

**REPORT OF THE CONFERENCE “PROBATION WORKS”
MÁLAGA, SPAIN (28 –29 MAY 2010)**

CHAIR OF THE CONFERENCE: Mary Anne McFarlane, CEP Board Member (UK)

**PLENARY SESSION 1: THE CONTEXT IN WHICH PROBATION SYSTEMS IN EUROPE
OPERATE**

**Chair: Montserrat Tohá, Director of the Fundación Instituto de Reinserción Social,
IRES (Spain)**

Keynote Speech 1

Probation and its socio-historic contexts.

**Cândido da Agra, Dean of Faculty of Law of the University of Porto and director of
the School of Criminology (Portugal)**

Professor Candido da Agra was the first keynote speaker. He dedicated the analysis he was about to present to three different historical figures: the Spanish painter Francesco Goya, the French thinker Michel Foucault and probation pioneer John Augustus - Goya for showing in his paintings that when reason and rationality go to sleep, monsters and devils appear and rationale threaten mankind; Foucault for his contribution to philosophy in general and for the introduction of concepts like discipline and governance in his representation of the penal practice as a “complex system”; John Augustus for his role as a probation pioneer.

Professor da Agra identified three different rationalities present in the probation system:

- (i) the rationality of security,
- (ii) the rationality of welfare
- (iii) the rationality of discipline.

He said that we are currently in a period of rationality of security and outlined five aspects:

- The new types of crime which have emerged - mostly to do with cross-national aspects like organized crime and terrorism, and financial crime like corruption - alongside a discourse of subjective feelings of insecurity, and in the importance of the role of the victim, giving rise to a “complex system” of security-crime-victim.
- The sense that social control as it used to function is losing its grip. A dysfunctional police and judicial system in some countries presents the image of a high-speed train without a driver, where citizens are helpless passengers.
- As a reaction to the crisis, a new terminology has emerged with prevention visible through penal reactions like community policing. Words like risk, responsibility and network have become central in the penal discourse of today. Risk represents danger and insecurity, while responsibility may be seen in the emphasis on reparation and mediation practices where the victim is an important element. As to network, the ties between civil society and the social control system have become so tight that one might speak of a “microphysics of coercion”.
- The social representations of punishment have been measured in a Swiss study by the University of Geneva in which interviewees were asked to choose between three judicial philosophies: redemption oriented (aim of punishment is rehabilitation), equality-oriented (aim of punishment is restitution) and

stigmatization-oriented (aim is social exclusion). The support was respectively 45 %, 40 % and 15 %, which led Professor da Agra to conclude that the study supports the notion of a rationality of security.

- Professor da Agra then offered an analysis of how we have arrived at this crossroads, with the help of three concepts used by Foucault: biopolitics, liberalism and governmentality. These translate into phenomena like the emphasis on victimization, the popular demand for security and the impression that reintegration is not enough of an answer to criminality. We all have to take responsibility and deal with risks and dangers through our networks. Technically, by distribution of “micro-powers” the government steers the behavior of individuals, or in Foucault’s words, implements governmentality.

Going a little further back in time, Professor da Agra went on to discuss the second rationality, that of welfare and social solidarity, which was pre-eminent in the period between World War II and the 1980’s. Its main features lay in the dismissal of pure retribution in favour of the concept of resocialisation, respect for the offender’s human rights and individuality, and in the scientific basis for the approach, paying attention to the causes of crime. Penal law was considered to be not the only and not the best instrument to fight crime. The search for alternatives began; there was belief in the individual’s capacity to change. Social reaction to crime was including, not excluding, showed solidarity, not defensiveness and was inspired by economic progress and the rise of the welfare state.

The third rationality of discipline was most prominent in the period between the first half of the nineteenth century and World War II. It started with the “first probation officer”, John Augustus and was influenced among other things by the emergence of criminology as a science. This materialized in the emphasis on normalization: to cure, to educate, to reintegrate and in that way to discipline. The preferred method is through selection, examination and control. As Foucault would say: the right to punish is continuously mixed with the art of rectifying.

These three rationalities with their respective heydays are not mutually exclusive and neither are they confined to the periods in question. They are ideal-types.

Professor Da Agra concluded his lecture by expressing the wish that the work of probation will continue to develop, based on scientific results and critical thinking. Let reason never go to sleep, so that we will not set free the demons and the monsters.

Keynote Speech 2

The Impact of the Criminal and Social Context on Probation Systems in Europe – The Council of Europe Probation Rules in Context’.

Sonja Snacken, Professor of Criminology, Vrije Universiteit, Brussel (Belgium) and President of the Council for Penological Cooperation, Council of Europe

As president of the Council for Penological Cooperation in the Council of Europe, Sonia Snacken had been involved in the development of the Probation Rules. Her presentation outlined the context for this work and the approach taken to providing a framework of rules which could encompass different traditions of community sanctions in Europe.

Sonja Snacken outlined the difficulty in developing the Probation Rules in defining the term ‘probation’. The full definition is on slide 2 of her presentation.

She gave an overview of the development of probation in Europe:

- The first generation of non-custodial sanctions initially developed as a result of criticism of short term imprisonment in the 19th century. 1950-70 saw an increasing emphasis on re-socialisation.
- 1980s saw a large rise in the prison population. Probation became more punitive (electronic monitoring, intensive probation) with an increasing focus on high risk offenders and what works.
- The third generation has a focus on restorative sanctions (reparation, mediation)

Within Europe there are major differences in the use of imprisonment between the countries. The UK has had an expansionist approach, whereas Finland has had a reductionist approach.

The social and political context in which services operate is complex. In order to have status and influence, Sonja Snacken took the view that community sanctions had to be seen as more than effective – they had to have legitimacy. She looked at four critical aspects of legitimacy.

- (i) Effectiveness in reducing recidivism. There have been different approaches in determining what is effective:
 - ‘What Works?’ had led to the implementation of cognitive behavioural programmes (RNR model – risk-need-responsivity), particularly in N Europe.
 - This approach had been criticised in the desistance research which explored the processes which supported offenders in desisting from crime which included maturation, social capital, human capital.
 - Other approaches included restorative justice
- (ii) Public opinion. There is ‘multiple ignorance’ in the understanding that public opinion and the CJS have of each other
- (iii) Victims. The criminal justice system has to have legitimacy with victims both procedurally (in how they are treated) and in the sanctions offenders receive.
- (iv) Offenders. There has to be a balance in supervision between guidance, assistance, motivation and control; in levels of intervention. Human rights and special needs must be taken into account.

Council of Europe Probation Rules R(2010)1. The terms of reference reflect the extension of probation and after care services throughout Europe. They needed to be broad enough to encompass different traditions. The rules cover the following:

1-17	Part I: Basic principles:
18-34	Part II: Organisation and staff
35-41	Part III: Accountability and relations with other agencies
42-66	Part IV: Probation work
67-94	Part V: Process of supervision
95-100	Part VI: Other work of probation agencies
101-105	Part VII: Complaint procedures, inspection and monitoring
106-110	Part VIII: Research, evaluation, work with media and the public

Sonja Snacken concluded that for probation to have legitimacy, services had to have credibility with professionals, offenders, victims and politicians and the general public. They had to be supported through professional expertise and research, through respect for human rights. Imprisonment needed to be seen as a last resort with sanctions and measures in the community having legitimacy in their own right.

PLENARY SESSION 2 : THE EFFECTIVENESS OF PROBATION SYSTEMS IN EUROPE

Chair: Peter van der Laan, Professor in the Faculty of Social Science and Behaviour in the University of Amsterdam (the Netherlands)

Keynote Speech 1

Probation Works: What Does The Evidence Tell Us?

Professor Friedrich Lösel, Director of Institute of Criminology, University of Cambridge (UK).

Professor Lösel started with a challenge - What works – is it a statement or a question? He said that the general effects of probation on offending are not fully clear. Generalisation can be difficult because of significant international differences in structures, cultures, staff roles etc. For example levels of incarceration vary significantly from Russia (629 prisoners per 100,000 population) to Liechtenstein (22 per 100,000). In many countries there has been a big expansion in the prison population which is not simply related to crime rates but reflects the political and media cycle. By contrast some countries have managed to reduce their prison population.

There are also international differences in how research is carried out which complicate the issue of evidence. What Works research has used meta-analysis to draw out evidence from good studies.

Friedrich Lösel outlined three phases of What Works research and practice:

- (i) Phase 1: General proof that rehabilitation works (set against the 'nothing works' doctrine)
- (ii) Phase 2: Differentiated analyses of what works best for whom and under what conditions
- (iii) Phase 3: Integration of knowledge of effectiveness of single programmes into a broader systems perspective, which he referred to as the Third Generation of What Works)

Professor Lösel looked at the results of meta-analyses in relation to general offender treatment, juvenile offender treatment and sex offender treatment. Mean effect sizes evidenced 10%-30% reduction in offending (comparable with effect sizes in medicine). He emphasised the benefits of reduction of offending set against the lifetime costs of a persistent offender.

However programme content was only one reason for outcome. Outcomes were affected by the evaluation design and other factors, including integrity of implementation, staff

training and supervision, whether participation was voluntary or mandatory, in custody or in the community.

Replicated positive effects had been found for the following programmes: cognitive behavioural treatment (particularly anger management and interpersonal problem solving), structured therapeutic communities, milieu therapy and social-therapeutic prisons and multi-modal family oriented programmes for young offenders. Replicated positive effects had also been found for basic education, vocational and employability programmes, restorative justice and substitution drug treatment.

Smaller replicated positive effects had been shown for: probation and parole supervision; intensive supervision; social case work; counselling; mentoring; challenge programmes.

Evidence showed a zero (or even negative) effect for purely deterrent sanctions. More evidence was needed for other sanctions.

Friedrich Lösel spoke of the **Third Generation of What Works**. He outlined criticisms of the 'what works' approach, e.g. that it did not emphasise the rewards to be gained from desisting from crime; that it ignored the role of identity and self-directed actions by offenders and the need for specific experiences; that it is often implemented in a one size fits all manner. He cited desistance research and the Good Lives Model (Ward), also resilience research.

The Third Generation of What Works needed to integrate offending behaviour programmes with the broader context and range of services. The importance of personal resources and relationships and of social resources needed to be taken into account. However developments needed to be made on the basis of evidence.

In conclusion Professor Lösel reflected that crime was not just a criminal justice issue. We should look for continuity and stepwise improvement not pendulum swings in policy. He advocated the development of centres of excellence and a mechanism for transfer of knowledge and innovation.

Keynote speech 2

Technical Ingredients for Risk Reduction in Probation

Santiago Redondo Illescas, Professor of Psychology and Criminology, University of Barcelona (Spain)

Professor Redondo started by looking at the relationship between socialisation and punishment. We believe that crime is rooted in society, therefore it would be natural to think that we should emphasise mechanisms like socialization, education and social support. Our penal system would then be based on those factors and to a lesser degree on punitive control, which in practice would mean less use of prison and more use of probation. Yet we see a contrary development in most countries at the moment. There is a strong tendency to increase punitive control, associated with intolerance, at the expense of socialisation, education and social support, associated with tolerance and civilization. As Professor da Agra demonstrated earlier, there is a line of development along this axis, starting with a culture of enlightenment but subsequently this trend has been reversed resulting in greater use of prison and less probation.

Professor Redondo then showed statistical data on the use of imprisonment in various European countries, pointing out that the penal system tends to become harsher in most

places, even though we see a reducing crime rate. He considered the causes for this and mentioned the pressure from the media and consequent political populism, and the possible influence of radical feminism and other social pressure groups coming from mostly victim backgrounds. In addition, it seems that governments have become too tolerant with respect to this hardening tendency, and too often have chosen the easy, short-term way out by giving in to the pressures and not relying on research results.

What are the results of this development? Professor Redondo mentioned five aspects: prison overcrowding, less focus on high-risk cases, an increase in general recidivism, high financial and social costs and a decline of social and political values.

A possible solution lies in the use of tools to better reduce individual risk of re-offending:

- Objectives for change need to reflect the dynamic risks (criminogenic needs) such as thinking skills (anti-social cognitions), social skills and substance misuse.
- A clear supervision strategy should be developed to include for example of regular contacts, pro-social modelling, cognitive-behavioural methods and anger control techniques.
- Central to the success of these instruments is the way they are implemented (integrity of implementation). Frequency of contacts, intensity, motivation, flexibility while at the same time structured direction, staff training and skills were some of the factors Professor Redondo underlined in this respect.

Professor Redondo emphasised that change takes time, referring to Prochaska and Di Clemente's circle of change (pre-contemplation – contemplation – action – maintenance). Change is most needed and most difficult in those cases where the circumstances are such that a high probability of re-offending is indicated. This led us to the third aspect: risk assessment. Here, a number of positive, but also some negative consequences were presented. The emphasis on risk-assessment has led to better opportunities for protecting the public, more objectivity in taking decisions during the serving of the sentence, and a better matching between risk-level and treatment-level (dosage). Negative consequences are the fact that risk-assessment is not very sensitive to diverse human circumstances, that it can de-skills practitioners in use of professional judgment, that it may lead to stigmatisation and social exclusion and that the results may be misused by the justice bureaucracy and the media, leading to the above-mentioned punitive hardening.

We should use our knowledge, our rationality and our empirical evidence to find a balance between the two ideal models - achieving community safety by control and achieving offender rehabilitation by care. This is where probation enters the scene: the best way to balance these two counterparts is in the use of alternative sanctions. There are a number of reasons for this.

- Criminological research appears to indicate that alternatives to prison yield better results in terms of the reduction of re-offending.
- There are also clear financial reasons, since a results of cost-benefit analyses show a typical and repeated 1 to 10 score on cost-effectiveness to the advantage of alternatives.
- Finally, there are moral reasons, reasons grounded in a positive development of our civilization to try and reduce the use of prison. Many of today's prisoners are vulnerable people and the work of probation - as an alternative to prison - has according to Professor Redondo been well formulated by Professor Rob Canton when he called it a "morally significant activity".

PLENARY SESSION 3: COMMUNICATION STRATEGIES

Chair: **Luis Arroyo Zapatero**, Professor at the university of Castilla- La Mancha (Spain)

Keynote speech 1

'Hit Them In The Gut': Anger Management Strategies For A 'Punitive' Public

Professor Shadd Maruna, Queen's University Belfast

In his presentation Shadd Maruna first explored the premise that public opinion is punitive and that people rarely change their minds on important issues and then looked at how opinion might be influenced.

He outlined 4 myths about public opinion:

- (i) **Public punitiveness in natural, inevitable.** This is not the case - there are significant differences between countries with the USA and the UK being much more punitive than Finland and France. The views of individuals follow a normal distribution (bell shaped curve).
- (ii) **Punitiveness is a reaction to victimisation / fear.** This is also no borne out in practice. Crime related concerns are not a good predictor of punitive attitudes.
- (iii) **What the public needs is better information.** Better information does not necessarily lead people to change their minds. People will find a way to criticise or dismiss disconfirming evidence to maintain their existing beliefs.
- (iv) **Hit them in the pocket book.** Giving information about the high costs of imprisonment was not effective – it reinforced a view that prisons were too luxurious. It did not give effect to the public's desire for punishment.

Shadd Maruna then considered the evidence for What Works? (...or might work) in anger management for the punitive public.

- He argued that debates about crime and justice should focus on moral debates about the sort of society we want to live. They should take account of the emotional dimension of attitude formation. Persuasion works not by providing logically compelling arguments but by triggering an emotional response in the listener. It is important to find the right metaphor and to frame correctional issues (e.g. putting 'children' behind bars, rather than 'juveniles'; 'paying to keep the elderly behind bars', rather than 'life means life').
- Focusing on the drama helps. Reparation is a frame which works – notions of 'paying back', 'restorative justice' resonate with the public. Compared to this arguments which appeared to be sympathetic to the plight of prisoners provoke hostile reactions.
- Redemption is a message which works.
- Narrative stories which put a face on the 'offender' also work ('walk a mile in my shoes'). The more details given about an individual offender's life, the less punitive they are in their reaction to the crime.

Keynote speech 2

“The Importance Of Consistency In Internal And External Communication”

Sjef van Gennip, General Director of Reclassering Nederland, Dutch Probation Service (the Netherlands)

Sjef van Gennip said that he spoke from his own experience in all parts of the organisation, but mainly as general manager and figurehead for the probation service in the Netherlands. Mr. Van Gennip started out by saying that probation is all about safety, or rather has come to be all about safety. Some 15 years ago the focus on the public protection aspects of probation work arose and influenced the public opinion. Probation is difficult in the sense that the public expects us to do everything perfectly, and every small mistake is enlarged out of proportion and leads to external pressure.

In such a situation, communication becomes very important – but not only external communication. Internal communication between management and practitioners needs a lot of attention and must be consistent with what is said to others. All 1900 employees must be considered to be figureheads as well, share the mission and the message, stand up for quality and reliability and therefore receive relevant information and be offered the opportunity to give their opinions. Mr. Van Gennip illustrated how he takes an active position here by paying many visits to the individual units within the organisation, organising large-scale and small-scale events where contacts are made, and by keeping a blog on the probation service’s intranet where he shares his views, values, ideas and discusses questions.

These intensive contacts also serve to keep the General Manager informed on all relevant issues, to enable him to “feel” what is going on inside the service, which needs managers and workers have – without the usual bureaucracy and red tape to cut through.

Reclassering Nederland’s position as an independent yet almost exclusively state-financed foundation means that a good relationship with the government is essential for its functioning. Therefore, external communication means developing and maintaining a network, investing in the various stakeholders and never surprise them (at least not in a negative sense).

One important stakeholder in this process is the media. Following a number of dramatic incidents in recent years probation received some negative publicity. Before that, one was happy with any attention at all from the media, but it soon became clear that Reclassering Nederland needed another approach and since then one tries to be as pro-active as possible in this respect. The organisation has invested in relations with central journalists, provided them with information quickly, opened up for interview with management and with practitioners and generally speaking tried to spread the vision of the probation service and its approach to a safer society before possible incidents might occur. As a result, journalists have come to trust the organisation and know that there is a 24/7, year round availability and accessibility for them, for example through the assigned press officer. Reclassering Nederland can now choose who they want to talk with.

Much the same method is used with respect to other stakeholders, Parliament and the government cabinet. Relevant and trustworthy information is delivered on time and an investment is made in mutual reliability and long-term relationships. This enables Reclassering Nederland also to call forth political pressure when necessary, e.g. by using a lobbyist.

Mr. Van Gennip went on to illustrate this process by describing a practical case where a municipality refused a convicted paedophile to return to his home. In the national debate that followed this decision, Reclassering Nederland was able to present its views in a clear manner and experienced respect for its contributions. Mr. Van Gennip emphasized the importance of bringing research results to the attention of the public, the politicians and the media in order to better be able to explain its activities and viewpoints. It can also help in managing expectations.

A number of crises involving probation activities and probation workers have actually made the service stronger and created a great leap forward. There is a strong feeling of own identity and a consciousness of the value of one's own work. Probation cannot be responsible for potential crimes committed by its clients, but it does carry important responsibilities in limiting the chances of such an event occurring.

In his closing words Mr. Van Gennip put much weight on the importance of consistency in internal and external communication. The same, transparent stories must be told in both contexts, underlining the role of probation in society and its responsibilities for community safety. These and other measures have helped to reduce the outside criticism that originated at a time where the probation service did not meet all its deadlines, and did not have its finances in order.

SUMMARY OF CONCLUSIONS

John Scott, President of CEP 2004 – 2007

Introduction

A good conference makes you ask hard questions, provides some answers, opens your mind to new ideas, widens your network, inspires you to do something different on Monday and challenges you to reach for a new level in your career or your contribution. So, have you just drifted through this event or have you worked afresh on the questions: Does Probation work? What is the next development? How is my country contributing to evidence based practice?

I am going to tell you the questions that have been at the top of my mind – but my questions are less important than yours so I suggest you stop listening to me and write down your own... My summary will be shaped in the following way:

- Sharing some answers
- Assessing the mood/spirit of the event
- Challenging you with the four themes that have emerged from the conference
- Ending with some advice from my father!

Personal Questions

Is probation a science or an art? It has to be both - on the one hand, utilising evidence, structure, processes, organisation and specified outcomes – on the other, passion, creativity, spontaneity, humour and unexpected outcomes. Good art can change a person or a society (as Goya and Dickens demonstrate) just as much as good science can. So I have been thinking that probation methodologies need to combine the cool minds of the north with the warm hearts of the south.

How can we bring effective practice alive for a new generation? I dread creating a new orthodoxy, with probation practice becoming a stagnant reprise of dog eared programmes. We need to encourage innovation, teach best practice and have an ethos of continuous improvement. This event has demonstrated the value of teaching comparative

practice from across Europe and a willingness to learn from those jurisdictions that are not weighed down by long probation histories, but are doing new things like the Czech Republic, Turkey and Estonia.

What can CEP do to generate more research on European methods?

Rather than resisting North American research, let us do our own! If every CEP member country instigated just one soundly based research project and published it before the next General Assembly there would be at least 30 new European studies – that would constitute a refreshing body of knowledge. It is my view that we need to learn from the US and Canada and build research into each major development proposal rather than add it as a bolted on after thought. There are many Director Generals here, think what a difference you could make if you each found the money to contribute to growing European evidence.

What would I have done differently to develop evidence based practice?

I ask this because my days as a probation leader are over, yours are not, so perhaps knowing what I wish I had done might be helpful. On reflection, I wish I had got in the media more. The argument for community sanctions should not take place behind closed doors. I grew up in the era when it was regarded as a success for probation to be out of the public eye, but every day inimical views are given currency in the papers and on the airwaves so I now believe I failed by not participating in the debate. I wish I had told more stories about offenders and, more significantly found ways for offenders to tell their own stories. I once heard Sir Graham Smith say rather shockingly that: “Probation must understand it is part of the entertainment business.” We have the example of how Sjef van Gennip in Holland fought for the reputation of probation – brave rather than entertaining – but over time the balance has changed and the relationship with journalists in Holland has been transformed. Other wishes are: that I had observed more practice, listened to more front-line staff, set up more joint practice training and development with prison and police officers and that I had been less captured by the demands of ‘managerialism’.

The Spirit of the Conference

I have been to many international events and want to highlight three marked components of the atmosphere here in Malaga:

- the willingness to learn from different jurisdictions and cultures – there is less competitiveness and defensiveness
- there is an impressive increase in the connection between universities and probation services
- the workshops have been where the buzz has been for me – probation people presenting with belief and confidence work that is making a difference.

I do not detect fear of the recession, but a ‘can do’ mentality. A confidence illustrated by the reward you will receive if you complete the conference’s evaluation form – a bottle of special CEP correctional fluid that ‘is an evidence based intervention tool that corrects all mistakes and shows everybody can start with a clean slate’!

The Main Themes

I have identified four themes in the conference and, as is popular in reality shows, will announce them in ascending order.

Resources

The link to evidence is clear. There is going to be competition for resources for prison and probation places. Unless we marshal our evidence probation will lose out to prison – or the police, or health, or education. Dealing with the recession is going to be every government’s overwhelming priority over the next five years. Probation needs to respond in a mature way with strong arguments that it IS cheap, flexible and effective. We have to

develop community products that save money and win the confidence of politicians and public alike and marketing will be a top priority. In the business world, you do not cut your advertising budget during a recession. Every jurisdiction needs a policy to reduce the use of prison and probation has a key role in delivering the savings that a reduction in prison sentences will bring. In the drive to identify efficiencies there is always the temptation to go for 'easy' cuts rather than seeking ways to hold on to effective practice. Holding firm to priorities will be essential. I have a friend who says: "Don't waste a good recession." This phase in the economic cycle is demanding but it is an opportunity to 'shape up and sharpen up'.

Partnership

I am not keen on the way partnerships can be used to justify talking shops. It seems to me that this event has emphasised the potential of international partnerships to deliver practical, hard nosed products – Probation Rules, framework agreements, and information sharing for cross-boundary benchmarking. If offenders are increasingly mobile, probation services need to be seamless between jurisdictions so that assessments and community sanctions can be exchanged as easily as prison sentences. CEP should be the enabler for pragmatic implementation of the framework agreement for the transfer of orders – partnership in action. I wonder if we have not yet explored the potential of system wide approaches to specific crimes at the international level. I have a colleague who espouses the value of inter-disciplinary approaches to crimes such as gun crime or people smuggling and has wondered whether CEP could examine collaborative work with Interpol and the International Prosecutors Association and Directors of Social Services to develop new approaches. But I do not want to undervalue what may be seen as 'soft' international gains through sharing of ideas and experiences – CEP helps probation colleagues to keep in touch and there is mutual support and encouragement from partnership work which definitely inspires fresh enthusiasm and positive action. My perception of 'twinning' partnerships is that the so called 'experts' receive as much as they give.

Practice

The link to evidence is clear – unless we can demonstrate effectiveness the benefits of probation will be drowned out. This whole event has focused on what can reduce offending behaviour, how to assess offenders and analyse offences. The scientific approach is gaining credence so that practice is not driven by whim or pet interests. There is less investment in 'welfare' but we have been challenged to move on from the 'care vs. control' argument – not least by representatives from the Czech Republic who have suggested that 21st century thinking should be systemic and focused on 'seeking resolution of the whole process'. It is argued that the victim mediation dimension prevents probation being sidelined into a pro-offender position and creates new space for probation interventions. Evidence is required but in a sense every practitioner is part of gathering evidence – the skill is to capture it. We have much to learn from the health model where community doctors are as committed to writing papers to spread best practice as learned professors.

Leadership

Top theme! Everyone here is a leader of practice, of a team, an academic department or a national service – so my challenge is to use your leadership position to:

- develop a joint curriculum for probation staff using shared materials across Europe
- make probation more visible
- hold onto your roots
- reach beyond 'fortress Europe' to spread the probation methods we know work
- be evangelical in reaching out to those countries in the Council of Europe which do not yet have developed probation systems.

One of the strengths of probation is that leadership comes from all levels across our organisations but as current leaders, we have the responsibility to grow the next generation of leaders – not boring managers. Isaac Newton, the Cambridge physicist, said: ‘If I have seen further, it is by standing on the shoulders of giants.’ I recommend that we use CEP’s shoulders to help the future leaders of probation to see further. Money may well be short but I believe probation exchanges of staff between different jurisdictions will open the eyes and minds of the next leaders like nothing else. Let us use the CEP seminars and workshops to initiate our young people into comparative practice – and not send the ‘usual suspects’.

An act of leadership, which I would urge on the new Board of CEP, is to organise a World Congress on probation perhaps linked to CEP’s General Assembly in Germany in 2013 – let’s act on the world stage with confidence.

Concluding Advice

I promised some paternal advice. My father worked for Rowntrees of York – they make Kitkats and Smarties and were bought out by Nestle – the Swiss have great taste in chocolate. He is in his 80th year so I asked him what had made Rowntrees successful through good and bad economic times. He highlighted his view of four factors:

- continuity of leadership
- conservative finances
- strong products
- excellent staff relations.

My advice is to attend these four priorities during the recession and be confident in what you can do – above all be confident in your probation people. It is our probation staff and their quality that will see us through. Our people are our gold. Dig alongside them.

WORKSHOPS

8 workshops were held during the conference

- (i) **“The implementation of the EU Framework Decision 2008/947, in a context of increasing numbers of foreign nationals on probation caseloads”**. Chair: Iuliana Carbutaru, Head of the probation department of the Rumanian Ministry of Justice (Romania)
- (ii) **“Crimes of gender-based violence: a challenge for probation services”**. Chair: Lúdia Serratusell, Director of the Restorative Justice Department, Justice of the Generalitat de Catalunya (Spain)
- (iii) **“Probation Services and new types of crime: a real phenomenon or a result of net-widening?”**. Chair: Marie Brossy Patin, Judge and representative of the fédération nationale des associations d'accueil et de réinsertion sociale, FNARS (France)
- (iv) **“Probation interventions with people who have committed serious offences:models of intensive supervision”** Chair: José Vidal Carballo, Director of the Penitentiary Centre Sevilla (Spain)
- (v) **“Assessment tools: the measurement of risk and protective factors”** Chair: Robin Moore, Head of O-DEAT, Offender Assessment and Management Unit, NOMS (UK)
- (vi) **“The role of victim-offender mediation in probation”**. Chair: Jaume Martín, Chief of International Relations, Secretariat of Penitentiary Services, Reinsertion and Juvenile Justice, Catalunya (Spain)
- (vii) **“Social reintegration programmes for offenders who have served a prison sentence”**. Chair: Gerhard Ploeg, Senior Advisor Justis- og Politidepartementet Oslo (Norway)
- (viii) **“Responding to hate crime and extremism”**. Chair: Sue Hall, Chief Executive, West Yorkshire Probation Trust(UK)