

Probation supervision and restorative  
justice practices:  
how to effectively reduce reoffending?

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# Aim

- To review the evidence available regarding the impact of supervision on reoffending
- Focus more on the impact of restorative practices on reoffending
  - Impact on victims also important but will be covered in other presentation !!!!

# But ... what is supervision ??

- All forms of surveillance and assistance that take place at one-to-one bases in the community performed by a probation officer or the equivalent.
- This is still the main form of probation intervention (Hedderman, 1998; Raynor et al, 2013; Kalmthout and Durnescu, 2008)
- Different juridical denominations: probation order, community punishment order, suspended sentence under supervision, conditional discharge with supervision, conditional prison sentence with supervision, conditional release etc.

# But ... what is impact?

- More difficult question as probation interventions are usually multi-purpose:

Model of probation	Characteristics
Promoting community sanctions and measures	Increase the proportion of the community sanctions and measures as compared with reducing the number of prisoners.
Assisting judiciary decisions	Judicial satisfaction with reports and supervision
Public protection	Controlling offenders in the community
Punishment/Enforcement	Compliance and recall
Rehabilitation / Preventing reoffending / Promoting desistance	Reduced reconviction and improved social inclusion
Victim's interest	Victim satisfaction and redress

(after Durnescu, 2008; Robinson and McNeill, 2004; Shapland et al, 2012)

# Impact on reducing reoffending

- Quite abundant after 70s – ‘the culture of evaluation’
- Effectiveness studies measuring to what extent supervision reduces reoffending, re-arrest, re-conviction or re-imprisonment.
- Usually compare reoffending after supervision with reoffending after imprisonment
- Using different levels of methodologies on Sherman scale.

# RCT

- Casual relationship and correlations but not how the results were achieved – see Canton, 2011; Sampson, 2010 for critics.
- Meta-analysis Villetaz, Killias and Zoder (2006)
  - based on only 5 RCT studies – were unable to say if non-custodial sanctions are more effective than custodial sanctions.
  - based on 23 studies from level 3 up – lower rates of re-offending following a non-custodial sanction than custodial sanction (Killias and Viletaz, 2008).

# Probation vs. Prison

## RCT

Study	Details	Conclusion
Goggin and Gendreau, 2002	117 studies from 1958 onwards	Lower rates for probation
Bergman, 1976	Groups matched on gender, no. of previous convictions etc.	Lower prevalence of reoffending – 14% compared with the prison group – 33% within one year
Joliffe and Hedderman, 2012	Compared 3793 offenders under community order or post-release supervision with 1707 ex-prisoners - Propensity score	After one year – 39.2% reoffended from supervision and 53.3% from prison. After matching – dif. 6.6%. Differences in frequency – 3.3 for supervision and 4 for prison Differences in survival time – 135,4 days/ 122,5 days.

# Probation vs. Prison

## Other research designs

Study	Details	Conclusions
Tournier (2005)	<p>Quasi-experiment – compared suspended sentence, suspended sentence with probation, community service and custody</p> <p>5234 cases</p> <p>Groups controlled for age, criminal history, and occupation</p>	<p>Differences in severe reoffending – 61% for released, 52% for suspended, 44% for CS, 36% for suspended sentence with no supervision</p> <p>General reoffending – small differences</p> <p>Differences in seriousness and frequency of reoffending.</p>

# Probation vs. Prison

## Other research designs

Study	Details	Conclusion
Browlee (1995)	Natural experiment 3 groups with quasi similar features – high risk	Differences in survival time and frequency No differences in reconviction
Farrall (2012)	Quali 199 men and women on probation – four swipes	‘probation may not have an immediate impact, but can start to have an impact on people long after their orders have ended’ (1)
Leonardi (2007), Villacampa et al, (2006) Ministry of Justice (England, 2011, 2012)	Longitudinal	Significant differences between prison and probation reconviction rates – but not controlled for differences !!!

# Conclusion 1

- It seems that probation supervision works slightly better than the prison in terms of reoffending
- This observation is more obvious for medium risk offenders
- A significant difference between prison and probation reoffending rates seems to be in terms of frequency and survival time.
- It seems that the studies based on non-RCT design tend to be more optimistic and capture more outcomes than the RCT studies.

# Probation interventions and Restorative Justice

- The relationship between probation interventions and restorative practices still at its infancy
- Most research look at victim perspective – not so many on offender’s perspective (Umbreit and Coates, 1993; Umbreit, 1996; Hammerschick et al, 1994; Pelikan, 2009, Bolivar et al., 2015 etc.) – victims satisfied in terms of fairness and outcomes – participation, reparation (including symbolic), ‘healing effect’

# Probation interventions and Restorative Justice

## - the offender's perspective -

- Impact on recidivism – findings inconclusive and variable – not statistically significant

Study	Description	Conclusion
Miers et al., 2001	Evaluation of 7 RJ schemes in England.	Four RJ schemes no effect on future offending. VOM lower rate on reoffending than the control group – with serious offenders.
Nugent et al., 2001; Latimer et al., 2001	Meta-analysis and other statistical studies	Significant reductions in reoffending rates
Shapland et al., 2008 and subsequent work	Evaluated 3 RJ schemes in England. Used control groups (not matched on criminal history).	Those who participated in RJ fewer offences. Reduction in reoffending in a positive direction but not significant statistically. Lower costs of reconviction – frequency and severity.

# Shapland et al., 2008

‘The conference experience itself and the communication with the victim had affected the likelihood of offenders’ subsequent reconviction.

A possible theoretical interpretation of this relates to the value of restorative justice conferences in promoting desistance in adult offenders:

**where offenders have decided to try to stop offending, a conference can increase motivation to desist (because of what victims and offender supporters said) and provide the support offenders may need to help tackle problems relating to their offending.’**

# Limits of the research on restorative justice effectiveness

- Huge variety of restorative justice initiatives
- Different criteria to measure the effectiveness of RJ
- Different methodologies – compare with regular justice? On what grounds?
- Usually based on interviews and questionnaires – not so much on structured observation – not so much information about what exactly triggers some effects (e.g. sincerity, remorse etc .)
- Small numbers – sometimes self selected
- Difficult to construct control groups

# Limits of the existent research

- Too few RCT studies – difficult to conduct – not large numbers, not controlled for all factors that can impact – see staff skills – not too much about what makes a difference.
- The other studies – small numbers, opportunistic samples, not replicated elsewhere etc.
- Not such things – prison and probation – there are different prison performances based on prison moral performance (Liebling, 2004) or treatment. Different levels of supervision, different obligations etc.
- **Difficult to compare like with alike !!!**

# Future solutions

- More rigorous methodologies combining qualitative with quantitative
- More careful consideration to what is measured and how. Take into account intensity of supervision, prison regime and performance, types of RJ etc.
- Pay more attention to other outcomes of criminal justice interventions: e.g. frequency, severity, survival time, family and other social outcomes, contribution to economy etc.

Thanks !!

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