken over as commercial enterprises.

I will return to such alternatives at a later point in this paper, noting here only that there is no inevitability to the neo-liberal hegemony that is currently in the ascendant. A consequence of this ascendancy, however, is that power structures and incentives push people to be economic actors in accordance with these neo-liberal principles but Jordan takes the logic of the argument further than is usually the case, providing a strong twist to the conventional tale by introducing the theory of clubs.

Clubs are units of collective action that provide privileged access to certain goods and services for its members. They are means of sharing resources and risks which are inclusive for some in a pluralist society but, by the same token, are exclusive of others. The nation state may be analysed in this way and redistributive policies under social democracy may be seen as club-like national policy on behalf of citizens (Jordan, 1996, pp.55-79). The forces of globalisation and the free flow of capital has undermined the capacity of economically advanced nation states to maintain these social democratic policies. Public welfare provision and the balances of nationally based collective actions by employers, trade unions and governments that were the hallmarks of the post-war social democratic system have ceased to be sustainable. The extent to which different nation states have moved in the neo-liberal direction has varied according to the strengths of their social democratic traditions and there are gradations in the degree of movement if one compares, for example, the experiences of the USA, the UK and the countries of western continental Europe but all have had to make concessions to these world-wide developments (*Ibid.*, pp.85-106).

Consequently, global neo-liberal economic policies have forced individual citizens to look after their own and Jordan examines how, at the level of individual job rich households, people have adopted economically rational tactics to protect and maintain their position. This is achieved through commercial activity and by purchasing different forms of associative goods, which results in less dependence on public provision and reinforcement of individual and household economic advantage. Households maximise their advantages through sharing costs within the commercial sphere for welfare goods - insurance, education, health, housing, leisure - and increased geographical separation occurs: discrete suburban living areas, dedicated retail and commercial zones and fewer mixed, multi-purpose neighbourhoods. The result of these tactics is an investment in private spaces at the expense of public spaces, a network of self-protective associations and, because where there are winners there will also be losers, increased social polarisation (*Ibid.*, chapters 4- 5).

A consensus exists that there has been an enormous growth in income disparities between the rich and the poor and, arguably as a parallel process, between the poorest countries and the richest during the 1980s and 1990s (*Ibid.*, pp.1-2). But it is wrong to see the poor as passive victims. They too form their club-like networks and respond in economically rational ways to the constraints with which they are faced. Jordan links game theory with club theory to his neo-liberal analysis: the study of how, given sets of constraints or incentives, people choose to respond in terms of competition or mutual advantage. One set of moves by the authorities which, for example, entails tighter benefits regulations, with built-in disincentives, in an environment of low wages and insecure jobs that merge into government training schemes leads to counter-moves in the creation of an underground, unofficial economy. The resulting exclusion of citizens from mainstream society drives up the social costs of policing the system. It also drives up environmental social costs as some areas become degraded, leading to further geographical polarisation within the population (*Ibid.*, pp.33-9, 148-58).

From social polarisation comes social conflict for club-like activity has the purpose of defusing competition internally but generating competition externally. Collective action is often seen as enhancing citizen participation in society and contributing to democratic pluralism but, when under such pressure that people are protecting their own, it can also serve to fragment society, leading to the politics of suspicion and enforcement. Neo-liberal economic policies were supposed to embrace all society in the benign process of wealth creation; instead these policies, with fuel added to them by globalisation, have led to competitiveness that feeds fragmentation. The excluded will play to their best advantage which does not necessarily mean playing by the rules because the hegemonic policy and economic conditions dictate that disincentives are built into those rules, especially in the provision of public welfare and income support services. Consequently, the excluded become an internal enemy and a climate of sectional interests, with single issue mobilisation and the politics of enforcement, is generated.

Jordan (*Ibid.*, pp.201-5) quotes the example from California of the 'Three Strikes and You're Out' law, with the third felony leading to three times the usual sentence or 25 years to life, whichever is the greater. Remission periods were reduced from 50% to 20%. The new law was drafted by the father of a murder victim, whose daughter had been killed by a paroled offender, and he founded a pressure group for severer sentencing. Amongst the politicians there was no will to oppose the measure in spite of the predictions made at the time of the increase in costs and prison building which would be required. Such scenarios in the development of criminal justice legislation have now become familiar. The Human Rights Watch research reported by the Howard League and referred to above (Howard League, 2000a, p.4) reveals the social consequences that then arise: the mandatory minimum sentencing for drugs offences is one of the factors in the high incarceration rates that are disproportionately imprisoning and disenfranchising black men in the USA.

## V: THE OPERATIONAL CONTEXT

As a lecturer returning to practice, then, what is the operational context that I encountered in the probation world? I shall answer this question by revisiting the broad themes introduced above and examining in detail their impact on the environment of practice and the daily experience of the practitioner. The objectives of the service are the natural starting point and they are now clearly stated: to reduce reoffending and to protect the public, particularly by effective enforcement of sentences in the community (Home Office, probation circular 3/2000). Ever since qualification, I have viewed myself as working with clients in helping to resolve factors that contributed to offending, thereby reducing the harm to others that their offending caused. But Kemshall is right (1996, p.133), my focus was the client and these other outcomes flowed from my social work encounter with the client. I was there in law to advise, assist and befriend. The focus now is on more global outcomes, in reduced crime rates and enhanced public safety, and the practice with the individual client is there as a means to this end. A strong dose of instrumentalism has been introduced into the social work encounter.

In keeping with this instrumentalism, the probation service's task, in operational terms, has been reframed as risk management. The outcomes of the collective actions of the criminal justice complex are aggregated in national risk management through bifurcation but operationally this comes down to thousands of individual decisions. Rehabilitation has its foothold here as more sophisticated risk assessments tools combine with What Works to produce individualised crime reduction strategies. In keeping with long standing trends in social work (Orme and Glastonbury, 1993), case management increasingly separates the tasks of assessment from service delivery, with its differential programmes and deployment of resources to address differential risk levels and criminogenic needs in ways that meet the criterion of value for money.

Rehabilitation, however, is a means to another end and the primacy of risk management fits the structural analyses presented by Hudson, Wacquant and Jordan. Bifurcation and an improving knowledge base about certain types of serious violent offending - sex offending, the recognition first of the seriousness of domestic violence (Teft, 1999) and increasingly of hate offences, such as racially motivated offending (Edwards, 1999; Dixon and Okitikpi, 1999) - potentially allow more accurate risk assessment and a concentration upon those who are predicted to pose the most serious risk. Within London, for example, the public protection register has been developed so as to produce what is intended to be a smaller, more focused register which is less static (based on actuarial information) and more dynamic (incorporating more situational and trigger factors).

Pursuing bifurcation wholeheartedly, however, has its consequences. First, it involves concentrating substantial resources on a few people. McEwan and Sullivan (1996, pp.156-7) identify this issue with sex offenders and the tensions that this can create. Davis (1996, pp.110-15) discusses how the practice of risk minimisation has led to a tiered definition of the Care Programme Approach in mental health. Resources follow predicted risk of harm and professional practice becomes distorted: service users' understanding of the risks they face in their lives can become removed from the professionals' understanding of risk and the other side of the risk coin, that of *risk taking* (*Ibid.*, p.114) as 'an essential element of working with mental health service users to ensure autonomy, choice and social participation', is devalued.

Second, too much confidence can be placed on registration and surveillance procedures (Prins, 1999, pp.13-14, 137) and these procedures are susceptible to perpetual technical adjustment and expansion following each failure of the system and resulting publicity. Prins surveys current legislation and procedures and concludes they have 'all the hallmarks of piecemeal, idiosyncratic and knee-jerk

responses to social problems' (*Ibid.*, pp.16-20, quotation p.20; Elliott, 1990, pp.8-14; Trinder, 2000, pp.8-10).

Third, there is by definition uncertainty, ambiguity and error in risk prediction (Creamer and Williams, 1996; Kemshall, 1996, pp.135-7; Prins, 1999, pp.118-20; Shaw and Hannah-Moffat, 2000). There is no alternative to good practice, sound supervision of workers, alertness and attention to detail and client histories (Prins, chapter 5). Indeed, there is no alternative to the centrality of the professional relationship: see Prins, for example, on working with psychopathically disordered individuals (*Ibid.*, pp.56-66; see also Davis, 1996, p.117) and Roberts and Baim (1999) whose work, of an individually non-confrontative nature, amongst sex offence 'deniers' questions much received wisdom about the admission of offending being a prerequisite for treatment.

The uncertainties of prediction and the growth of a risk averse society, which lead to a culture of defensive practice, (Prins, 1999, pp.1-11; Trinder, 2000a, pp.5-10; Tuddenham, 2000), however, combine with the structural and conflictual socio-economic factors described above to militate against the concentration of control and resources on only a few people. In the practice of criminal justice, bifurcation, instead of widening the gap between identified serious and dangerous offenders and the rest, pulls everyone up in the wake of the top tier. This affects every probation practitioner in their day-to-day practice.

Each edition of the national standards to which probation officers work - we have now reached the third (Home Office, 2000a) - tightens enforcement and restricts the room for manoeuvre by practitioners. The list of purposes of a community sentence given in the national standards begins 'to provide a rigorous and effective punishment' (*Ibid.*, p.C3). Nevertheless, it is the Home Office guidance (probation circular 24/2000, p.1) which states

In supervising offenders, probation staff will need to continue to use their professional discretion and judgement taking into account all the circumstances of the case. The Standards should be applied using the service's knowledge of an offender, the risks posed and the offender's response to supervision to date

whereas it is services, feeling the pinch of a critical and blaming culture, which can adopt the most rigid interpretation of the standards. The National Association of Probation Officers' (NAPO) guidance states (2000, p.11)

NAPO is particularly concerned by examples received from members of Services' 'guidance' on enforcement. The tone of some Service documents is highly punitive and aggressive in its expectations of manager and practitioner practice. A rigid and inflexible approach to enforcement is unlikely to further good practice and will demoralise staff of all grades.

Highly public political pressure was applied regarding enforcement during 1999, leading to the enforcement audit and action plan arranged by the Association of Chief Officers of Probation during 1999-2000 (Hedderman and Hearnden, 2000, pp.126-7) and a highly defensive management and practice culture has developed. One anomalous result is that the Home Office can finesse over enforcement in the name of professional discretion (perhaps with an eye on anticipated future policy adjustments) while some probation service managements adopt 'punitive and aggressive' expectations in their guidance, generating Byzantine procedural requirements for enforcement and practice in their wake.

But if the Home Office can afford the luxury of some finessing, overall government intentions are quite clear creating an exceptionally punitive environment around community sentences and the work of the probation service. Hudson (1993, pp.133-8) discusses the phenomenon of sanction stacking. This first became evident in the appendix of the Green Paper *Punishment, Custody and the Community* (Home Office, 1988, pp.19-20; Elliott, 1995, p.17) and the trend continues through to the Criminal Justice and Court Services Act, 2000. Hudson sees sanction stacking as



dissolving the distinction between prison and the community. It creates 'mix-and-match sentencing [which] is imposing levels of penalty on offenders which are arguably more onerous than short prison sentences' (1993, p.134). As she notes, punishment, whether in the community or anywhere else, involves by definition the infliction of some pain or deprivation and she makes an eloquent plea for sentence feasibility - that people, whether 'homeless, destitute, damaged or disorganised' should have 'a reasonable chance of compliance' (*Ibid.*, p.154, citing Carlen, 1989, 1990). As probation officers, we are required to reconcile sanction stacking with ever tighter enforcement criteria on every day of our working lives.

This level of surveillance of clients cannot be achieved without close surveillance of practitioners. The development of managerialism within the probation service, as in other public services, is already well documented and we shall shortly see what impact the creation of a national service has on this culture. Wallis (2000, p.64), who has subsequently been appointed the first national director for the forthcoming service, speaks of moving beyond managerialism to a 'listening and enabling structure'. She envisages a strong centre but says a command structure, such as the prison service has, would be the 'worst outcome'. This will be a fine balance to achieve for, as the probation circular 60/2000 (p.6) puts it 'increasingly the centre --- specifies not just what should be done but also how it should be done'.

Managerialism aims for improved standards and greater equity of service provision through standardised and inspected / monitored procedures exercised via clear lines of management responsibility and accountability. This is consistent with the central argument of the Green Paper *Supervision and Punishment in the Community* (Home Office, 1990b, pp.9-13, 30), namely the need to reappraise and, where necessary, to restructure the probation service to make it more responsive to public policy. A national service in 2001, mooted in detail in the Green Paper in 1990 (*Ibid.*, pp.26-9), is the natural conclusion to this process.

Beaumont (1995, pp.47-74; see also Raynor *et al.*, 1994, pp.139-51) gives a chapter length exposition of managerialism in the probation service. His list of key features of the phenomenon includes (p.67) acceptance that a main role of management is to monitor adherence to detailed standards set by central government, acceptance that top-down management is a cost-effective way of operating all services and acceptance that the work of probation staff can be so routinised as to lend itself to detailed regulation.

The shortcomings of this approach are demonstrated by Gibbs (1999, p.185) in her discussion of local implementation into probation services of the Assessment, Case Management and Evaluation System (ACE):

Where ACE has been introduced by managers to their staff using open, consultative and participatory processes, it has been widely accepted. Where ACE has been 'landed' on staff, almost overnight in some cases, or when it has been introduced through coercive management styles, then it has proved very difficult to find probation staff enthusiastic about using it. The system itself is neutral but local politics and internal conflicts have impacted on its use and acceptance in many services.

This may be contrasted with the findings of Turnbull *et al.* (2000, pp.55-6, 87-8) who found particular strengths in the comparison sites, against which they compared the drug treatment and testing order (DTTO) pilots, deriving from the formers' 'bottom up' origins based upon practitioner 'champions'. This especially helped in resolving inter-professional disputes arising out of multi-disciplinary working. Drakeford and Vanstone (1996, p.3; from the world of management theory, see also Handy, 1985, pp.356-60; Coulshed, 1990, pp.5-6, 56, 94-6) warn against a macho style of management when crime itself is so 'rooted in culturally defined masculinities predicated upon dominance, competition and power'.

It may be seen, then, that this style of management, if it has qualities of accountability that are highlighted by probation managers, also has qualities of

control, surveillance and rationing which are consistent with the structural analysis given above. It can limit discretion and, indeed, limit the flexible individualisation that is required for good anti-oppressive practice whose essence is the ability to work with difference (Elliott, 1995, pp.15-17; Kareem, 1988). It encourages a procedural legalism, reminding us of Hudson's concern about the pre-eminence of juridical discourse. Jordan's examination of current trends in social work practice leads him to say (1990, pp.81-4) that as 'Britain has drifted into deeper social divisiveness, and as the coercive and restrictive tasks in social work have assumed more prominent priority', social work practice becomes evasive because the evident needs of clients cannot be met:

The evasive approach emphasises legal and procedural correctness - doing the job by the book. This disguises from the workers their clients' lack of opportunity or incentive for real change, their lack of real options. It gives them pseudo-choices -- within a framework of highly conditional assistance.

Indeed, the power of this process may be explained by combining two theories: the theory of how organisational defence systems against anxiety operate through bureaucratic and administrative systems, especially when working with disturbed, troubling and troubled people, meshing with a theory of the growth of a conflictual and controlling culture expressed through managerialist structures (Menzies, 1970; Mattinson and Sinclair, 1979; Elliott, 1990, pp.8-14, which analyses the failures of risk management in a number of child protection tragedies in these terms. Trinder, 2000a, pp.8-10 develops a strikingly similar analysis, but not a psycho-dynamically based one, in which procedurally bound evidence based practice serves the same defensive purpose).

## VI: A PRACTITIONER RESPONSE

### *a. Towards metatheoretical practice*

Having set the scene at the multiple levels of penal policy, the socio-economic context and the operational environment, how do I respond to these momentous developments in the probation world? The Advanced Award in Social Work portfolio provides, as it were, a snapshot of practice in this penological world. It is a snapshot that has had to withstand a process of examination based upon competences that are evidenced and that are shown to be consistent with the policy and organisational requirements for practice.

My response was to seek professional continuity and incremental development, and to adapt to organisational change by making my practice defensible. This necessitates being explicit about my methodology, including in the written record, and building in processes of practitioner evaluation so as to achieve demonstrable evidence based practice. I articulated core values of individualisation, respect and anti-oppressive practice that unlock the door to active engagement - participatory compliance - with clients.

I found that I constantly returned to Youll and Walker's (1995, p.214) call for 'preserving an independent and critical voice in social work - the peer and professional community' which is operating in the (Schon, 1987, p.3) 'swampy lowland [of] messy, confusing problems' where routinised technician's solutions are insufficient. This led me to work towards forging a 'metatheoretical' approach to practice, not eclecticism but 'the synthesis of disparate elements' (Thompson, 1995, p.59) based upon individualised assessment of the needs, holistic context, objectives and methods identified in any one piece of work.

The case of AB spanned two orders (1995-8), with him reoffending at the mid-point. He had an anxiety-depressive condition overlaid with an alcohol problem of recent origin for which relationship problems had provided the trigger. The offences were excess alcohol, failing to stop after an accident and subsequently driving whilst disqualified. Work consisted of two stages, each one spanning the length of an order. Quoting the portfolio, "the first stage was one-to-one counselling, largely backward looking, psycho-social and loss related. It was inward looking. The second stage was outward and forward looking. AB was now able to cope with styles of work that formerly were beyond his reach. The attention is now cognitive-behavioural, addressing impulsivity through group work, and about social reintegration - going to partner agencies, training and employment. He successfully completed a computer skills course through main-stream adult education provision". Stage two fits the current case management model very well - in fact I had little direct contact with him during that time, the service delivery being primarily provided by others - but stage two would have been unachievable without stage one. Stage one fits what is seen as a traditional model of one-to-one casework supervision, which retains only a tenuous place in much discussion of current probation practice.

The probation service may justly be criticised for allowing too many cases to drift in the past but the portfolio, illustrating cases where drift is not a problem, shows that pacing and coherence in orders is crucial. CD, on a Crown Court probation order, was very committed to the work. The offences were ones of actual bodily harm and interfering with a witness and stemmed from family relationships, especially with his step-father. A young person moving into adulthood, there was a history behind the index offences in which he had been both victim and perpetrator. Alcohol was a problem and had played a major part in the offending. The order spanned 1998 to 2000. He responded to cognitive-behavioural approaches, in which I especially used critical incident analysis, and he made excellent use of a cognitive anger management group. Issues of social reintegration involved literacy, housing and employment

referrals. At the end of the order, he was well established in a salaried career position. The total programme was complex, involving different venues, many commitments and resilience on his part. My case management role required frequent contact which included direct service delivery, providing the minutiae of critical incident analysis and problem solving skills over the early parts of the order but also, from a client-centred perspective, a holistic reframing of his experiences as he negotiated his way back to the family. In addition, he needed support in navigating the order. Knowing his overall commitment to the work of the order, despatching the up-to-date bus timetable proved the most effective enforcement measure when he arrived late for a group once (I was well aware of the problems of the bus service on that particular route at that time and the correct timetable plus advice on having a 'bus in hand' avoided any recurrence of a late arrival for an appointment).

The accredited programmes that are coming on stream in probation are demanding and form parts of complex orders. There is a risk that the pacing of referrals, under current plans, is going to be driven by externally imposed completion targets and by the formulae for determining the assessment of quality to which the separate probation services will be subject. The probation circular 32/2000 (pp.3-4) puts completions on accredited programmes nationally at 10,000 in 2001-2 rising to 60,000 in 2003-4 within a formula which effectively deducts the calculation of actual completions in line with quality ratings afforded to each service. The circular 60/2000 (p.9) says that these targets will be established as a new key performance indicator. From probation service briefings (unpublished), the 2003-4 figure is estimated to be 39% of all probation and combination order start-ups and doubtless the targets will rise in future years. Taking into account drop out rates, with the Home Office setting low drop out and high completion rates for these *community* based programmes compared with previous experience of programmes, and the effect of the quality rating formula, the number of programme places and referrals required is more than double the targeted completion figure (32/2000, pp.26-7). An additional squeeze will

be provided by linking the funding formula and financial inducements with services' compliance with national standards and enforcement (McKnight, 2001, p.4). When I think of the sample of cases in the portfolio I produced, which is a fair representation of the work I do with a non-specialist probation caseload, I conclude that the different capacities, motivations and needs of the people we work with, taken within the constraints and pressures of life in the community, place a question mark over the suitability of these ambitious Home Office targets. Turnbull *et al.* (2000, pp.51-2) discuss what is a feasible approach to enforcement in their evaluation of the pilot DTTOs. They warn against the suitability of over rigorous national standards for this client group which will only result in high failure rates: in other words, they are saying there is a need to be alert to the question of sentence feasibility.

The case examples given in the portfolio illustrate the need for a catholic approach to practice methods when working across a generic caseload. There is no doubt, however, that the primary focus of the What Works agenda is to make cognitive-behavioural accredited programmes the core of probation practice (Home Office, probation circulars, 31/2000, 60/2000). An ambitious training programme and the recruitment of dedicated staff, with qualification structures that link specifically to programme delivery, are all in hand to support the creation of this nationally accredited core curriculum (*Ibid.*, 43/1999; 64/1999; 32/2000, pp.6-8). The metatheoretical approach to practice that I sought to demonstrate in the portfolio makes me wary of such heavy investment in a single method of practice, which only runs the risk of creating a deskilled and unadaptable workforce (Pitts, 1992, pp.143-7; Brown and Caddick, 1993, pp.4-11).

There is a need to maintain an outlook which is broad, inclusive and informed. This includes opening up and examining the hybrid nature of cognitive-behavioural theory itself. As McGuire (2000, chapter 7) states, cognitive-behavioural work encompasses a 'family' of methods. Cognition involves self-beliefs and the manner in

which people frame their understanding of themselves in the world. At one end of the cognitive-behavioural spectrum, schema-focused therapy addresses unconscious belief structures derived from the individual's early development and treatment places emphasis upon 'the working relationship between a therapist and client' (*Ibid.*, p.64). Indeed, schema therapy has diverse theoretical routes and Turnbull *et al.* (2000, p.11), in their description of the DTTO pilot run at Croydon, which used schema therapy as a process support group for clients, characterise it as integrating elements of cognitive-behavioural therapy, psychoanalysis and interpersonal therapy. Motivational work, engaging with the cycle of change, which features prominently in cognitive-behavioural approaches, is also described as trans-theoretical, that is 'applicable across many different types of therapy regardless of their theoretical roots' (McGuire, 2000 p.69). The foundation stone of motivational interviewing, however, rests upon the client centred principles of active listening propounded by Rogers (*Ibid.*, p.72; Traffasi Associates, 2000, in-service training course). The theoretical pathways open to us for achieving helpful and effective intervention are rich and diverse and, in our thinking, we should not close them down.

#### *b. Evaluated practice*

The critiques of Pawson and Tilley (1997, pp.30-54, 148-50) and Trinder (2000b, pp.148-55) of the empirical research evidence upon which these cognitive-behavioural programmes is based are robust enough to sound a cautionary note. Trinder (2000a) traces the development of evidence based practice and identifies acute medicine as the 'epicentre' of the movement. The experimental research tradition continues to underpin evidence based practice as it is exported to other disciplines. As Chapman and Hough (1998, p.92) put it: 'The "gold standard" of outcome evaluations is the randomised controlled trial (RCT), borrowed from medical research' (see also Trinder, 2000a, pp.13-14; Trinder, 2000b, pp.145-6; Pawson and Tilley, 1997, pp.4-11, 57). It is this very 'gold standard' and the concept



of successionist causation that it uses (*Ibid.*, pp.31-4) that I am saying is disputed and dethroned through the critique of realistic evaluation, particularly when applied to social change programmes.

Pawson and Tilley say (*Ibid.*, p.46):

In its search for evidence, experimental evaluation works with a logic which prioritizes a certain set of observational categories and sequences. This framework tends to overlook the real engine for change in social programs which is the process of differently resourced subjects making constrained choices amongst the range of opportunities provided.

People make choices within constrained social contexts. This is best investigated through a cycle that involves theory building and evaluative testing, drawing as appropriate upon the range of evaluation methodologies that are available. This approach is consistent with that taken at the Social Work Research Centre, Stirling University, where a wealth of experience, including in probation (McIvor, 1996), justifies the assumption 'that there is no one research method which is to be preferred above all others for its potential to illuminate and demonstrate social work effectiveness' (Cheetham, 1992, pp.55-61, quotation p.57).

Realistic evaluation, however, is not the same as the exercise of pragmatism. The evaluation strategy is developed within a framework that takes account of the dynamic interaction of the social context, the mechanism or programme implementation and the perceived outcomes. Pawson and Tilley (1997, chapter 3, quotations pp.59, 63) summarise thus:

Outcomes are explained by the action of particular mechanisms in particular contexts, and this explanatory structure is put in place over time by a combination of theory and experimental observation --- Progress is not a matter of careful replication of controlled trials which will arrive at empirical regularities. Such a process is more likely to end in error and inconsistency. Scientific progress occurs when experiments incorporate and test theory.

One could call Pawson and Tilley's realistic evaluation 'metatheoretical evaluation' in that methodological freedom is disciplined and given coherence through an over-arching set of principles. My opinion is that it would win over practitioners who, in my experience, understand learning and cognitive theory or are being instructed in it, but are largely not engaged with the research base that underpins the associated practice methods and, with these, the whole What Works agenda. This provides an interesting contrast with Shaw's finding (1996, pp.36-59) that social workers are indeed involved in evaluating their practice based upon critical reflections and drawing upon a range of available indicators (*Ibid.*, p.36):

Evaluation in practice must be relevant. If it is not to be regarded by practitioners as an appendix to the real business of social work practice then it must make sense within the contexts of existing social work practice.

The quality of this approach is well captured in McNeill's research with Scottish criminal justice social workers (2000d, pp.389-93, quotation p.390) for whom

the interaction between relationship, process and outcome remains both complex and dynamic, frustrating any simple correlation of effectiveness with any given outcome.

A profession has a problem if it is being driven by an evaluation research base with which practitioners are, to a large extent, not intellectually engaged and which in addition is not undisputed, although this is never mentioned in polite professional circles. This all smacks of Schon's (1987, pp.3-15; quotation p.3) 'high, hard ground' of the academy that overlooks the swamp: 'On the high ground, manageable problems lend themselves to solution through the application of research based theory and technique' but fail to meet the complex practice realities faced daily by practitioners.

The move to evidence based practice, of which the body of experimental evaluation behind the cognitive-behavioural What Works agenda is one component,

has, nevertheless, greatly raised awareness of quality and the evaluation of practice in the social work profession, although there is a need to remain alert to the question of what is meant by effective practice: reoffending or reconviction rates are not the only possible measures of effectiveness (Raynor, 1996a, pp.187-90; McNeill, 2000c, p.6; McNeill, 2000d, pp.383-5). In the portfolio I compiled, therefore, the push to achieve evidence based or evaluated practice in the detail of my work was the main area in which my thinking had developed since I wrote the theory article upon which the portfolio practice was based. In doing this, I found that I had edged close to the idea of realistic evaluation by building a cycle of outcome analysis in a dialogue with theory. Three tools particularly served this purpose. One was the Level of Service Inventory-Revised (LSI-R) (Andrews and Bonta, 1995), a psychometric test developed in Canada used to assess risk of reoffending and criminogenic needs. This is of the generation of assessment tools that combine actuarial and clinical / situational factors, risk and needs. It provides a well researched and standardised tool, which appears to adapt satisfactorily to the UK (Sutton and Davies, 1997), and through the use of re-tests it can serve as a sound means of measuring change. A re-test which shows a reduction in the levels of the areas of concern indicates improved circumstances which may be linked to the probation intervention. The critique of Shaw and Hannah-Moffat (2000), however, which is referred to above, needs to be borne in mind. Assessment tools such as LSI-R are useful but only within their limitations.

The second tool was a client satisfaction questionnaire of my own devising. This provided subjective qualitative feedback that opens up discussion with the person under supervision of her/his experience of the work, both with myself and more widely with the services provided, and of the impact this work has had, in the client's estimation, on her/his problems and proclivity to offend. Shaw (1997, pp.28-33) offers guidance on this type of evaluation and encourages its use while noting the limitations of the information gathered. The use of the questionnaire is

similar to the client surveys described by Cheetham (1992, pp.62-5), which were developed by social work students as a part of their placements. As Cheetham puts it this served to build 'an evaluative mode of thinking' by allowing the students 'to experience some of the excitement and the complexities of identifying their own more or less effective practice' (*Ibid.*, p.63).

The third tool was the quarterly review process and particularly the final review. The final review format used in my employing service invites a process of reflective summary. Here, the work of England (1986, p.125) comes to the fore:

Good social work rests upon the process of criticism, a process of experience and understanding, of analysis and comparison. A critical faculty is integral to the very practice of social work.

What I was striving to create (and indeed attempt to maintain) was a self-critical defensible narrative of practice which, when put to the test of peer review through the examination of the portfolio, would withstand the evaluative tests of plausibility, coherence and falsifiability (Shaw, 1996, pp.109-16). It allows, for example, a reasoned conclusion on whether changes for the better in a LSI-R re-test have been significantly influenced by the quality of the probation intervention. But the LSI-R does not address method and theory, it merely rates certain known factors in relation to offending (although this too has theoretical underpinnings). The initial, interim and final reviews bring in theoretical perspectives around narrative and practice methods. The client feedback opens up the clients' assessments of the impact of the work on their behaviour and their response to the process of this work. The result is a rounded evaluative dialogue between practice and theory which is consistent with realistic evaluation. It uses a range of evaluation methods and is achievable in daily practice.

The Assessment, Case Management and Evaluation System (ACE), used in many services in the UK, also allows for on-the-job practitioner evaluation and is

described as an 'excellent example' of collaboration between researchers and practitioners (Gibbs, 1999). McNeill (2000c, pp.4-11) describes an evaluation 'sequence', designed in collaboration with criminal justice social workers in Scotland, which is based upon practitioner evaluation. The impressive design, however, lacked practicality within the constraints of the operating environment and was never implemented.

McGuire (2000, pp.87-91; for a critique, see Shaw, 1996, pp.173-80) encourages practitioners to engage in single case research designs as a form of evaluation method which, he says, is within reach of the individual worker. As with McNeill's design, however, I wonder how accessible such an approach generally is to hard-pressed practitioners in the main-stream of work. The approach, as described by McGuire, is based upon successionist causation and sufficient resources are required to monitor closely targeted interventions against a baseline when many extraneous variables may be impinging upon the client's life. Furthermore, it is hard to measure motivation, although it may be assessed. Effective intervention may trigger motivation which becomes self-sustaining, achieving a life which is independent of the planned treatment cycle.

The model I present here from my portfolio may lack some sophistication - it was a matter of on-the-job innovation and using the tools to hand in my particular work setting - but it was achievable and was done within the constraints of day-to-day work pressures.

### *c. Offending and Relationships Group*

One practice method which features in the portfolio and is subject to critical narrative building is the process based Offending and Relationships group, which I co-led for over 18 months, finishing in November 1997. Very much out of vogue but providing

an alternative and well grounded model of group work, this is an area of work in which the probation service could become deskilled as resources are directed to cognitive-behavioural programmes (Heap, 1985, pp.9-17; Bion, 1961, pp.25-6; Brown and Caddick, 1993, pp.10-11; Senior, 1993, pp.40-2). I think it is significant that the experience of the successful DTTO pilot run at Croydon found a need to build one-to-one and process group support into their programmes if clients were to complete tightly scripted cognitive-behavioural groups which provide little space for process issues. Indeed, the team's success with the accredited Addressing Substance Related Offending group showed that a concurrent process group is clearly required (Felix, 2000; discussions with and presentations by colleagues). The staffing and resource implications of this are substantial.

The Offending and Relationships group was an open one - i.e. membership was not closed for a fixed sequence of sessions - attendance was weekly and expected for a minimum of six months. There was a minimal pre-planned agenda and members were expected to bring their own issues. Group rules were generated by the members. Many of these features contrast starkly with the concept of programme integrity in cognitive-behavioural work, which, as a consequence of its research base and the need to eliminate extraneous variables, is highly prescriptive. Success with the Offending and Relationships group, however, required something common to all groups: clear suitability criteria and good assessment so as to maximise responsivity (Ellis and Underdown, 1998, pp.5-6; Chapman and Hough, 1998, pp.57-62). With the Offending and Relationships group, clients were aged over 30, were normally heavily convicted and were identifying relationship issues as a criminogenic factor. They needed to be established in the contemplation phase of the change cycle: that is, they were worried and wanted to change (*Ibid.*, pp.59-60). This requirement did not preclude those who had previous histories of non-compliance with orders and, indeed, we worked successfully with people who had records of breaching community sentences and licences. We were more interested in their outlook *now*. Relationships

were interpreted widely - this was not a domestic violence group - and it was open to women and men.

An under-pinning structure was provided by the co-leaders: place, time, continuity, gender balance, enforcement in line with agency requirements. The co-leaders modelled seriousness of intent and fairness. Their presence represented safety, that the group was a place where people could struggle and push at the boundaries because ultimately physical and emotional well-being would be safeguarded. The leaders had weekly supervision. Heap's (1985) emphasis on process and the psycho-dynamic concept of containment (Salzberger-Wittenberg, 1970, pp.142-6) provided a key theoretical framework and the operation of the group was placed within a client centred and client led ethos (Payne, 1991, pp.181-3).

What actually happened in the group was that rehearsal in the group and real life / real time actuality dissolved: the *process* in the group became parallel and even entwined with real life but immediate group feedback and the leaders' boundaries created the reflective space in which to develop alternative pro-social strategies.

By way of illustration, the following passage combines reflective commentary and original documentation from the portfolio: "EF has begun working well in the group but, on this occasion, attended fuming. Only one member manages to challenge this but it is successful. EF attends the next session and makes a public apology and significant disclosures about how he felt (he felt like hitting GH and throwing the chair across the room). In a later session, IJ expressed his fear that it could get physical, relating this to the session of EF's anger. He clearly felt that the group leaders should have stepped in to stop the discussion progressing. IJ's anxieties arose because he was brought up in a family where it did get physical and he was (and still was) often the victim. The leaders reiterated the thought processes which underlie the group, which entail group members feeling close enough to bring their behaviour in

their everyday lives into the group each week. By doing this, much more constructive and realistic work could be done and hopefully real changes made.

“In the next session, IJ says he feels all right if it gets heated because there are two referees to hold the ring: ‘he saw the ring as a safe place’. This work is the heart of a process group - members are literally practising with ‘live’ material of their own making and arising from the reality of their lives but within a contained environment. New skills can then be applied outside and progress reported back.”

As with so many practitioner initiatives, this group was never formally evaluated and, as evaluation resources go into cognitive-behavioural groups, so the opportunity for evaluating alternative models of practice may not arise. In fact, as a local manager with a good knowledge of allocation and caseloads, I am aware that the reconviction levels, at least locally, for members who attended this group are extremely low and this opinion is supported by a small review done in 1998 by the leaders who ran the group after me. In addition, use of case material for the portfolio, which took advantage of detailed write-ups which come close to process recording some episodes, allowed for an evaluative exercise in narrative, criticism, theorising and external examination in the manner propounded by England.

This discussion of the portfolio, with observations on how it matches current practice trends, emphasises the need to remain skilled in social work, to refine the process of assessment and then to be able to draw on a wide repertoire of responses in the light of that assessment. To return to Thompson (1997, pp.1-2): ‘*informed practice*’ as a process of deliberate, explicit and defensible practice, showing knowledge of its research and theoretical roots, but adaptable practice because, as the case examples show, people’s own experience of change can require the practitioner’s approach, informed through reassessment, also to change over time.



*d. Community work*

The agency context and my own practice experience, however, puts my work, as demonstrated in the portfolio, in the casework, group work and case management traditions. There is awareness of socio-economic factors but the direct engagement with these is limited. I have to go back to my work in the early and mid 1980s to find a time when my workload naturally included close involvement with and contribution to the work of local voluntary sector services. Most colleagues in the team at that time had some such involvement. The structural analysis given in this paper strongly indicates the need for a community response to crime. But the probation service has become increasingly office based in its daily practice. While a proponent of home visiting myself, I am aware, as a manager, that home visiting to people on community sentences is a national standard that receives a low compliance rate on the part of staff. Indeed, I am struck how often any professional discussion of home visiting becomes reframed as primarily about health and safety, making it seem no more than an issue of the risk of venturing into a dangerous community.

Drakeford and Vanstone (1996a) edited a volume which addresses the social context of people's lives and how the probation service can engage with these issues. They note that the research that lies behind the What Works agenda does acknowledge the significance of wider social factors (*Ibid.*, p.1; see also Lilly *et al.*, 1995 p.219; McGuire, 2000, pp.27-8, 31-8) and, indeed, this is evident if one uses an assessment tool such as the LSI-R. But neo-liberal socio-economic, political and policy trends, just deserts, risk and the pre-eminence of juridical discourse mesh with individualist positivist treatment models to form a powerful combination that lifts the realities of our response to criminals out of the realms of structural awareness (Drakeford and Vanstone, 1996b, p.3; Downing, 1996; Trinder, 2000b, pp.151-3).

Probation officers and group work leaders concentrate on moral responsibility and offending behaviour within an individualised cognitive-behavioural framework. Housing, basic skills / training / employment, budgeting skills and some of the treatment around alcohol and drugs are put to specialist partner providers and how accredited programmes can cover these areas of work, under the heading of community reintegration, is currently occupying the minds of Home Office strategists (60/2000, pp.27-9). Managers meet colleagues from other agencies to manage risk and enhance community safety. But all of this is essentially hierarchical and lacks engagement and collaboration with local communities. Thus, Harding (2000, pp.139-48) laments the probation service's 'fortress like' office based culture and he also refers to the decline of home visiting. He calls for a much more active community dimension to probation practice - a presence on the streets and in the community in a way which would involve main stream staff as part of their core jobs - if we are to avoid a (*Ibid.*, p.148) 'retreat into the more barren pastures of penal authoritarianism'.

Harding's examples, which are largely drawn from the USA, range from assertive out-reach and advocacy to on-the-streets enforcement, all of it multi-agency based. He quotes one scheme - 'in your face' (*Ibid.*, p.144) probation - involving joint police and probation patrols enforcing curfews, court orders and restrictions, which appears to me to run the risk of becoming simply an outreach manifestation of the individualised confronting of offending behaviour that has already captured too much of probation practice. Too easily, it could lend itself to the oppressive 'policing the dangerous classes' that Lea (2000, pp.228-32) analyses in relation to stop and search operational practice.

My conception of community work and of engagement with wider social factors approaches the task from the other end. I am not referring to inter-agency policing, which parachutes services in for on-the-streets risk management. The value based

practice/ theory benchmarks of the article *College Reflections on Practice Theory* (Elliott, 1995) provides a framework for conceptualising greater community engagement. The community work tradition has always based itself upon enabling community empowerment rather than imposing external services and controls on to communities. This tradition needs to be linked with Jordan's (1996, pp.71-7, 148-58) insights into excluded and impoverished communities. These communities are not passive. They have their own networks and learn to respond to the situation in which they find themselves to their advantage. It is these networks, often informal in nature, that can receive support but, as is emphasised in the community work literature, the provision of support and expertise in developing services needs to be very subtle if communities are not to experience the process as one of colonization that eventually destroys the quality of the initiatives themselves (Henderson and Thomas, 1980, pp.6-17; Henderson, 1987, p.22).

Lea (2000, pp.224-31), in a critique of the Macpherson Report's (1999) definition of institutional racism and of policing strategies, warns against the assumption that locally based crime prevention initiatives and community safety partnerships, which have been given statutory basis under the Crime and Disorder Act 1998, will necessarily generate local empowerment, increase trust or reduce oppression by those outsiders who have authority and power. Certainly, there is no automatic (Lea, 2000, p.226) 'smooth unity of interest between police, local authority and local communities'. Furthermore, people who are accustomed to being socially and politically excluded will make their pent up needs known forcibly when given the opportunity of a voice and, unless genuine redistribution of power and resources goes with that voice, any opening up will be shut down again by the traditional representatives of authority. Community involvement, therefore, by a statutory organisation like the probation service needs to ensure that it is helping communities to build themselves from the bottom up, that it empowers rather than gives pseudo

power, as it were, as a gift from above (Jordan, 1989, pp.138-40; Raynor *et al.*, pp.126-30, 134-5).

Henderson (1987), writing within the mainstream community work tradition, provided a review and analysis of probation community practice in the 1980s. He identified three types of practice (*Ibid.*, pp.7-8). Community outreach and service development both have their current equivalents in partnership arrangements and inter-agency collaboration, especially under the Crime and Disorder Act 1998. All such work, however, takes place within the context that has already been identified of the rise over the last twenty years of a penal and judicial discourse at the expense of a welfare discourse, which affects how power is distributed and how problems and issues are defined and managed. Subject to this proviso, these two aspects have a place in current probation practice. The third element in Henderson's typology is neighbourhood work, which he defines as direct work with local people in supporting them to set up and maintain community groups. This can be the most direct way of showing common cause in addressing social factors relevant to the commission of crime and the experience of poverty, exclusion and oppression (Henderson, 1987, pp.25-33).

Henderson, in his report which was prepared for the Home Office, provides a comprehensive review of the reasons why probation involvement in community work is justified (*Ibid.*, pp.8-17; see also Clark, 2000, pp.196-200) and detailed guidance on how such work may be evaluated in terms of relevance to the service's work, effectiveness and costs (Henderson, 1987, pp.46-67). The primary justifications emerge as those of crime prevention and addressing victimisation, with the key insight 'that offenders are not somehow set apart from the communities on which (supposedly) they prey, but are themselves members of those communities' (Raynor *et al.*, 1994, pp.109-16, quotation p.113). From the point of view of the structural

analysis presented in this paper, the following point by Henderson is of particular pertinence (Henderson, 1987, p.13):

Community probation work, in addition, holds the promise of providing services with a strategy for responding in new ways to communities which are in crisis, areas which often manifest above average crime rates and where vandalism and other forms of social crime are rife. We know too, from the British Crime Survey, that it is in such areas that fear of crime is widespread. Accordingly, so the argument goes, there is a case for probation services to be involved in such communities. They cannot 'walk away' from the problems.

Jordan (1989, pp.130-3) identifies a range of common mutual voluntary associations that can be characterised as neither commercial nor charitable. He notes that their existence can be precarious - too much success is liable to lead to a take over by commercial, state or charitable bodies within the mainstream - but they provide residual examples of alternative modes of association. Areas of deprivation and social exclusion are one type of locality in which such associations are found (*Ibid.*, p.131) 'as a local response to the lack of commercially-supplied facilities and the limitations of state services' and it is with such organisations that neighbourhood workers can collaborate. Common types of association are credit unions; food co-operatives and non-profit collectives; tenants' associations, claimants' unions and neighbourhood groups. There have been examples where these have formed a 'federal structure' which have provided a 'new basis of community organization in a previously disorganized and demoralized area'. The contributors to Drakeford and Vanstone's volume (1996) provide examples of active engagement with wider social and structural factors that fits this type of work. Raynor *et al.* (1994, pp.119-25) and a special edition of the *Probation Journal* (1989, vol. 36, no.4) do likewise: see for example Homewood's article on providing seed corn help in the creation of a credit union (*Ibid.*, pp.159-64) and Broadbent on how a wider structural awareness can infuse everyday probation practice (*Ibid.*, pp.151-4). Pawson and Tilley (1997, pp.94-103), meanwhile, describe a Priority Estates Project that was evaluated in keeping with the tenets of realistic evaluation.

Restorative justice provides a further means of localising justice, empowering communities and of moving away from the social conflict of competing interest groups and one-issue pressure groups that have been seen as characterising present day social and economic relations. It is consistent with a more community orientation towards justice. Caffrey (2000, p.27), quoting Braithwaite (1989; see also Rex, 1999, pp.375-8) with respect to reintegrative shaming which provides a path towards social re-inclusion for those who offend, describes restorative justice as a 'way of empowering local people, and giving them a sense of ownership of local justice, rather than handing it over to professionals'. Reparation orders for young offenders (Crime and Disorder Act, 1998, ss.67-8; Home Office, 1998b) are seen as a way of introducing restorative principles into the operation of our criminal justice system, although there are concerns over their implementation and whether the operation of the orders under the Act will capture the subtlety of open communication between the parties which is required for restorative justice to be successful (Dignan, 2000; Wright, 2000b; Reynolds, 2000; Raynor *et al.*, 1994, pp.131-3 identify similar opportunities and problems in respect to restorative justice projects run in the 1980s). Morris and Gelsthorpe (2000), meanwhile, argue the case for extending the application of restorative justice even to the area of domestic violence, which runs counter to current risk management practice for this type of offending.

As McNeill (2000b, p.10) notes, public attitudes to punishment are unclear. People can be more punitive in response to abstract questions than to specific cases and there are associations 'between ignorance about crime and sentencing, the reading of tabloids, and punitiveness'. The British Crime Survey (Hough and Roberts, 1998, p.x; see also Raynor, 1996b, pp.19-21) levelled the accusation of 'playing to the gallery' at policy makers: survey results showed that the public in that gallery is ignorant of crime patterns and sentencing and liable to rapid modification of opinion - away from a harsh punitiveness- once some simple background additional information is provided.

The direction in which we are moving appears to be that of vigilantism, exemplified by the violent reaction generated by the identification of registered paedophiles in the *News of the World* during the summer of 2000. The socio-economic analysis presented in this paper makes the growth of such vigilantism explicable. Vigilantism can be seen as a consequence of fear and powerlessness. The community work and restorative agenda redistributes power, clips the wings of penal judicial discourse and enables what Wright (2000a, pp.3-5) calls the inclusive, not the exclusive, course of democratic restorative justice. But over-riding the contributions that such approaches can make is a political agenda: politicians can either play to the gallery or they can approach the issues of criminal justice and social exclusion within an educative, reparative and inclusive framework. Considering the climate of adult debate on matters relating to crime and criminal justice that pertains today, there is room for policy makers and professionals to learn from the Howard League's Citizenship and Crime schools project, which includes a strong restorative justice component (Yousefi, 2000): investment in creating a more informed level of debate is needed if any reverse of current trends is to be achieved.

## VII: CONCLUSION

This paper has led me to six broad conclusions about probation practice and its future direction which is significantly different from the one currently being pursued with such vigour. I will state these conclusions here with some supportive summative comment:

- If people are to trust and cooperate with a helping process that enables change in their behaviour, they need to feel themselves to be the focus of that help; effective helping can serve other ends but it is never a means to other ends. Chapman and Hough (1998, p.57), in their Home Office Guide to effective practice, state that 'Effective change requires active participation' and that 'on its own, it [coercion] results, at best, in compliance and, at worst, defiance'. We know from research what elicits active participation and Chapman and Hough (*Ibid.*, pp.57-8) go on to describe some of these features, extolling the qualities that make up the probation officer's 'legitimate moral authority'. These qualities are not an add-on. They stem from the worker being centred on the client and involve the qualities of respect, genuineness and empathy in relationship building.
- Case management as a way of organising practice needs to be compatible with this approach to helping. Case managers require discretion to exercise informed judgement over the issues of pacing and coherence in the operation of orders and licences. The provision of services needs to be characterised by accessibility and coherence and this points to multi-disciplinary on-site teams working to a shared professional ethos. Coherence is required if people are to trust the range of services being provided - as one client put it to me, he went to the group because he trusted my judgement that it would be valuable to him - and the significance of accessibility and pacing has been highlighted by the case examples given in this paper, without which orders and licences that are already complex in their



delivery can become highly attenuated in how they are experienced by the people undergoing them. Differently qualified staff means equally qualified staff, not an overall lowering of qualification levels, and multi-disciplinary teams means incorporating medical and welfare professional frameworks into practice which may compete with and be preferable to penal juridical frameworks (see Turnbull *et al.*, 2000, pp.53-7, 82-3 on the pilot multi-disciplinary DTTO teams).

- The Diploma in Probation Studies needs to retain and possibly expand its core curriculum rooted in ethics, the social sciences and a catholic methodological approach to practice if the future workforce of the service is to have robust and transferable skills. The definition of the social sciences should not be skewed to mean primarily cognitive-behavioural psychology and administrative criminology. Pre and post qualifying education and training need to be compatible with this approach and the latter is particularly significant in identifying the specific probation contribution within multi-professional settings. The recent history of approaches to anti-discriminatory practice provide a cautionary tale of higher educational and professional cultures that are too dependent upon political policy makers and lack a sufficiently robust self-identity and autonomous base. The review (Dews and Watts, 1994, p.26) of the probation officer qualification that preceded its withdrawal from social work education reflected the political climate of the times in saying that ‘probation officer training gave a disproportionate attention to anti-discrimination issues, which are important but should not be an obsession’. It was reported (Elliott, 1997, p.205) that the first draft of the national occupational standards that would have formed the base for the replacement qualification was blocked by government on the grounds, amongst others, that too much prominence was given to anti-discriminatory practice. One can ask whether Unit O2 (Promote People’s Equality, Diversity and Rights), which was a required component of the former Central Council for Education and Training in Social Work’s Criminal Justice NVQs, would have been deleted from the new Diploma

in Probation Studies NVQ if the findings of the Stephen Lawrence inquiry had been available at the time (McPherson, 1999). Now a similar unit is likely to be reinstated and HM Inspectorate of Probation produces a report critical of the service's anti-racist policy and practice (HMIP, 2000) out of which political capital is made (BBC, Radio 4, *The World Tonight*, 21-06-00). There is more to professional practice than merely, to use Lacey's phrase (1991, p.112), 'the expression of social policy'.

- Issues of timing, scale, resourcing and centralisation in the national roll-out of the What Works strategy, when combined with its disputed research base, holds out the possibility that this national initiative will disappoint in its operational implementation and anticipated therapeutic impact. Probation circular 60/2000 (p.44) is clear about the importance of adequate resourcing and new money is promised (Fletcher, 2000a, p.1), although there needs to be synchronization between expanded recruitment, staff training and expected service delivery. Indeed, the critique used in this paper anticipates that we may be faced with stubbornly inconsistent results from evaluations of the programmes, especially when the data are subjected to the sort of close scrutiny demonstrated by Pawson and Tilley (1997; see also Merrington and Stanley, 2000). An alternative, using realistic evaluation along with practitioner evaluation which is more sensitised to local circumstances, is proposed in this paper as a means of generating evaluated and effective practice and additionally of providing us with a way of understanding any disappointingly inconsistent results that may arise from the What Works strategy. The failure of Chapman and Hough (1998, pp.89-107), in their detailed examination of evaluation in support of evidence based practice, to make any reference to practitioner evaluation is very noticeable. Indeed, it is made explicit by them (*Ibid.*, p.x) that the chapters on monitoring and evaluation are addressed primarily to senior managers. Furthermore, the focus on developing national accredited programmes - 'a long, complex and expensive process'

dependent upon input by specialist psychologists (Home Office, 60/2000, p.23) - does not create a favourable climate for locally owned innovative practice. The present climate is dominated by the experimental research methods of What Works and it is worthwhile to hold on to the idea that there is an alternative. If we do not, my concern is that we will have quality controlled, well resourced cognitive-behavioural programmes producing strikingly impressive reconviction outcomes in those cases where there is a good 'fit' with the people doing the programme but that there will be little on offer, other than failure, for those who do not 'fit'. We are entering a theoretical monoculture, with a tendency, in policy and implementation, to place narrower definitions around even this than need be (Downing, 1996; Drakeford and Vanstone, 1996b; Trinder, 2000b, pp.151-3; McGuire, 2000). This monoculture also provides the paradigmatic boundaries within which explanation and understanding are sought, and we need to guard against taking full credit for 'our' success while accepting no responsibility, apart from further imprisonment, for 'their' failure. As Pawson and Tilley remind us (1997, p.36) 'it is not programs which work, as such, but people co-operating and choosing to make them work'.

- With developments in office-based practice should go a rediscovery of the social fabric of communities - which is not the same as active involvement within the network of externally generated agencies that police communities - in the form of community and restorative based practice. At one level, this requires redeployment of resources and rediscovery of lost skills, but at another level, it requires simple empathy and genuineness which shows that the contexts and constraints of people's lives are acknowledged and taken seriously (Arnold and Jordan, 1996, pp.42-3; Jordan, 1990, pp. 207-11).
- The 'expressive as well as functional purposes' of probation (McNeill, 2000b, p.11; see also Harding, 2000, p.136) need to be remembered. There is a difference

between prison and community and a need for a discourse that revives welfare and non-punitive approaches relative to the juridical discourse of punishment (Hudson, 1993, pp.180-96). If the What Works research (McGuire, 1995, pp.10-14, 19-21) shows us anything it is that punishment does not work. The research team from South Bank University who analysed the audit of the enforcement of orders organised by the Association of Chief Officers of Probation in 1999-2000 sound some cautionary notes in an article in the *Probation Journal* (Hedderman and Hearnden, 2000, pp.126-8). The increasingly tight requirements of national standards 'may already be said to be at odds with effective practice'. In arguing for a 'graduated response' to enforcement, they say

--- the Probation Service needs to engage as a matter of urgency with the government and Inspectorate in making explicit the links between effective enforcement and effective practice. Otherwise, the pursuit of the former may completely undermine efforts to do the latter.

The future holds one possible scenario in which the probation service becomes part of a seamless criminal justice system. Its targets will primarily be the poor, the minorities, the marginalised and those deemed the dangerous classes. There will be a society of surveillance, control and conflict, dissolving prison - community boundaries. Rehabilitation will instrumentally serve risk management. Yet official enthusiasm for effective practice has provided the opportunity for a dignified revival of belief in rehabilitation at all levels of the criminal justice system and the opening up of another possible scenario. Will the logic and standards for success that effective practice in its full meaning denotes, rooted as it is in the holistic traditions of social work practice, be allowed to flourish? This paper has set out an explanatory framework around developments in criminal justice and in the wider social sphere. It has also offered an alternative view of the part that probation could play. As we launch into the What Works strategy, it is important for us to have a weather eye on alternatives: there are choices and there are different ways that can be followed.

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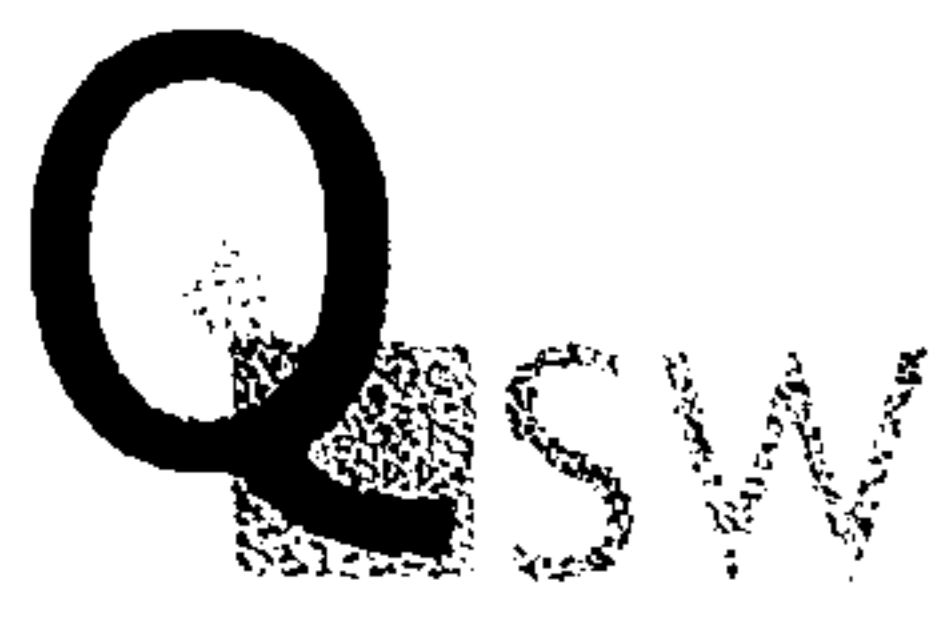
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PRACTICE AND  
TEACHING OF  
QUALITATIVE  
SOCIAL WORK

## Portfolio Creation, Action Research and the Learning Environment

A Study from Probation

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### ABSTRACT

Continuing professional development (CPD) from pre- to post-qualifying levels is of growing importance in social work as in allied professions. Its importance is likely to be enhanced by the leadership of the General Social Care Council (England) and the introduction of registration requirements for the social work and social care workforce. Three themes are linked in this article that are relevant to CPD: the creative use of portfolios for educational purposes, practitioner action research and the workplace as a supportive learning environment. An account is given of how the author linked studies for an advanced award in social work via a portfolio only route with a management diploma to conduct an action research project into enabling and supporting an improved environment for learning at his workplace. The portfolio, as a dynamic record of practice over time, can be developed into a suitable medium for action research. The article draws on cross-disciplinary knowledge from teaching and human resources management. The model that is developed effectively integrates theory, education, research and practice, and aims to inform and encourage practitioners to see action research as an achievable and also emancipatory way of engaging with research.

### KEY WORDS:

action research  
continuing  
professional  
development  
learning  
environment  
learning  
organization  
portfolios  
probation  
management

## 1 INTRODUCTION

Portfolio preparation is now an intrinsic part of social work education. While all stages of the educational continuum may include portfolio preparation, the approach has come into its own most fully at the post-qualifying stages (Doel and Shardlow, 1995; Taylor et al., 1999: 147–8). This article has a portfolio for the advanced award in social work (AASW) as its starting point.

The AASW is a national UK professional award. It is delivered by a local consortia of practice agencies and higher education institutions and is awarded in England<sup>1</sup> by the General Social Care Council (GSCC) or, before 2001, the GSCC's predecessor body, the Central Council for Education and Training in Social Work (CCETSW). The AASW is based upon advanced practice competencies and is the highest professional award in the UK, being set at equivalent of a Masters degree, with the national awarding body overseeing standards and quality control. Candidates for the award may select from four pathways – practice, management, research, education and training – or may take combinations of these pathways. In my case, I combined the four pathways. Most programmes provide a curriculum of taught and portfolio components leading to the award but it is possible to submit a single portfolio that provides evidence of all the competencies. This is known as the 'portfolio only' route and is the one I chose to take, with a mentor providing guidance on the process. This route results in the submission of a substantial portfolio of original practice documentation supported by critical reflective commentaries. The commentaries comment both on the documentary evidence and on issues of underlying values, theory, research, policy, professional and career development. The final product must be a coherent, edited and carefully sign-posted entity that serves to summarize and take stock of the candidate's career to date, professional stance and abilities.

This article begins by examining the potential for such portfolio preparation – when seen as a creative process of developing and recording practice over time – to become a medium for conducting action research. Action research is defined and discussed and how the process of compiling a portfolio can meet the requirements of this research methodology is explored. The second half of the article illustrates this methodological discussion by presenting a report on the action research that I undertook. The subject of the research consisted of initiatives to encourage an environment supportive of learning in the workplace. The process and content of the research and the conclusions drawn from it are described and analysed. There is a symmetry to the concepts in this article: the work-based portfolio produced for an educational/professional award, portrayed as an action research project focused on engendering an environment conducive to learning within the workplace that, in turn, will assist others with their own learning.

This whole process entwines theory, education, research and practice. Linking the processes of portfolio creation and action research has been done by the author with serendipitous hindsight prompted by a career move to an academic setting. The synergy that exists between them, however, may encourage other practitioners to see this as an accessible, achievable and emancipatory way of engaging in original research and hence to build it into their portfolio planning from the outset.

During 1997–2000, I worked for the advanced award in social work through the portfolio only route. Simultaneously, I studied for a diploma in management award provided by the National Examining Board in Supervision and Management. The diploma took the form of an in-house taught course, with assessed assignments, delivered by an external training agency of management consultants. I structured the two awards so that they informed and contributed to the work of each other. My studies were in a probation field setting serving suburban and inner city areas. My role was that of a senior practitioner with responsibility for team leadership and management along with a small caseload.

I have subsequently found myself interested in the process that I went through in gaining these awards, an interest that has been enhanced by my move to an academic setting. Initially I reworked the portfolio material on the direct work with clients, which resulted in a monograph on probation practice (Elliott, 2001). A key to the thinking behind this reworking was that the practice documentation in the portfolio could be used as a primary research base upon which an academic monograph about practice and theory in the present penal climate could be built.

In addition to practice with clients, the portfolio, in combination with the management diploma, covered areas of management, team leadership, staff supervision and professional education and training. On moving to an academic post, these aspects of the portfolio came more to the fore in my thinking both in terms of the process involved in the portfolio's creation and its links with continuing professional development (CPD).

One of the most significant current developments in social work is that of continuing professional development. Not only is the climate increasingly supportive of CPD (Postle et al., 2002: 158–63; Social Services Inspectorate et al., 2000) but access to certain areas of practice within the UK has become dependent upon passing prescribed post-qualifying awards such as the approved social work award in mental health and the child care award. The advent of the care councils in each of the four home countries of the UK, and growing expectations of a trained and registered social care workforce from pre- to post-qualifying levels will serve to expand and embed CPD more firmly into the professional culture. The report by the Training Organisation for the Personal Social Services (TOPSS, England, 2000: 2, 31, 62–4) encapsulates these

developments: 80% of the 1 million social care workforce have no qualifications at all and a strategic objective is set for 'all employers to allocate an increased proportion of their staffing budget to meet direct training costs – 3% of staffing budget on training linked to qualification by 2005'. This figure is to be compared with the national average for local authorities in 2000 of 1.6%.

These developments are reflected in my AASW portfolio. The sections on team leadership are all united by the common theme of how a practice environment conducive to learning can be developed and nurtured so that the team is actively engaged on questions of good and improved professional practice.

## 2 ACTION RESEARCH

Action research has been most fully developed within the field of education from which most of the theoretical and research literature emanates. There now exists a body of teacher–researchers' reports on their own projects. The style of writing features narrative and reflection and some of that style is adopted in this article. Examples of this literature are two research reports by 'service users', namely projects in schools conducted by parents (Davis and Cooke, 1998) and pupils (Atweh et al., 1998).

Altrichter et al. (1993: 1–3) state that action research is 'specifically, research conducted by teachers in order to develop their own practice' and they use the term 'teacher–researchers'. Bell comments that action research is:

an approach which has proved to be particularly attractive to educators because of its practical problem-solving emphasis, because practitioners – carry out the research and because the research is directed towards greater understanding and improvement of practice *over a period of time*. (Bell, 1999: 10)

A body of literature is also emerging on action research in social care, community work and health settings (examples are Gibbs, 1999; Winter and Munn-Giddings, 2001, Part II of which provides a selection of 11 project reports). Writing from social care and health perspectives, Winter and Munn-Giddings (2001; see also Schon, 1987: 22–40) capture the relationship between action research and critical reflective practice:

Moreover, working with people always involves working with uncertainties, conflicts and dilemmas. 'Work', therefore, always offers scope for 'research', in the sense of subjecting our decisions, our relationships, our knowledge base and our interpretations of 'the evidence' to *more than usually sustained examination* (looking at matters 'critically', i.e. from more than one point of view). So research (and action research in particular) does not need to be thought of as an *interruption*

of work, but as a means for *furthering and developing* the work we are already engaged in. (Winter and Munn-Giddings, 2001: 12)

Action research, therefore, is a process of disciplined enquiry by practitioners into their own practice and its social context with the purpose of achieving improvements in that practice (Winter and Munn-Giddings, 2001: 5–8). It can be seen how the processes in portfolio creation of deliberate reflection, experimentation and evaluation over a period of time could support action research. This is consistent with the regulatory requirement (CCETSW, 1997: 19) that the portfolio should present a coherent, integrated and progressive professional profile. It addresses many of the professional preoccupations of social work in an age of continuing professional development and registration requirements under the auspices of a General Social Care Council: the practitioner as theory builder (Mayhew, 1999), the practitioner–researcher (Shaw, 1996: 27–9; Shaw, 1997) and research minded practice (Thompson, 1995: 52–4, 84–6). Action research is characterized as emancipatory and reflexive (Kemmis, 1993: 187–9; Kemmis and Wilkinson, 1998: 23–4) and matches the value base of social work (Thompson, 1995: 78–9). It may be, therefore, that conditions are favourable for action research to gain a more prominent profile within social work.

If the process of portfolio creation is approached as action research, with the documentation as the research record, then the competencies that have to be evidenced become, not the ends of the portfolio, but tools to assist with a wider – and perhaps more interesting and challenging – process. The fact that the competencies have to be demonstrated helps to maintain a discipline and focus in the research record and the candidate is helped by the broad terms in which the Central Council for Education and Training in Social Work (1997) expressed the competencies at the advanced level. They can be treated as malleable, fit for shaping to the candidate's purpose and, undoubtedly, suitable for cross-referencing and linking thematically: once viewed this way, they cease to be obstacles that have to be jumped and become a means for maintaining a focus on what can be a complex enterprise. Such an approach requires the championing of reflection and of learning as a process that involves questioning. Taylor et al. (1999: 153) note the tensions that exist within portfolios that are both about formative learning processes and summative statements of competence for assessment: 'reflection is about uncertainty whereas competence and assessment is about certainty'. They develop Kolb's learning cycle, which mirrors the action research cycle, of experience, reflection, conceptualization and experimentation (Taylor et al., 1999: 157–8) as a means of guiding and legitimating an enquiring approach in the selection of evidence and creation of the portfolio (see also Jones and Joss, 1995: 27–32; Winter and Munn-Giddings, 2001: 24).

In order to meet the requirements of action research, therefore, the process of creating a portfolio must have certain features:

- 1 The approach to the portfolio should not be one of creating a historical record with a commentary on it. It is easy to view a portfolio as a static record of work that has been completed and selected because it serves to demonstrate the required competencies. This alone, however, will not meet the criteria for action research. This does not debar the use of earlier materials – I used documentation covering a five year period and reflected upon my entire career – but the whole needs to be contextualized through thematic links to demonstrate the current relevance of earlier experience and documentation.
- 2 There needs, therefore, to be a *process* of creating the portfolio that is orientated to the present and future. The work planned during the period when the portfolio is created needs to set out a path so that the portfolio becomes a record of a journey along that path. Dating when the various commentaries – the curriculum vitae, the critical career review, the component parts of the reflective commentary, etc. – were written is one device that contributes to this, allowing the later commentaries to refer back to and engage with the earlier ones.
- 3 What is called the action research ‘spiral’ needs to be fully incorporated into this practice ‘journey’. Kemmis describes the action research method as ‘a self-reflective spiral of cycles of planning, acting, observing, and reflecting’ (Kemmis, 1993: 177–80; see also Altrichter et al., 1993: 6–7; Winter and Munn-Giddings, 2001: 9–14). Kemmis and Wilkinson (1998: 21–3) elaborate on the cycle by describing it as ‘planning a change; acting and observing the process and consequences of the change; reflecting on these processes and consequences, and then re-planning and so forth’ although the process is unlikely to be as neat as this and is more likely to be ‘fluid, open and responsive’.
- 4 The portfolio itself, meanwhile, becomes the research record complete with original illustrative documentation and commentaries, while aide-memoire and working notes can be utilized in the same way as the action researcher’s research diary (Altrichter et al., 1993: 10–32; Winter and Munn-Giddings, 2001: 226–9). The requirements that the portfolio demonstrate coherence, integration and progression and that the final product is suitable for assessment and examination, however, impose upon the person producing the portfolio the need to provide a disciplined and properly edited and signposted research record.

Some of this dynamic quality is captured in the introductory comments to the portfolio that I produced: the introductory comments, of course, being the last section that was written:

I found that I posed questions for myself and I looked to this portfolio as a means of working out answers to those questions: questions of philosophy, values, politics, policy and practice. There have been changes during these eighteen months: developments in my thinking and changes around me both locally and nationally. This portfolio is a dynamic dialogue between the questions I posed

myself and the changes I have encountered. In all the editing that has led to the final portfolio, I have chosen not to edit out this dynamic quality. Indeed, the dynamic element is made explicit and woven into the very process of the commentaries themselves.

The process of creating an action research portfolio, therefore, leads to practice that is directional and developmental. It seeks out areas for engagement, development and change and it charts, documents and evaluates that process.

Action research is frequently described as participatory action research. This phrase emphasizes the emancipatory and social justice aspects of this approach to research. The methods tend to be qualitative and there is not a clear distinction between the researcher and the subject of the research because the approach is inherently collaborative and not hierarchical (Kemmis, 1993: 184; Kemmis and Wilkinson, 1998: 23–4, 26–34). The opportunity to develop such a participatory and researched agenda for change resided in my studies for the management diploma. The diploma required the identification of ‘personal development areas’ in management methods that would have an impact on the work environment and bring about development and change. The group of newly appointed first line managers studying for the diploma were doing so in a very public way and, in my workplace, the two of us who were involved both incorporated our studies and tasks into our team leadership work in an overt manner that set out to engage colleagues in the process. In addition, the line manager had to approve, support, monitor and ‘sign off’ the personal development areas that were identified. The result was a transparent and assessed process that actively involved colleagues of all grades in a participatory effort to improve our skills and aspects of the functioning of the teams (Winter and Munn-Giddings, 2001: 12–14, 22). As Altrichter et al. (1993: 6) state ‘[a]ction research is carried out by people directly concerned with the social situation that is being researched’. It involves praxis – informed, committed and value-based action – and it engages with the cultural and social processes in the workplace that requires dialogue and the crossing of different social perspectives (Kemmis, 1993: 182–6; Kemmis and Wilkinson, 1998: 26–34; Scott and Weeks, 1998: 242–4).

Action research, therefore, does not attempt to achieve, in the traditional sense, researcher objectivity because the researcher is an active participant in the processes being researched (Winter and Munn-Giddings, 2001: 14–19). This places particular responsibilities on those carrying out the research because they are, by definition, entangled in the subject matter of the research. It is essential for the researcher to be aware of both the opportunities and drawbacks of her/his position. The researcher is simultaneously advantaged and burdened by having ‘insider knowledge’ (Denscombe, 1998: 63). The advantages include the researcher’s sensitivity to the nuances of the situation in which



s/he is placed – the emotional intelligence concerning it – and the commitment, indeed the ‘vested interest’ (Denscombe, 1998: 66), in understanding this situation and using this understanding to feed back directly into improving it and developing practice delivery within it: of responding to the moral imperatives of praxis.

But there are burdens associated with this insider knowledge. It is difficult to stand outside the situation so that ‘the practitioner cannot escape the web of meanings that the “insider” knows, he or she is constrained by the web of meanings’ (Denscombe, 1998: 63). The outsider can bring different perspectives and frames of references that are denied to the insider. The risk for the insider action researcher, therefore, is that s/he will perpetuate the familiar norms that are already established in that setting and may even serve to sustain bad and oppressive practice (Winter and Munn-Giddings, 2001: 256).

Reflecting on my own experience of action research, I consider that access to the outsider was essential for the integrity of the process. If an activity is to be designated action research, it needs to include but also go beyond the process of critical reflective practice. There needs to be deliberate and disciplined data collection, analysis and theorizing leading, through the research cycle, to the implementation of changes in practice (Denscombe, 1998: 59–60). This can only be achieved if there is access to resources that are external to the situation being researched. The body of professional literature is one such resource and so are external facilitators who are frequently used in action research projects (Winter and Munn-Giddings, 2001: 42–5). In my case, the external resources were located in the requirements of the AASW and diploma awards. The combination of meeting the national AASW competencies, with the guidance of an external mentor, and of the dialogue with the management consultancy teaching team for the diploma provided continuing external reference points against which my activities could be tested. The final product, the AASW portfolio, provided summative documentation of the process that was subjected to rigorous external scrutiny. Ultimately, action research, as with any other approach to research, must be able to stand up to the rigours of open, external scrutiny by the peer professional and academic community.

When such standards are achieved in portfolio action research, an instrumental gain can be added for the agency as candidates seek out opportunities and/or create new initiatives to provide evidence of work at the required level that, through the action research, bring about changes and developments. Ethically, however, the project must address a genuine need that exists within the service provided by the agency: it must have intrinsic value for all involved. As a collaborative process, it can never serve merely the instrumental interests (for example, getting a qualification) of the researcher or any other single party (Winter and Munn-Giddings, 2001: 221). Such activity can, however, be a challenge for the agency in a profession that has been slow to value advanced level

study and research. Youll and Walker (1995: 207), in their study of an MPhil programme, had this to say of agency motivation:

There was little recognition that a higher degree course – with or without a research element or, indeed, any advanced programme – might be an investment and exploited for service development or evaluation, or wider staff development, in a systematic way. Typically, training and educational opportunities were seen as benefiting the individual: a luxury which the employee might be allowed to pursue as long as mainstream work was not hampered.

The model of portfolio action research presented in this article directly challenges this approach, especially in terms of the topic around which the action and research were planned: that of the workplace as an environment supportive of learning.

### **3 THE RESEARCH REPORT**

#### **3.1 The Workplace Learning Environment**

The personal development areas in management practice that I identified for the diploma focused on the concept of the workplace as a learning environment. This is an area that has long interested me and previous research (Elliott, 1988, 1990) highlighted the importance of the workplace environment and culture in supporting practice teaching of social work students on qualifying courses. Social work and probation settings have not generally been successful in creating work-based cultures sympathetic to critical enquiry and learning that are integrated with practice. If the teaching profession has much to show regarding action research, then the fields of personnel and human resource management have much of value to offer regarding incorporating learning and in-service training into workplace practices (Boydell and Leary, 1996; Reid and Barrington, 1994: Ch. 4, 291–9). If ‘deep’ learning (Gray and Gardiner, 1989; Henkel, 1995: 78–9) that is successfully applied in the workplace is to happen then a supportive work culture is a prerequisite.

Recent research by Cooper and Rixon (2001) confirms the importance of workplace cultures. Their research explored the experience of staff studying for post-qualifying awards in one local authority. The research covered crucial practical areas: how individuals chose to study, whether staff supervision and teams were supportive of it, how conducive the workplace was for study and so on. Some interesting distinctions between those who completed their studies and those who did not emerged, for example over the use made of permitted study time within working hours and some equivocal but suggestive findings over the extent to which staff supervision was used in support of people’s studies. The authors conclude:

– we have argued from these results that the creation of a supportive and sustainable CPD culture and workplace learning environment requires the active involvement of all parts of the organisation through a socio-cultural perspective. Individual motivation and engagement is key but so are colleagues and line managers – Cultural, attitudinal changes need to be encouraged and underpinned by concrete arrangements for workplace study facilities, access to research and library resources, administrative support for word processing and use of agency time for study. (Cooper and Rixon, 2001: 715)

Postle et al. (2002) reach similar conclusions from their research into a year-long post-qualifying course run collaboratively by a social services department and a university. Tensions existed, for example, over the allocation of study time and between college-based critical reflection and working within ‘an increasingly managerialist culture and with growing resource shortfalls [so that] practitioners are effectively making decisions based on employer-directed eligibility criteria’ (Postle et al., 2002: 165, see also 161, 165–6). They too call for ‘cultural change’ so that agencies ‘may own the full implications of being learning organisations’ (Postle et al., 2002: 167).

The report *People Need People* by the Social Services Inspectorates for England and Wales and the Audit Commission (2000: 16) extols the virtues of the learning organization (see also Gould, 2000). The report draws together the findings from reviews of over 70 local government councils: ‘[t]he findings show that those councils that are performing best in service delivery and the management of performance and resources are also those who score highly on their management of staff’ (Social Services Inspectorate et al., 2000: 1) and ‘[t]he values that drive working with service users need to be linked to those that apply to staff – An organisation that lacks internal trust and respect has lost coherence and direction’ (Social Services Inspectorate et al., 2000: 4). Here lies the link between service delivery outputs and personnel management that, on an instrumental level, justifies the culture change that is being called for.

### 3.2 The Research Setting

Cooper and Rixon’s (2001: 707–8) findings suggest that an integration of in-house training with external credit rating contributed to improved levels of completion. This was a feature of the setting within which I operated. The new professional qualification for probation officers in England and Wales – the Diploma in Probation Studies (DipPS) – is based in the practice agencies. The Diploma consists of a competence-based National Vocational Qualification (NVQ) Level 4 in community justice studies delivered from the agencies, which operate their own assessment centres, and a degree delivered by the universities through contract to the agencies’ training consortia. To be accredited for the diploma, the two parts need to be designed and delivered as an integrated programme with the status of the students being that of employees of the agencies.

The team included three DipPS students and a practice development assessor, whose role is akin to that of a practice teacher of social work students as well as being an internal NVQ assessor. At the time of the management diploma, the team consisted of four more probation officers. Of these, three were or recently had been first year officers, that is holders of a social work qualification who were doing a period of supervised practice with restricted workloads prior to confirmation as probation officers. Over the two years of the diploma/portfolio action research, therefore, nearly all the team were in some learning and/or teaching role leading to formal assessment events which, if passed, resulted in new qualifications or professional status. This included the practice development assessor, who was required to take the NVQ awards needed to be an internal assessor, and, of course, myself who was doubly involved for the externally validated diploma and AASW. This created the conditions of the 'team CPD' advocated by Ennis and Brodie (1999: 15–16).

Hence, the personal development areas I adopted for the management diploma – the planning a change in the action research cycle – naturally revolved around skills development and learning as follows:

- To undertake personal study to develop skills and knowledge, particularly in staff supervision and reflective practice.
- To enable team cultural change and development, promoting the 'practicum' (Schon, 1987: 18–21, 36–40), that is a forum for discussion of effective practice and professional skills and values combined with a cycle for assessment and feedback on the quality of practice within the team (see also Pietroni, 1995: 46–8).
- To promote individual officer's skills development using supervision, the appraisal cycle and organizational monitoring of officer's work.

There are risks and opportunities in this complex amalgam of line management, educative, supportive and developmental agendas (Cooper and Rixon, 2001: 712–3). This especially applies within the probation service, which is adopting an increasingly managerialist and controlling culture at a time of rapid change in national penal policy. These changes include a growing 'punitiveness' in probation practice which sits alongside an effective practice initiative built around strictly prescribed individualistic cognitive-behavioural interventions with probation clients (Elliott, 2001; Nellis, 2002). As discussed below, the dilemma – the struggle – of the action research (Winter and Munn-Giddings, 2001: 238–40, 260–1) was over how to achieve an environment supportive of the process of learning within an increasingly hostile occupational culture. There is in social work staff supervision, however, a long tradition of working within such complexity and, as the first personal development area shows, I delved deeply into this tradition to inform my practice (for example Brown and Bourne, 1996; Hughes and Pengelly, 1997; Payne and Scott, 1982; for a recent critique, see Phillipson, 2002).

### 3.3 The Practicum

A part of the diploma was to produce a management report that, in my case, took the form of a qualitative research project (Elliott, 1999). I chose to research the extent to which the presence of DipPS students, as employees of the service, and the practice development assessor had an influence on the culture of the teams in the office as a learning environment. What emerged strongly was the commitment of staff to learning from, as well as contributing to, the learning of the students. As one recently confirmed probation officer put it: 'an explicit teaching – learning process ought to have the effect of allowing others to teach and learn and reminding us of this process'.

It was evident that a major source of learning and practice development was an informal mutual process of reflective practice between colleagues but that the time for such reflections was always being squeezed (see McNeill, 2001: 680–1; for a similar finding whereas Cooper and Rixon, 2001: 708–9 are more equivocal about the extent to which the team supported colleagues in their post qualifying studies). My aim was to enable this reflective process to be more overt and to create protected spaces in which it could happen. The approach I took was to capitalize on the team's shared experience of being, in one way or another, in formal learning roles. This required recognizing the richness of both the off-site and on-site training and learning activities in which staff were involved and bringing them together (Smale and Tuson, 1988: 43–4). Such an approach is consistent with the model for evaluating the effectiveness of in-service training described by Reid and Barrington (1994: 291–9; see also Clarke, 2001). Their model has five sequential levels of evaluation of increasing complexity. The first two levels relate to the trainees' own assessments of the training and their learning within the training setting. My interest, however, was in the next three levels, which are about bringing the learning into the world of daily practice, or, to use Reid and Barrington's evaluation questions: did the learning transfer to the job? Has the training helped departmental performance? Has the training affected the ultimate well being of the organization?

An example of bringing together off-site and on-site learning in the practicum was the creation of a genuinely protected space in team meetings for discussion of professional issues, including different forms of case presentation and reading of articles, etc. We were partly inspired by a colleague's experience of the medical clinical seminar acquired in a forensic setting but the enthusiasm and commitment to this protected time was assisted by the DipPS contingent. The student/trainees and the practice development assessor, actively involved in a process of questioning and learning, were prepared to model the risks involved in exposing one's work to peer scrutiny and comment. I was also able to model this risk taking by linking team leadership activities with my learning from and production of assignments for the management diploma. One example was the use of a particular theoretical approach in facilitating a

practicum discussion, which was on the topic of how team members evaluate their practice. An 'anonymised' transcription of the discussion, with a self-evaluative commentary on my performance, was then submitted as an assessed assignment for the diploma. A critique of how I managed this process is that, while the practicum discussion and its links with my learning were negotiated and agreed with team members, I could also have sought subsequent feedback from participants on my role as facilitator and incorporated this in my self-evaluation.

### 3.4 Towards a Learning Organization

In a strongly managerialist organization the process of monitoring – mostly by using tools with a quantitative rather than process orientation which were designed for organizational and national monitoring and inspection purposes – and of appraising the quality of work and feeding this back at a team and an individual level is fraught with difficulty. Staff need to trust that the agenda is one of development not control, of empowerment not oppression. For the team I was in, the fact that we were nearly all involved in formal learning that required us to expose our work to critical scrutiny helped create an atmosphere in which trust could grow. But proper boundaries and procedures are also essential, for example:

- the regulatory separation of the practice development assessor and the line manager in the DipPS;
- good quality contracting for supervision, using the best guidance in recent texts that acknowledge difference and power differentials to enable anti-oppressive working. The foundations of good practice in supervision are laid with clear contracting and boundaries (Brown and Bourne, 1996: 50–65; Hughes and Pengelly, 1997: 33–9);
- working to clear expectations with established procedures for the confirmation of first year officers;
- the operation of appraisal strictly as a vehicle for staff development, including the evidencing of one's conclusions and nurturing innovatory practice.

As a team leader, I could have regarded – and indeed held a responsibility for – the above through working with team members. But an organizational programme that is supportive of these practices can also provide a context and help in making sense of the wider changing environment in which staff are working. As a senior practitioner, I ensured I was substantially involved with advocating, planning and facilitating roles in:

- a culture of peer review by using cross-grade panels in the periodic monitoring of practice against the national standards;
- conferences organized along participative, workshop based principles to provide a context for engaging with change. For example, an exercise that identifies what an individual and a team can influence – what is in *my* power and in *our* power to achieve? – can be empowering. Crucial to the long term success of such an event is that there are tangible results and that those results are collated and disseminated;

- workshop seminars – exploratory in nature and with a feedback loop into policy making – that support developments in practice, in this case the introduction of the effective practice initiative. A cross-grade planning group set the tone for these events, which arose from proposals made at one of the conferences, but a critique is that the effective practice initiative was too centrally driven for the feedback loop from the seminars to have a significant impact on the organization;
- all the above contribute to a learning organization, that is an organization in which there are lines of communication in all directions and the organization is seen to respond to the intelligence that it receives, even if, as Winter and Munn-Giddings (2001: 23–6, 37–9, 41–2) indicate, the concept of a learning organization is more likely to be one of aspiration than final achievement.

These practices are all defences against oppressive workplace cultures and they are all dependent upon collaborative working. Creating an alternative culture to the controlling one that is developing in the probation service has to be deliberately planned, worked at and reviewed but achievements in this respect are possible and the professional traditions of the service mean that allies at all grades can be found. After all, the service invested heavily in the management diploma training and, as a cohort of students, we could claim the right to apply what we had learnt: ‘– it is difficult for a manager to put into practice what he [*sic*] has just learned about the adoption of a participative and democratic style if the organization structure and atmosphere is autocratic’ (Reid and Barrington, 1994: 103). Our training served to legitimize and guide challenges to the growth of just such an autocratic environment.

#### 4 CONCLUSION

The heart of the action research, therefore, lay in the process of achieving and maintaining this alternative culture through the application of the research ‘self-reflective spiral’ (Kemmis, 1993: 178) and, crucially, by eliciting feedback from colleagues in pursuit of the three personal development areas. The diploma programme provided a framework for this through the production of assignments for reporting on and evaluating activities that directly applied learning from the course in the workplace and through the incorporation of the personal development areas into my supervisory and appraisal cycle. The AASW portfolio, meanwhile, comprised an overarching reflective review of the entire process that served to synthesize its different strands. The commentaries connected the primary documentation – for example, my involvement with the activities listed above – with the AASW competencies. This provided a reflective record of an action research journey that engaged both with a powerful centralized national agenda for change and a commitment to abiding by the principles of active participation and empowerment within organizational life and good social work practice.

The action research revealed that a social work practice setting can be reframed and led towards being a learning environment in which all participants are involved in a cycle of learning and teaching. It showed that informal mutual support and reflection can be encouraged if made more overt and given protected spaces which are sanctioned by management. The management report revealed the reservations that remain: at a time of rapid change there is too much learning required in too short a time, too much of the agenda is directed from above with limited scope for directing one's own professional and practice interests and, always, there is insufficient reflective time. Nevertheless, at the level of our work as a team, we struggled not to be dominated by these problems, but to create something of a practicum in which we took control of some of our own learning and practice development.

In particular, there were three outcomes at team and organizational levels, that is levels 3 to 5 in Reid and Barrington's (1994: 291–9) model of evaluation. First, through dissemination of the management report and by working over the whole enterprise with the team, my line manager and within the organization, I actively contributed to opportunities for the agency to be a learning organization. At that time, within the constraints of a powerful central government policy agenda for the probation service, the service I was in was, to a degree, responsive to a participatory approach in the management of change and the introduction of the very focused, effective practice initiative required of it. I set out to use my learning and the opportunities available to encourage and contribute to this type of culture.

Second, probation staff can be sympathetic to the idea of multiple layers of learning and teaching, of the desirability of seeing the practice setting as also being an environment for learning. This has to be worked at and there needs to be crucial spaces, in whatever way they are structured, whether through supervision, appraisal, team practicums, mentoring or formal settings for conferences, courses and external awards, where staff can trust the integrity of the educational and reflective process. This places an onus on employers to recognize the multiple roles held by staff as employees and as learners. Traditions of good practice in staff supervision show that social work as a profession is adept at handling the tensions in these roles but policy, managerialism and operational demands can place these traditions under immense pressure (Brown and Bourne, 1996: 61–5; Elliott, 1990). Hughes and Pengelly (1997) say of supervision:

However comprehensive its supervisory policies and system of quality control, an agency whose senior management fail to explore differences in a non-discriminatory way, fail to value creative questioning, fail to appreciate that rapid change may lead to deskilling and regression, fail to allow uncertainty, fail to acknowledge mistakes with confidence that they can be learned from, will be unlikely to sustain the practice of supervision as an effective and enabling resource. (Hughes and Pengelly, 1997: 77; see also 49–53)



Third, the generation of a learning environment is undoubtedly assisted if the experience of being in formal learning roles is widely shared. The pre- to post-qualifying CPD agenda will make this situation increasingly common. It familiarizes people with the risk taking of sharing their work and their learning and it makes more accessible certain standards concerning the integrity of professional education that enhances trust. We were recognized in the service as a busy team in a pressurized office. But staff in the roles of DipPS students, a dedicated practice development assessor, first year officers and myself on the management diploma all contributed to the concept of 'work relief' and of study and associated activities being a legitimate activity within the workplace (see also Cooper and Rixon, 2001: 710–11).

Two questions remain. The first is: was the action research successful? I consider that it met the 'criterion of success' set out by Kemmis and Wilkinson (1998: 21; see also Kemmis, 1993: 184–6) that participants must have 'a strong and authentic sense of development and evolution in their practices, their understandings of their practices, and the situations in which they practice [*sic*] – As we see it, participatory action research aims to help people to investigate reality in order to change it'.

The second question relates to the transferability of the findings. All action research projects are specific to their context and any generalization of the findings from that context needs to be treated with caution. This is particularly the case because action research tends to be small scale (Denscombe, 1998: 64–5). Nevertheless, a research report opens up the process for others to read critically. They can ask themselves to what extent the activities described and the conclusions drawn in the report can be transferred to their setting. They are invited to take any insights acquired from their reading of the report and to apply and critically review them in their own practice. To what extent do the research processes themselves offer guidance to others setting out on a similar journey and to what extent do the problems identified and the responses to those problems 'resonate' (Winter and Munn-Giddings, 2001: 21) with others in similar professional settings? This article draws upon a broad body of shared professional knowledge. It critiques it, seeks new configurations of it and attempts to explore and identify new insights based upon the experience of disciplined enquiry that lies behind it. As Winter and Munn-Giddings state (2001: 21) 'like other research, [action research] *needs* to be made "public" – By being shared in a public forum – the report of an action research project contributes to the critique and refinement of knowledge'.

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## Note

- 1 England, Scotland, Wales and Northern Ireland each have separate councils.

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