

# **DOMICE LITERATURE REVIEW**

**November 2011**

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This document sets out a review of the published literature on case management. Despite an extensive search of key academic and professional databases it relies heavily on work published from authors based in North America and the UK in particular (see annex a for a description of the methodology).

### **1. Origins of case management**

#### *1.1 Background*

It is widely accepted that case management originated in United States (US) in the mental health field in the latter half of the twentieth century (see Marshall, 1996; Holt, 2000; Keetley and Weaver 2005)<sup>1</sup>, based on the concept that “a designated person, the ‘case manager’, would take special responsibility for a ‘client’ in the community” (Marshall, 1996: 523). Keetley and Weaver (2005) provide an in-depth discussion of the history of case management; first describing the roots of case management in the mental health field in the US where it was introduced to provide clients with access to services to suit their varied needs. They state that although early case management was largely ‘bureaucratic’ (s.4.1.1) the requirement for case management to be tailored to the needs of clients was established from the outset. Meanwhile Holt (2000) highlights two key factors that led to the development of case management: the growth in uncoordinated and difficult to access social provision which centred around conditions, age and ‘single issues’ (p. 3) and the desire to treat patients with mental health issues outside the institutional setting (cf. Rubin, 1992)<sup>2</sup>. Keetley and Weaver (2005) have also explained that case management is often beneficial to those who face difficulties in accessing services.

Case management emerged in the mental health field in the UK after gaining favour with the government in the 1980s (Keetley and Weaver, 2005; Marshall, 1996). ‘Care Management’ was implemented in Local Authority Social Services departments in 1993 and the NHS introduced case management in 1991 via the ‘Care Programme

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<sup>1</sup> Numerous authors have, of course, made this observation and have described the origins of case management. However, for the purpose of this review the work of the three above named authors will take primacy in the discussion of early case management

<sup>2</sup> This point is also supported by Marshall (1996) and Keetley and Weaver (2005, citing Intagliata, 1982).

Approach' (Keetley and Weaver, 2005; see also Marshall, 1996 and Holt; 2000). However both the implementation and evaluation of these early approaches were limited (Keetley and Weaver, 2005; Marshall, 1996). For example, Keetley and Weaver (2005: s.4.1.4.1) have explained that "a number of academic studies raised concerns about staff ignorance of Care Programme Approach procedures, poor record keeping and variable standards in monitoring and review".

As to the development of case management in European countries other than England and Wales, this Literature Review will be unduly limited. This is due to several factors namely that a) case management models, particularly in relation to probation are under development; and b) the lack of publications available in English. Despite this, attention will be given to the available European literature in the final section of the review.

### *1.2 Definitions and aims of case management*

It is clear from the literature that case management as an approach is beset with definitional issues. McNeill (2009), for example, defined case management as a 'family of related approaches' (p. 35) and Keetley and Weaver (2005) explained that:

*"Case management describes a general approach to the longitudinal, clinical management of clients with long-term, chronic, enduring or relapsing health problems. Such clients tend to have multiple or complex needs, and may require a range of interventions from a number of care agencies" (ibid: 1.1)*

However, it has been agreed that case management is difficult to define, mainly because of the flexibility needed in applying the concept (Keetley and Weaver, 2005). Moreover Partridge (2004) deemed the issue 'problematic' (ibid: 4) because the term case management has not been consistently applied and Grapes (2006) outlined the problems involved in defining case management:

*"Case management is an imprecise term, encompassing a wide range of different approaches, from a hands-off administrative one to some services to a hands-on intensive one in others" (ibid: 46).*

As a result of this, Keetley and Weaver (2005), during a detailed review in relation to case management within a drug treatment setting, suggest that case management

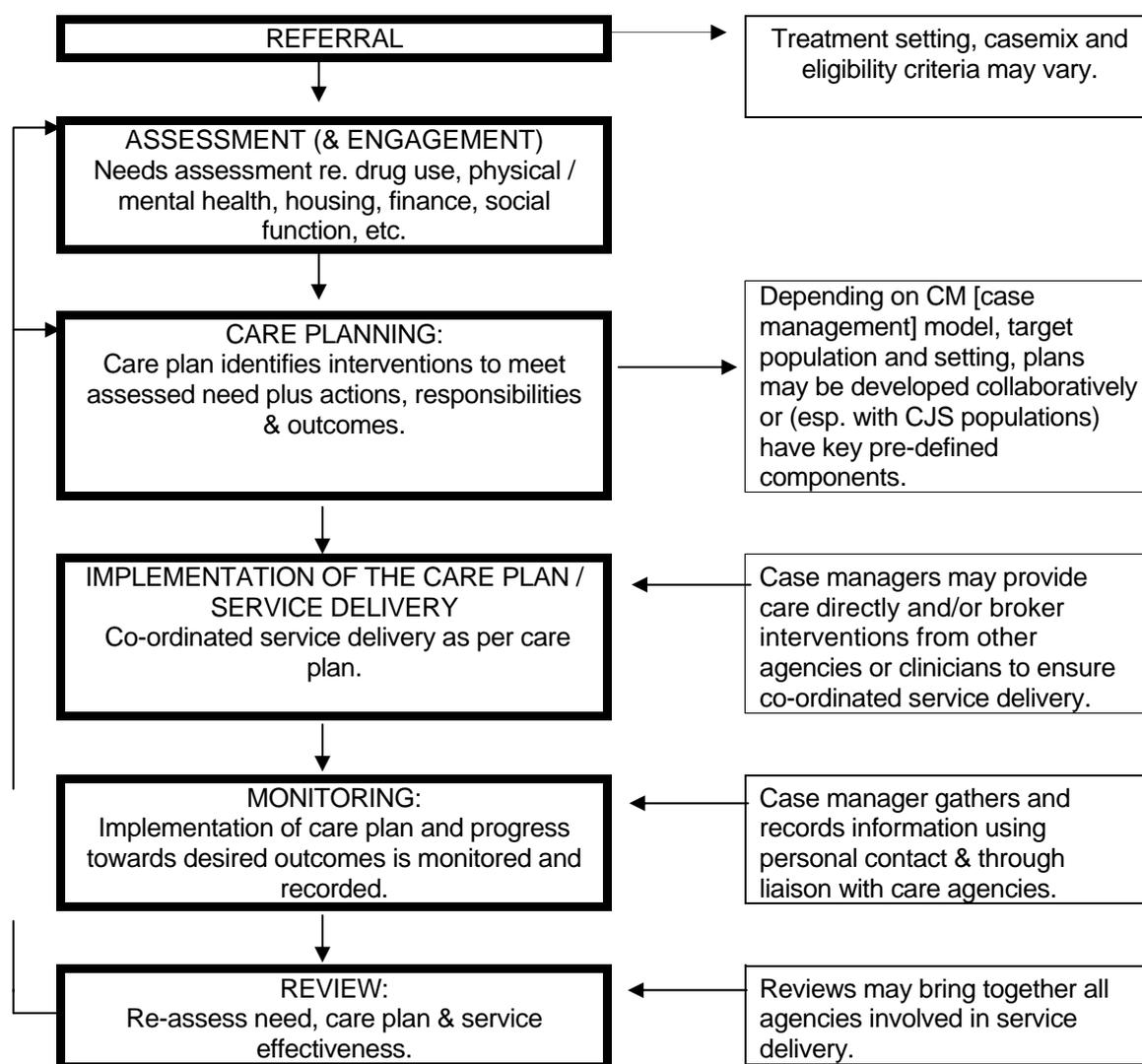
should be viewed on the basis of 'goals'. This concurs with Murphy Healy's (1999) suggestion that case management should be defined with reference to the 'setting' it is used in. Likewise, Partridge (2004) applied her own, purposefully adapted, definition of case management in her study of models for working with offenders in a community setting. It may, therefore, be wise to utilise these suggestions, when thinking about case management in the European context.

There have also been detailed discussions about the key aims of case management. Keetley and Weaver (2005) have stated that there are two main aims of case management: "(a) to maintain contact (engagement) with the clients; and (b) to improve defined measures of health status and social functioning. The precise clinical service-level aims of case management may vary according to the treatment setting and the client group". They explain that these aims are achieved by giving a large portion of the responsibility for each client to a case manager and through the creation of a care plan which is created from a needs assessment. Partnership working is also deemed an important feature of case management as is the ability to facilitate client engagement (*ibid*).

## **2. Models of case management**

The last forty years have witnessed the development of various case management models across diverse disciplines and fields. This section will explore several of these models. Firstly, Keetley and Weaver (2005) have provided a useful 'generic' model of case management (see figure 1) that can be used in a variety of settings; the difference, is the way in which case management is applied to each setting.

**Figure 1: Generic Process of Case Management (Keetley and Weaver; 2005)**



Therefore this 'generic model' facilitates the achievement of the aims of case management (as described above) and has 6 key features: referral, assessment (and engagement), care planning, service delivery, monitoring and review (ibid).

However Keetley and Weaver were keen to warn that models of case management are not easy to classify, but can best be described according to their target populations- often those with a high level of need- and that models differ in line with the emphases placed on different aspects of case management e.g. care planning, implementation and monitoring. This corresponds with Holt's (2000) assertion that models of case management need be 'elastic' rather than 'prescriptive' (ibid: 9)

Following on from this, Holt (2000) described four approaches which he believes incorporate a range of case management models:

1. "Simple 'brokerage' of service provision to the personal involvement of the case manager in service delivery (Hepworth and Larsen, 1982; Ross, 1980),
2. An 'assertive' model to one characterised by task-centred problem-solving (Huxley, 1993),
3. A 'defect model' to 'strengths model' (Rubin, 1992; Kisthardt and Rapp, 1992; Corrigan and Kayton-Weinburg, 1993.)<sup>3</sup>,
4. Short-term 'administrative' to long-term 'complete' (Challis *et al.* 1990)<sup>4</sup>  
Holt (2000: 7)

However like Keetley and Weaver, Holt also highlighted the ways in which case management models could be influenced by a range of factors:

*"Three main influences have led to the differential development of models of case management: these are the varying definition of service user need, and the relative emphases placed on individual service users and the systems which bear upon them"*  
(Holt, 2000: ii)

To clarify, the definition of service user need refers to whether need is defined by the client in a needs led model or whether need is defined by the service in a resource led model (ibid). The additional two influences, which Holt (2000: ii) describes as 'systems', centre on how much involvement is given to clients and those around them - for example family and the availability of interventions (ibid). Despite these variations Holt (2000) describes several features common to all models of case management: "assessment, planning, linking, monitoring and evaluation" (p.9), which broadly correspond with the features described above by Keetley and Weaver.

A further commentary outlining models of case management comes from Marshall (1996), referring to approaches described within the mental health literature. He describes the features and characteristics of two opposing approaches, a 'standard' case management approach and an 'assertive community treatment' one:

- a) *Standard case management*: 'low intensity', office centred approach. Involves intervention brokerage and minimal client contact. Case managers have a small caseload;

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<sup>3</sup> Holt explains that these two models outline two theoretical extremes of case management: a 'defect model' focuses on improving 'deficiencies' an individual is deemed to have, whereas, a strengths based model focuses on positive attributes of the offender and encouragement in order to help individuals tackle personal problems.

<sup>4</sup> 'Administrative' and 'complete' models represent two extremities of case management: administrative models usually only involve tasks such as assessment and referral, whereas complete models include advocacy, casework, monitoring and repeated assessment in addition to assessment and referral (see Holt, 2000).

- b) *Assertive community treatment*: case management provided by a team of mental health staff, usually including a psychiatrist. High intensity of contact, patient staff ratio = 10:1. Staff are involved according to the skills needed to meet the needs of clients

Marshall (1996) heavily criticised the conflation of these two approaches and remains largely critical of case management in general, due the lack of successful evaluations in its favour.

### **3. Approaches to case management in criminal justice and probation settings**

In this section we consider how case management approaches have been applied within the criminal justice setting.

#### *3.1 Application*

Moving on to look specifically at the ways in which case management can be applied to criminal justice and probation, Keetley and Weaver (2005) devoted a substantial proportion of their literature review to exploring how case management has been applied to the criminal justice system and how it deals with drug using offenders. They explained that case management was introduced to drug treatment in the UK in 2002 via the *Models of Care for the treatment of drug misusers* (National Treatment Agency for Substance Misuse; 2002)<sup>5</sup>. Before this case management in drug treatment had been largely restricted to the US (ibid). Case management is used in drug treatment when a client has multiple needs and when responsibility is needed both from legal and medical professions, thus requiring a multi-agency approach (ibid). With regard to drug treatment in a criminal justice setting Keetley and Weaver (2005) explain that case management in the US is often targeted on substance misuse offenders during their transition from custody to the community.

Whilst Keetley and Weaver's (2005) review considered case management models within the criminal justice system, Holt (2000), also considers case management approaches in probation settings, but lamented their lack of application and suggested ways in which this oversight could be rectified:

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<sup>5</sup> However the authors are keen to note that no single case management model of drug treatment takes precedence. A key issue for them is that lack of clarity in drug treatment approaches to case management (ibid).

- a) by clarifying the relationship between goals of the service and the part that the case manager plays in meeting them
- b) by clarifying the 'theoretical model' being used
- c) by identifying the main users (for example, offenders)
- d) by creating an appropriate tool for measuring effectiveness- one which focuses on the link between 'process' and 'outcome' (ibid: 13)

Holt (2000) goes on explain that the main difference between traditional models of case management and approaches applied in probation settings is that there is a need to consider criminogenic needs and the enforcement of sentence conditions in the latter. He explains that criminogenic needs should to be identified, assessed and that an intervention plan should be created. The necessity for enforcement results in case management also needing to focus on promoting compliance with the conditions of the sentence. In a similar vein Murphy Healy (1999) explained that the key departure between case management in a criminal justice setting compared to other settings is that compliance with case management approaches in the former are conditional, i.e. because they are part of a sentence, and therefore needs an enforcement element.

### *3.2 Policy and organisational context*

The policy and organisational context in which case management is undertaken has implications for the type of model used and its application. Holt (2000) explained that much of the impetus for case management in probation in UK came from two effective practice based papers published in the late 1990s: a Her Majesty's Inspectorate of Probation (HMIP) report (1998) *Report of the 'What Works' project* and Chapman and Hough's (1998), assessment of *Evidence Based Practice* with the aim of reducing re-offending. The authors outlined several key features of effective practice, including ensuring programme integrity (programmes which are organised and delivered in accordance with how they are designed), responsivity (ensuring interventions 'match' the learning styles of both the offender and the case manager), effective partnership working and valuing staff. In addition effective approaches to case management within a probation context require:

- the presence of skilled staff
- effective partnerships

- ‘enforceable contracts’ for offenders
- compliance with probation national standards (ibid)

Meanwhile a HMIP (1998) report emerged under the banner title of ‘what works’<sup>6</sup>, at a time when this particular agenda was, arguably, at its peak. This HMIP report also identified features of effective practice and outlined key tasks for probation case managers including:

- risk assessment
- the development of supervision plans
- referral and sequencing of interventions
- caseload prioritisation
- responsibility for contact with probationers and monitoring compliance

These tasks go hand in hand with those which Chapman and Hough (1998) deemed necessary for effective case management including: risk management, ensuring that offenders understood the conditions of supervision, supervision plan implementation, motivating offenders, pro-social modelling and monitoring and evaluation. Therefore a focus on ‘what works’ and effective practice is clearly present in policy surrounding probation.

#### *Resettlement and Public Protection*

In its 2001 thematic review HMIP describes “resettlement” as work aiming to effectively reintegrate offenders back into the community. The thematic review adopts the Association of Chief Officers of Probation (ACOP) more formal definition of resettlement:

*“A systematic and evidence-based process by which actions are taken to work with the offender in custody and on release, so that communities are better protected from harm and reoffending is significantly reduced. It encompasses the totality of work with prisoners, their families and significant others in partnership with statutory and voluntary organisations.” (HMIP, 2001: 12)*

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<sup>6</sup> The growth in ‘what works’ practice has been documented by countless researchers over the last two decades (see for example Raynor, 2003; Merrington and Stanley, 2004; Knott, 2004; Harper and Chitty, 2005; Stanley, 2009). However, McGuire and Priestly’s (1995) text in particular appears to be regarded by commentators as key to the expansion of the ‘what works’ agenda. They described six ‘what works’ principles associated with effective programmes: risk classification, criminogenic needs, responsivity, community base, treatment modality and programme integrity (ibid).

Maruna (2006: 26) describes the official definition of resettlement as 'everything and nothing, the only theory behind it is that it has to involve stuff that works'. Priorities identified for resettlement in the literature can be grouped as practical needs and less tangible factors such as motivation and skills (see Maguire and Raynor (2006), for example). Based on data from the UK Home Offices Offender Assessment System, Lewis et al (2007) identify the most commonly recorded criminogenic problems as accommodation, drugs, thinking skills and employment. The less tangible factors could be described as human and social capital, as discussed by McNeill (2009) amongst others.

The differences in emphasis of the two definitions used by HMIP illustrate a wider tension within discussion of resettlement. While the first definition used by HMIP refers to the integration of prisoners back into the community, the ACOP definition focuses on the protection of the community from offenders. The split is also evident between resettlement literature, which is largely focussed on the support required by prisoners to achieve resettlement (Deedes, 2009), and government policy, which prioritises public protection.

Although public protection is cast as a sub topic in the ACOP definition of resettlement-'communities are better protected from harm and reoffending', public protection has become dominant in much of the policy behind case management. This is viewed as part of a long term swing towards the prioritisation of public protection over welfare (Baker, 2010; Bhui, 2002; Nash, 2000). Kemshall and Wood (2007) identify the introduction of Public Protection Panels in the UK, consisting of the prison service, police and probation, by the Criminal Justice and Court Services Act 2000 (sections 67 and 68) as the most notable legislation reinforcing the emphasis on public protection. The rise of public protection, however, began before this. Mike Nash (2007, 2000) writes that the increased importance of public protection in the 1990s led to greater coordination between the police and probation. Nash considers this to have diluted the social-work ethos of probation, making it increasingly punitive. Although *What Works* programme moved probation closer to the prison service, and is described by Nash as 'a life-line' to the probation service, the priority of public protection continues to dictate the work undertaken.

#### 4. Models of case management in probation

As already highlighted, Holt (2000) has developed his own model of case management. It seems pertinent when discussing contemporary models of case management within a probation setting to start with his model, as not only does it appear to be one of the first models of case management developed, it has also been widely commented on by academics and used by the UK government in the creation of its own offender management model (see Grapes, 2006). Holt's (2000) model of case management has four components:

1. *Consistency*: this involves providing 'seamless delivery' (involving consistent assessment, monitoring and the removal of case manager subjectivity) in order to increase motivation and preclude offender learning. Holt explains that consistency is important for the supervisory relationship as the probation officer can increase the motivation of probationers at times when they are more in need of it;
2. *Continuity*: Holt explained that continuity needs to be both cross-sectional (enabling integration) and longitudinal (in order to provide continuous assessment). He argues that continuity is essential because probationers discuss issues gradually depending on the level of trust and because probationers' thought processes may not be consequential. This continuous contact allows for a 'unified experience' (ibid: 19) to be created as a case manager can act as a link between an offender and the intervention. . There must be commitment to delivering the sentence plan, goals must be identified and probationers must be given the opportunity to apply their learning. Holt stressed the importance of continuity with high risk offenders as it is essential to provide repeated reinforcement particularly these types of offenders
3. *Consolidation*: is needed to enhance learning and make 'connections'- which are essential for reintegration. There is a relationship between consolidation and continuity in that 'joined up reflection' may allow offenders to develop narratives.
4. *Commitment (of the case manager)*: Holt asserts that this is essential as the supervisory relationship can be useful in encouraging offenders to desist as the case manager acts as the 'change agent' (ibid: 22) - responsivity is key.

However Holt (2000) also stressed the need to view case management as a unified approach as in practice it is "more than the sum of its functions" (ibid: 14) and

highlighted the need to account for risk and criminogenic need. Moreover, others have sought to expand on Holt's model, frequently referred to as the '4 C's' (Grapes 2006). For example McNeill *et al.* (2005)<sup>7</sup> added a '5<sup>th</sup> C' of 'compliance' to Holt's model, due to the increase in focus on enforcement of community sanctions, whilst in light of proposals to increase the use of voluntary and private sector agencies in the delivery of probation interventions, Raynor and Maguire (2006) added an alternative '5<sup>th</sup> C' of 'contestability'. (Issues raised by both sets of researchers will be discussed in more detail in later sections of the review.)

Further descriptions of case management models in probation settings have been provided by Partridge (2004). Like Holt (2000), Partridge also acknowledged the limited knowledge of case management approaches used by probation officers and aimed make the situation somewhat clearer. She outlined three models of case management:

1. *Specialist*
2. *Generic*
3. *Hybrid*

Specialist models allow managers to co-ordinate delivery, match resources to offenders, enable role clarification and help develop skills with certain kinds of offenders (*ibid*). However problems include: issues surrounding the management of boundaries, communication problems, high staff turnover and fragmented experiences of offenders who can become confused regarding 'task separation' and can be unsure of who to contact (*ibid*). Partridge explained that specialist models are good at utilising limited resources but that local contexts can often inhibit specialisation.

The generic models have the benefits of providing: flexibility- especially across geographic boundaries, the ability to manage mixed caseloads, and unlike specialist models, they allowed continuous contact to be maintained (and so prevented fragmentation) and reportedly increased staff morale as probation officers could see the impact of their efforts. Partridge was also keen to note that different models could be more useful for certain individuals involved in the process (*ibid*). For example, it would seem that specialist models may be useful for managers whilst probation

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<sup>7</sup> See also McNeill (2009)

officers and probationers may benefit more from generic models. Generic and specialist models can be combined to form a hybrid approach (ibid).

Despite separating out the models Partridge (2004) acknowledged various principles that the models shared including:

- 'Continuity of contact'- case managers should accompany offenders throughout their order- since this provides reassurance and engenders responsivity;
- Team work- including the use of Probation Service Officers (PSOs) in dealing with lower risk offenders and admin staff allowing probation officers to target their time at more risky/needier probationers;
- Face-to-face meetings- useful for staff and offenders as it encourages 'openness, flexibility and support'. Three way meetings between case managers, practitioners and offenders are also encouraged;
- Recognition of the experiences and needs of offenders;
- Awareness of local and contextual factors that affect the implementation of different models;
- 'Task separation' can sometimes perplex offenders.

As well as common principles there are common 'drivers' behind each model including: 'what works', the availability of resources, a drive to place growing numbers on accredited programmes and an increased emphasis on partnership working (ibid). These drivers, Partridge asserts, can actually lead to the needs of offenders, and their reactions to case management, to be ignored or overlooked. In light of these issues, several suggestions were made as to how the situation could be improved (ibid). Firstly 'continuity of contact' and a face-to-face approach that incorporated team work was strongly recommended. This was highlighted as being particularly important as it was found that offenders did not understand the term case management and were often not aware they had case managers. Also that continuity of contact can increase openness and confidence (ibid). Three way meetings between case managers, practitioners and offenders were also suggested as necessary in order to increase rates of engagement with accredited programmes and interventions. An additional suggestion for good practice was 'openness, flexibility and support' (ibid: 6) as this can help motivate offenders and reduce fragmentation (ibid).

A third model of case management is Dowden and Andrews' (2004) model of *Core Correctional Practice (CCP)*. This has been widely used by both researchers and policy makers (Ward, 2008), including Grapes' (2006) Offender Management Model (see below). Dowden and Andrews (2004) outlined five elements of CCP:

1. 'Effective use of authority'- a 'firm but fair' dynamic;
2. Modelling and reinforcing non-offending attitudes- use of techniques to improve pro-social behaviour and cognitive abilities;
3. Teaching problem solving skills- this has two strands: 'community/interpersonal issues' and 'recreational or personal/emotional issues' ;
4. 'Effective use of community resources'- via brokerage/advocacy;
5. Relationship factors- the influence the supervisor can have on the offender. Emphasises the need for 'open, warm and enthusiastic communication' and the benefits of mutual respect being created between offenders and supervisors

Dowden and Andrews (2004: 204-205).

It is stressed that the latter component could be viewed as the most significant one; thus reinforcing the above arguments about the necessity of meaningful relationships in case management (ibid).

Moving on, the main model of case management currently applied by the probation service in England and Wales is Grape's (2006) *National Offender Management Model*<sup>8</sup>, which incorporates Holt's model of consistency, continuity, consolidation and commitment (Grapes, 2006). The premise of the model is neatly surmised in the following statement:

*"An Offender Management approach is now one where a single Offender Manager 'manages' an offender from one end to the other of his or her contact with NOMS (National Offender Management Service), sequencing and brokering different interventions from different providers, working with an individual-focused Offender*

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<sup>8</sup> Note that this is the second version of the model the original being, NOMS (2005) *The NOMS Offender Management Model*, London; Home Office.

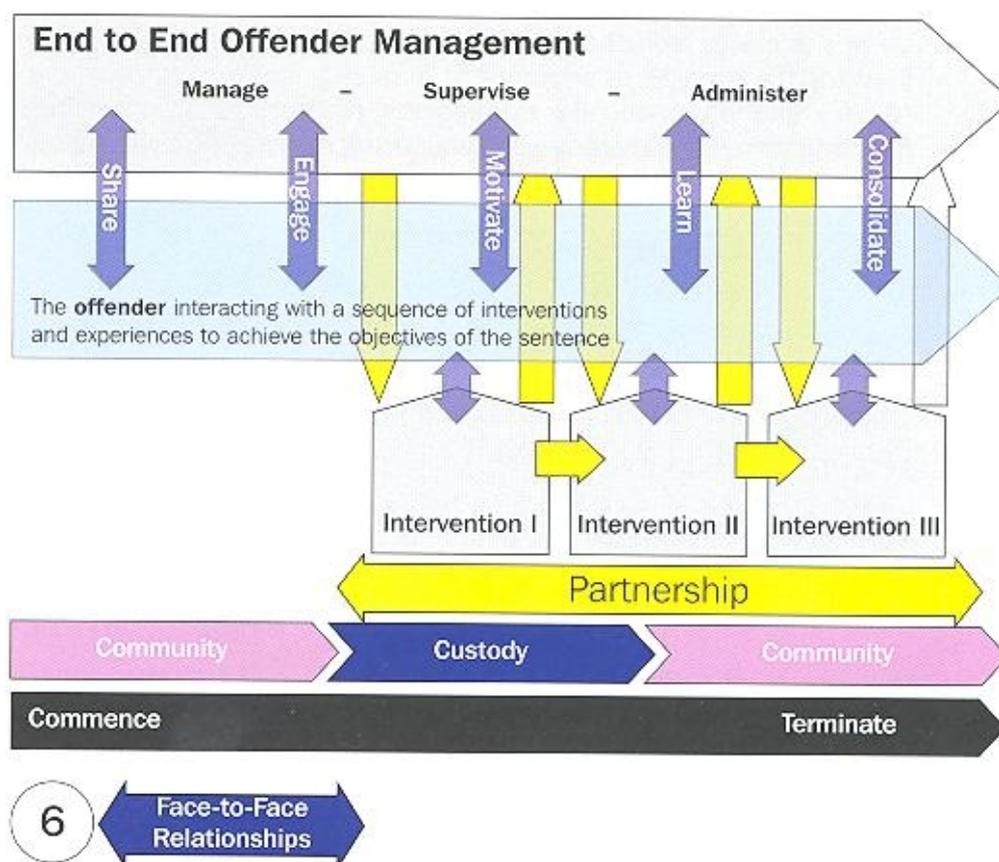
*Management Team, in which each member makes a distinctive contribution to the whole process” (ibid: 9)*

Grapes outlined eight central elements of the Offender Management Model, hereafter OMM, (figure 2 represents the model in diagrammatical format):

- 1) OMM is evidence-based and offender-focused;
- 2) OMM is a ‘human service’ approach due to the personal relationships developed between staff and offenders;
- 3) It is a single ‘end-to-end’ process;
- 4) The structure is built around one offender: one manager
- 5) The presence of detailed assessment and a sentence plan, into which offender input is required. A brokerage approach is used along with personal supervision to encourage co-operation and compliance;
- 6) The service needs to be individualised in order to meet the complex needs, risks and circumstances of each offender
- 7) The model is based around a ‘new concept of team work’;
- 8) OMM needs a ‘whole system approach’

Grapes (2006: 12)

**Figure 2: The Offender Management Model (Grapes, 2006)**



Faulkner (2008) has argued that the offender management approach can be seen as an 'extension' of earlier case management approaches (ibid: 76).

There are several key things to note about the OMM. Firstly the OMM provides an 'end-to-end' approach. The 'end-to-end' approach will begin at an early point in an offender's contact with the criminal justice system (CJS) e.g. remand and right up until the end of supervision and includes management, supervision and administration (Grapes, 2006). Therefore offender managers are expected to provide continuous support and interventions to offenders. A second key aspect worth highlighting is that OMM separates the brokerage and service delivery aspects of probation (ibid).

An additional core element of the OMM is the focus on the relationship aspect of supervision. Grapes explains that relationships enable: "consistent messages, continuous processes and commitment...[to be] transmitted, and risk is continuously assessed and managed" (ibid: 37). The benefits of establishing a relationship between an offender and their supervisor (interchangeably referred to as offender manager, case manager, probation officer) has been demonstrated by various

researchers in recent years. Rex (1999), for example found that probationers needed to feel engaged with the relationship in order to maintain any long-term change and often felt a sense of loyalty and desire to change towards probation officers who were committed and whose advice they felt was valid. Rex outlined several factors that contribute to engagement including empathy and listening skills. This work closely ties in with Trotter's pro-social modelling. Trotter found that clients of probation officers who used a pro-social approach<sup>9</sup>, which includes modelling, reinforcement, problem solving and empathy, were less likely to breach their order or to re-offend (Trotter, 1993).

Likewise Burnett and McNeill (2005), who have both written extensively on the issue of supervisory relationships in probation, lamented the lack of attention given to the relationship between the probation officer and probationer in recent years and advocated the use of a more relationship based approach to probation. McNeill (2009) later stated that "effective relationships lie at the crux of an effective practice approach" (ibid: 37). From the practice point of view Davies (2006) stated that there was an under emphasis of the supervisory relationship in 'what works', however and Chapman and Hough (1998) recognised the central role of the supervision process:

*"Case managers form the key relationship with the supervised offender. In this way they come to represent the probation service to the individual. They must embody the values, the authority and integrity of the supervision process" (ibid: 3.2)*

However the relationship which OMM pays greatest attention to is the relationship between the staff involved in the offender management process. Grapes explained that an Offender Management Team is now in place, made up of four specific roles (see figure 3 for a diagrammatical representation of how the roles interact):

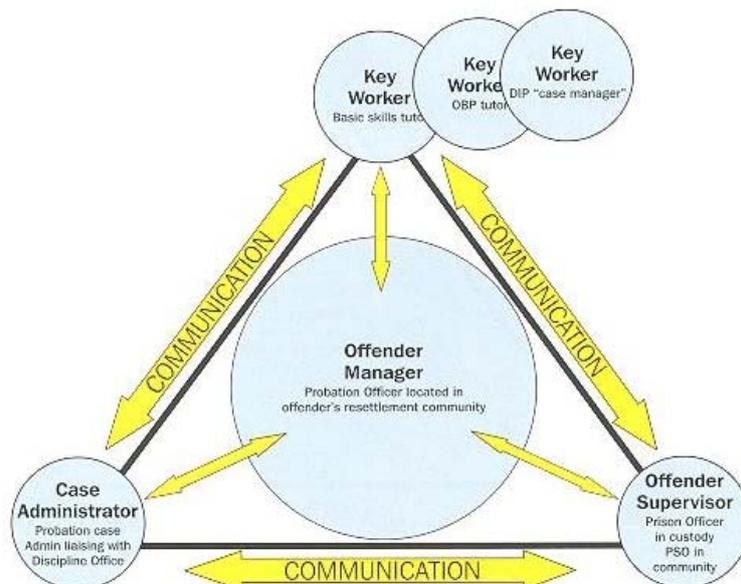
- a) Offender Manager
- b) Key workers
- c) Offender Supervisor
- d) Case Administrator

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<sup>9</sup> Trotter (1997) explained that a pro-social approach requires a case manager to: recognise pro-social behaviours in offenders, reward pro-social behaviour in order to reinforce it, model pro-social behaviour and negatively reinforce anti-social attitudes and behaviour.

The Offender Manager takes the central role and is responsible for leading the team. The Offender Manager needs to be a 'collaborative' leader and have a close relationship with the other members of the team. A vital role for each member of the team is to be clear on their role, responsibility and relationship towards the offenders. The team works together to deliver a Sentence Plan (ibid).

**Figure 3: The Offender Management Team (Grapes, 2006)**



Two final aspects of the OMM worth exploring are that of tiering and the way in which resources are allocated. Resources are allocated on the basis of 'resources follow risk' (Grapes, 2006: 46). Therefore resources are related to factors such as: the seriousness of offending, risks of harm and risk of re-offending, sentence requirements and the availability of interventions. This issue surrounding resources links to the process of tiering interventions; tiering is intended to allow resources to be appropriately matched to offenders. There are four tiers within the OMM model, with Tier One being used for lower risk offenders, offering the least intervention and only being responsible for punishing an offender, ranging to Tier Four which incorporates punishment, help, change and control and thus offers the most intervention in cases of high levels of risk (ibid).

The four models of case management described above (Holt, 2000; Partridge, 2004; Dowden and Andrews, 2004; Grapes 2006), are arguably the most commonly referred to within offender management (certainly within the UK). Our focus will now turn to other, lesser known, models of case management. Firstly, Murphy Healey (1999) explained that case management is being used in various settings including

with those on probation and those with substance misuse issues. Murphy Healey, borrowing from Enos and Southern (1996), describes features of case management, which correspond closely with components of the models already discussed including:

- Engagement
- Needs assessment
- Creation of a 'Service Plan'
- 'Linking' offenders to services
- Monitoring
- Enforcement
- Advocacy

Murphy Healey (1999: 1)

She, in line with the arguments provided throughout this section, stresses the need for continuity, however a key difference is that in the US there is often more than one case manager per offender. Murphy Healy also provided a basic outline of three other common models used in case management:

- 1) Strengths based model: assesses offender's skills and builds a supervision plan around them. Involves a positive approach towards the offender;
- 2) Assertive model: 'aggressive' delivery of services involves actively seeking the offender out;
- 3) Mixed model: mixes the two approaches and thus provides both brokerage and treatment (ibid).

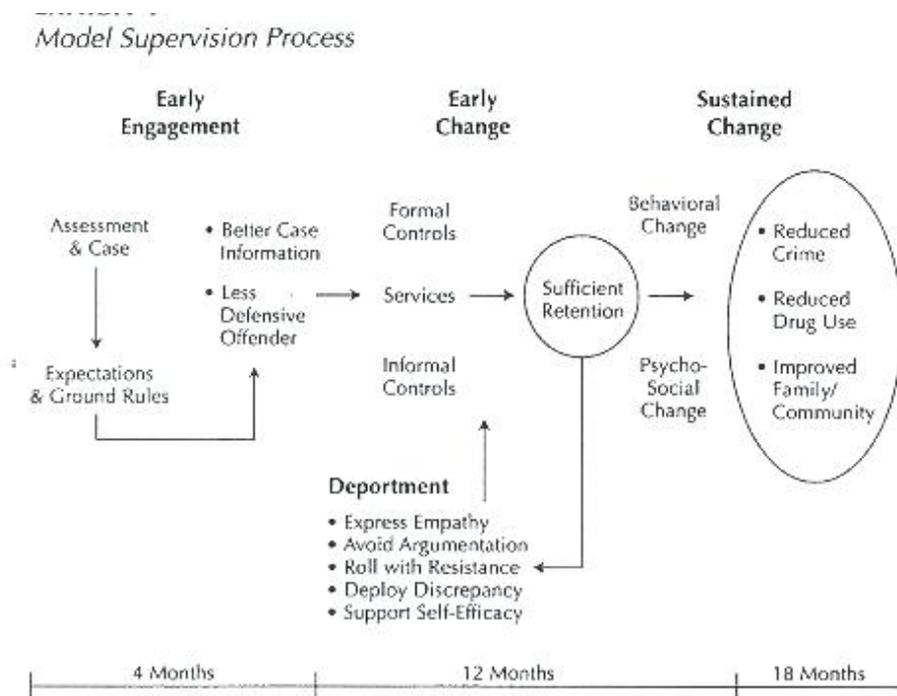
Meanwhile, Taxman (2002) developed an *Evidence-based model of supervision*. She argued that supervision could be used to increase compliance via the engagement of the offender. There are three separate strands to Taxman's model, which uses the supervision process as its organising framework, rather than case management specifically (see figure 4 for a diagrammatical version):

1. '*Engagement*': this can be achieved through grasping the specific criminogenic needs of each offender, helping the offender to understand them and creating a supervision plan. The supervision plan needs to address evidence based factors such as formal and informal social control;

2. *'Making a commitment to change'*: this is demonstrated by compliance with the supervision plan and commitment to the services recommended. Change can be achieved by communication between the offender and the supervisor, empathy and a non-confrontational approach. However there is a need to set 'ground rules'. The supervisor needs to assess how well an offender is engaging with change;
3. *'Sustained' long term change*: this should be achieved by engagement and commitment to change and may require the development of individual and social resources. This could include, for example, sustaining family relationships and employment.

Taxman (2002: 20-23)

**Figure 4: Evidenced based model of supervision (Taxman. 2002)**



Finally Cote (2003) briefly describes a model of case management used in Canada, the *Probation and Parole Service Delivery Model (PPSDM)*. Features include: risk/criminogenic need assessment, staff training, provision of the most intensive supervision for high risk offenders, use of rehabilitation programmes, focus on public safety and a continuous and collaborative style of evaluation which is focused on processes and outcomes (ibid).

## 5. Research concerning the context and evaluation of case management

### 5.1 Evaluation

Case management and the changing organisational context of probation has received widespread attention. In any review of case management and the development of effective practice it is essential to explore existing evaluations of case management, and consider implementation issues and organisational barriers.

Case management has been evaluated in a variety of settings with both positive and negative findings. For example Bonta and colleagues (2004) in a study of case management in Canada argued that this was the 'major model' for supervision and found that after a six-month period the risk scores for adult offenders under case management supervision had reduced compared to previous assessments. However they also found that criminogenic needs were not being met, not enough was being done to challenge anti-social behaviour and that the frequency of contacts between probation officers and probationers was low (ibid).

In the UK Davies (2006), in an evaluation of case management in relation to the cognitive behavioural therapy based *Think First* programme, found that case management was essential for engagement with programmes. Case managers maintained contact with offenders throughout programmes, providing both continuity of care and surveillance. Effective case management was also visible in this study as case managers attempted to link group work to the personal circumstances of offenders (ibid). Meanwhile Kemshall and Canton (2002), in a study that aimed to identify good practice in reducing attrition in attendance at programmes, found that case management was both a factor in, and a solution to, attrition. However a number of problems were also observed including: role ambiguity and a subsequent absence of enthusiasm, insufficient resources and a lack of training and 'ownership' of programmes on the part of case managers (ibid). Kemshall and Canton argued that some of these issues could be tackled and case management improved by defining the roles and skills needed for case management and ensuring that case management is therapeutic rather than bureaucratic. Similarly, Merrington and Stanley (2004), in a review of 'what works' found that evidence pointed towards the utility of case management in reinforcing programmes and had the potential to be more effective than programme-based approaches in isolation. They concluded that future 'what works' research should focus more on approaches to case management.

Moreover two evaluations have focused specifically on the OMM model of case management. The North West Pathfinder (PA Consultancy Group MORI, 2005) was carried out prior to the development of the OMM model described above, and aimed to provide a snapshot of the implementation of the OMM in the North West of England. It was conducted at an early point within the implementation of OMM order facilitate continuing development and involved conducting interviews and focus group with staff and offenders across the region targeted in order to explore their experiences (ibid). The study found that the OMM was received positively by

practitioners as they had more time, were able to establish trust with offenders, liked the idea of probation officers being able to enter custody and felt that compliance had increased (ibid). The role of case administrator, which was created to support the offender management team and to manage all case administration including attendance monitoring and initiating procedures in the event of breaches, was also being implemented well (ibid). However problems included: the lack of experience of probation officers in custodial settings and the amount of time spent attending custodial visits, lack of engagement with OASys (a joint prison and probation assessment tool) and threats to continuity such as staff absences and changes in offender manager due to changes in risk scores (ibid). The overall conclusion was that there were encouraging signs about the ability of OMM to increase effective offender management and that the pathfinder had made considerable progress in a short amount of time (ibid). However implementation was slower than anticipated and was not consistent between areas (ibid).

A second evaluation was carried out after the implementation of the OMM in 2006 (HMIP, 2008). This assessment found that not all offenders had offender managers, that offender managers were not adequately involved in sentence planning and that they were often absent from meetings in custody. The report also found that sentence plans were dependent on programme availability rather than need and that there was a lack of consideration given to offender engagement. The report is particularly useful, despite these lacklustre findings, as it highlights areas of good practice in two specific institutions. Her Majesty's Prison (HMP) Brixton prioritised interviews for recalled offenders in order to ensure speedy re-engagement and HMP Belmarsh collaborated with local Prolific and Priority Offender (PPO) schemes allowing offender supervisors to attend PPO meetings outside custody settings. This meant that custodial and non-custodial parts of the sentence could be more effectively integrated (ibid).

These examples above outline findings of specific evaluations relating to case management; however various other studies have also outlined concerns regarding case management.

## 5.2 *Concerns about case management*

Several broad areas of concern can be identified in the literature surrounding the development of case management in probation practice<sup>10</sup> and whilst arguments centre on the British OMM (Grapes, 2006) many of the problems identified could act as useful lessons in the development of effective case management approaches more generally.

### 5.2.1 *'End-to-end management', fragmentation and the supervisory relationship*

There is concern about the utility of aspiring for 'end-to-end offender management'. Dobson (2004) argued that end-to-end management renders offenders passive, whilst contributors to Allen and Hough's (2006) edited collection questioned whether or not 'seamlessness' could be achieved. Fragmentation is also a major concern for several commentators. Raynor and Maguire (2006), for instance, argued that fragmentation can occur due to the separation of case management and interventions<sup>11</sup> and through the separation of case management into the three roles of management, supervision and administration. The latter point highlights potential for fragmentation to occur with regard to the supervisory relationship (ibid)<sup>12</sup>. This is problematic because, as highlighted above, the importance of the relationship between case managers and offenders has been stressed as enhancing engagement and helping to sustain changes in behaviour. Grimshaw and Fraser (2004) express concerns that multiagency working can leave scope for confusion over which agency is the users advocate. Likewise Robinson (2005), also concerned about the potential for fragmentation within offender management, argued that although NOMS envisages an end-to-end approach there is uncertainty about how this will be achieved in practice and what role relationships will take<sup>13</sup>. Her concern being that offenders are becoming 'portable entities' of 'pass the parcel' supervision (ibid: 307). Faulkner (2008), in a more recent critique, was similarly ambivalent about the OMM's focus on relationships:

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<sup>10</sup> Hough and Allen (2006) provide a good overall synthesis of the problems emerging as a result of NOMS and OMM, examples from which will be included in this section.

<sup>11</sup> McKnight (2009: 334) also argued that this separation of offender management and interventions effectively 'split' probation in half.

<sup>12</sup> See also Maguire and Raynor (2006).

<sup>13</sup> However since Grapes' (2006) OMM was published one year after Robinson's article, it is possible that some of her concerns may have been alleviated.

*“[OMM] has a section on relationships, but the language suggests that they could become formalized, even ritualized, so that they conform to standard patterns approved and measured by management” (ibid: 77).*

### *5.2.2 Theoretical basis for OMM: on solid ground?*

A second concern regarding the implementation of OMM is the extent to which it matches theoretical models. Ward (2008), in a highly critical article surrounding offender management, argued that there are discrepancies between the practical application of the OMM (Grapes, 2006) and the model on which it is based on, Dowden and Andrews' (2004) CCP model. For example, he explains that unlike OMM which uses punishment as part of its tiering framework, Dowden and Andrews' (2004) model excludes punishment from its remit (ibid). Similarly Stanley (2009) questioned the extent to which OMM actually fits into the what works principles outlined by Chapman and Hough (1998), explaining that restrictions imposed as a result of the sentencing framework presented in the Criminal Justice Act 2003 have had a substantial effect on the tiering system (ibid).

### *5.2.3 Prioritisation of risk management*

The prioritisation of risk management has caused concern amongst commentators. Against the background of hard-line public opinion and an increasing punitive criminal justice system, risk management and public protection have been built into the model of case management used in the UK. Three main concerns emerge about the prioritisation of risk management:

- Firstly, the prioritisation of risk management undermines the social work ethos of probation (Nash, 2007; Bhui 2002). Nash (2007) has expressed concerns about blurring the line between the duties of prison and probation staff. Baker (2010) provides the example of public protection's encouragement of restrictive controls over constructive interventions, which are used to address risk of reoffending rather than risk of harm. Hudson (2001) adds that focussing on the risk of future harm can undermine due process and the rights of offenders through punishing them for crimes that they have not yet committed. In a similar vein, Erooga (2008) writes that the removal of offenders' rights can jeopardise their wellbeing, undermining their chance of desistance.

- The second concern is that the focus on public protection has concentrated probation's resources on managing risks associated with those who have committed serious crimes: Gelsthorpe *et al* express concern that those considered to pose less danger, women in the context of the report in question, may not receive adequate support from the probation service.

The third concern is that the terminology around risk is potentially confusing and may lead to inappropriate treatment of offenders. Baker (2010) argues that much of the language used to estimate risk fails to convey whether the risk is related to the probability of reoffending or chance of reoffending causing serious harm.

#### 5.2.4 .Commodification

McCulloch and McNeill (2007) have lamented the 'commodification' of probation in recent years, remarking that rehabilitation has become a means' to an end' and a 'process of production' (ibid: 227). They also argue - echoing Robinson's (2005) view - that this commodification is leading to offenders becoming 'portable entities'.

The commodification process in the UK is played out in the contestability agenda which has been highlighted by researchers as posing considerable challenges to case management. A main cause of concern with regard to contestability is that it involves contracting voluntary and private sector organisations to carry out tasks traditionally carried out by probation services. For example contributors to Allen and Hough's (2006) colloquium, wary of the profit motive being created by contestability, questioned whether or not the private sector could hold the same values in its approach to dealing with offenders as the public and voluntary sectors. They were also anxious that increased competition could undermine the traditional values of voluntary organisations (ibid). This concern is shared by McSweeney and Hough (2006) who also argued that the private sector's emphasis on profit rendered them 'incompatible' with 'helping professions' such as probation (ibid: 121)<sup>14</sup>. Meanwhile Hough (2006) was concerned about the effect contestability could have on the relationship between offenders and case managers:

*"The trust that a good probation officer can command from an offender may be eroded by the latter's realisation that the former is, ultimately working for shareholders" (ibid: 6)*

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<sup>14</sup> This view is also shared by Hough (2006).

### 5.2.5 *Staff morale*

One final contention raised by British commentators and researchers in relation to case management is the impact that new probation practices such as NOMS and the creation of the OMM may have on staff morale. Robinson and Burnett (2007) found that confusion occurred with regard to roles as some probation officers were unsure if offender management meant real change or whether was just a new way of describing current roles – indeed, they argued that probation staff seemed to be suffering from ‘change fatigue’ (p. 332). In the context of the views described above Robinson (2007) argued that Holt’s (2000) ‘4 C’s’ have not been applied to probation work and therefore it would be difficult for probation officers to use them as part of their supervision of offenders.

Therefore as a result of these issues surrounding the practice of case management, it is no surprise that researchers have suggested various refinements and improvements, and proposed alternative, desistance based models of case management. It is towards these models and suggestions that our attention will now turn.

## **6. Desistance based models of case management and additional contributions to good practice**

### 6.1 *Desistance based models of case management*

Desistance from criminal activity has been brought to the forefront over the last decade by researchers such as Shadd Maruna, who has developed a wide body of research on the topic of desistance- perhaps most notably the *Liverpool Desistance Study* (Maruna, 2001). Stephen Farrall (2002) and Fergus McNeill (2003) have also examined desistance processes with particular reference to the role and development of social capital (which focuses on external issues such as employment) and human capital (which focuses on individual issues such as attitudes and motivations). This view contends that although social capital is only effective once the positive skills of human capital are in place (McNeill, 2009), inadequate attention has been paid to the relational side of probation work and the development of social capital (Burnett and McNeill, 2005). Desistance processes should aim to help offenders find inclusion in society (McNeill, 2009). This section will

focus on case management in relation to desistance and the various models which have been developed<sup>15</sup>. McNeill (2003) has outlined a model for ‘desistance-focused practice’ (p. 156) which was developed around concepts of:

- a) *Assessment and planning*: These processes need to be individualised to each probationer and probation officers need to focus on three intertwining factors: ‘age and levels of maturity’, ‘life transitions/social bonds’ and ‘subjective factors/attitudes and motivation’ (ibid: 157)
- b) *Engagement, intervention and evaluation*: Relationships need to be ‘desistance-focused’ (ibid: 159), focused on motivational, attitudinal and value change and committed to the development of human and social capital. There is also a need for goals, roles and measurement to be defined and allocated.

McNeill (2003: 156-160)

Following on from this McNeill (2006) has more recently argued for a *Desistance Paradigm*, within which legitimacy and communication are central and the focus is on facilitating the ‘process of change’ (ibid: 56) rather than delivering interventions<sup>16</sup>. He describes the need for desistance based practice to: be both strengths and risk focused, based on trusting relationships, engender agency, promote reintegration and generate human and social capital. See figure 5 for McNeill’s (2009) revised structure of the paradigm:

**Figure 5: Desistance Paradigm (McNeill, 2009: 22)**

<b>Basic orientation:</b> Help in navigating towards desistance to reduce re-offending, to reduce harm and to make good to offenders and victims
<b>Approach to assessment:</b> Explicit dialogue and negotiation assessing risk, needs, strengths and resources and offering opportunities to make good
<b>Focus of practice:</b> Collaboratively defined tasks which tackle risks, needs and obstacles to desistance by using and developing the offender’s human and social capital

<sup>15</sup> For reasons of brevity it will not be practical to include all suggestions and models of desistance and so only key contributions will be outlined.

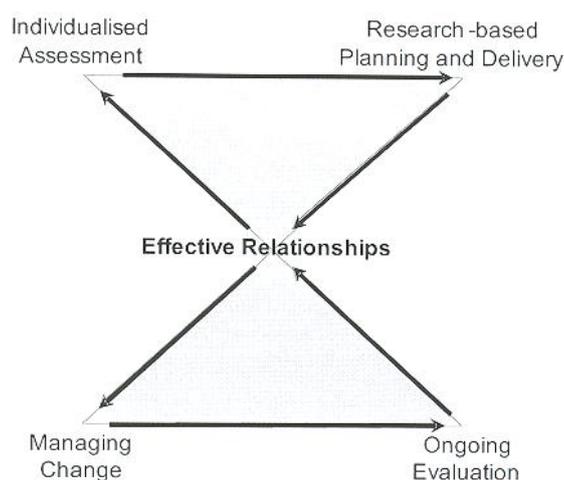
<sup>16</sup> Although Ward (2008: 402) argues that McNeill’s contribution “retreats from addressing the structural context towards more personalistic and psychological explanations”.

In addition to this McNeill also created an *Effective Practice Process* in which case managers can aid the process of change<sup>17</sup>. Key features of this include:

- a) *Preparation*: This involves preparing for initial contact by gathering all available information about an offender and developing ‘preliminary empathy’ (p. 31), predicting offenders desires and concerns in order to relate to them, and engaging with offenders<sup>18</sup>
- b) *Assessment*: Needs to be ‘desistance focused’ and centre on a broad range of issues including: degree of maturity, social circumstances and changes in narrative and motivation. The way in which these factors promote desistance also need to be addressed;
- c) *Planning*: This needs to follow on from assessment and continually review measurable targets and specify and reinforce the basis of the intervention. Specific goals need to be set and agreed upon;
- d) *Case management*: Individual, holistic case management is essential for effective practice. It is a ‘family of related approaches’ (p. 35) and partnerships need to be utilised. Effective relationships are key: offenders need to be given the motivation to change and the opportunity to achieve and sustain these changes (see figure 6).

McNeill (2009)

**Figure 6: Effective Practice Process (McNeill, 2009)**



<sup>17</sup> Note that these features are a development of the four skill sets outlined by McNeill *et al* (2005) which included: 1) ‘Building relationships that support change’, 2) ‘Assessing risks, needs and strengths’, 3) ‘Research-based planning and delivery of interventions’ and 4) ‘Managing change’(ibid: 4-5).

<sup>18</sup> Adapted from the ASPIRE process (Sutton, 2008).

Within this model McNeill (2009) reaffirms the importance of relationships within case management and outlines ways in which human and social capital can be enhanced. The creation of a dynamic relationship, flexible and responsive to the offender's needs, is considered essential to the development of human capital. Within a responsive relationship practitioners can encourage the growth of human capital through: encouraging motivation (motivational interviewing is now integrated into work with UK offenders); structured programmes to develop skills, although there 'is no straightforward generalizable recipe' (ibid: 45); and pro-social modelling, involving the practitioner modelling desired behaviour and identifying and rewarding or confronting behaviour exhibited by the offender. McNeill outlines the means for building social capital including: enlisting the help of families where appropriate; 'generative activities', such as work and volunteering, creating bridges and bonds; mediation and advocacy to engage communities in working with ex-offenders and, more difficultly, targeting public insecurities. However he is keen to stress that a definitive model of effective practice cannot be developed:

*"Even if we wished that there was a model of effective practice that could be prescribed for practitioners, there is not; precisely because offenders are heterogeneous their needs are complex and their pathways to desistance are individualised, effective practice can only really emerge from practitioners' reflective engagement and continual dialogue with those whom they work, and with the research that should inform how they work"* (ibid: 53).

In articles on the resettlement of female offenders, both Gelsthorpe (2004) and Rumgay (2004) conclude that interactions with the community outside the probation setting are important in building human and social capital and reinforcing positive identities.

A second, rehabilitative model that could be applied to case management is Ward and Brown's (2004) Good Lives Model (GLM). In describing the GLM the author's explain that there are effectively nine 'primary human goods' that everyone needs including: 'life', 'knowledge', 'excellence in play and work', 'excellence in agency', inner peace, 'relatedness', 'spirituality', 'creativity' and 'happiness' (ibid: 247). However problems occur when primary goods cannot be achieved and offending can occur when: individuals do not have the means to obtain primary goods, their GLM lacks scope, their goals are in opposition and when they unable to modify GLMs to suit changes in their environment (ibid). Therefore in order to resolve this Ward and Brown (2004) argue that supervision plans need to be based on offenders' strengths,

their primary goods and their circumstances, and that they need to help offenders achieve their primary goods in a different and more meaningful manner. Criminogenic needs assessments should highlight missing or conflicting primary goods and practitioners should focus on what is needed for offenders to achieve their primary goods and design a plan which will enable offenders to access the resources and opportunities to achieve their goals (ibid). Rehabilitation therefore needs to be context specific and personalised to each offender's view of 'the good life' (ibid). A key factor stressed by Ward and Brown (2004) however is that offenders need to be 'ready' -cognitively, emotionally and behaviourally - to engage in the process of change and for them to be in an environment where change will be promoted and sustained.

In a similar vein Maruna and LeBel (2003) described a strengths based paradigm<sup>19</sup>, which centres on the contribution an offender can make rather than their weaknesses, i.e. the focus here is on not what offenders have done or might do in future but how they can make amends. They explain that stigma can lead to re-offending and that offenders need to be given the chance to make amends and be allowed to constructively participate in their communities. They suggest that, just like risk and need, strengths need to be assessed. The concept of a strengths based approach, such as those described by Maruna and LeBel (2003) and Ward and Brown (2004), may be useful when thinking about approaches to case management.

Moving on, Maruna, Porter and Carvalho (2004) have explored the ways in which Maruna's (2001) *Liverpool Desistance Study*, could be applied to current probation practice. Several suggestions were made that could be useful in relation to case management, such as:

- Practitioners should listen to probationers and take care with the language they use when speaking to them;
- Probation officers should be choosy about the 'stories' they tell probationers, as some are more likely to encourage desistance than others;
- Care should be taken when focusing on risk and need as it may limit or restrict the relationship. Instead there is a need to emphasise strengths, empowerment and redemption;

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<sup>19</sup> Maruna and LeBel (2003) assert that they should not take credit for creating this approach

- Caution should be taken in urging offenders to take responsibility for their actions as probationers often see their offending as 'not the real me' (ibid: 228) - offenders need to make sense of their crimes and learn from them.

Maruna *et al* (2004)

They stress that relationships within probation need to focus on 'generative narratives' like the ones described above instead of 'deterrence-based' ones (ibid: 229), concluding that:

*"The best a probation worker can do, in some cases, is to raise the possibility of alternative narratives of the self, inspiring hope and self-belief at the same time as targeting such, quite real risks and needs"* (ibid: 229).

These suggestions raised by Maruna *et al* (2004) form the basis of the following section of our review, which outlines recommendations from existing research about how current practice in case management can be improved.

## 6.2 Recommendations for improvement

Many recommendations have been made as to the ways in which case management, offender management and probation supervision more generally can be improved. Starting with suggestions as to how good practice can be replicated more generally Robinson and Raynor (2006) advocated bringing 'forgotten' elements of good practice back to the forefront. For example, they argue that 'negotiated consent' with offenders could be reintroduced as it is based on co-operation and can engender trust and the acceptance of responsibility (ibid). Meanwhile Hough (2010) argued that "too little attention has been paid to the *craft* of working with offenders" (ibid: 8). He explains that 'tricks of the trade (ibid)' can be used in helping offenders to change, for example, setting appointments at times that suit the probationer rather than the offender manager. Hough (2010) also explained that this craft based model uses 'skills in social interaction' (ibid) - such as effective use of language, is sequenced well, incorporates responsivity and use approaches such as Trotter's pro-social modelling. It may also be worth thinking about how case management can be applied with short-term prisoners. As Lewis and colleagues (2003) explained, short terms prisoners occupy the largest proportion of those in prison, are most likely to be reconvicted but yet do not have access to services. They argued that these short-term prisoners need to have continuous contact with a mentor or worker both in

custody and in the community and that an integrated approach needs to be created for these offenders (ibid).

A second set of contributions have centred on good practice for case managers. Bonta and colleagues (2008) explained that the findings of their research on probation in Canada pointed towards the importance of probation officers spending a significant amount of contact time focusing on one criminogenic need per session rather than a short amount of time on several needs, as they found that discussion of numerous needs in a limited amount of time corresponded with higher re-offending rates. Re-offending rates were also higher when substantial amounts of time were devoted to discussions of probation conditions, suggesting that conditions should not be the focus of probation meetings (ibid). Meanwhile Davies (2006), asserted that case management cannot be effective if it is impersonal; thus, reinforcing the findings of much of the previously discussed literature surrounding the importance of relationships in case management.

In a similar vein much attention has been paid to the ways in which the training of case managers can be improved in order to raise the quality of case management. Firstly Gibbs (1999) used the Assessment, Case Management and Evaluation System (ACE)<sup>20</sup> to highlight elements of good practice. She explained that ACE was implemented in an 'open, consultative and participatory' (ibid: 185) manner and that a substantial amount of time was devoted to training and staff discussion. Likewise the findings from the Northwest Pathfinder (PA Consultancy, MORI, 2005) indicated that regular collaborative training and team working events need to be held in order for effective offender management to be achieved. The importance of training has been highlighted in a recent study by Bonta and colleagues (2010) who found that probation officers who had participated in a Strategic Training Initiative in Community Supervision (STICS) demonstrated stronger cognitive and relationship skills than those who had not participated. Participating probation officers were also better at structuring and focusing sessions, which in light of Bonta *et al's* (2008) earlier finding about the problems involved in discussing numerous topics per session, could be extremely useful.

Furthermore, Knight and Stout (2009), who had been commissioned by NOMS to carry out research into the design and implementation of offender management

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<sup>20</sup> Although the ACE model is now outdated, there seems to be no reason why Gibbs' (1999) observations cannot be applied to current models of case management.

training, recommended that this should not be focused purely on probation officers at the expense of other staff. For example they found that there were gaps between the roles given to probation staff and the levels of training received. Furthermore, case administrators, probation service officers (PSOs) and intervention staff were being asked to do work with high risk offenders that was too complex for their level of training. This was a gap most pronounced in relation to PSOs who were carrying out work very similar to that of probation officers but whom received very different levels of training (ibid). Knight and Stout (2009) recommended that such staff should be given complex tasks only once full training has been received (ibid).

Moving on, in relation to improvements that could be made regarding contestability and partnership working, McSweeney and Hough (2006) advocated that the government needs to create a notion of 'shared enterprise' (ibid: 121) in order to generate trust between partners. They suggest several ways in which this could be done including: taking qualitative performance measures into consideration and demonstrating dedication to long-term contracts. They also show enthusiasm for embracing key aspects of McNeill's (2006) desistance paradigm in order to more effectively address the multiple needs of offenders.

A final area in which improvements have been suggested is in a more structural context. Mills and Codd's (2008) article is devoted to focusing on how the social capital of offenders can be improved by the efforts and endeavours of offender managers. With regard to family relationships they suggest that offender managers could help those under their supervision with limited family links to rebuild or re-establish severed links<sup>21</sup>, and with regard to offenders who already possess good family links they explain that offender managers could encourage family members to participate in supervision planning. They explain that this involvement could be particularly useful because family members may be knowledgeable about factors that could cause re-offending, they could encourage openness - on the part of the offender - in the assessment process, and they could increase understanding about concerns surrounding release (both the concerns of the offender and those of the family). Finally, on the topic of desistance, Mills and Codd (2008) suggest that offender managers could promote desistance by engaging with offender narratives and supporting the development of legitimate identities. However they acknowledge that the ability of offender managers to carry out these recommendations could be

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<sup>21</sup> However, they note that there is no consensus amongst researchers about whether action taken by offender managers should be active or indirect.

limited in several ways such as: high workloads, potential costs of involvement to family members and lack of political will. This absence of political will is echoed by Maguire and Raynor (2006) in their discussion of resettlement and could have profound implications for the ability to achieve many of the recommendations described above.

## **7. Minorities in the criminal justice system: Female offenders and foreign national offenders**

Women and foreign national prisoners form minority groups within the criminal justice system however in many cases their needs differ from the majority of the prison population. Their requirements from case management, and to what extent these are being met, will now be examined.

### *7.1 Female offenders*

There is a general awareness that the criminal justice system is predominantly designed with men in mind (e.g. Corston, 2007; Toner, 2009). The small but increasing population of female prisoners recognised as having different characteristics and needs to the male prison population. They are typically serving shorter sentences and are generally considered lower risk than men (Gelsthorpe et al., 2007; Gelsthorpe, 2004;). The Corston Report (Home Office, 2007) highlighted vulnerabilities particular to women in the criminal justice system, such as higher rates of mental illness and previous experience of abuse. Reports by the Fawcett Society (2007) and the Prison Reform Trust (2011) highlight the fact that women require different treatment to men in the criminal justice system in order to achieve equal outcomes.

Women are also recognised as having different priorities for resettlement than men, placing greater importance on family and accommodation, factors which interlink on release when custody of children is dependent on stable accommodation (Corston, 2007; Gelsthorpe et al, 2007). Malloch and McIvor (2011) identify a greater expectation of support from their supervisors amongst women than men. The Corston Report (2007) found that continuity of sentencer was helpful, particularly for women leading chaotic lives. While the development of end-to-end case management would appear to fit well with the need for continuity of support, the small size of the female secure estate works against this being put into practice.

Gelsthorpe (2004) and Corston (2007) found that the scarcity of, and location of, licensed premises work against a seamless transition from prison to the community, as many women are imprisoned far from home. Particularly in rural areas, women are unlikely to be released into the community to which they wish to return. In the UK 70 per cent of imprisoned women were sentenced to less than one year's custody in 2007, meaning that the majority are not automatically supported on release (Gelsthorpe et al, 2007; Gelsthorpe 2002). For those sentenced to longer, concerns have been expressed that they will receive inadequate attention from the probation service as the distribution of resources is risk driven and women are typically assessed as lower risk than men, (Gelsthorpe et al 2007). This fear appears to be confirmed by the lack of specific strategies for women which fail to make pathways for domestic abuse or prostitution mandatory (Corston 2007).

Women's centres are cited as effective methods of encouraging desistance among women in several reports (see Corston (2007), Gelsthorpe *et al* (2007) and Prison Reform Trust (2011), for example). Women's centres vary in whether or not they take solely offending women and their sources of funding. The holistic work enabling women to address the causes of their offending carried out by women's centres is praised in the Corston Report (2007). The Prison Reform Trust (2011) has also recommended their expansion. Women's centres provide the opportunity for women's offending to be addressed in the context of their community, rather than dislocating them from it, which is often the effect of custody. Runggay (2004) suggests that community provision may offer an alternative to male-centred supervision strategies and neglect.

## *7.2 Foreign national offenders*

The population of foreign national offenders in prison has increased noticeably in last decade (Banks, 2011). Foreign national offenders present particular needs and challenges to case management. Hindpal Singh Bhui (2004) criticises both assessment and preparation for release and support available in the community on release, for failing to cater for the particular challenges faced by foreign national offenders. A 2006 Her Majesty's Inspectorate of Prisons thematic review found that resettlement services for foreign national offenders were poor. The major problems related to family contact, linguistic difficulties, linking to isolation with mental health implications, and insecurity caused by immigration status. Forty-eight per cent of foreign national offenders in UK prison are female (Bosworth 2011). At the time of Bhui's 2004 article a minority of foreign national offenders faced deportation at the

end of their sentence. Detention orders, which can be served at any point up until release, were known to disrupt resettlement arrangements by delaying the release of foreign national offenders unexpectedly. James Banks (2011) highlights the problems that gaps in information on foreign national offenders both in gaining background information on which to create sentence plans and risk planning.

The furore created by the emergence of information in 2006 showing that foreign national offenders were not necessarily considered for deportation at the end of their sentences has led to increased attention being paid to their situation in the penal system. Following the attention drawn to the deportation of foreign national offenders in 2007, there is now a presumption of deportation on those serving a sentence of more than twelve months, twenty-four months in the case of European Economic Area (EEA) nationals. Increased awareness of foreign national offenders is built into UK NOMS: prisons now have Foreign National Coordinators, senior posts have been developed within NOMS and P-NOMIS (a data base and monitoring system includes prompts for nationality and for details of non-citizens to be faxed to the UK Border Agency (UKBA) (Bosworth 2011). Bosworth (2011) writes that these developments are down to the goal of speeding up deportation. In her words 'the consequences of imprisonment, particularly any rehabilitative goals, are simply not applied to foreigners' (ibid: 586). Lack of resettlement work with prisoners due to uncertainties about their removal and disruption to resettlement work by last minute detention is widely noted (see Prison Reform Trust, 2012; Bhui, 2007; Toner 2009, for example).

The detention of foreign national offenders prior to deportation following the end of their sentences has caused concern among commentators (Bosworth, 2011; Bhui, 2007). Foreign national offenders recommended for deportation face difficulties in being released on licence or transferred to low security prisons at the end of their sentences due to fears that they may abscond (Bhui, 2004). Some remain in prison, where they are treated as unconvicted prisoners, while others are transferred to Immigration Removal Centres (IRCs). While there are certain advantages to being detained in an IRC or treated as an unconvicted prisoner, they are less likely to be able access services such as paid work, education and drug treatment (Bosworth, 2011). Their detention means that they miss the probation stage of the system.

Some foreign national offenders may choose to leave through the Facilitated Return Scheme, potentially shortening their sentence. Facilitated Return includes a cash payment and reintegration package in their country of origin. Webber expresses concern about the lack of follow up for Facilitated Return (Webber, 2011). Concerns

have also been raised about the suitability of some foreign national offenders for deportation, due to risks in their own country connected to their sentence or having claimed asylum. Lack of access to immigration advice and representation in prison means that foreign national offenders in this situation are at risk of not being represented (Bosworth, 2011).

## **8. Case management in Europe**

In this final section, the situation surrounding case management in Europe will be discussed. As already highlighted, this review has focused on case management in the UK because of problems in accessing European publications written in English and because the case management in some European countries is under development. However, van Kalmthout and Durnescu (2008: 39) state that several 'core tasks' can be observed in probation practice within the European setting including: supervising offenders, victim support, enforcing sanctions, preparing reports and providing emotional/practical/financial assistance. Moreover, examples of case management in some European countries can be observed, as can existing practices which may facilitate the development of case management in the long term.

Firstly, several approaches in various European countries are present which may be useful in the development of more systematic case management models. In Sweden sentence plans are created for offenders which involve risk and need assessments, and the probation service is involved from the beginning of the sentence (Arola, Hyphen, Kukkonen, Nilsson and Vogt-Airaksinen, 2002). Similarly in Finland the criminogenic needs of offenders are assessed and supervision plans are created (*ibid*), and in the Netherlands the focus is very much on 'early intervention' at the arrest stage where upon tailored, goal specific plans are created (Ploeg, 2000: 385). This commitment to individualised plans is also present in Italy where tailored rehabilitation plans are created for offenders (Gandini, 2000). Several European countries have also expressed a commitment to continuity during the supervision process. The Netherlands are developing new approaches to increase co-operation between prison and probation (Arola *et al*, 2002), and offenders in Hungary are allowed to establish contact with their probation officer prior to release (*ibid*). Collaboration between police and probation services can be observed in Finland (Linderborg, 2008), while Vinding (2000) has explained that both co-operation and co-ordination between probation and prison services is viewed as an important area for continued development in Denmark.

Meanwhile the UK appears to be behind other European countries in establishing private and voluntary sector involvement with the Netherlands, Norway, France and Germany (Arola *et al*, 2002; Ploeg, 2000, 2008; Gilly, 2000; Wegener, 2000) all appearing to have a greater degree of private and/or voluntary sector involvement in the delivery of interventions for offenders under probation supervision. Policy climates, similar to that of the UK, also seem to be emerging across some European countries. In the Netherlands, Boone (2005: 289) asserted that probation is becoming more managerial and facing an 'identity crisis' and Ploeg (2005) has explained how the focus has increasingly centred on supervision and control in recent years. Moreover in France, Herzog-Evans (2009) has commented upon how the current punitive legislative climate there is acting as a barrier to reintegration and Gilly (2005) has remarked upon how probation work is now less personalised than it was previously. Likewise Gandini (2000) revealed that in Italy staff workloads are high and there are staff shortages. However, these trends may not span all of Europe as Finland, in particular, appears to have avoided this punitive climate (Linderborg, 2008).

Several specific examples of case management can be observed in a variety of European countries. For example, Bulgaria, in partnership with other European countries such as France, Sweden, Lithuania and Holland, has developed a case management and assessment training programme (Leonardo de Vinci: Education and Culture, 2005). Bulgaria also uses an adapted version of the British Offender Assessment System (OASys), called OAS, in order to improve information sharing between prison and probation and to assess criminogenic need and level of risk (Rusinov, Karaganova and Manolcheva, 2008). Offenders are required to meet frequently with their probation officer and a plan is created for each offender, the intensity of which depends on the offender's level of risk (*ibid*). Case management principles, such as that of having a system for ensuring frequent contact between clients and probation officers is maintained, is present in Austria (Koss, 2008), whilst Norway also uses a variation of OASys, and has adopted an individualised approach (Ploeg, 2008). Case management is also present in community sanction work in Finland (Linderborg, 2008). As highlighted above, initial assessment forms the basis of Finnish probation supervision and case management in order to provide an individualised plan for those with multiple needs, substance misusers in particular (*ibid*).

Case management has also been developed in Latvia since the legislative inception of the probation service in 2004 (Zeibote, 2008). In line with case management in other European countries, each offender has an assessment which is followed by the creation of a supervision plan and frequency of contact is dependent on level of risk (ibid). The Netherlands appears to have a well-developed form of case management<sup>22</sup>. 'Aftercare' in the Dutch system starts as soon as an offender enters custody in order to facilitate reintegration and intervention programmes are used (Prison Health Innovation Network 2006). There is co-operation between prison and probation in case management, with excellent relationships being developed between prison officers and offenders (ibid). A second example of case management in the Netherlands comes in the form of the *Work-Wise* programme which has been developed to reintegrate young offenders by creating partnership based case management and offering transparency in service delivery (Work-Wise Nederland, 2005).

Finally, it is essential to note Canton's (2009) word of caution about interpreting the application of probation practices across different and diverse European countries. He advised that it is vital to take the national context into consideration when applying probation work principles and outlined several factors that may affect effective implementation including: existing legislation, the political economy, cost, public opinion and culture. This advice could also be valuable when trying to understand and describe concepts of case management across European countries.

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<sup>22</sup> However this may not seem surprising as Boone (2005: 283) that probation in the Netherlands was 'inspired' by British developments.

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## Annex A

### Method

Our approach was to identify, access, review and draw lessons from the range of relevant, high quality research literature in a systematic and transparent way, without undertaking a time-consuming full review of all the available literature. In order to carry this out, we developed a search strategy and search terminology.

We anticipated a diverse range of approaches of the studies to be included which ruled out a meta-analysis, and therefore we have adopted a thematic approach to the review.

#### *Search strategy*

We set the following parameters for the search:

6. Language: English language, international research
7. Time period: research conducted between 1995 and 2010
8. Quality: published literature whose methodology can be assessed (with the exception of a couple of the European articles found)
9. Methodology of studies: quantitative and qualitative research
10. Subject area: case management in a European setting
11. Studies for potential inclusion will be identified through searches of key words, abstracts and study titles available from the following sources:
  - Electronic databases such as Criminal Justice Abstracts, Westlaw, Sociological Abstracts, Political Science Abstracts, Cambridge Scientific Abstracts Illumina, the National Criminal Justice Reference Service, PsycInfo, International Bibliography of Social Sciences, Applied Social Sciences Index and Abstracts, International Bibliography of Social Sciences, Social SciSearch and SwetsWise;
  - Library catalogues such as those of the British Library, the Home Office Library and libraries of universities such as King's College London ;

- Robust and authoritative websites such as PolicyHub.

Print as well as electronic sources will be included in the search.

### *Search terminology*

The development of search terminology entailed devising strings for use in the database and catalogue searches. This was an iterative process, whereby initial strings will were tested and used, and then periodically revised in light of our findings (see below). Our initial strings included:

- 'probation, 'case management'
- 'probation' 'case manager'
- 'probation', 'case manage'
- 'probation', 'offender management'
- 'probation', 'offender manager'
- 'probation', 'offender manage'

A way of confirming that we had fully covered the research literature was when our search strings began to produce a high degree of duplication. We reviewed over 90 articles in total.