

DIFFERENTIAL FORMS OF PROBATION WORK  
AND THE YOUNG BLACK OFFENDER: AN  
ETHNOGRAPHIC EXAMINATION.

SUBMISSION FOR THE DEGREE OF DOCTOR  
OF PHILOSOPHY.

UNIVERSITY OF KENT AT CANTERBURY

DAVID DENNEY

## Contents

Abstract

Tables.

<u>Introduction.</u>	Pages 1-7.
<u>Chapter 1    <u>Race, racism, and probation practice.</u></u>	Pages 8-73.
I. Previous research findings.	8-11
II. Findings of the quantitative research.	11-20
III. A description of the qualitative studies.	20-31
IV. Qualitative and quantitative studies.	31-43.
V. Assessment of evidence relating to discriminatory practice amongst probation officers.	43-57.
VI. Explanations for findings in the previous research.	57-68
VII. Some general explanations	68-72.
<u>Chapter 2    <u>Methodological orientations.</u></u>	Pages 73-115.
I. Towards the formation of anti racist practice.	73-79.
II. Differing starting points.	79-80.
III. Some theoretical omissions.	80-83.
IV. Traditions within the research	83-85.
V. Selection of qualitative methodology.	85-90.
VI. Some limitations.	90-93.
VII. The selection of techniques.	93-95.
VIII. Qualitative techniques and the research problem.	95-99.
IX. The selection of probation officers	99-99.
X. The selection of clients.	99-97.
XI. The research procedure	97-114.
<u>Chapter 3    <u>Probation officers' perceived influences on offending.</u></u>	Pages 115-185.
I. Frequencies of probation officers' explanations for offending	112-126
II. Offending and the use of alcohol.	126-138
III. Offending and the family	138-153
IV. Explanations based on the anti- authoritarian offender.	154-156
V. Racism as an explanation for offending.	156-159.
VI. Irresponsibility.	159-161
VII. Being led into crime by peer group pressure.	161-162
VIII. Depression	162-166
IX. Relationship problems as an explanation for offending	166-168
X., The dimension of gender in explaining offending behaviour.	168-170
XI. Provocation.	170-172
XII. Pragmatic offending.	172-175
XIV. Lifestyle	175-176
XV. Anger.	175-176
XVI. Acting out being a criminal	176-177



XVII. Some general comparisons between explanations of offending  
for black and white offenders. 178-184

Chapter 4 Social work practice with young black and white offenders Pages 185-293

- I. Probation officers recommendations and the sentencing process 185-207
- II. Probation officer recommendations in relation to black and white offending 207-221
- III. Qualitative differences between probation officers' assessments and proposed practice, 221-255
- IV. A comparative examination of daily practice undertaken with black and white offenders 255-264
- V. Probation officers evaluation of their work with black and white offenders. 264-286
- VI. Pessimism probation officers and the black offender. 286-288
- VII. Differential social work practice and race. 288-293

Chapter 5 Emergent conceptual categories relating to probation practice. Pages 293-375

- I. Probation practice, subculture and the notion of the individual. 293-319
- II. The probation officer as a gatekeeping arbiter. 319-332
- III. Conventional and unconventional clientisation. 331-351
- IV. The ramifications of racism in probation practice. 351-374.

Chapter 6. Some possible implications for probation practice. Pages 375-406

- I. Race awareness and anti racist training. 374-383 ✓
- II. Monitoring. 383-386 ✓
- III. Innovative practice. 386-390
- IV. Future developments in practice. 391-394
- V. The education of the sentencer. 394-396 ✓
- VI. The perceived irrelevance of social work theory. 396-400
- VII A paucity of knowledge. 400-401 ✓
- VIII. The recruitment of black probation officers. 401-402 ✓
- IX. Positive directions for the probation service. 402-406. ✓

Appendix 1. 407-408.

Bibliography. Pages 409-418.

### Abstract.

This thesis seeks to examine the contention that probation officers' racist attitudes may have a differential affect on the type of service offered to black offenders with whom they come into contact.

The previous research in this area is described, and examined critically, with particular attention being directed towards the methodological orientations of the previous studies.

A qualitative methodology is described and justified in relation to this research. It is argued that an ethnographic approach has important advantages when attempting to understand the nature of probation officer offender relations.

Explanations given by probation officers to account for black and white offending are examined comparatively. The most frequently occurring forms of explanations are analysed qualitatively.

Social work practice is considered in relation to recommendations made in social enquiry reports. Differences between assessment, the day to day work undertaken, and evaluation of practice are examined in relation to black and white offenders.

The findings are then considered in the light of a number of theoretical frameworks, drawing on literature within the sociology of culture, subculture , race relations, and socio-linguistics. Concepts relating to the

differential treatment of black offenders by white probation officers are developed in the context of the research findings.

The thesis ends with a consideration of the implications of the findings for future developments in probation practice.

<u>Tables.</u>	<u>Pages.</u>
1. Previous research literature and findings.	71-72.
2. To show geographical location of previous study.	76.
3. To show number of offenders by race and gender.	98.
4. To show qualifications, period of service and previous experience of respondents.	98.
5. To show technique for the genesis of initial categories.	111.
6. To show initial identification of personality characteristics from the research data	114.
7. To show development of emergent categories.	114.
8. Explanations of offending given in interview	117.
9. Explanations of offending in social enquiry reports.	119.
10. Explanations for offending in part b records.	121.
11. Explanations for offending in part c records.	121.
12. Comparative frequencies of explanations for offending.	125.
13. To show explanations occurring three or more times	125.
14. To show number of recommendations made by probation officers	190.
15. To show custodial and non custodial recommendations.	
16. To show number of recommendations followed	192.
17. To show the number of recommendations not followed.	193.
18. To show disposals- West Midlands black defendants.	198.
19. To show disposals- West Midlands white defendants	199.
20. To show disposals- Oxford black defendants	200.
21. To show disposals- Oxford white defendants	201.
22. Numbers of previous convictions and court disposal	204/205.
23. Numbers of missed appointments	276.
24. To show perspectives in multi racial social work practice.	358.

Figures.

1. To show cyclical form of explanation. in relation to white crime.	135.
2. To show conventional form of explanation.	154.
3. Conventional representation of events in relation to shoplifting.	209.
4. To show arguments used in assessments.	228.
5. To show how assessment links with practice.	254.
6. To show series of cognitive events leading to recommendation in social enquiry report.	320.
7. To show basic premise in discourse analysis.	340.
8. To show process of conventional and unconventional connotation.	350.
9. To show relationship between social structure, racism and offending.	371.

## INTRODUCTION

This research focuses on the proposition that white probation officers' racist or anti-racist attitudes may affect the social work service delivered to young black offenders. In order to establish the merits of this proposition the research project has undertaken the following tasks:-

1. To examine the previous evidence which either supports or rejects this contention.
2. To undertake qualitative research which examines the explanations for black offending given by probation officers.
3. To develop concepts from the research which will assist in understanding how such explanations relate to practice.

Attention has been focused on young black offenders for a number of reasons. Black youth has been publically defined in the eighties as a problematic group who are frequently challenging the existing social order. This was dramatically seen during the 'riots', or fightbacks as some writers have preferred to describe them, (Sivanandan, 1981, 1982), which have occurred throughout the 1980s in inner city areas.

Commentators have frequently separated second generation black youth from first generation Commonwealth 'immigrants', who were invited guests of a post second world war government short of labour, and were characterised by their quietism and passivity. Although black youth is

highly differentiated in structure, elements of this group constitute a major mode of resistance to many forms of state activity, most notably within the criminal justice system, (Cashmore and Troyna ,1983, Hall et al; 1978). Many black youths, disillusioned by the worst excesses and ramifications of racism in areas like education and employment, have challenged the workings of the criminal justice system of which the probation service is a part. Sections of black youth, have raised fundamental questions about the legitimacy and purpose of the probation enterprise, forcing practitioners to ask equally demanding questions about their work. The answers that have emerged have wide ranging significance for all those who are recipients of probation intervention.

#### Operational concepts

It is necessary at the outset to define a number of operational concepts that will be used throughout .

Racism, is defined as follows:

'The doctrine that the world's population is divisible into categories based on physical differences which are transmitted genetically.

Invariably this leads to a conception that the categories can be ordered hierachically, so that some elements of the world's population are superior to others '

(Cashmore and Troyna, 1983, p.35).

Institutional racism can be seen as :-

'The policies of institutions that work to perpetuate racial ideologies without acknowledging the fact. Such camouflaged racism, is not open and visible, but is concealed in the routine practices and procedures

of organisations such as industries, political parties, and schools' (Cashmore and Troyna, 1983, p.60).

Racialism on the other hand is described by Cashmore and Troyna as :  
'The action of discriminating against particular others by using the belief that they are racially different, and usually inferior. It is the practical element of the race concept '  
(Cashmore and Troyna, p.33).

The same writers define an ethnic group as

'A number of people who perceive themselves to be in some way united because of their sharing either a common background, present position or future or a combination of these. The ethnic group is subjectively defined in that it is what the group members themselves feel to be important in defining them as united people that marks them off, and not what others consider them to be' (Cashmore and Troyna 1983, p.12).

Use of the word black throughout this study must be commented upon since it raises some important issues. In one of the research documents which will be referred to later in the thesis (ILPAS, 1982), the term black is commented upon as follows.

'The words 'black people' are used in this report when specifically referring to persons of Afro/Asian/Caribbean descent irrespective of country of birth, who consider themselves to be of such descent.'  
(ILPAS, 1982, p.2 ).

Fevre points out that the word black has a deeper meaning than this in the British social formation.

'Some readers may complain that Asians are not black . Certainly research in this area is plagued by confusing language. 'Asians' for example , do not look like people born in Saigon or Tokyo. Nor are 'whites' the colour of this page nor 'blacks' the colour of print, but these terms have some use. They emphasise that to be recognised as non white is to be treated differently to those with white skin' (Fevre 1984, p. 9).

It is in the manner in which non white offenders are distinctively identifiable and treated differently by white probation officers that the term black is being used.

Many people in Britain are referred to by social workers as having a 'mixed racial' origin, and indeed in this research probation officers used terms like mixed race, and on occasions the more offensive description 'half caste'. There is a strong view amongst many black social workers that social work agencies should not distinguish between black and mixed race people. Small has argued that the notion of 'mixed race' is misleading because it causes confusion leading to the impression that 'mixed race' people are racially distinct from black people. This he argues prevents especially young people and children from developing a balanced racial identity. The term 'mixed race' is not given to the social worker by nature but created by the profession. Many black people find the term racist and insulting ,denying the blackness



of the individual (Small 1983). Consequently the term will not be used in this thesis.

The term Afro Caribbean is used in this thesis to refer more specifically to those black people who define their origins in terms of both Africa and one or ,more of the Caribbean islands. This term should not be seen as the acknowledgment of an homogenous or national group, since cultural preferences vary widely between those of mainly African descent on different islands, and between other ethnic groups within the islands - Chinese, Moslem, Hindu, Indians, Syrians etc.

#### A note on the structure of the thesis.

The volume of material generated from this research is quite substantial making it necessary to guide the reader through the study. Chapter one is divided into three sections. It begins with a detailed consideration of previous research which examines probation officer relations with black offenders. This will be followed by an assessment of evidence presented in previous research. Lastly, a more generalised series of explanations which emerge from the literature will be discussed. Each of these sections will be considered under headings relating to the methodological orientation of the study. These categorisations are referred to as quantitative ,qualitative, and studies which utilise both these methodological orientations.

Chapter two concentrates on methodological issues specifically concerned with this research, suggesting how this research is distinct from work carried out hitherto. This will be followed by a detailed account of the methodology employed during the research referring to the scope of the study, giving details of respondents employment and current position within the probation service.

In chapter three attention will be directed towards the way in which probation officers attempt to explain black and white offending .

Chapter four provides an account of research findings, with specific reference to social work practice with young black and white offenders.

Chapter five will explore the conceptual categories which emerge from the material in the research. The concluding chapter six draws some tentative general conclusions relating to future probation practice.

The research aims to make an original contribution to the understanding of an important issue in race relations. Probation officers hold a pivotal position within the criminal justice system, exercising power in a peculiarly subjective manner through judgements often given verbally to the courts, and in written social enquiry reports. Statements made in records may also affect the way in which other probation officers perceive offenders.

The underlying assumptions, and perceptions of probation officers in relation to race, and race related matters, will be crucial in understanding the nature of the service offered to young black

offenders. Although previous research has been carried out in this area, it will be argued that little systematic, qualitative attention has been given to the nature of the relationship between probation officers' perceptions of black and white offending and practice. It is in this area that attention is focused with this research utilising qualitative techniques to explore the complex meanings which underline probation intervention with black and white young offenders.

CHAPTER 1RACE, RACISM AND PROBATION PRACTICE.

This study is aimed at understanding the perceptions and practices of white probation officers in relation to black and white offending.

There are a number of arguments for taking this approach . Firstly the probation service is dominated by white people. In 1984 1.38% of probation officers were black, and no black person was beyond the post of senior, of whom there were four (Ely and Denney, 1987). A survey conducted in the West Midlands Probation Service in 1979 showed that while 13.3% of the counties caseload was of Afro-Caribbean or Asian origin, only 2.42% of probation officers were from minority groups. (Green, 1987). Thus in the main white probation officers will be making judgements about black offenders.

The second reason for focusing research attention on white probation officers is the fact that not just the probation service, but the entire criminal justice system is dominated by white people. There are two deputy recorders and one black judge in Britain. Black lawyers and magistrates are also notably absent from the courts. (NACRO 1987). Young black offenders face a criminal justice system which is dominated by white officialdom.

### I. Previous research findings

In describing the existing research into probation officer/Afro Caribbean offender relations, it is necessary to state clearly at the outset that past research in this area leaves much to be desired. In the first place the amount of research is very limited, considering the complexities and importance of this area of practice there is a paucity in the published literature. There are 16 available sets of research findings which can be described as reasonably accessible, they tend to be small scale unfinanced pieces of work. Although the quality of the research is marked by an absence of methodological vigour, an overall conclusion from the existing research is that young black offenders are concentrated at the 'heavier' custodially related end of probation caseloads.

Such a phenomenon can no longer be easily ascribed simply to black pathology models adopted by white probation officers in social enquiry reports, since in the mid - 1980s, research suggests that probation officers are as likely to make non custodial recommendations for black offenders as they are for white offenders. The over incarceration of young black offenders is also connected with the fact that sentencers are more likely to reject recommendations for non custodial supervision in reports concerning black offenders, than they are on in reports on white offenders. If this is the case, one possible conclusion is that there has been a qualitative change in the way in which probation officers represent young offenders in the court.

The methodological approach adopted in the more recent research is difficult to characterise, combining both the qualitative and

quantitative traditions. Despite the fact that there is no obvious historical continuity, it is possible to describe a number of distinct although overlapping , periods in the research.

Quantitative research can be divided into two phases the early phase characterised by the work of Ridley, (1976), South East London Probation Service - Thornton Heath, (1977), West Yorkshire Probation Service , (1978), Whitehouse, (1980), Taylor, (1981), North East London Probation Service (1981) , Waters, (1982), and the later work carried out in the positivist tradition by Guest (1986).

A qualitative approach was developed during the period , 1982 - 1987, by the work of Carrington and Denney, (1982), Whitehouse, (1983), Pinder (1984), and Green (1987).

Other work appeared to combine elements of both qualitative and quantitative work and is characterised by research conducted from within the Inner London Probation Service by Stanley in (1982), De la Motta in Nottingham, (1984), and the West Midlands, in (1987).

Each of these pieces of research will be examined in chronological order to emphasise the way in which the research developed over time. In the remainder of this chapter the previous research will be considered under the major headings quantitative, qualitative and studies which combine both methodological orientations.

II. Findings of quantitative research into probation practice with black offenders

II.1. The early quantitative period: 1980-1983.

The early work carried out in this area was initially dominated by local small scale studies. The notion of 'small scale' is appropriate here since these early studies appear to rely solely upon the statistical representation of black offenders on the caseloads of probation officers in individual probation areas.

Husband noted that when the practice of Merseyside Probation Service was examined by the Home Office Inspectorate in relation to 'ethnic minorities', with particular reference to clients of West Indian origin, they were critical of the probation officer's social enquiry reports, suggesting that more could be done to divert such offenders from custody. This group tended not to receive probation recommendations, with 66 out of 152 social enquiry reports studied containing no recommendation. This suggested to Husband an ambivalence on the part of the report writers. When examining case notes the Home Office Inspectorate felt that clients were frequently treated as whites, (Husband, 1980).

Analysis of a caseload of city teams in Leicester in December 1980 revealed a total of 86 black and Asian clients with over half of the 'ethnic minority' clients being on the east team's caseload which constituted 20% of the total for that team. (Waters, 1981).

The figures revealed that as a group, Afro-Caribbeans tended to be under-represented in non-custodial supervision with Asian and white clients having comparable rates to each other.

Similarly in Thornton Heath, Croydon, where the Afro Caribbean population was estimated at 1 in 5 in 1977, a scan of the office caseloads revealed that Afro Caribbeans were over represented in statutory after-care supervision. Afro Caribbeans constituted some 16% of probation cases and 34% of cases in the statutory after care sector. (Thornton Heath, 1977).

In a previous study of the Oxford Probation Service out of a caseload of 300 in December 1981 'ethnic minority' clients totalled 30, one Asian, three African, and the remaining 26 being of Afro Caribbean origin. (Gardiner, 1982).

A similar picture was found in a caseload scan of Slough in 1976/77 (Ridley, 1980), which revealed that the Rastafarian group of offenders comprised 14% of Slough's probation caseload, although the total Afro Caribbean population for the area was estimated at 2%. This further draws attention to the relatively high numbers of Rastafarians as a proportion of Afro Caribbeans on caseloads.

In another caseload scan of young offenders in the north east division of London, there was an overall ratio of Afro Caribbeans to white British of 1:2. In Hackney the ratio was even higher at almost 1:1 with the white British. (North East London Probation Service, 1981).



In May 1981, the West Midlands Probation and After Care Service and the CRE jointly published the first major study of black offender/probation officer relations. The final research document identified concern for the position of black people in society, focusing particularly on those who came into contact with the probation service, as a result of involvement with the legal and penal system. Data was collected from standard statistical forms returned by probation officers to probation headquarters on a monthly basis. The purpose of these returns relates to the quantification of work carried out by probation officers. The West Midlands is the second largest service in the country serving a population of some 2,696,000 distributed across 347 square miles. Birmingham alone contains an estimated 1,033,900 people. There were 25 offices in the area from which 372 probation officers operate at the time at which the research was carried out.

The survey showed that 13.9% of clients were from 'ethnic minority' groups. It is interesting to compare this figure with the estimated number of black people living in this country which at the time the study was undertaken totalled 4.1%. In addition to the statutory and voluntary sector much work was carried out in the preparation of social enquiry reports, which was not researched.

The largest single group recorded as being in contact with the probation officers in the West Midlands were Afro Caribbean comprising 8.6% of the total county caseload. This compares with 3% of Asians on total county caseload. What emerged most clearly from this research was the

custody category. If all licences are considered, 'ethnic minority' groups were proportionately more likely to be subject to supervision on licence following a custodial sentence than the white group.

Probation officers also had less contact with black offenders than white according to Taylor. When in prison black offenders were less likely to be in receipt of pre-release help from probation officers. Taylor's work in the West Midlands indicated that Afro-Caribbeans had larger proportions than their total numbers would warrant under children's supervision and on detention centre licence, in borstal or prison.

In the supervision categories (i.e. probation, children and young persons supervision, suspended sentence supervision, money payment supervision and community service orders), all black offenders were under represented when compared with the white group. On the other hand white offenders were disproportionately over-represented in the non-custodial areas of supervision like probation, suspended sentence supervision orders, or money payment supervision orders.

In summary, Taylor's work demonstrated that although white offenders made up a majority of all clients, black offenders particularly of Afro-Caribbean origin were disproportionately represented in the more punitive areas of probation supervision. The word punitive is used since these areas are more likely to be associated with custody, and in the case of detention centres, borstal, children's supervision are more

likely to involve the probation officer in 'recall' activities in which the probation officer is actively involved in proceedings designed to return the offender to the custodial institution due to 'bad behaviour'.

Whitehouse (1981) took one geographical area in the West Midlands with a disproportionately high number of Afro-Caribbean offenders and carried out a similar counting exercise to that which had been attempted by Taylor. White and black offenders on probation caseloads in the Handsworth area were placed under categories of supervision, where another accentuated tilt towards 'coercive' probation contact was found. Only 7% of black offenders were represented under the probation category as compared with 90% for the white probation sample. The proportion of Asian offenders on probation, (1%) was also significantly lower than recorded by Taylor for the whole county, (26%). Twice the proportion of Afro Caribbeans were found to be on detention centre licence, (14%) at the coercive end of supervision, than there were on probation (7%). An even higher proportion of Afro-Caribbean offenders, some 20%, were subject to borstal supervision. Thus the work of Whitehouse seemed to compound and reinforce the findings of Taylor.

To sum up the early quantitative studies pointed to the fact that young black offenders were more likely than white offenders to be concentrated within the custodial areas of probation work. This research also

implied that probation officers might be instrumental within the discriminating process. Until the nature of the professional judgements which could disadvantage young black offenders were more fully understood, the significance of these over representation figures would remain speculative.

It was also noteworthy that with the exception of the 1976 Merseyside study, that no attention had been given to social enquiry reports. It was with the emergence of a qualitative approach to the research that a direct link between over-representation of black offenders in non-custodial forms of supervision/ and forms of probation practice, was made.

#### II.2. The later quantitative research

##### Guest's study of young offenders in custody

Rochester young offender's centre afforded Guest unique conditions in which to survey almost 400 youths at one time who were serving borstal or young prisoner sentences, (Following the passing of the Criminal Justice Act 1982, borstal became youth custody after May 1983). The youths came from London and the south-east, although occasionally, trainees from more distant places would pass through on route to other institutions, or complete their sentences within Rochester. The geographical location of the institution made it a multi-racial centre, as all borstal boys from greater London spent at least a brief period at Rochester, to be assessed for the establishment at which they would ultimately serve their sentences.

This extensive quantitative study of young offenders in youth custody attempted to compare the criminal careers of white and black youths before and during their borstal sentence. Using data compiled from records of youths passing through the allocation administration of Rochester borstal from the period January 1981 to June 1983 he was able to gather data pertaining to 4,876 youths, from a number of sources including current and previous prison department personnel records, probation officers and social workers social enquiry reports, police reports compiled after arrest. Guest looked for a history of absconding from custody, social histories including schooling, employment, and progress in non-custodial sentences. Whilst the research classified youths into one of the black, white, or Asian ethnic groups, no account was taken of the place of birth of the trainees or their parents. The term 'black' described those of Afro-Caribbean origin, whilst 'Asian' was used to denote those of Indian, Pakistani, and Bangladeshi origin. The third group was described as white.

For each of the three groups two longitudinal studies were undertaken. In the larger survey of young offenders 'throughputs' comprising the greater part of the study, provided quantitative measures of previous penal experience. Social antecedents were dealt with in depth, comparing previous experiences of social disadvantage in families. It was argued therefore that young blacks had a significantly greater chance than whites of finding themselves 'inside', with Afro-Caribbeans featuring in numbers which bore no relation to their general population size.

When examining the types of previous custody Guest found that the black, white and Asian groups shared remarkably similar histories of types of previous custody served. When black and white groups were examined it was found that 48% of previous custodial experience was borstal 43% detention and 9% imprisonment. The Asian youths deviated only marginally from those proportions, with 48% detention experience, 42% borstal, and 10% imprisonment. These patterns revealed that all three groups had equal experience in different types of penal custody.

According to Guest the survey of histories of previous penal experience demonstrated that notwithstanding the disproportionate way in which the black, white, and Asian groups appear in custody, that within those ethnic groups predictable and consistent patterns of previous custodial experience were found. From this he concluded that there was little inconsistency in the sentencing process between black and white offenders.

The most striking feature for Guest to arise from his research was the disproportionately large population of the black Afro-Caribbean youths in the youth custody system being consistently high throughout 1981, 1982 and the early months on 1983, when the youth custody rules were implemented.

Guest found evidence of acute 'social disadvantage', which was so widely experienced that it could be considered a unifying feature, common to the three groups. The black group were more likely to experience what

Guest referred to as severe deprivation than the other groups. He argued that the likelihood of delinquency increases when children experience neglect, and poverty. Larger proportions of black youths surveyed in this study came from grossly over-crowded families, and before reaching adulthood had experienced homelessness and the absence of a parent which according to Guest accounted for their over representation in the sample. Their criminal activities tended to begin during childhood; more than 50% of the 1981 and 1982 borstal populations embarked upon their second experience of custody and youths during school age. Guest acknowledges that it is likely that the great majority of youths in custody will have experienced unemployment, and at best, pursued jobs requiring low levels of training, qualifications and skills.

Guests' study highlights the remarkable similarities in the age distribution of each of three ethnic groups in the borstal system, and their very similar histories of experience in penal establishments. The high representation of blacks was not attributable to inequitable court sentencing policies, but to the fact that black youths had a greater disposition to conditions of social disadvantage. When it was noted that the previous experience of the 1981 and 1982 youth custody populations was the result of the sentences ordered by magistrate and crown courts, across London and the south east, where sentencing policies are not centrally imposed, the similarities in previous penal experience became particularly significant. They could, argues Guest,

be interpreted as remarkable coincidences, or as evidence of unconsciously shared standards of uniformity and order, which are applied to black, white, and Asian young offenders.

### III. A description of the qualitative studies: 1982-1987.

#### III.1. Rastafarians and the probation service

In 1982, Carrington and Denney undertook a qualitative study which specifically examined Rastafarian/probation officer relations. This small study was undertaken in Handsworth, West Midlands, which sought to examine an area with a high Afro-Caribbean population. Attention was directed towards the way in which probation officers perceived Rastafarianism and the methods of intervention currently employed by the probation officers in relation to Rastafarians. The personal responses of a group of Rastafarian offenders to probation was also examined. The sample consisted of a cross-section of thirty probation officers, including men and women, from basic grade to assistant chief probation officer. With the exception of one West Indian male, the members of this group were white. A qualitative methodology was employed, based upon loosely structured interviews. The content of fifteen social enquiry reports on Rastafarians was also examined.

All probation officers interviewed found Rastafarians to be a problematic group, with a number of dominant conceptualisations emerging. The two major categories of Rastafari were referred to as : 'the true Rasta' and the 'untrue Rasta'. Respondents held that the true Rastas based their lifestyle upon a system of religious beliefs, involving a number of rituals, including the smoking of ganja. This



group was apparently more willing to accept probation intervention than the 'untrue Rasta'. The probation officers divided the latter group into two further sub-categories. One sub-category was often referred to as 'the bandwagon Rastas' who were those who had adopted the outward appearance of the Rastafarians, but who according to the probation officers interviewed lacked any cognisance of the Rastafarian world view. The 'bandwagon Rastas' were seen as especially vulnerable to manipulation by a second sub-category of 'untrue Rastas', who were perceived by the probation officers as a politically, rather than religious motivated group, with 'Marxist' leanings.

Causal explanations were offered for the Rastafarian phenomenon by the probation officers. Seventeen viewed it as an individual, psychologically determined phenomenon. Of these, some depicted the Rastas as facing an 'identity crisis' which had resulted from living in an 'alien' and 'hostile' society. Unable to cope and incapable of adjusting to life in Britain, the black youth, in a state of desperation and ontological insecurity turned to Rastafarianism as a means of achieving a sense of 'self'.

Others advanced explanations which were reminiscent of Adorno's account of the authoritarian personality (Adorno, 1950). Probation officers alluded to the 'generation gap', to present a view of the Rastafari as an individual, who during adolescence, revolts against the strictures of an authoritarian father figure, and a rigid upbringing based upon the ascetic values of the Pentecostal church. Paradoxically other probation

officers attributed the 'Rastafarian's rejection' of the work ethic and values of the parent culture, to the matriarachal structure of the West Indian family, by claiming that Rastafarianism stemmed directly from the absence of a strong father figure in primary socialisation.

The remainder of interviewees proposed 'sociological' rather than 'psychological' explanations of Rastafarianism. Eight saw it as a reaction by black youth against the suppression i.e. 'unintentional stifling' of black culture in British society. The respondents did not relate suppression to racism. In fact, only two of the probation officers interviewed perceived Rastafarianism as a sub-cultural response to racism. Although the three remaining interviewees did suggest that Rastafarianism may be considered as a reaction on the part of the black youth to their unequal position in employment, housing, and education, none seemed willing to attribute these inequalities to racial discrimination.

Few of the social enquiry reports made any reference to the Rastafarians own stated beliefs. The reasons for this omission were never intimated, it was assumed that they were deliberate and intended to protect the client from the magistrate who was possibly unsympathetic to Rastas. In such cases the probation officer is placed in a catch 22 position, for the social enquiry report is meant to provide an unbiased account of both the social background of the offender and the background to the offence. If these reports are intended to provide the court with an understanding of the motives underlying an individual criminal act, then

the failure of the probation officer to make any reference to the Rastafarian clients' beliefs, must necessarily involve failure on the part of the court to understand the offender's motives. We will return to this important point in relation to the findings of this research (Chapter 5).

All probation officers interviewed had encountered problems in dealing with Rastafarians. Those most frequently mentioned were lack of punctuality, unco-operative and sometimes aggressive behaviour, and the use of creole dialect, which was seen as an obstacle to effective communication. The reaction of the Rastafarian to probation left many of the interviewees feeling cold and despondent. They saw their position as untenable and expressed surprise that so many Rastafarians were placed on probation. Most expressed pessimistic views when the issue of casework was raised, although some thought that this was an area where 'bridges might be built'. About a third of the probation officers felt that the problem might be alleviated by using black volunteers. Some interviewees reported that they had tried working with volunteers, but without success. In many instances the respondents considered it more difficult for the black volunteer to intervene than the white probation officer. Moreover, some of the interviewees also mentioned that they had made abortive attempts to use group work techniques with Rastafarians.

### III.2. The qualitative work of Whitehouse

Whitehouse (1983) whilst acknowledging the limitations of his own quantitative research efforts, attempted to understand probation officer/black client relations by using a basic qualitative methodology. In his study Whitehouse argues that whilst the probation service acknowledges that it works in a multi-racial society, that social work theory and practice is dominated by 'white values'. When probation officers attempt to describe other cultures they often succeed only in adversely affecting the outcome of a court hearing for black offenders. Any mention of 'structural factors' in reports will predispose disadvantaged groups, towards harsh sentencing. The role of sentencers in this process is not discussed by Whitehouse.

Because they are differentially affected by structural disadvantage, black people will suffer most when mention of such factors are made in social enquiry reports. He also found concern amongst probation officers, that their work must be informed by an awareness of personal and institutional racism, if the position of black people within the criminal justice system is to be improved. The intention of his paper is to concentrate upon the 'attitudes' of professional social work practitioners when dealing with the issue of race.

Whitehouse does not argue that his examples of probation practice taken from reports are definitively racist, and 'leaves it to the reader' to decide whether the statements contained in reports are racist, or

whether they are racist in intention or effect. Whitehouse gives examples of a psychiatric report, a social services department report, and a report prepared by a prison officer.

This work is important since it draws distinct attention to the use of particular words which are used in a significantly different context in social enquiry reports written on young black offenders.. The word 'illegitimate' frequently used in sers is for Whitehouse unnecessarily value laden, and unfavourable to the defendant. Often unmarried black women with children, supposedly living without male support, are described as being 'abandoned' by the fathers of the children. Report writers are using conventional white cultural values to engender sympathy for women in courts with the result that the men who have 'abandoned' women with children may be less favourably received in court.

There are cultural and economic factors which discourage stable partnerships. Rastafarian beliefs, argues Whitehouse, reject legal 'paper' marriages, and in a largely unemployed black community, income is maximised by both partners claiming state benefits apart. These important contingencies are not taken into consideration by probation officers when preparing reports for the court according to Whitehouse. A consistent theme in reports examined by Whitehouse is 'The stability of parents, and those that do not conform to a monogamous ideal will tend not to receive as positive a picture for sentencers '. Whitehouse argues that there is a tendency amongst white probation officers to 'learn a little more about other cultures', without examining the effects of their powerful white cultural assumptions which are included in social enquiry reports.

Another important tendency emerging from Whitehouse's work is that most probation officers' explanations of a black offenders criminal behaviour is given in terms of what may be broadly described as 'micro-sociology'. Individuals, personalities, home circumstances, and family structures usually form the basis of probation officers explanations. They are generally wary of 'structural' explanations which take into account more abstract concepts such as racism, poverty and inequalities.

When examples of structural inequalities are mentioned in reports they are done so in terms of those powerful enough to define the nature of that experience. The following extract taken from a social enquiry report describes the negative attitude of a black child to school.

The child is described as being,

'Very susceptible to environmental influences. His own personality is fragmented. He has a strong awareness of racial prejudice. He has been reacting in negative fashion within the school and these attitudes appear to have coloured his view of life in general'

(Whitehouse, 1983, p.48 ).

The mere repetition of these educational 'facts' will, it is argued, create a less favourable picture of the defendant before the courts. Because the report is individualised, the failures of white institutions are frequently seen as failures of black individuals, and will tend to disadvantage black people to a greater extent than if no such background information was available to the court, and they were sentenced on the offence characteristics only.

III.3. Pinder's qualitative analysis; 1984.

In a number of publications Pinder has applied qualitative ethnographic techniques to the study of relations between black offenders and probation officers. (Pinder 1982, 1984). His major study was published in October 1984, which concentrated on the ways in which white probation officers 'make sense' of their work with black people. The specific objectives of the research were to firstly identify ways in which interactions between probation officers and black offenders could be handled more effectively. Secondly to identify the skills requisite to practice in a multi-racial society. Thirdly to create a framework in which those skills might most effectively be developed.

Pinder used a combination of research techniques, his data being gathered from interviews with probation officers, and an analysis of social enquiry reports designed to identify ways in which probation workers assess black offenders. Unstructured interviews were also used in order to give probation officers the opportunity of elaborating more widely on their experiences in relation to black offenders. After matching selected white and black clients, Pinder undertook a detailed content analysis of elements which were seen as being central to the sentencing process i.e. the terms in which the offender was described, the contextualisation of the offence, and the form the recommendation taken.

After collecting reports from 29 officers, they were then interviewed about their work with black offenders, and the reports were examined with the probation officer. These interviews were transcribed and a copy of the transcript was sent to the officer involved. Pinder used a number of useful analytical concepts in his work. The notion of the ethnic/ racial identifier was defined as a statement used to designate the specific ethnic/racial identity of an offender, whether by reference to origins, in the sense of place of birth, or by reference to experiences or qualities tied to ethnic/racial identity. Descriptions of offenders were defined as statements that served to 'assess' offenders, in terms not only of their offending capacities, but also of their social competence and of their personality.

Descriptions of offending behaviour were used to explain, or more accurately, to contextualise that behaviour and to relate it to an offender's life history and life chances. Assessments of the officer - offender relationship, Pinder defined in terms of statements reflecting the balance of power in that relationship

Professional conventions also emerged, which were described as statements implicitly or explicitly indicative of the assumptions which govern professional behaviour, and more particularly the relationship between officer and offender. It is the issue of whether or not professional conventions hold good in probation work with black offenders that is central to Pinders' analysis.



Assessments of the probation officer/offender relationship were made, with statements reflecting that relationship being given particular attention. Pinder concentrated on 97 Social Enquiry Reports written on black offenders by probation officers in the Leeds Division of West Yorkshire, between 1st. October 1982 and 31st January 1983. He found that most statements relating to race/ethnicity took the form of an elaborated statement concerning origins i.e. Pinder describes a minority of ethnic identifier statements as being stereotypical in nature. One probation officer wrote for instance ,

'The family are typical of the West Indian family, where there are strong disciplines and a deeply religious atmosphere in the house.'

Pinder also notes that as with ethnicity, references to race, were for the most part absent from social enquiry reports. It was possible to identify 25 statements in reports which incorporated the concept of race. A small minority, some six of the reports, were straight forward statements using the terms 'black'. Seven statements linked black identity with the experience of racism, as the following example illustrates.

' X was still at this time a pupil at X grammar school, this itself was a cause of stress to him, as a result of his colour, X was the only black pupil in the school, and experienced a variety of forms of abuse from fellow pupils ' (Pinder, 1984, p.25).

Pinder argues that descriptions of offending behaviour that arose in response to racism, suggested that probation officers recognise, and reported on an internal 'logic' to such behaviour that was explained both in relation to the 'individuals response to racism' and in a wider

'social' context. When comparing reports on black and white offenders this point becomes important.

In just under half the reports read on white offenders criminal behaviour was described in terms of some 'chronic personal incapacity', which usually resulted from a breakdown in interpersonal relationships, alcohol, and/or solvent abuse, with often a number of these factors being intertwined to form an explanation. Pinder argues, 'Whereas there was what amounts to a convention describing the majority, (i.e. white) offenders, in terms which suggest personal inadequacy, it was rare indeed, to see such description of an ethnic minority offender' (Pinder, 1984, p.33).

Although Pinder acknowledges that conclusions from such a small sample can only be suggestive he argues that a convention in reports on white offenders, in that they are portrayed as being in need of help, no such convention seems to hold sway in reports on black offenders. If anything the reverse is the case, in that black offenders are presented as being individuals who demonstrate no such need. Pinder argues that black offending behaviour is presented as

' Reasoned principled almost ,the principles rooted in a network of social obligations; the absence of the stigmata of deprivation ,the lack of reference to social inadequacy or social incompetence'

(Pinder, 1984, p. 154).

Race or ethnic identity in itself was regarded as having no bearing on the assessments made by probation officers, since race was relegated to

a subsidiary role in interviews with clients and in the writing of social enquiry reports. Statements of origin provide both a convenient and conventional starting point for social enquiry reports.

In summary this research suggests that there is an absence of a coherent and explicit framework for recognising and representing specific racial or ethnic identity in court combined with a paucity of 'excuses' for the criminal behaviour of black offenders, these 'excuses' being present in the case of white offenders.

#### IV. Qualitative and quantitative techniques 1982-1987

##### IV.1. The Inner London Probation Service study : 1982

The Inner London Probation Service published a report in 1982 containing research material both qualitative and quantitative. It included a survey of all social enquiry reports prepared by probation officers in inner London between 6 June and 10 October 1982. The survey also examined the subsequent sentence imposed, whilst an in depth analysis of one in four of these reports was also included. On analysing the results Stephen Stanley, intelligence officer of ILPAS, found that Afro Caribbeans and offenders with one Afro Caribbean parent were over represented in this sample, when compared with the total population:- 15% of the sample as opposed to 6.4% of the inner London population as a whole according to the 1977 National Dwellings and Housing Survey.

Stanley also found that Afro Caribbeans were more likely to receive recommendations for supervision at a rate of 35% compared with 30% of the total sample. Despite this Afro Caribbean offenders were more likely to receive custodial sentences in court, with some 26% of Afro Caribbeans receiving custody, as compared with 19% of the total.

The report also contained an account of a content analysis carried out by members of the working party conducting the research. A subjective content analysis of 100 social enquiry reports was conducted made up of 50 UK, white and 50 non-UK or born to non-UK parents. This sample was drawn from a cross-section of London probation offices. The purpose was to see if there were any differences between the service offered to clients from the ethnic minority communities and that offered to white clients born in the UK. Stanley expressed reservations as to the validity of qualitative research, commenting that the content analysis was not 'scientific'.

Most reports included material and discussion about family background, early life, school, work, current lifestyle, mental health, (where relevant), response to previous supervision, and attitude to offence. Stanley considered that only 50% dealt with these issues comprehensively and coherently. The other 50% at best were not searching and at worst were scant, giving the impression that the reporting officer had not fully understood the complexities of the offenders' situation. A few reports concentrated 'very properly' on the client's current situation

and a small number explained the client's attitudes and behaviour in terms of his cultural background.

Although there are a few glaring exceptions, most reports contained constructive and 'just' recommendations, with probation service resources being utilised to a large extent.

Stanley comments,

'Clearly we are critical of the quality of a significant proportion of the reports, but in terms of service to the client we could find little difference between the two samples. If anything the non-UK sample fared marginally better than the UK sample' (ILPAS, 1982, p.35).

Having made this statement the authors went on to acknowledge that they did find examples of what they referred to as racial stereotyping, and irrelevant references to race and colour, which could be construed as prejudicial, but no examples of blatant racism. The distinction being made here remained unclear (ILPAS, 1982, p.36).

IV.2. De la Motta qualitative /quantitative study of Nottinghamshire Probation Service. (1984).

In this study De la Motta examined 100 cases from probation files half of which were black the other white, all between the ages of 14 and 22. Her main findings were that first, a disproportionate number among her black sample had been charged with police assault, some 34 % if the charge of resisting arrest is included. Second, that probation officers tended to avoid the question of police assault in records and reports. Third, De la Motta claimed from her examination of records relating to

the inner city disturbances of 1981, that sentences tended to become harsher at this point for black offenders due possibly to adverse public opinion on the issue. Fourth, she contended that twice as many white as black offenders received supervision orders at their first and second court appearances , although she found no significant difference between the races in connection with the imposition of fines. It was also found in this study that white offenders were beginning their criminal careers some two years earlier than blacks.

Like Guests' work, De la Motta found that most of the black offenders had suffered material disadvantage like homelessness at an earlier age than white offenders. Guest however, appears to have found a far more similar age distribution for black offenders than did De la Motta.

In examining specifically the recommendations made by probation officers De la Motta found two important tendencies in probation practice. In her examination of social enquiry reports she found that black offenders were over three times more likely to receive no specific recommendation , in reports. However, the white offender was twice as likely to receive a recommendation for custody, although this occurred on few occasions - 2 for blacks, 5 for whites.

De la Motta found two distinctive styles of writing associated with probation officers who make firm recommendations and those who do not. Fundamentally the officers who fell into the first category attempted to create a context for the offence. In relation to the disturbances of

1981 for instance one officer described the feelings of insecurity and fear which permeated the area on a particular night. This contrasted with the writer who made no recommendation who simply stated that the outcome of the court hearing depended on the public interest in this type of offence i.e. public order offences.

#### IV.3. The West Midlands Study 1987.

In 1987 the West Midlands Probation and After Care Service, carried out research the aim of which was to evaluate whether black defendants when compared with white defendants were discriminated against in social enquiry reports.

The sample collected consisted of 222 reports, 52 of which were on black and 168 on white defendants, and represented all reports presented at the Birmingham courts over a two week period in March 1986. The main findings indicated that when black defendants were compared with white defendants they were more likely to receive an immediate or suspended custodial sentence. Some 48% of black defendants in contrast to 30% of white. Black defendants were also less likely to receive a fine, probation, supervision or community service order than white offenders. In this piece of research, unlike earlier studies, discrimination appeared to be located at the point of sentencing and not report writing. Non-custodial recommendations were made in 90% of social enquiry reports written on black offenders, and in 86% of reports written on white defendants. Despite this 57% of recommendations on

black offenders and 40% of recommendations on white offenders were not followed. Where a custodial sentence was given, black defendants compared to white defendants were less likely to have had previous custodial experience.

It was also found that 79% of the burglaries committed by black people resulted in a custodial sentence compared to 25% of burglaries committed by white offenders. It appears that the high incidence of custodial sentences for black defendants compared to white defendants could not be explained simply in terms of different levels of criminality. Black defendants appeared to be receiving custodial sentences for offences when a white person was more likely to get a non-custodial disposal, (e.g. for burglary).

As well as comparing court outcome for black and white offenders related to report recommendations, offences and previous convictions, the research also examined the content of reports. This was with a view to identifying whether information contained in reports presented black clients in ways which were overtly racist, culturally stereotypical, or encouraged negative interpretations.

A simple check-list system was used to make this assessment which required those analysing the reports to identify references to 'race', 'colour', 'nationality', 'stereotyping', 'value judgements', 'white culture', as the norm, client co-operation and the services's ability to assist. The assessors were then required to determine whether the existence of these factors was relevant to the report, harmful to the individual, or reinforcing of existing prejudices.



Each report was analysed by two assessors to determine the level of internal consistency in interpretation. A sample of reports was then analysed independently by the research and information officer and race issues officer of the West Midlands Probation Service. Differences between reports written on black and on white clients were evident with references to race/nationality/colour/country of origin (referred to in 60% of reports on black clients compared to 32% of white). White culture was presented as the norm in 10% of reports on black clients and racial 'stereotyping' was evident in over half the reports on black offenders. The researchers concluded that, the check-list exercise has limited value in the absence of discussion within teams and guidance on the criteria for interpretation.

The selected reports were also subjected to independent assessment. The incidence of overt racist content were rare, but nonetheless noted in two of the sample reports on black people.

One report written by a local social services department on a juvenile contained the sentence:

'X is a well built strong Afro-Caribbean teenager who has been in trouble with the law for some time now' (West Midlands 1987, p.4).

The linking of racial identity, with physical appearance, and criminal behaviour was considered to be a clear case of racial stereotyping, presenting a negative image of no apparent relevance to the report.

The second report, written by a probation officer, concerned an offence of physical assault following racial taunts, and noted the

'Tendency for X to perceive himself as a victim of circumstances rather than an author of his own fate. This becomes apparent when X talks about racist episodes in his life ' (West Midlands, 1987, p.4.).

The independent assessor noted that:

'The report writer appears to put the blame for racist incidences on the recipient by describing the client as being at fault ('author of his own fate'). No attempt was made in the report to present racism as a continuing feature in the lives of black people, nor any condemnation of the racist incident which resulted in the offence. Racism and its effects are reduced to an 'over-reaction' on the part of the client'. (West Midlands 1987 p.5).

Besides these two cases, there were features of nearly all the reports sampled which, on balance tended to present more black people in negative ways. This was related to the style and content of reports which by attempting to describe clients 'objectively' (in terms of, for example, family relationships, housing, education, employment), effectively created a description based on implicit assumptions of 'normality' which failed to recognize cultural diversity or the consequences of structural inequalities. For example, homelessness among young black people was often described as a 'cultural reaction' to for example tensions within the family rather than a manifestation of poor housing, or the necessity to leave home to seek work.

Similarly by describing family structures in which parents and 'siblings' have moved around the country , left home to find work, or where children are looked after by brothers or sisters, an impression of disunity is created. This can often lead to the premise in reports that black people suffer from weak family units, and that young black people are alienated from British society in part by the failure of the family unit to provide support. In any case it is questionable whether social history of this sort has any relevance to the offence, or recommendation, to justify inclusion in the report.

The unemployment status of clients was mentioned in nearly all the reports sampled, which was usually presented as a descriptive 'fact', with no mention of the disproportionate effect of unemployment on black youth. The report reader commented that without this structural context, unemployment can easily be perceived as a 'problem' of 'inadequate' individuals, particularly black individuals.

Contrary to Pinder's work the readers of reports found a high proportion of reports on black clients compared to white clients, where the mental state of the client was referred to directly, or in terms of 'abnormal' behaviour. This tended to be presented as an 'objective fact' without reference to any difficulties in identifying the nature of mental health problems as they affect black people. Compared with white people they are more likely to be unemployed, to suffer from poor housing and to under-achieve in the education system. Moreover, client lifestyles which do not match ethnocentric definitions of 'normality' may engender

negative interpretations. Not only does this require care in the way in which information is presented in reports, but also a focus on the processes by which information is obtained, selected, and interpreted.

A further independent analysis was undertaken of reports by the race issues officer in the West Midlands study. His over-riding impression was that black clients reports were treated less favourably than white client's reports in the majority of cases, and like reports written on all 'foreigners' and 'outsiders' which included Irish people, were written in a distinctly different, unhelpful way.

The poor structuring of arguments had a significantly damaging effect on reports written on black clients. The race issues officer noted that,

'There is a discriminatory practice of introducing nationality and the place of birth into the report, and sometimes colour, without any bearing or value to the case' (West Midlands 1987. p.4).

In many reports on black people the content of the report presented a negative image of the client where the same information could be reported more positively. The report writer's own values and experiences inevitably influence the way in which information is selected and interpreted. This can result in reports which are partial and potentially misleading when the report writer fails to fully comprehend and appreciate the client's social reality.

Another recurring theme noted is the method of introducing black people, Irish people, and those born abroad in 'lead statement' in social enquiry reports. This practice ensures that the negatives of 'foreigners', precede the facts of the individual and reinforce the notion of an 'outsider' who does not belong. This method of introducing information which is often irrelevant to the substance of the report stems from writing 'set piece' reports rather than individual ones. Five reports on black offenders were identified as giving rise for concern in that they appeared to be highly dismissive, one probation officer commenting, 'He does not wish to be supervised by the probation service therefore the only thing to do is agree with him and send him to prison.'

The writers claim that the findings from this study provide valuable and significant indicators of the way in which discrimination based on race may be operating within the probation service. They argue that discrimination appears to be operating at two levels both in the way in which black people are presented in social enquiry reports, and in the sentencing decisions made in relation to black people. The overall affect is that black offenders are less likely to have non-custodial recommendations accepted by magistrates, and are more likely to receive a custodial sentence. Black defendants are in danger of being placed in double jeopardy due to the manner in which a minority of probation officers construct reports on black offenders and the way in which sentencing decisions are made.

IV.4. Green's qualitative/quantitative study of the West Midlands  
Probation Service.

Greens' work comprises of a detailed study of some 138 court reports written on juveniles, and what he refers to as a close observation from the inside of the probation services' work with young offenders and in depth interviews about race with 14 probation officers. The emphasis of this research was initially on the black offender, but eventually shifted to the probation service.

As part of Greens' research a 'survey' was made of social enquiry reports prepared on juveniles in Wolverhampton. Green found supervision to be recommended by probation officers in only 6% of black male juvenile cases . The equivalent figure for 'indigenous' male cases was 23%. Moreover, the study also showed that while probation officers were less willing to commit themselves on whether the young blacks were likely to get into trouble again, where they did, they felt that it was more likely than with young whites. Despite this greater risk, probation officers were less likely to recommend long term probation supervision the overall effect, unlike Guest's work, being that young blacks were higher up the tariff ladder of sentences than whites at the same point in their deviant career'. This made them more at risk of receiving a custodial sentence.

V. Assessment of evidence relating to discriminatory practice amongst probation officers.

The studies described present complex and diverse accounts of the way in which black young offenders are treated within the probation service. The evidence varies in quality and quantity, as does the methodology utilised in these studies. The aim of this section is to examine more critically the methodologies used and the degrees of validity of the conclusions reached by these studies. In assessing the evidence the research will be examined in the same order, with consideration of

1. Quantitative work
2. Qualitative work
3. Qualitative and quantitative.

VI. Quantitative studies.

In the confidential Home Office report (1976), on Merseyside Probation Service reported both by Staplehurst (1983) and Husband (1980), no indication is given as to the way in which evidence was collected. The only firm evidence offered is that 66 out of 152 reports examined on black offenders contained no recommendation for supervision of a non-custodial nature.

The evidence in this case is limited in scope, although this early report established a need for further investigation into the area.

Studies carried out in Leicester (1981), Thornton Heath (1977), Oxford (1981), and Slough (1977), were equally vague in the accounts given of methodology. They merely represent the proportion of black offenders on caseloads at a particular point in time.

Other factors relating to age, cohort effect, and geographical factors are not considered. More importantly these studies can only suggest that probation practice is discriminatory. They tell us nothing of how racism or anti-racism may be operating within the probation service.

Referring to these early studies Staplehurst comments:

'The unevenness of the statistics available provides very little scope for comparison. However, there are strong indications that the probation services' contact with West Indian youth is more likely to be in the form of coercive supervision than for whites..... they are over-represented on caseloads generally, even when taking the age structure of the West Indian population into account. Rastafarians represent a particularly deviant group for unsubstantiated reasons.' (Staplehurst, 1983, p.26).

The question of age is a crucial one and neither Staplehurst or any of the other studies from which she quotes give anything like an adequate age breakdown. Since Staplehurst refers to her work as 'Working with young Afro-Caribbean offenders', it can only be deduced that she has reason to believe that figures quoted pertain to young offenders.



Another difficulty with these studies relates to the unclassified use of concepts. The Slough study (Ridley 1980), seeks to demonstrate that Rastafarian clients constitute 14% of Slough's petty sessional division caseload whilst the Afro Caribbean population for the area was estimated at 2%. The implication here is that Rastafarians as a client group are over-represented within the overall caseload in Slough. The problem with this assertion is that at no point is the concept of Rastafari defined. Another major weakness in the south east London (Thornton Heath), Oxford, Slough, west Yorkshire, and north east London studies lies in the fact that the statistics are not broken down into forms of supervision, as they are in the Taylor, Whitehouse, and Waters studies. Simply giving percentages of clients black and white on probation explains very little.

What can be deduced from this cluster of small scale studies is limited. It must be acknowledged that these studies are taken from a number of geographical areas across the country point towards an over representation of young black offenders on probation caseloads with a skew towards the custodial and post custodial probation contact. This rather tentative conclusion fails to explain the nature of the interactions between offenders and probation officers which underlie discriminatory forms of social work practice within the probation service and may be more relevant to the workings of the criminal justice system as a whole, and not merely probation practice. A limited statistical exercise of this nature fails to address issues connected with social work practice.

Although most of what has been said about the earlier studies can be applied to Taylor (1981), it must be acknowledged that her work is far more extensive. The number of statistical comparisons are impressive her work painstakingly provides comparisons between the numbers of each ethnic group on probation officers' case loads in relation to forms of supervision. Taylor recognises the limitations of her own work admitting the work undertaken at the social enquiry report stage needed to be included pointing out that in 1979 the West Midlands Probation Service produced some 12,500 reports, which would have provided important research material.

Another notable exclusion from this work was discussion relating to the total proportions of black people living in each of the areas examined. Without this some of the comparisons become meaningless. What is provided is a rather inadequate statement from the West Midlands County Council household survey of 1976 showing that the total percentage of black residents for the West Midlands is 9.1%. No indication is given as to the proportions of each ethnic/racial group. This statistical vagueness is marked in a study which is numerical in its orientation, and contrasts with the detailed description of probation caseloads.

A similar comment can be made in relation to other early quantitative studies. The studies of Leicester, Thornton Heath and the later Oxford work give few details relating to the proportions of black people living in the areas studied which serves to decontextualise the research.

Although one can discern certain trends relating to age from the type of supervision, for example in the case of children and young persons, supervision, some age breakdown would have added much to the quality of the statistical material as would more detailed consideration of age and cohort effect .

The overall affect of these omissions is to decontextualise the early over-representation figures. Factors isolated by Taylor which needed to be considered in her study as she acknowledges include, the age distribution of ethnic groups in the population, the composition of the white prison population, and the nature of offences. Nonetheless Taylor's work as the chief probation officer for the area argued can be seen as an attempt to draw a baseline in a previously uncharted area.

It is in this manner that Taylor, and to a lesser extent, the other studies of the late seventies, and early eighties should be viewed. They indicated that black offenders were disproportionately represented in the post-custodial 'heavier end' of probation supervision, although this discovery meant little without further elaboration and qualification. As presented collectively these research endeavours raise more questions than they answer.

The research findings offered by Guest are of significance to this study since they diverge from the findings of the West Midlands study of 1987. The choice of Rochester Youth Custody Centre is as Guest argues for research purposes an important one, since it is a clearing centre for a

wide catchment area of southern England, and findings based on this institution have wide implications for the whole country.

The number of offenders involved, some 4,876 offenders, is a significant figure Guest also bases his study on detailed comparisons with figures for 'ethnic composition' for the south-east as a whole, statistical information notably absent from earlier research. He is able to provide convincing evidence of the over-representation of young blacks in the youth custody system. Throughout the study Guest also makes reference to age differences which is helpful when he demonstrates such phenomena as the breakdown of homelessness at the time of the sentence.

Guest provides well documented and presented data to support his thesis. Most strikingly black and white offenders share much in common particularly with regard to previous sentences, whilst greater numbers of black trainees were found in youth custody. This 'is not attributable to inequitable court sentencing policies, but is more likely to be attributable to black youths greater disposition to conditions of social disadvantage' (Guest, 1984, p.162.).

A clear problem in the interpretation of the data emerges at this point. Black youths according to Guest and De la Motta do not receive custodial sentences at an earlier age. De la Motta claims like the other studies that young black offenders are more likely to be sentenced to custody and less likely to receive a non custodial recommendation from a probation officer. The West Midlands Probation Service, 1987 strongly

suggests that black offenders begin their criminal careers earlier and receive custodial sentences at an earlier age, having served significantly similar proportions of earlier detention .

#### VI.2. Qualitative studies.

Qualitative work needed to be carried out in order to establish whether the racism of probation officers and or sentencers was a factor which influenced practice, thus contributing to the apparent statistical tendency. This marked the development of more sophisticated forms of qualitative analysis, and the emergence of studies which combined qualitative and quantitative research.

Whitehouse does make a number of points from his work which are of salience to practice. He illustrates the confusion that white probation officers seem to experience when writing social enquiry reports on black offenders. He is also right to point to the way in which probation officers appear to ignore or misunderstand the nature of the structural problems faced by black offenders. It would have been useful to have known whether such confusion also exists in the case of white offenders. Pinder's work is remarkable for its wide parameters, its aim being to define and identify the ways in which interactions between probation officers and ethnic minority clients can be handled more effectively . Such an objective is general and overarching requiring further clarification and focus.

Although Pinder separates the identification of skills requisite to practice in a multi-racial society as being part of his reappraisal of social work methods in this area, little attention is given to the notion of social work skill in the final research product. The body of 'knowledge' referred to generically as social work theory is an important aspect of social work training which could have influence in the shaping of practice skills. To ignore such ideas no matter how critical one may be of them, is to ignore an important aspect of professional socialisation, which could have a bearing on social work with black people. Such theories should be regarded as part of the social workers' professional socialisation process.

Pinder's work is the most systematically designed and elaborate of all the studies so far considered. The qualitative methodology is clear and appropriate for the research task. It is designed to explore in depth, the interactions between probation officers and ethnic minority clients. It is also a comparative study of white and black clients which is a prerequisite to any meaningful assessment of the problem under review. The research is rich, in that Pinder quotes widely from his findings and is able to demonstrate his form of analysis with constant reference to the data.

Social enquiry reports and transcribed interviews provide appropriate data with which to attempt to understand the meanings that probation officers ascribe to their professional behaviour. Pinder's findings suggest an absence of an explicit framework for representing specific

racial and ethnic identity in court, which is of great importance, and could possibly help to account for some of the over-representation studies of the late 70's and early 80's.

In short, Pinder provides well argued and systematic evidence, albeit on a limited scale, to lend weight to the proposition that there is a qualitative difference between the way in which probation officers treat white and black clients.

### V.3 Qualitative/quantitative research

The ILPAS study of 1982 characterises this approach since it includes examples of both qualitative and quantitative methodology.

Unfortunately the work contains little detail of methodological techniques.

Like the West Midlands study of 1987 which appeared some five years later, the ILPAS study indicated that young black offenders received more recommendations for supervision than white offenders, yet more West Indians received custodial sentences. This important finding shifts the emphasis from the professional activities of the probation officer towards a consideration of the complex relationship between probation officer recommendations in social enquiry reports, and the final outcome in court.

Another difficulty which is related to the lack of coherent methodology is the absence of operational concepts. Words like 'culture' and 'racism' are thus used loosely and appear to lack meaning. In one case

it is stated quite simply that in the opinion of the 'workshop' that some of the material found in the research was 'racist'. Underlying the discussion within this report is the assumption that racism is so widely understood that there is no reason to be specific about the meaning of the concept. As a result of this lack of clarity explanatory criteria and categories seem to be confused and unclear.

Evidence is taken from a wide variety of professional sources including psychiatric reports, and prison officer reports. Such an amalgamation of 'professional' accounts raises a number of difficulties. The 'medical' view of the clients situation will understandably differ from that of the probation officer given the professional assumptions made by these two groups. Similar arguments can be applied to reports written by prison officers.

In short, this would appear to be unreliable evidence for racist practice amongst probation officers, since it is often, polemical, emotive, and unsystematically collected and presented. Thus the reader is not informed as to how evidence was collected, or analysed, the overall impression being that of unplanned randomness. The work also appears to lack a comparative element which is an essential if the research claims to add to the understanding of differential service delivery.

The West Midlands study 1987, shifts the emphasis from recommendations and non-recommendations made by probation officers, towards the



sentencing process. Unlike the 1976 Merseyside study which simply suggested that recommendations for probation were being made less frequently in the case of black offenders than white, this study makes the unequivocal statement that despite the fact that the types of crime committed by black offenders who come into contact with the probation service are no more serious than those committed by whites, they appear to be receiving heavier sentences. This study casts doubt upon the arguments of Whitehouse, and Husband who relate the non-recommendation phenomenon to white middle-class social work values.

This part of the West Midlands work is collaborated by the London study of 1982. The qualitative work carried out by researchers in the West Midlands is more problematic and its inadequacy in this respect is acknowledged by the authors. The relatively high level of inconsistency between assessors points to some of the problems created by different interpretations of notions like 'value judgements' and 'stereotyping'. This check-list exercise should as the authors acknowledge, be seen as a "pointer only" in the process of interpretation.

The grid check list system used in the West Midlands study imposes pre-defined definitions of situations upon the respondents when reading the social enquiry report. Definitions on the grid are composed of highly problematic terms. In the first part of the grid, race, colour and nationality and country of origin are placed together. No explanation is given for placing them in this collective form. The placing of words like race, colour, and stereotyping in a check list scheme gives the

impression that objective meanings can be assumed, when common understandings in this area do not exist. This problem is acknowledged in the research findings and possibly contributed to the wildly differing interpretations of probation officers explanations.

The research report required further elaboration. particularly with regard to the 'independent' qualitative assessments in which references are made to the effect of poor structuring of arguments in social enquiry reports having a differential effect on black clients. The meaning of poor structuring as opposed to good structuring is not made clear. The examples of 'stereotypical' expression also needed elaboration. In the case of the five social enquiry reports which gave cause for concern one single quotation illustrates the 'concern', and consequently the cause for concern remains implicit.

It was noted that a high proportion of reports on black offenders were described in terms of 'abnormal' behaviour in social enquiry reports. This would on the surface seem to conflict with Pinder's finding that there was an absence of evidence of individual pathological ideology conventionally found in reports on white offenders.

#### VII. Some comparative conclusions from the evidence in previous research

The question to be considered is whether the findings of Guest and De la Motta are when analysed, different from the West Midlands survey 1987, and the corroborative findings of the 1982 ILPAS study. Guests'

conclusion is based on the previous type of custodial experience undergone by black and white offenders whilst the West Midlands study emanates from a close study of probation practice and court sentencing procedure, as does the work of De la Motta.

All four studies claim to have relevance to the way in which young blacks are treated in courts by probation officers. They reach contradictory conclusions, but this is not surprising when one considers the fact that they are looking at different research materials. There are a number of reasons for giving more credence to the work of De la Motta (1984), the work carried out in the West Midlands (1987), and the ILPAS study (1982), than to Guest.

Having examined the previous sentences of young blacks and young whites Guest finds consistent patterns of penal experience. Despite this he finds a disproportionate number of young Afro Caribbean offenders in the youth custody system when compared with their numbers in the whole population. This contradiction is not satisfactorily resolved, and points to the possibility that Guest drew a false conclusion from his research. The mere fact that black and white offenders share almost identical histories of punitive treatment does not explain the complex process occurring within court, and interactions between probation officers, offenders and sentencers. Guest makes rather grandiose claims for his research which go beyond any meaningful implications which can be drawn from the research material.

The evidence from the West Midlands study of 1987 is aimed precisely at the recommendations made by probation officers and acceptance or rejection of recommendations by sentencers.

It is extremely difficult to draw any overall conclusion as to the validity of the research which has been described. Of the sixteen studies considered three provided an ample methodological account (Taylor 1981, Pinder 1984, and West Midlands Probation 1987). Nine of the studies can be regarded as having a quantitative stance, in that they calculate the number of black offenders on caseloads in terms of either ratios between white and black offenders or as a proportion of the black population in the area as a whole. Four of these studies (Taylor 1981, Waters 1982, Thornton Heath 1977, Whitehouse 1980), provide detailed numerical breakdowns relating to categories of supervision.

Of the remaining qualitative studies (Gardiner, 1981, Ridley 1976, N.E. London), no breakdown is given under the categories of supervision. Riddleys' study was concerned principally with Rastafarian offenders. Without more precise knowledge of other factors like age, type of offence, it is difficult to draw any firm conclusion as to the likelihood of discriminatory behaviour on the part of probation officers, simply from these figures. They can best be regarded as numerical investigations which were the forerunner of more sophisticated qualitative and quantitative attempts to understand probation practice with black people. The qualitative evidence as has been suggested is of variable quality. This research taken accumulatively points to the possibility that black

offenders are being perceived differentially which can at worst result in racist forms of social work practice. The professional culture of the probation service is presented as being essentially ethnocentric, ultimately working to the detriment of the black offender.

Only one writer Whitehouse (Whitehouse, 1983), describes probation officers as having racist assumptions, although in the proposition is not adequately supported. The early over-representation studies present a view of practice which is partial, since it requires further elaboration and analysis.

Pinders' work provided more substantive and credible evidence of differential forms of practice in relation to young black offenders, indicating differences in 'styles' of practice rather than negative racial discrimination within practice. In this respect despite its limitations it stands alone in the literature.

Further more subtle distinctions needed to be made, and it was Pinders' work which provided substantive and credible evidence of differential forms of practice in relation to young black offenders. This work points to differences in 'styles' of practice rather than negative racial discrimination within practice.

#### VI. Explanations for findings in the previous research.

The research which has so far been discussed reveals different interpretations of the data which will now be discussed in this section.

### VI.1. Quantitative studies

The early 'over representation' studies gave numerical findings with little if any attempt to provide explanations for the findings. The over representation of young black offenders in the more punitive areas of probation work is not related to any particular causation. Taylor is quite explicit about this when she writes

'There is no intention to interpret the statistical information in the report at this stage, and those who do so run the risk of mis interpreting complex issues , as many other factors beyond the bounds of this report would also need to be considered ' (Taylor, 1981, p.9.).

Later in the report Taylor again warns against the dangers of speculation, arguing that statistics do not enable any conclusions to be drawn about her findings.

Waters in the 1982 study of Leicester does go somewhat further than Taylor when he describes the over representation of young black offenders in statutory after care as 'significant', although the nature of the significance is left unexplored.

As was indicated earlier the trends in statistics towards an over-representation of young Afro-Caribbeans in the more punitive areas of probation work is not related to any particular causation. The reader is left to draw the conclusion that probation officers are acting in a discriminatory manner when dealing with young blacks more by implication rather than by direct suggestion. Words like racist, racism, and

discrimination are not generally used in these studies to describe probation practice.

The explanation offered by Guest for the disproportionately large number of black youths in custody is evident throughout his study and has previously been mentioned. The hypothesis suggested by Guest is that the high incidence occurs due to multiple social deprivation. Although all groups in custody have a tendency to suffer as a result of material deprivation, young blacks are unduly affected. Guest's explanation rests upon the causal link between deprivation and offending, a case which he claims his research data makes.

#### VI.2. Qualitative studies.

In explaining their work Carrington and Denney (1982) argue that probation officers lack an adequate understanding of Rastafarianism, viewing it either in psychological terms as a form of deviance which stems from an inadequate socialisation, or in sociological terms as an ethnic solution to an identity crisis.

Furthermore, the two categories employed by respondents to make the phenomenon intelligible do not take into account the diversity of practices, religious, political, and social deriving from the Rastafarian world view.

Carrington and Denney argue that it would be imprudent to single out any one of the above responses as being authentically Rastafarian. They go on

to claim that the realisation that all groups of clients, particularly young black people, are not amenable to social work intervention and cannot be treated in the same manner has been slow to dawn on social workers, and even more slowly on social work teachers. Social work methods based upon individual pathology, although acceptable to the courts, are inappropriate when applied to multi-racial Britain. Many young blacks and particularly Rastafarians, have penetrated the assumptions lying behind these methods and find them to be irrelevant to the experience of living in what is often a hostile and racist society. In many cases these methods serve to divert attention from structural inequalities towards so called inadequacies in the family or the individual.

Probation officers seem to argue that if Rastafarians could overcome their personal problems, which are preventing them from accepting the dominant value system, then life would be easier for everyone. Such an orientation may understate the depth and extent of racist sentiment.

Whitehouse is more confrontative in his speculations when providing explanations for his research findings. He argues that judgements made in social enquiry reports are made on the basis of the workers own cultural values and assumptions. Experience of emotions like affection or anger are frequently misinterpreted. Family size, expectations of sexual partners, parental responsibilities, discipline, work status, and leisure pursuits vary between cultures, but more importantly are heavily value laden. This value clash, which is reminiscent of Husband's 1980 account is seen by Whitehouse to have an ethnocentric form of practice which disadvantages



black offenders in courts. This imposition of 'white cultural values' results in probation officers being mainly aware of the racist assumptions which dominate their work. This restricted picture of black lifestyle avoids 'street realities' and puts off the day when conflicting values within different cultures are examined. The social enquiry report is a 'dangerous medium' for providing information about rigid social values.

Even though Whitehouse, (1983) invites the reader to make a decision the explanatory message towards the end of the article is clear. The tendency for white probation officers to use dominant white assumptions is discriminatory, and puts the black offender at a disadvantage in the court. Whitehouse, unlike other writers, attempts to put the work within a structural context of inequality. Following writers like Beaumont and Walker, (1981), Whitehouse argues that probation and the criminal justice system is highly individualised, the social enquiry report constituting a document in which individuals are implicitly responsible for their position in the society in which they find themselves. Since black people are more likely to suffer from inequalities like unemployment, bad housing, and schooling, they are less likely to show the signs that the white probation officer/magistrate/judge take as being indicative of the fact that the black recalcitrant has been brought back within the consensual fold. As Whitehouse argues,

'They tend to bend over backwards not to imprison the employed and they will try to find alternatives '

(Whitehouse, 1983. p.48).

In summary then Whitehouse explains the discriminatory professional behaviour in terms of white dominant values, racist assumptions held by probation officers, and structural inequalities. Whitehouse moves his explanation from the inadequacies of the culture of client groups towards the attitudes of professional practitioners when dealing with race. Whitehouses' explanation is unconvincing since it is insufficiently related to the research data, coming towards the conclusion of a rhetorical explanation.

It was stated earlier that Pinder's work provides both a coherent and impressive collection of material, whilst also incorporating a sophisticated explanatory discussion. Pinder utilises Whitehouses' notion of the culture of probation practioners, but takes the idea further. Culture for Pinder is a highly problematic concept, but he usefully goes on to describe it as,

'The ways in which people corporately seek to understand, and thereby control the social processes in which they find themselves caught up '  
(Pinder, 1984, p.151).

The 'function' of a professional culture for Pinder is the minimisation of tensions intrinsic to working life. This function is important in understanding the absence of a coherent and explicit framework for recognising and representing specific racial/ethnic identifiers, and the absence of 'excuses' for offending behaviour of black offenders. One possible explanation for Pinder is that

different elements combine to tell profoundly ambiguous stories about black offenders, and this reflects an ambiguity in the understandings probation officers develop concerning these offenders.

The absence of a specific racial/ethnic identifiers may convey the impression that black offenders are 'treated the same' as white offender, statements of origin reflecting no more than social work conventions. Pinder argues that whilst the starting point for writing social enquiry reports on black offenders is the same as that for white offenders, the end product appears qualitatively different. Black criminal behaviour is treated as reasoned and principled, although many of these principles were seen as being rooted in a complex series of social obligations. Unlike Whitehouse, however, Pinder does not regard these differences as 'bad practice', but as examples of good practice, since they present the logic and coherence of the behaviour, in a way that is not so evident on white offenders. Moreover, it reflects for Pinder an attempt to work from the offenders understanding of the events. Pinder explains the above phenomenon by suggesting that statements indicating the logic of offending behaviour, demonstrate the power to insist on their inclusion on the part of the black offenders.

The ambiguity evident in the reports reflects the ambiguity of the officers situation caught as they are between the powerful expression of the interests and understandings of the court, and the different but no less powerful, interests and understandings of black offenders.

The dilemma for the probation officer is expressed at a deeper level. There is a professional convention that social enquiry reports are 'objective, quasi-scientific enquiries'. Pinder argues that the reports on black offenders demonstrate the difficulties officers experience in sustaining their understanding. There emerges a complex configuration of interested parties in many reports on black offenders, which makes this appearance of scientific objectivity even more difficult to sustain than in more 'familiar' situations described in reports written on white offenders. Overall then Pinder explains his finding in the following way:-

'Only if one makes assumptions concerning the powerlessness of supervision for them is it possible to suggest that the failure to recommend probation constitutes an evasion of professional responsibility on the part of the probation officers. Suspend these assumptions and it becomes possible to see that the failure to recommend or secure this alternative to custody results from a much more complex process part of which involves officers' recognition of the power of black offenders in stating their own interests and understandings' (Pinder, 1984, p.160).

Pinder treats the power of the probation officer in an unusual manner, since the black offender is seeing his power, and the white probation officer diverges from the usual explanatory criteria used to describe white offending. This is not to say Pinder is unaware of the power held by probation officers in the 'professional relationship'. He argues that this assertion of the power of black offenders in their dealings with probation officers should not be taken as a denial of the power at the disposal of

probation officers. The probation service, as Walker and Beaumont (1981) argue, is connected with and dependent upon, the larger and more powerful institutions' of the state and the judicial apparatus.

### VI.3. The qualitative/quantitative studies

The Inner London Probation Service study is slightly more explicit in providing explanations for the statistics which were presented in the reports, although the statistics themselves as was argued earlier, were presented in a somewhat inconclusive and confusing manner. Stanley argues when discussing the greater likelihood of custodial supervision for young blacks,

'It is also possible that prejudices or biases of probation officers are a contributing factor' (ILPAS 1982, p.24).

Afro-Caribbeans are possibly more likely to be charged with criminal offences. Regarding probation officers recommendations Stanley suggests that a higher proportion of young Afro-Caribbean offenders are aged under 21. There is also according to this study a strong association between the age of the subject and the likelihood of supervision, in that the younger subjects are more likely to be thought of as being potentially suitable for supervision, and are not likely to be sentenced to supervision at the same rate as older offenders. Thus the fact that relatively more Afro-Caribbeans appeared to be sentenced to supervision was a probable function of age, since a great proportion of Afro-Caribbeans in the research were under 21.

The question of probation officers making recommendations in cases involving black offenders is not associated with age. Stanley cannot find an explanation for this phenomenon, except that the Afro-Caribbean client is disadvantaged within the criminal justice system.

De la Motta (1984) seems unwilling to be explicit as to the underlying explanations for her findings. She implies throughout the study that white probation officers utilise stereotypical models based on black pathology models.

The explanations given in the West Midlands Study direct attention towards a number of processes in which probation officers play a part. It cannot according to this study be argued that probation officers make fewer non-custodial recommendations in relation to black offenders. The evidence of racism was found in a small minority of the cases examined, most of the evidence for this coming from the qualitative work in the study. The explanation bears a remarkable similarity to Whitehouse's work in 1983, which directs attention towards the selection of material included in social enquiry reports, and the way in which this selection may affect sentencing outcome. It is argued in this study that while the use of custody is associated with current offence and previous convictions, there are a number of non-legal variables which could shift the balance from custody to a non-custodial alternative. For example, a defendant who is in

work, lives in a stable family environment and has settled accommodation, may all other things being equal, be more likely to be given a non-custodial sentence compared to a defendant who is unemployed, has a perceived 'deviant' lifestyle and is without settled accommodation. Black defendants are more likely than white defendants to be described in reports in the latter terms and this may go some way to explain the greater use of custody for black defendants.

A possible explanation for the proportionately higher number of black defendants compared to white defendants receiving a custodial sentence is that the black defendants are convicted of more 'serious' offences or have more previous convictions than the white defendants. This was not seen to be the case in this research, since the incidence of 'serious' offences was more common among the white than the black group.

Green's (1987) explanation for his findings are clearer and unequivocal, bearing a remarkable similarity to that which was offered by Husband some seven years earlier in relation to the 1976 Merseyside research. Green writes,

'Probation officers are seen as blaming young black offenders for their behaviour with little reference to the social context '

(Green, 1987, p.187);

Probation officers describe offenders as living in a delinquent area, without any explanation being given as to why the area might be delinquent. By avoiding such issues Green argues, probation officers make it appear

that there is some form of pathology within the client which has produced the recalcitrant behaviour, which in turn avoids the necessity for probation officers to examine their practice. Green goes on to relate this to probation officers adherence to social work values which demand that clients should be treated as individuals. It is the essential colour blindness and dominant white values which permeate probation practice and further disadvantage the young black offender. Green like Whitehouse provides a rhetorical account which lacks the theoretical and methodological sophistication of Pinder's work.

#### VIII. Some general explanations.

One clear pattern emerging from the research so far described is the lack of explanation in the quantitative studies. Whitehouse in his 1980 study is an exception, suggesting that his findings point to discrimination within the probation recommendation and sentencing process. The link between the statistical data and this statement is not clear. Three qualitative studies, Merseyside (1976), Whitehouse (1983), and Green (1984), explain the differential treatment in relation to white value laden assumptions made by probation officers. Pinder explains the differences he found in social enquiry reports content in terms of attempt being made by probation officers to reach an authentic 'black' reality.

The studies encompassing both qualitative and quantitative methodology point to racism operating in an unintended manner, directing attention



towards the meanings conveyed often unwittingly to sentencers by probation officers.

Thus three general forms of explanation are offered to explain the existing research findings, which can be summarised as follows:-

1. That probation officers perceive black offenders in a manner incorporating varying degrees of prejudice and racism, which constitutes discriminatory professional behaviour.
2. That probation officers, although aware and possibly anti-racist are constrained by structures imposed by the courts, the wider criminal justice system, and probation service conventions, leading them to include some irrelevant information and exclude other relevant material from social enquiry reports on young black offenders. Such practices can increase the possibility of a black offender receiving a custodial sentence.
3. Differences in style of report writing between black offenders are indicative of an attempt to present the reality of offending behaviour as perceived by the black offender. It is inevitable that in this process differences in presentation will become apparent in social enquiry reports. This tendency is linked to the insistence of black offenders on having their own view of their offending taken into consideration probation officers. What is unclear from this research is the nature of the relationship between these explanations and practice. Table 1 summarises

the existing literature in relation to methodology, findings and explanation.

Table 1 To show previous literature and findings.

Researcher	Date	Methodology	Finding	Explanation.
S. Merseyside	1976	Unknown	Failure to make non custodial recommendations	Ethnocentric practice Positive Racism.
Ridley	1976	Qualitative	Over representation of Rastafarians on caseloads.	None
S. E. London Service	1977	Quantitative	Over representation of black offenders on caseloads	None
W. Yorkshire.	1978	Quantitative	ditto	ditto
Whitehouse (W. Midlands)		Quantitative	Blacks under represented in non custodial supervision categories.	Possible positive racism
Taylor (West Midlands)	1981	Quantitative	Over representation of black clients on caseloads at heavier end of supervision.	None
N. E. London	1981	Quantitative	Over representation of black offenders on licence	None
Waters	1982	Qualitative	Black offenders under represented in non custodial supervision .Over represented on licence.	None
Carrington and Denney	1982	Qualitative	Ethnocentrism of white probation officers leads to individualised assumptions about Rastafarian offenders.	White values dominate probation practice.
ILPAS	1982	Qualitative/ Quantitative	Blacks more likely to receive non custodial recommendations but more likely to receive custodial sentence	Possibly age or prejudice.

White house (West Midlands)	1983	Qualitative	White values dominate in ser s	Racism (positive) assumptions.
Guest	1984	Quantitative	Structural disadvantage leads to over representation of blacks in y.c No discrimination in court system.	Structural inequality
Pinder.	1984	Qualitative	Assertion of power by black offenders breaks down professional conventions	Non racist anti racist practice. Power of black offenders.
De La Motta.	1984	Qualitative	Whites more likely than blacks to receive non custodial disposal. Blacks more likely than whites to have a 'non recommendation' ser.	Ineptitude of probation
West Midlands	1987	Qualitative/ Quantitative	No differences in recommendations for black and white racist sentiments in ser s.	Racism of Probation officers Discrimi nation on part of sentencers.
Green	1987	Qualitative	Colour blindness on part of probation officers.	Positive racism permeating Criminal Justice System

CHAPTER 2METHODOLOGICAL ORIENTATIONS

In this chapter the approach to the research will be discussed with reference to differences in orientation with previous studies. This will be followed by an account of the qualitative techniques utilised together with a discussion of the advantages and disadvantages of the selected methods. A detailed account of all the research procedures adopted will be described and justified.

1. Towards the formation of anti racist practice.

In chapter 1 it was suggested that three possible explanations for the professional behaviour of probation officers in their dealings with black offenders emerges from a survey of the literature. They can be described as positively racist, negatively racist and anti racist. Attention has also been directed to the fact that some assumptions underlying previous research endeavours have failed to consider the possibility that anti racist attitudes can have an influence over the form that probation practice takes. Such an omission indicates a failure to acknowledge a possible shift in the way in which probation officers view race related matters. More importantly this omission in previous research fails to recognise the possible influence of black offenders themselves in shaping a differential form of probation officer/ black client relationship. This leads to the possibility that black offenders have pushed probation officers towards the beginnings of anti racist social work practice.

It has to be acknowledged that efforts to operate within an anti racist framework are fraught with dangers, not the least of which being the possibility that this form of practice may be misconstrued by the

Judiciary, and have a detrimental effect on sentence outcome. An example of this would be the probation officer who attempts to introduce an explanation of crime with reference to racism in a social enquiry report. Such unconventional explanations exclude the possibility of recognizable excuses for crime which are often used by probation officers in social enquiry reports. The 'alcohol problem' or the 'disturbed family background' would be an example of this. These acceptable explanations of crime are often not available to the probation officer who is attempting to engage in anti racist practice.

Although a full consideration of these complex relations constitutes a separate study some attention has been directed in this research towards the sentence outcome of recommendations made in social enquiry reports. Given the conflicting evidence which seems to exist with regard to this question an attempt has been made here to view the qualitative material gathered in relation to recommendations made in social enquiry reports and final sentence outcome. This combination of concerns has not been engaged with in previous studies. The major thrust of evidence suggests that simple and loosely formulated links between racist practice and outcome for black offenders are insufficient in providing explanations for the complexities inherent in probation practice. What appears to be required is an understanding of the structural position of black people in Britain in relation to probation practice. This calls for a wider view in order that the 'official' construction of social reality in the social enquiry report is analysed in relation to the probation officers own view of the situation. This can best be achieved by analysis of official views as expressed in social enquiry reports, the probation officers own rationalisations for taking certain professional decisions

in records, and the more informal description of personally held views in interviews.

As has been previously suggested Pinder's work comes nearest to this approach, but there is now a need to develop and utilise some of the concepts which have emerged from his research. This is significant especially with regard to Pinder's notion of the 'professional culture' of probation officers. The most significant 'contradiction' to emerge from his findings was the absence of an explicit acknowledgement of the distinct 'ethnic'/'racial' identity of black offenders as being qualitatively different from white offenders. Pinder's work points to the fact that over the ten year period during which research has been carried out into black offender/ probation officer relations, that the professional probation officer culture has qualitatively changed to incorporate explanations of criminal activity given to white probation officers by black offender. The implications of such a development in probation culture and associated professional conventions have implications for the development of race relations nationally and not just in areas of relatively high black population. It is significant to note that eleven of the studies reviewed in the earlier section were conducted in inner city areas containing relatively high proportions of black inhabitants.

Oxford, as was mentioned earlier, has relatively low numbers of black people when compared with other major population centres. It may well be for this reason that the local probation service has paid relatively little attention to the issue of race. With the exception of Gardiners' work in 1982, research into probation officer/ Afro-Caribbean relations has been non-existent in the Oxford area. This contrasts starkly with for instance the West Midlands where it will be observed

that in one area, some six studies have been carried out, whilst in London and the south east four pieces of research have been undertaken. The choice of Oxford with a small black population enables an unresearched

<u>Study</u>	<u>Year</u>	<u>Location.</u>
S. Mersyside	1976.	S. Mersyside.
Ridley	1976.	Slough.
Thornton		
Heath	1977.	S. E. London,
W. Yorkshire	1978.	Sheffield.
Whitehouse	1980.	Handsworth, Birmingham,
Taylor	1981.	Birmingham,
ILPAS	1981.	London.
Gardiner	1982.	Oxford.
Car/Denney	1982.	West Midlands, Birmingham.
Waters	1982.	Leicester.
Whitehouse	1983.	Handsworth,
Pinder	1984.	Leeds.
Guest	1984.	Rochester Youth Custody Centre.
W. Midlands		
De La Motta	1984	Nottinghamshire.
Probation	1987	West Midlands
<u>Green</u>	<u>1987</u>	<u>West Midlands, Wolverhampton</u>

Table 2 To show geographical location of previous studies...



geographical area to be examined. The small size of the Oxford service unlike the larger areas of London and the West Midlands, enables a more entire and holistic ethnography to be produced from the research. Reference has previously been made to the restricted sources of data which have been used in studies. The dominant tendency has been to concentrate on social enquiry reports and unstructured interviews in qualitative studies, and caseload figures in quantitative work. Other material is available which provides a greater understanding of the nature of relations between black offenders and white probation officers which has been used in this study. The most important form of documented evidence which has not been used in previous pieces of research is the probation officers own records. This omission is of particular significance since the probation service unlike some other voluntary and statutory social work agencies keep extensive and systematic records.

There may be numerous explanations for the absence of such material in the literature, the principal one being that of accessibility. Probation officers are less reluctant to allow social enquiry reports to be examined than they are social work records. The main objection to allowing research access to records is one turning on the issue of confidentiality. It is difficult to understand the rationale behind this objection since it can be argued that reports are also confidential documents and in one sense potentially more problematic documents for the probation officer, since they are technically the 'property of the court'. In the negotiations leading to this research great reluctance was expressed by individual officers initially in allowing research access to records. It was thought essential to include this material in order to gain a wider and ultimately 'triangulated' view of the research problem.

Probation records are of two principal types, the part c records providing a running record of all interactions with clients. This includes records of all meetings and phone calls made in relation to the offender. These records vary in quality and quantity, and often reflect the style of the probation officers work. Part b records are quarterly assessments which are meant to provide an overall view of the progress made by the offender over a longer period. They also offer the probation officer an opportunity to make a record of her/his plan for intervention over the next quarter year.

Both these forms of records can be seen as valuable sources of qualitative material since they are house documents written in an informal way having a far less stilted style than the social enquiry report which is essentially prepared for the court. The officer feels more secure in making comments which are potentially important to an understanding of the research problem. There is also a need to examine these less official documents in relation to the more formalised material in social enquiry reports.

Differential explanations of black and white offending behaviour in both types of documents form a central part of the analysis in this research. Full access to probation records, which was granted after considerable opposition, made it possible for the researcher who was uniquely outside the probation service, to examine probation officer/young black offender relations in a manner which has been previously impossible.

### 11. Differing starting points.

One of the unifying characteristics of the former studies has been the wider questions which have formed the starting point for previous research in this area. Pinder set out to identify

'Ways in which interactions between probation officers and ethnic minority clients can be handled more effectively, the skills requisite to practice in a multi racial society, and a framework within which such skills might be most effectively developed and deployed'

(Pinder 1984, p.4).

Whilst Whitehouse focuses

'Upon the attitudes of professional practitioners when dealing with race and to suggest a prevailing culture there'

(Whitehouse, 1983, p.43).

It is inevitable that early qualitative research into any area starts with broad objectives. As the corpus of knowledge expands, it is necessary to focus more clearly and precisely on specific concerns. In this thesis the conceptual link between the probation officers' personal explanations of black crime and social work practice marks an attempt to focus on a specific problem which has emerged from the previous work. There is a clear intention here to move from the more generalist approach which has dominated the existing research.

One of the other noticeable absences from these studies is any attempt to relate the findings to existing work in the area. Pinder again is the obvious exception to this, since at the conclusion of his study he relates his own research findings to most of the earlier work, although there are some glaring omissions in his coverage. He fails for instance

to consider the findings of Ridley (1976 ) South East London Probation Service, Thornton Heath (1977 ), and the ILPAS study of 1981.

111. Some theoretical omissions.

The absence of reference to the established research is accompanied by a failure to consider various theoretical perspectives which collectively form 'social work theory '. With the exception of Pinder not even cursory attention is paid to the various approaches to social work practice which form a central part of British and American social work training courses. It should be acknowledged that the extent to which theoretical perspectives has on practice is debatable. As Kirwin has observed 'The probation service, like any other organisation has its zealots, and in my five years as a probation officer I have probably come across advocates of the myriad of social work theories that have been in and out of vogue over the last thirty years. However the majority of officers, once the effects of their social work courses have worn off seem to treat their clients in a sympathetic caring and overwhelmingly straightforward manner, free from the devious tricks of casework taught in the textbooks' (Kirwin 1985 p.38).

Kirwin does not give any evidence to support his claims, but raises an important issue which has been largely ignored in the literature on probation officer/ black offender relations. This research considers the relevance of social work theory in social work with black and white offenders, since theory must form a significant part of professional socialisation, albeit at the training stage.

The absence of an account of social work theory is accompanied by a failure to consider theory more generally, again Pinder being the

exception to this tendency. Within the research described there would appear to be an emphasis on what can best be described as micro interaction. No attempt is made to place any of the findings in a macro context. In making this distinction it is useful to define the meaning of macro and micro in ethnographic theorisation.

'Macro refers to theories that apply to large scale social relations linking many different settings to one another through causal networks. This may involve tracing linkages across the structure of a national society or even relations among different societies. Micro research by contrast is concerned with analysing more local forms of social organisation' (Hammersley and Atkinson, 1986, p.265).

They go on to describe four types of theory which can be found in the work of ethnographers. There is the analysis of the structure and development of societies in general which is referred to as macro-formal. Also ethnographers embark on studies of entire societies which are termed macro substantive. Micro-formal studies are described as attempts to understand localised forms of social organisation, whilst micro substantive research develops theory from studies of the workings of particular organisations or situations. The research in this thesis can best be described as micro substantive since it seeks to understand and develop theory about a specific social relation within an organisation -the probation service. The organisation being studied is a smaller part of a larger structure, of criminal justice which is itself a feature of the states' ideological and coercive apparatus. Although such conceptual links will be dealt with in greater depth at a later point in the thesis, it should be acknowledged that previous work has not taken the macro and micro theoretical links seriously, since they are largely absent from the previous research. Racism although occasionally

defined (West Midlands, 1987, Pinder, 1984) is not placed within the vital context of social structure. The research material in this study is placed in a macro formal context, and is used to interpret the material. Unlike other studies an acknowledgement of the structured in nature of racism has influenced the form in which the interviews have been directed, although it is hoped that such an orientation has not dominated the work unduly.

A further omission from the previous research relates to the educational, and vocational background of the probation officers. This vital component which could have a bearing on both the way in which white probation officers view their clients, and their subsequent practice, is largely ignored in the previous research. Pinder is the only writer to make any reference to this in the preface to his 1984 study. Here he writes

'I have no reason to believe that these accounts are particularly unrepresentative of probation officers more generally. Certainly they include officers with differing levels of experience from officers in their first year to officers with over 20 years of experience' (Pinder 1984, p.5).

This thesis includes material on the backgrounds of officers, in terms of social work training, educational qualifications, and previous occupational experience.

In summary, this study incorporates a number of features which do not appear to be present in previous work in the area. This is made possible by the fact that account has been taken of the early pioneering research undertaken, however sparsely, over the last decade.

Firstly evidence is used from three sources, unstructured interviews, social enquiry reports, and probation records. Relationships between these three types of data will then be analysed. The importance of this last point would be difficult to overemphasise. Unlike previous studies equal emphasis will be placed on the evidence from each of these three sources in the research process. Secondly this research will take cognizance of the previous research findings and attempt to utilise understandings which have previously been generated. Thirdly, the research is grounded in wider macro concepts which will enable the research to be placed in a wider structural context. Fourthly the backgrounds of officers themselves will be examined both in relation to their understanding of black crime, and their social work intervention.

#### IV. Traditions within social research.

Walker has described two traditions which have emerged within social research. These have been variously labelled as positivist, and humanist (Walker 1985). The former would be dominantly quantitative in orientation, whilst the latter qualitative whilst acknowledging that intermediary positions have also developed within social science. Although it would be inappropriate at this point to examine the development of such ideas in detail, it should be acknowledged that social scientists working within the natural sciences quantitative paradigm, would argue that the methods of the natural sciences are most

appropriate for social science research, emphasis here being placed upon the accurate measurement of externally observable phenomenon.

With the realisation of the limitations of such approaches to the social sciences, brought about by the work of writers like Popper, a second position emerges, more complicated than the first, in which greater attention is focused upon the inexactness, and limitations of measurement in social science. This enabled the classical writings of such figures as Weber, to be utilised in research, with new approaches recognising the importance of attempting to understand subjective meanings ascribed to situations by social actors. It is this last position, in which individuals are encouraged to make sense of their social world in the research enterprise that best describes the theoretical starting point for most qualitative research. Hakim has provided a very clear account of this form of methodology. She describes qualitative research in the following way,

'Qualitative research is concerned with individual's own accounts of their attitude, motivation, and behaviour. It offers richly descriptive reports of individual's perceptions, attitudes, beliefs, views, and feelings, the meanings and interpretations given to events and things, as well as their behaviour; it displays how these are put together more or less coherently and consciously into frameworks which make sense of their experiences; and illuminates the motivations which connect attitudes and behaviour, or how conflicting attitudes are resolved in particular choices made. Although qualitative research is about people



as the central unit, it is not about particular individuals per se, reports focus on the various patterns, or clusters of attitudes and related behaviour that emerge from the interviews' (Hakim 1987 p.22).

Ethnography forms an important part of this qualitative study, and it is necessary to clarify the concept. Hammersley and Atkinson describe ethnography in the following general way,

'For us ethnography is simply one social research method, albeit a somewhat unusual one, drawing as it does on a wide range of sources of information. The ethnographer participates overtly, or covertly in peoples daily lives for an extended period of time, watching what happens, listening to what is said, asking questions, in fact collecting whatever data is available to throw light on the issues with which he or she is concerned' (Hammersley and Atkinson, 1983 p.2).

#### V. The selection of a qualitative methodology.

##### V.1. The exploratory nature of the research.

Many writers have argued that qualitative research is the most appropriate method for exploratory studies in a particular area, (Wrong 1961, Hakim 1987). Although there are a number of previous studies examining probation officer/Afro-Caribbean relations, the level of knowledge in this area is basic, and contradictory. Surprisingly little solid data has emerged from the qualitative work so far undertaken, which allows this work to be described as exploratory. Pinder has

provided the first substantive work of any significance, and his contribution will be utilised in the analysis of the research material. Since the work was of an exploratory nature a flexible methodology was required. The inherent adaptability and interactive nature of qualitative methods guarantees its usefulness during exploratory research. The point that has to be clearly made here is that during the exploratory stage the researcher has to be prepared for almost any eventuality in the findings. A flexible methodology is therefore essential when attempting to understand a new area of research.

#### V.2 The social actors own definition of the situation.

Qualitative methods enable the researcher to understand the way in which probation officers make sense of their interactions with black clients. This is an obvious point, one which forms the basis of the research. Hakim makes the point clearly when she argues, 'Peoples own definition of the situation is an important element of any social process, even if it does not provide a complete account or explanation, and may include self-justificatory reports' (Hakim 1987 p.26).

Other large scale longitudinal studies have shown that actors' attitudes and motivations are rather more important than has so far been conceded by researchers working within a more positivist tradition. (Parnes 1975, Sproat 1979, Eichron et al 1982).

### V.3. Sensitivity

The question of race is a highly sensitive one within the probation service for a number of reasons. Both the probation service nationally, and the probation managers locally, have publically expressed the view that racist practice is undesirable, and abhorrent. The Central Council of Probation Committees has recommended that the probation service should take a more active role in the fight against racist practices, 'Irrespective of the apparent size of the problem locally, we invite probation committees to enquire how well their offices are equipped to deal with the needs of black offenders, however few in number, and how they might be trained to perform their tasks more effectively and realistically ' (CCPC, 1983, p.1).

The Home Office in 1986 launched a national ethnic monitoring programme, a tokenistic measure some would argue, but nonetheless indicated the high profile that the issue of race now occupies within the probation service both locally and nationally. Probation officers are therefore understandably sensitive about the possibility of a researcher examining their work with black offenders. The use of qualitative methods enables a sensitive interview technique to be adopted, without the fear that preconceived categories are being imposed on probation officers, which may ultimately be used to prove that they are racist. The adaptability of qualitative methods allows for the sensitivity of the issue, and the feelings of the respondents to be taken into consideration.

#### V.4. Complexity.

The complexity of the research problem has been acknowledged and described in Chapter 1. Rosenhun has argued that qualitative research 'reaches the parts that other techniques can't' (Rosenhun 1972). The complex relationships between official documents such as social enquiry reports, less formal but nonetheless official documents, (probation records, and unstructured informal interviews), can only be reached through qualitative methodology. The advantages of such a complex research problem are manifold. as Hammersley and Atkinson argue.

'The multi stranded character of ethnography provides the basis for triangulation in which data of different kinds can be systematically compared'. This is the most effective manner in which reactivity and other threats to data validity can be handled ' (Hammersley and Atkinson 1983 p.24).

#### V.5. The impossibility of measurement

An important consideration which follows from the points made above is that it would be extremely difficult, perhaps impossible to measure or quantify the causal relation between the probation officers' perception and practice with young Afro-Caribbean offenders. It is a complex relationship that does not lend itself to measurement. Previous studies have inadequately suggested the over representation of black offenders in certain areas of probation supervision, but tell us nothing about the understandings which have informed and motivated certain forms of practice, which is what this study essentially sets out to do.

V.6. The interactive process.

Writers have argued that qualitative methods enable interactive relations to be understood. (Walker 1985). The problem that this research addresses is clearly concerned with interactions - the interactions between white probation officers and young black offenders. Qualitative analysis enables the researcher to understand complex processes which are unquantifiable. The research problem can be described as a process at a number of levels. There is the official processes of the criminal justice system, of which the probation service is a part. This involves the offender being arrested, charged, and interviewed by the probation officer. The preparation of a social enquiry report follows, its presentation to court, and subsequent disposal by the court. There then follows two other forms of official process of which the probation officer is a part. The custodial process involves the probation officer visiting the offenders while they are serving a sentence. There is also the non-custodial process whereby the probation officer has contact with the offenders whilst they are in the community. This process has variations and can be in the form of a licence following sentence, or in the form of an alternative to custody, e.g. the probation order. There is a further interactive social work process occurring throughout these official processes, one in which the probation office is making professional judgments and decisions about the offender. Although these processes are interrelated this research has concentrated on the latter social work process.

#### V.7. The genesis of theory.

Hammersley and Atkinson have drawn attention to the importance of theory formulation in qualitative analysis. In criticising purely positivist research based on the hypothetical deductive method they write, 'The value of ethnography is perhaps most obvious in relation to the development of theory. It's capacity to depict the activities and perspectives of actors in ways that challenge the dangerously misleading preconceptions of social scientists. It is difficult for an ethnographer to maintain such preconceptions in the face of extended first hand contact with the people and the settings. Furthermore while the initial response to such contact may be their replacement by other misconceptions, over time the ethnographer has the opportunity to check out his or her understandings of the phenomena being studied. Equally important though is the depiction of perspectives and activities in a setting which allows one to begin to develop a theory in a way that provides much more evidence of the plausibility of different lines of analysis than is available to the armchair theorist, or even to the survey researcher, or experimentalist' (Hammersley and Atkinson, 1985, p.23-24).

#### VI. Some limitations.

Qualitative methodology clearly has some distinct advantages in approaching this research. However, it has to be acknowledged that as a method it has its limitations. As Hakim cogently argues, 'The great strength of qualitative research is the validity of the data obtained : individuals are interviewed in sufficient detail for the

results to be taken as true, correct, complete and believable reports of views and experiences. Its main weakness is that the small numbers of respondents cannot be taken as representative, even if great care is taken to choose a fair cross section of the type of people who are the subjects of the study' (Hakim, 1987, p.70 ).

On the question of representativeness Hammersley and Atkinson write, 'It is a problem that arises with experimental research, and one to which there is no easy answer. While it is true that the more cases studied in which similar results are obtained the more confident we are about our conclusions, statistical sampling techniques do not solve the issue. This is because the universe of cases to be sampled is infinite, comprising of all the cases that fall within the scope of the theory. We cannot be sure that a sample of the cases currently available for study would be representative of the universe' (Hammersley and Atkinson 1986, p.44).

The problem for Hammersley and Atkinson stems from the fact that the claims made by theories are intended to apply to all circumstances in which the conditions specified in the theory hold. The study of a large randomly selected sample of cases is not necessarily the most useful or valid research approach. The argument for qualitative research in this case would seem to be so strong as to be irrefutable. It is the only approach that can ultimately lead to greater understanding of the research problem.

Whilst no method can provide absolute and conclusive 'proof', qualitative study does enable us to understand a socially interactive process which is essentially what this study seeks to do.

A further limitation lies in the fact that since the study is based upon the views, reports, and records of white probation officers, that only a partial view of phenomena is being examined. In other words the black perspective of offenders is not presented in this research. The findings of this research emphasise the urgent need to to understand the black offenders view of probation practice. It would however, have been impossible given the scope and limitations of this research to include this in a study which concentrated on the explanations of offending behaviour and associated professional practices of probation officers. Such a study then is beyond the remit of this thesis.

It should also be acknowledged however, that this research is also limited by the fact that the views and practices of white probation officers are being elicited, and analysed. This does not take account of practice which is being undertaken by the small, but growing, number of black probation officers. The practice and presence of this group may well have a bearing on the work undertaken by white probation officers. Approaches were made to larger inner city probation services in an attempt to conduct this research. Although permission was granted by officers at higher managerial levels, i.e. assistant and chief probation officer level, resistance to participating in the research was experienced at the senior probation officer level. There seemed to be a fear that probation practice would be exposed, and that as one officer put it,



'Dirty linen would be washed in public.'

This point could in itself form the basis for a separate study. There is no doubt that work need to be carried out which compares the practices of black and white probation officers with black and white offenders

At the time that the research was carried out there was one black probation officer working in the Oxford area. He was informally interviewed, and his views have been reflected in the analysis of material.

#### VII. The selection of techniques.

Walker has suggested that four major techniques are available to the qualitative researcher, these are outlined below :-

VII.1. Depth interviews.: are conversations in which the researcher encourages the informant to relate, in his or her terms, experiences and attitudes which are relevant to the research problem. This provides an opportunity for the researcher to probe deeply in an attempt to uncover new clues, and to open up new dimensions of the problem and thus secure accurate accounts based on personal experience. The interviewer here is not bound by any rigid questionnaire designed to ensure that the same questions are asked in exactly the same way. At most the researcher will carry an aide memoire, and is free to follow up ideas as they emerge in the interview.

VII.2. Group interviews.: are described by Walker as bringing together small numbers of people to discuss topics on the research agenda. The task of the group interviewer is not to conduct interviews

simultaneously, but to facilitate a comprehensive exchange of views in which all participants are able to speak their minds, and respond to the ideas of others. It has been argued by some writers that one of the disadvantages of group interviews is the way in which group dynamics can influence the views expressed, when compared to material gathered in individualised interviews. Both forms of data are necessary, one to reflect public views expressed, the other to reflect opinions expressed privately (Hedges 1981). More will be said of this in relation to the findings of the research.

VII. 3. Participant observation.: Despite attempts to relax interviewees in the interview situation, Walker argues that the situation still remains artificial. The field in which the researcher is attempting to observe people is that of their every day lives, in the environment where these interactions take place, in some cases the observer takes part in these every day experiences. The researcher, therefore, immerses himself in the situation being studied. Powdermaker argues that the participant observer should learn as far as possible how people, 'think, see, feel, and sometimes act' (Powdermaker 1966).

Central to this process is both detachment and involvement, the degree of involvement depending on the kind of study being undertaken.

VII.4. Projective tests.: are techniques whereby respondents are asked to talk about themselves, or their own feelings about other people and their actions.

These techniques are generally based on the assumption that the way in which an individual organises a relatively unstructured stimulus reflects his perception of the world, and response to it. Kidder has argued that the most frequent use of projective tests in social science is in situations where there is reason to believe that respondents cannot easily evaluate or describe motivations, although there are

topics on which respondents may express their opinions directly, fearing the disapproval of the investigator. Kidder also recommends the use of such tests where the respondents are likely to consider the presence of the investigator as an unwarranted invasion of privacy. These techniques involve the interviewee talking about himself/herself or their own feelings about other people. Imaginary situations are sometimes created for this purpose, pictures and inkblots are occasionally used. Respondents are seen as needing to project their feelings which would otherwise have been hidden (Kidder 1981).

#### VIII. Qualitative techniques, and the research problem.

VIII. 1. Depth interviews In depth interviews were considered to be highly appropriate since the probation task is largely dependent upon verbal contact. The in depth interview also gives the flexibility necessary to explore complex and difficult issues. It enables the researcher to pursue some point relevant to the research at the pace appropriate to the respondents ability and willingness to express ideas, and understandings. The indepth interviews therefore constituted the building blocks of the research project in that they enabled the researcher to initially establish the ideas that probation officers had about racial divisions in Britain in relation to practice.

VIII. 2. Group interviews. Group interviews as Hedges points out enable a 'human dimension' to be added to the research. People are to be partly understood through their interactions and relationships with others, as well as their own internal workings as individuals (Hedges 1978). An over reliance on in depth individual interviews can minimise the impact of this interactive process since it encourages the participant

to look in on themselves rather than at their social interactions with others. The use of group interviews is particularly relevant to the study of the the probation service since a group ethos is prevalent within this agency nationally. Probation officers are organised within teams who meet regularly as a group. The dynamics of a particular group have importance in the probation teams that were being studied. In all these teams the group meetings, which occurred at least once weekly, were seen as an important arena for the free expression of views and frustration, it also allowed members to explore problems that occurred in the previous week. The workings of the group, therefore, had a crucial effect on the formation of ideas about black offending and related practice. Early in the research it was decided to incorporate a group interview component.

VIII.3. Participant observation. An element of ethnography was thought to be appropriate in this study for a number of reasons. The probation service operates within a routinised manner, which is based upon the requirements of the wider system of which it is a part, the criminal justice system. These routinised forms of professional behaviour include court duty, reporting sessions and group meetings. It seemed probable at the outset of the research that the workings of such routines were of relevance, and needed to be understood in relation to the research problem. The most appropriate way of understanding the intricate workings of these complex routines was to be part of them. This required the researcher to be with an officer for a period, watching and observing closely. In connection with this Hammersley and Atkinson are at pains to point out that, 'Ethnographers have to resist the temptation to try to see hear and participate in everything which goes on. A more selective approach will normally result in data of better quality, provided the periods of

observation are complemented by periods of recording and reflection' (Hammersley and Atkinson 1983 p.48).

Such was the structure of this study. In the case of court duty for instance the probation officer would often have long periods in which she merely recorded the results of proceedings. During the early part of the duty however there was much more significant activity, in that offenders on remand were interviewed in police cells. Also at the end of the day a number of 'post sentence interviews' were undertaken which were of relevance to the study.

#### VIII.4. Projective tests.

These were thought to be inappropriate for a number of reasons. Firstly in the pilot study which was undertaken probation officers found such tests to be difficult to take seriously and the results obtained were affected by this. It was found that although the topic of race was extremely difficult to approach, probation officers did show a willingness to discuss their cases with the researcher. Indeed they expressed an agreement with the necessity for such a study. The need for an instrument to gain access to the material indirectly was unnecessary in this case.

#### VIII.5. Documented evidence

Reference has previously been made to the use of documented evidence in the form of records. This material provided an essential bedrock of research data with which the problem could be understood. The importance of records and official documents has been emphasised by Cicourel in his classic study of American juvenile justice. He wrote 'For years sociologists have complained about bad statistics and distorted bureaucratic record keeping, but have not made the procedures producing the bad materials a subject of study. The basic assumption of conventional research on crime, delinquency, and

Table 3 To show number of offenders by race and gender.

Office	Black Males	White Males.
Temple	4	4
Park End	10	10
Y.C.	6	6
	20	20 Total.
	Black Women	White Women
Temple	2	2
Park End	3	3
Y.C.	0	0
	5	5
	25	25 Total

Table 4 To show qualifications period of service and previous experience of respondents.

P.O.	Qualifying course	How long in service	Previous experience
1	M.A./C.Q.S.W 1st degree in English.	4 years	Publishing
2	2 yr. non-grad	6 months	Nurse training.
3	Post grad. M.Sc 1st Degree Psychology.	10 years	None.
4	Non grad. 2 yr. CQSW.	11 years	Military service.
5	Post grad. M.Sc. 1st. degree law.	17 years	None.
6	Post grad. M.Sc. 1st degree Sociology	5 years	Voluntary social work.
7	1 year Post grad.	7 years	None.
8	Non grad. 2 year C.Q.S.W.	1 year	Teacher training. Social Services Assistant.
9.	2yr non graduate	5years	Sales Manager.
10.	2 yr. Post grad. 1st degree Psychology	2 years	None.
11.	2 yr. Post grad. L.S.E. 1st degree Metallurgy	2 years	Engineer.
12.	Post graduate 1st degree Social Administration	2 years	Engineer.
13.	2 yr Post grad	12 years	Media.

law is to view compliance and deviance as having their own ontological significance. The measuring rod is some set of presumably 'clear' rules whose meaning is both ontological and epistemologically clear' (Cicourel 1976 p.42).

#### IX. The selection of probation officers

White probation officers were selected since the study was focused on the interactions between white probation officers and black offenders. The probation officers participating in the study were basic grade who had both black and white offenders on their caseloads. All respondents had daily contact with black and white offenders. The group was largely self selecting, given the size of the Oxfordshire service, and the relatively small number of black clients, all the probation officers in the area who had black offenders on their caseloads were represented. The probation officers who participated in the study were members of three teams situated in or near the centre Oxford. In this study material on 50 offenders was gathered, twenty five black and twenty five white.

X. The selection of clients. In order to bring the study within manageable limits some basic criteria were imposed in the selection of clients

##### X.1. Age.

Offenders between the ages of 18 and 25 were selected. This specific age range was seen to be an essential part of the research given the variance in the findings of the previous research which could have been attributable to age differences.

##### X.2. Offences

Probation officers were asked as far as possible to select clients who had committed offences falling into the following categories:-

a. The most common forms of crime against property, e.g. burglary, theft, criminal damage, going equipped for crime.

b. Less serious forms of crime (those of a less serious nature)

c. Offences involving drug use.

If possible probation officers were asked to exclude the following categories of offence from the study, since they added a further unmanageable dimension to the study:-

1. Offences involving firearms.
2. Offences connected with the 'riots'
3. Offences of a sexual nature
4. Crimes resulting in the loss of life.

Emphasis was placed on the forms of offending which occupy the major part of the probation officers working time.

### X.3. Gender

Although probation officers were asked to select offenders of both sexes, most cases were male as is shown in Table 3 (40 male offenders compared with 10 female offenders). This disproportionate number of male offenders reflects to some extent the trend nationally. The total number of non custodial sentences imposed on women in 1986 was 66,000 compared with 409,000 imposed on men (Central Statistical Office 1986).

### X.4. Comparative offending patterns and experience of the probation service.

In order to gain a comparative quality to the research an attempt was made to encourage probation officers to select clients who had a similar experience of the probation service, in that they had reached similar points in the tariff system, and spent similar periods in custodial institutions. Probation officers were also asked to select black and white offenders who had committed similar offences. This was achieved to a reasonable degree through a simple process of pairing. Probation



officers selected black offenders meeting the above criteria, and then attempted to match them with other white offenders on their own caseloads.

#### X.5. Numbers of respondents.



Some 13 probation officers took part in the study (See Table 4). In addition, one senior probation officer wished to make general comments about the issues connected with race and probation practice, whilst, not wishing to comment on particular reference to case material since he argued that his present position precluded the possibility of constant contact with specific clients. The one black probation officer in the Oxfordshire service made some general comments which were included in the analysis of the material. The probation officers who participated in the study produced material on 50 clients for research purposes.

#### XI.1. The research procedure.

During April and May negotiations began with the Assistant Chief Probation Officer in Oxford, and a brief research proposal was sent. It was arranged that the researcher should attend team meetings in order to explain the research concern and methods. This was a useful exercise since the onus was on the researcher to convince the probation officers involved of the usefulness of the work. Having gained the agreement in principle within a public arena, (the team meetings), full co-operation was gained collectively at a very early part of the research. This meant that the researcher was not forced into the position of having to persuade respondents to participate once the research had begun.

#### XI. 1. The pilot study.

A small pilot study was undertaken with a view to testing the research instruments in the sequence in which they would be used in the main

research project. One probation officer was involved in the following sequence

1. Projective test.
2. In depth interview.
3. Transcription of indepth interview.
4. Copy of transcription sent to probation officer for comments.
5. Analysis of ser s and records .
6. Second interview with probation officer.

#### XI.2. The use of a projective test.

One of the most basic projective techniques is that of 'psychodrawing'. Respondents are simply asked to express their feelings about a particular concept by drawing it. Discussion of the drawing then leads to a more open expression of feelings about the particular issue. Walker argues that the major strength of this technique lies in the fact that it obliges respondents to express themselves non verbally. It is argued that this enables the respondent to express feelings about a difficult subject. It was thought worthwhile to experiment with this technique initially since it seemed the least esoteric of the projective methods found in the literature (Walker, 1985). This technique was also the simplest to administer and interpret. In addition it was thought possible that probation officers might initially experience some difficulty in discussing the question of race. In the pilot study the probation officer was asked to express her feelings about black people through the medium of a sketch or drawing. It was decided to abandon this technique early on in the research for two reasons. Firstly because the probation officer in the pilot study, and other probation officers,

in an informal social context were able to express their feelings about the topic in an open way, without resorting to a projective method. Secondly, it was also the case that at the end of the pilot the probation officer and others informally expressed doubt as to the usefulness of such a technique. Thus although probation officers were willing to co operate with this part of the research it appeared to have dubious use in overall methodological design.

### XI.3. In-depth interviewing.

Hammersley and Atkinson have written that

'The main difference between the way in which ethnographers and survey interviewers ask questions is not as is sometimes suggested that one form of interviewing is structured, and the other is unstructured. All interviews like any other social interaction are structured by both the researcher and the informant. The important distinction to be made is between standardised and reflexive interviewing. Ethnographers do not decide beforehand the questions they want to ask, though they may enter the interview with a list of issues to be covered. Nor do ethnographers restrict themselves to a single mode of questioning. On different occasions, or at different points in the same interview, the approach may be non directive depending on the function that the questioning is intended to serve. Non directive questions are designed as triggers that stimulate the interviewee into talking about a particular broad area ' (Hammersley and Atkinson 1983, p.113).

Such was the approach taken in this research. A number of topics were introduced into the conversation at different points depending on the form and content of the particular interview. In the pilot the following topics were selected

A. The probation officer was asked to describe the personality of the black and white offenders who had been selected.

B. The probation officer was asked to describe the methods which were being used with that offender.

C. The respondent was asked why a particular method had been chosen.

D. The probation officer was asked to express feelings as to the likely outcome of the probation intervention.

E. The probation officer was asked to give an explanation for the offending behaviour.

By raising these issues in the interview it was thought that probation officers would have the opportunity to link their perception of black and white offenders with practice. The subjects were also wide enough in scope to include a variety of opinions and feelings. In the pilot study in which some four offenders had been selected, two black and two white, this line of questioning elicited data of a high quality. Although the inclusion of all the categories for each of the four cases resulted in an interview of almost two hours. Since other officers would be supplying more than four offenders, and also bearing in mind the fact that the interviews had to be transcribed and read by the probation officer, it was decided that some degree of selectivity would have to be used in order to keep the volume of the research in manageable proportions.

In subsequent interviews it seemed appropriate to attempt to cover all the areas with at least two clients, one black and one white, in order to give a comparison of the areas. The interviews were recorded on cassette, and transcribed. Although the process of transcription was long and labourious the pilot showed it to be an extremely useful process. The close inspection of the material demanded by transcription assisted the researcher in formulating initial ideas as to the conceptual.

categories which could emerge from the data. There then followed a process whereby the tapes were played back whilst the transcript was being read. This process is mentioned widely in the literature.

'Much of the analysis process consists of listening to tapes while reading the transcripts, noting the topic numbers on to the transcripts, and marking particularly relevant passages. Listening to the tapes is important as it gives tone of voice, expression and emphasis that will be missing from the transcript. The researcher might then make note of initial ideas under various topic headings and proceed to gather data relating to each topic systematically, so developing hypotheses and assembling quotations from the transcripts to support them' (Walker, 1985 p.40-41).

The transcript was then returned to the probation officer to read and comment upon. This seemed to be a vitally important part of the methodology since it introduced 'respondent validation' into the research. The need for respondent validation in qualitative research is widely debated in the literature. Schutz has argued that meanings must be reconstructed on the basis of memory, and much social action operates at a subconscious level leaving no memory traces. Social actors are 'well placed informants' on their own actions, they are no more than that, and their accounts must be analysed in the same way as any other data, with close attention being given to the possible threats to validity (Schutz 1964).

It became possible at this point to formulate categories of understanding which led to questions of a more precise nature, which could be tackled in the second interview. This process is shown in Table 5 (p.111).

XI. 4. The collection of documented material in the pilot study.

Part c and b records on the offenders selected by the probation officer were then read. The initial problem experienced was that there were in two cases copious records dating back over a ten year period. Much of the material seemed useful and relevant to the study and the temptation was to attempt to record it in all its entirety. This proved impossible, firstly due to the inordinate amount of time that this process would have taken, and secondly to the overwhelming amount of documented material that this would have given. The pilot study again revealed a need for selection. The most important material was found in the part c and b records. Although all these documents were read, and particularly relevant points were noted in one case from as far back as 1972, it was decided to restrict full recording of these documents to the last two years.

The pilot study also revealed that the physical process of recording these documents by hand was impractical in terms of time, and the decision was made to record this material on tape, and transcribe at a later point. It was necessary to go through this costly and lengthy process since the probation officers involved in the study were willing to allow photocopies of social enquiry reports to be taken from the office, whilst they were unwilling to give permission for copies of records to be removed from the office. They were willing for the researcher to copy records and remove his recordings from the office. Social enquiry reports were a far less complex matter, since they were photocopied and taken from the office. The material was read and initial ideas relating to emerging categories were noted. Points emerging from this material were added to, and compared with, the notes made from the transcripts of the initial interviews.

XI.5. The second interview.

At this point it was possible to put supplementary questions to the probation officer in the light of the research material gathered. The second interview also provided the opportunity for the respondent to add or clarify points, since she had read the transcript of the first interview. There was a definable difference in the way in which the probation officer had responded in the first interview. This second phase created some unease as specific points relating to practice were being highlighted, which had emerged from the initial interview. Answers were shorter in length and on occasions evasive. The impression gained was that the probation officer in question wanted to finish the interview, and was relieved when the process was over. At the end of the interview the researcher put this to the respondent who confirmed that she had felt 'more defensive' about the second interview since she felt that her practice was under scrutiny. She went on to explain that she feared the term racist being applied to her own work, although it should be added that in this case no such suggestion could possibly have been made.

She also expressed the view that a team discussion of the research findings would be useful. Since the use of group interviews was generally desirable for this study it was decided at this point to incorporate this procedure into the methodology. The research was undertaken over a three month period from mid July to mid October 1987, although the pilot study was undertaken in June 1987.

The researcher spent twelve working weeks with the probation teams involved, and time was evenly divided between three teams. One of the teams specialised in youth custody work and was situated in the centre of Oxford, the second team was also situated in the centre of Oxford,

and the third team, was a few miles out of the city centre, towards the more industrialised part of Oxford.

#### X1.6. The research procedure in practice.

After examining the results of the pilot study the following sequence of research procedures was undertaken:-

1. Initial interviews.
2. Listening to and transcription of interviews.
3. Return transcriptions of interviews to interviewees.
4. Second interview.
5. Group interview.

Since the line of questioning in the first pilot interview had produced interview material of a high quality, it was decided to continue to use those topics as an aide memoire in the first indepth interviews.

The record of research activities shown in appendix 1, indicates the way in which the methodology was incorporated into the research programme.

In practice, after the pilot had been completed, the participant observation was concentrated in the first period of research, this was due to the fact that as more data was collected the time required for analysing and transcribing the material increased. Secondly it became clear that the participant observation in groups had created problems since offenders on probation, both black and white, were suspicious of the researcher, fearing that he represented the police.

The periods spent in court were useful, added much to the creation of the context of the data. The most valuable form of participant observation proved to be the group team meetings.



This seemed to be the most appropriate context for 'research issues' to be discussed, and did not get in the way of the performance of tasks during the working day. It was one of the few occasions in which it was possible to speak with probation officers free from the interruptions of telephonic communication.

Reference has already been made to the importance of resisting the temptation to see, hear, and participate in everything that is going on in qualitative research (Hammersley and Atkinson 1983). In the case of court proceedings, this was a most important consideration where most observations were carried out in the morning, when most of the criminal cases appeared. This was also the time that probation officers interacted with clients in the cells.

It will be apparent from the record that the researcher underestimated the time necessary for gathering documented data, this resulted in a return to the offices at the end of the study to gather further data. The volume of material contained in the records made it necessary to record onto cassette, and then transcribe. This proved to be an extremely time consuming, and labourious process, but was the only method whereby material contained in records could be collected.

X1.7. A note on categories: In the account given of the analysis of material the term 'categories' is used frequently, and it is necessary to clarify the meaning of the term. Lofland described two types of

category in ethnography. 'Member identified categories' refer to typifications which are employed by members themselves, that is they are 'folk' categories, or in this case the categories of 'probation culture'. They are found in the 'situated vocabularies' of the given culture. 'Observer identified categories' are types constructed by the observer (Lofland 1971). In this case the categories are both member identified, and observer identified. Through the use of categories, this research seeks to test a priori propositions by coding and analysing all relevant data. In an attempt to do this a three stage process of sequential analysis was utilised derived from the work of Becker and Greer:-

1. The selection and definition of problems, concepts and indices.
2. The check on frequency and distribution of phenomena.
3. The incorporation of individual findings into a model of organization under study (Becker and Greer 1982 p.241).

#### X1.8. The analysis of material.

Not suprizingly the categories which emerged from the material gathered in interviews reflected the questions which had been asked. However, when the material had been analysed three dominant forms of explanation emerged from social enquiry reports interviews, probation records.

They were :-

1. Explanations relating to offending behaviour.
2. Explanations relating to social work methods.
3. Explanations relating to the personality of the offender.

Other explanations emerged in a far less frequent manner, notably explanations based on conceptualisations of race and racism were present in accounts of black offenders behaviour. Categories also emerged relating to conceptualisations of the family, this was particularly evident with reference to Afro-Caribbean families, they were included in separate categories.

X1.9. Making sense of the data :

After collecting material from all sources, a systematic form of analysis had to be devised. Each major category, offending, social work methods, and personality was examined separately . Large sheets of paper were used, as is shown.

Table 5. To show technique for the genesis of initial categories.

Explanations for offending behaviour.

P.O.	Client	Explanation ser	Explanation Interview 1	Explanation Interview 2	Explanation part c	Explanation part b

Taking crime as an example, it was possible to see the name of the probation officer, and of the client, with the explanations which were given from separate sources: interview 1, interview 2, records, and social enquiry reports. Separate sheets were kept for black and white offenders. Probation officers from teams were analysed on the same sheets. The advantages of this method of analysis were numerous :-

1. It enabled all the material to be examined in such a way that major emergent themes could be extracted, and a holistic view of the material at a glance
2. It facilitated the possibility of different orientations within teams to be examined.
3. It allowed a constant comparison to be made in relation to black and white offenders. Simultaneously this method also allowed instant comparisons to be made between sources of material.

The constant comparative method is described by Glaser and Strauss. Here each segment of material is taken in turn, and its relevance to one or more categories is noted (Glaser and Strauss 1967). It is then compared with other segments of data similarly categorised. Hammersley and Atkinson argue that,

'In this way the range and variation of any given category can be mapped in the data, and such patterns plotted in relation to other categories' (Hammersley and Atkinson, 1983, p.180).

By using these summary diagrams it was possible to locate the categories that have similar labels, and then compare the content of the categories, putting together those that concern the same topic, or illustrate a particular conceptual theme.

As Glaser and Strauss point out, this process of comparison is one which leads to ideas about the dimensions and properties of the category, including the relationship with other categories, and including the differences, as well as the similarities, between people's construction of reality.

Throughout the process of comparison notes were continually made to record the findings of this comparative exercise. Hammersley and Atkinson argue that the development of theory rarely takes the purely inductive form implied by Glaser and Strauss, 'Theoretical ideas, common sense expectations, and stereotypes often play a key role. Indeed it is these which allow the analyst to pick out surprisingly interesting, and important features in the first place' (Hammersley and Atkinson 1983, p.180).

After the initial themes had been recorded on the large sheets, by cutting the column horizontally it became possible to make comparisons at two levels:-

- A. Between black and white individual offenders.
- B. Between the pairings made by probation officers in the initial interviews.

This enabled comparisons to be made at both a group and individual level as the table below indicates. Using the large sheets of paper, as shown in table 5 working from left to right, each column was completed with reference to the research material. At this stage of the analysis the researcher was faced with large pieces of paper with a bewildering quantity of data. Further refinement and categorisation was required before any coherent meaning could be gained. Each category was therefore divided into a sub-category, which enabled a more detailed break down in terms of quantity. as is shown in table 6 below.

Table 6 .To show initial identification of personality characteristics from research data.

	<u>Black</u>	<u>White.</u>
	<u>Phil</u>	<u>Jim</u>
<u>Personality</u>	Likeable, outgoing a positive side.	dim dependent
<u>Social Work</u>	Encourage, and provide realisable goals.	Assist in creating a stable relationship
<u>Problem</u>	Immaturity.	Genuinely inadequate

Such a technique also indicated the range of explanations which occurred under specific sub-categories. This allowed for a more detailed constant comparison to be used (See table 7).

Table 7 .To show development of emergent categories

<u>Phil</u>	<u>Jim</u>
Dual personality i.e. good part which is positive, and the negative associated with <u>crime</u>	Genuinely inadequate. Dim. Dependent.

The sub-categories made it possible to work through the material in a systematic manner, focusing on the qualitative differences in the explanations given from different sources for black and white offenders. This method also gave the basis for a thorough and structured account of the findings to which we now turn our attention.

CHAPTER 3.PROBATION OFFICERS' PERCEIVED INFLUENCES ON OFFENDING.

In this chapter the occurrence of differing forms of explanation for black and white crime as perceived by probation officers will be considered. Initially, the main explanations for offending behaviour will be identified from the research material. Although the small sample size is of little statistical significance in itself, a brief quantitative account is useful since it indicates the forms of explanation which occur with most regularity. It is also necessary to consider these rates of occurrence in relation to the source of the data in a comparative manner. Thus explanations from first interviews, social enquiry reports, probation records will be discussed in order to establish which forms of explanation predominate in each of the data sources. This will lead to the formulation of some general comparisons between explanations of offending behaviour for black and white offenders as provided by probation officers. At this point it will be possible to identify the major categories of explanation for black and white crime which emerged from the research material. These will be considered separately with substantial reference to the research material in order to illustrate qualitative differences which emerge between probation officers' perceptions of black and white offending

I.1. Frequency of explanations for offending given in the first interviews.

Table 8 indicates the frequency of explanations which occurred in the first interviews with probation officers. Categories of explanation are recorded in the way in which they were expressed by probation officers using their own terminology wherever possible. Thus in Table 8 for instance the traumatic family has been separated from other family related difficulties like the notion of a disciplinarian father figure or the mental illness of a relative. It can be seen that a total of 26 categories were introduced in the first interview (Table 8). The rates at which these explanations occurred in various forms in interviews was 27 for white offenders and 30 for black offenders.

The most frequently occurring single explanation for white offending was the use of alcohol, although if two family related explanations are added together, for example traumatic family background and marital problems collectively they constitute the most popular form of explanation. Alcohol was only given as an explanation for offending in discussions about two black offenders.

The most frequent form of explanation offered to account for black offending in interviews was racism, which occurred on five occasions. In four interviews probation officers mentioned 'anti authority attitudes' as being a contributing factor in black offending behaviour. Accounts based on similar 'anti authority' explanations only occurred in one instance to account for white offending. Difficulties relating to



Table 8

Explanations for offending behaviour.  
Interview 1

Explanation	White	Black
1. Alcohol	5	2
2. Traumatic family	5	2
3. Racism	0	5
4. Anti-authority attitude	0	4
5. Marital problems	3	0
6. Criminal influence	2	1
7. Sexual problems	0	2
8. Pragmatic offending	1	2
9. Unfeeling	1	0
10. Psychopathic	1	1
11. Incest	1	1
12. Lack of insight	1	1
13. Can't sustain work	1	1
14. Problem with violence	1	1
15. Victim of circumstance	1	0
16. Daughter/lesbian	1	0
17. Irresponsibility	1	0
18. Comes from a broken home	1	0
19. Would not accept step-mother	1	0
20. PO 'grassed on him'	0	1
21. Disciplinarian father figure	0	1
22. Self destructive personality	0	1
23. Mental illness of relative	0	1
24. Immaturity	0	1
25. Criminal reputation	0	1
26. Police harassment	0	1
TOTAL:	27	30

the clients nuclear family, accounted for white offending on 5 occasions in interview, whilst this was only considered to be an explanation for offending for two black offenders. Other forms of explanation relating to the family were given more explicit recognition by probation officers. A disciplinarian father and the severe mental illness of a relative were mentioned in the case of two black clients. The discovery of a daughter's lesbian relationship was mentioned in relation to one case of white offending.

#### 1.2. Explanations for black and white offending in social enquiry reports.

Although the number of explanations emerging from social enquiry reports were fewer than the number found in interviews, some 21 as compared with 26 in interviews, the occurrence of differing categories of explanation in social enquiry reports was significantly higher. In the case of white offenders explanations were utilised on 43 occasions, whilst 55 possible explanations were perceived by probation officers in relation to black offenders. The rate at which explanations were being used in social enquiry reports was higher than for any other source of research data. In the following section which examines the qualitative differences in forms of explanation it will be shown that in some social enquiry reports writers used multiple forms of explanation, whilst in others explanations were absent.

It can be seen in Table 9 that the most frequent form of explanation in social enquiry reports was the use of alcohol. This was slightly more prevalent in reports written on white offenders with some 10 reports using this as a form of explanation for offending, as compared with 8

Table 9.  
Explanations for offending in social enquiry reports.

Explanation	White	Black
1. Alcohol related	10	8
2. Traumatic family	9	6
3. Irresponsibility	0	5
4. Anti-authoritarian	0	4
5. Provocation	1	3
6. Over-crowding	1	1
7. Led into crime	8	4
8. Instinctive criminality	0	1
9. Instinct to survive	0	1
10. Pragmatic offending	1	4
11. Depression	5	5
12. Reaction to specific event	2	2
13. Anger	1	3
14. Relationship problem with partner	0	1
15. No explanation given by offender	1	2
16. Sexual abuse as a child	1	0
17. Sterility	1	0
18. Racism	0	2
19. Unable to handle pressure	1	0
20. Mental subnormality	0	1
21. Authoritarian father figure	1	1
Total	43	55

reports written on black offenders. A traumatic family background accounted for 9 white and 6 black offenders being before the courts.

The notion of irresponsibility was mentioned in five reports on black offenders, but was not seen as a form of explanation of crime in any report written on a white offender. Anti authoritarianism was mentioned in some four reports written on black offenders whilst this was not seen as a factor in any of the reports on white offenders. Twice the number of white offenders were 'led' into crime than were black offenders, whilst racism was mentioned on only two occasions when explaining crime in social enquiry reports, whilst it was mentioned on five occasions in interview.

### 1.3. Occurrence of explanations in part b records.

Here there were fewer forms of explanation given, less than a quarter of the number offered in social enquiry reports. Alcohol was the most frequent form of explanation in records kept on both black and white offenders although, as in the case of interviews and social enquiry reports, this was mentioned on twice as many occasions in connection with white offenders than in records kept on black offenders. Problems related to the offenders family were mentioned in three records on black offenders and was mentioned on two occasions in part b records on white offenders. Criminal association was identified as an explanation in part b records on three black offenders, whilst it was not mentioned in part b records on white offenders (Table 10).

Table 10  
Explanations for offending in part b records.

Explanation	White	Black
1. Sexual abuse as a child.	1	1
2. Relationship with partner.	3	1
3. Emotional immaturity.	2	1
4. Alcohol.	7	4
5. Obsessional behaviour.	1	1
6. Bad arrest by police.	0	1
7. Refused interview at college.	0	1
8. Lifestyle.	0	3
9. Criminal associates.	0	3
10. Little determination to stick at anything.	0	1
11. Psychiatric problems.	0	1
12. High life-style/low income.	0	1
13. Family difficulties.	3	2
Total:	17	21.

Table 11.  
Explanations for offending behaviour in part c records.

Explanation	White	Black
Alcohol.	7	4
Drugs.	1	2
Physical disability.	1	0
Relationship problems with partner.	3	1
Inability to communicate.	2	0
Rebellious behaviour.	1	0
Obsessional behaviour.	1	0
Sexually assaulted as a child.	1	1
Acting out being a criminal.	0	1
Racism.	0	3
Anger.	0	1

	122	
	White	Black
Offends to get money fast.	0	1
Mother incapable of exerting authority.	0	1
Refused interview at college.	0	1
Total	17	16

#### I.4. Occurrence of explanations in part c records

Alcohol was the most prevalent form of explanation in relation to both white and black offenders, although it occurred with almost twice the frequency in part c records on white offenders than on black offenders. Racism was mentioned in three records on black clients. Explanations for offending were fewer in number and occurred with less frequency than in other sources of data.

With the exception of alcohol no form of explanation occurred with any notable frequency, and the reasons underlying offending were often absent. These documents tended to relate to daily interactions between probation officers and offenders, being more concerned with practice issues. (Table 11).

#### I.5. Some general observations relating to frequency of explanations for black and white offending.

Table 12 indicates the frequency with which explanations for offending behaviour occurred with reference to the source of the data. Part c records produced the smallest number of explanations for offending, whilst interviews contained the greatest. Social enquiry reports followed close behind interviews when the number of different explanations were examined. Explanations occur with the greatest frequency in social enquiry reports on black offenders. Explanations of white offending were most frequently expressed in social enquiry reports. Interviews provided the next greatest frequency of explanations although as was the case with social enquiry reports, more explanations

were offered with greater frequency in the case of black than white offenders. There was little notable difference between the frequencies of explanation offered in part c and b records, although there were slightly lower frequency in part c than b records. A consistent feature of the frequencies is that throughout the material explanations of black crime occur with a greater frequency than do explanations of white crime.

Explanations of black crime were more likely to be expressed in social enquiry reports on black offenders than they were in social enquiry reports on white offenders. Probation officers were however, less likely to offer explanations of black offending in interviews than they were of white offending. In part b records one of the most obvious incongruities occurred between the frequency with which explanations were offered in the case of black and white offenders. Almost twice the number of explanations were given in part c records on black offenders than on white offenders. The frequency with which explanations were given in part c records were fairly consistent for black and white offenders. Table 13 represents a breakdown of the major forms of explanation for offending which emerged from all sources of data. For the purposes of this thesis 'major' refers to explanations occurring on three or more occasions in each separate source of data. It becomes clear that the most prevalent form of explanation of crime for black and white offenders is the use of alcohol, although this occurs in more instances in the case of white offenders than it does in the case of black offenders.



Table 12 .To show comparative frequency of explanations for offending.

Source of explanation	Number of different explanations for black and white.	White Frequency	Black
Part c records	14	17	16
Part b records	13	18	20
Interview 1	26	27	30
30 ser's	21	43	54

Table 13.To show the number of explanations for offending behaviour occurring 3 or more times for black and white subjects.Interview 1.White

Alcohol	5
Family related factors	5
Relationship /marital Problems	3

Black.

Racism	5
--------	---

Social enquiry reports.White

Alcohol	10
Family	10
Led into crime	8
Depression	4

Black

Alcohol	8
Family	10
irresponsibility	5
Anti authoritarianism	4
Provocation	3
Led into crime	4
Pragmatic offending	4
Anger	3

Part b records.White

Alcohol	4
Lifestyle	3
Criminal associates	3
Alcohol	7
Relationship with partner	3
Family difficulties	3

Part c records.White

Alcohol	7
Relationship problems	3

Black

Alcohol	4
Acting out being a criminal	3

It can now be seen that a number of explanations dominate in social enquiry reports. For both black and white offenders the use of alcohol, and the accounts related to the family dominate. Racism and behaviour which encompasses anti authority sentiment dominate in explanations given of black offending. The manner in which these explanations are presented in various sources of data will now be examined.

## II. Offending and the use of alcohol.

### II.1. Black offenders and the use of alcohol .

The use of alcohol was by far the most dominant explanation given for black and white offending in all sources of data. The idea that alcohol is a problem which could have an influence on offending seems to be presented as a matter of fact with little effort being made to explain the nature of the connection. This can be seen in the way in which the use of alcohol is presented in the following report relating to an offence of actual bodily harm, the probation officer writes,

'I asked him about his drinking. Although his overall consumption of alcohol seems to be within safe limits, on a night out he will drink heavily. This would seem to be directly connected with his offending.'

In this report, as in the case of most social enquiry reports in which drink was cited as an explanatory factor in the commission of crime,

alcohol was not the principal cause of crime. A multi faceted form of explanation was provided. Alcohol was frequently conceptualised in terms of being a factor which 'triggered offending', as the following extract from a social enquiry report concerning a black offender illustrates.

'He had drank a Pills and at least one measure of spirits at lunch time and began drinking heavily again at about 5 p.m. By the time he arrived at the pub he was intoxicated and he then had two cans of extra strong lager and three further bottles of Pills . (At least, because his memory is cloudy). Mr X (The defendant) said that the victim of the offence was probably a little drunk herself, and was going around the pub asking for a Christmas kiss. Mr X said that he refused and a little later he says that he accidentally brushed into the girl, who swore at him for not giving him a kiss. An argument developed during which he was called a 'black bastard', and he lost control.'

This resulted in him attacking the girl and a charge of actual bodily harm. The interactions immediately preceding suggest that the offender was the victim of racial abuse ,the consumption of alcohol, then triggers the offending behaviour. This sequence of events is then contrasted with the 'real' underlying cause of the incident as seen by the probation officer which in this case is expressed clearly later in the report,

'It is note worthy that the assault last year (referring to a similar offence) was also on a woman and it is plausible that he projects his hostility towards his mother on to women in general.'

Thus in this case both alcohol and the argument which developed in the public house which resulted in the client being called a black bastard takes second place to the notion of the offender projecting his hostility towards his mother and on women in general. This assertion is made without any reference or evidence in the report to support it.

It is clear in this report that even when the officer uses the words constituting the racial insult to great effect in the report, that the underlying explanation is based on speculative comments relating to the offenders' use of alcohol and the projection of hostile feelings towards women. This form of explanation offered here dominates most reports on black and white defendants. Broadly explanations were individualised which was combined with a reluctance to introduce concepts such as racism in terms of possible influencing factors in the commission of crime

This tendency was also noted in the work carried out by the West Midlands Probation Service in 1987, in which report writers noted the reluctance to explain offending behaviour directly in terms of a response to racist insults or attacks. In this case the use of alcohol, a safe conventional form of explanation which is understandable and within the life experience of white professionals concerned with the

administration of the criminal justice system ,and unsubstantiated statements relating to the offenders feelings towards women, takes clear explanatory precedence over a direct and reported racial insult.

In another report concerned with fraud, in respect of a young black offender, the probation officer does makes a more direct link between the actual offence - the point at which he received the money fraudulently gained, and the consumption of alcohol. The writer of the report then goes on to suggest that the defendant may have a drink problem, to the extent that he may have lost control of himself when the offending behaviour occurred.

'X says that he had several pints of beer at the point at which he received the cash from his two co defendants. He tells me that he used the money to buy more wine that same evening. He is defensive as to whether alcohol is a problem for him. He does admit that when drinking in company, as he was that night, that he will often drink to become drunk, which would imply to me that he is not in control of his drinking behaviour generally.'

In some seven cases in which a black offenders use of alcohol was used as a factor in explaining crime it seemed to be conceptualised more in terms of sparking off a situation in which the offender ultimately participated. In the latter case this was the social situation in which the offender found himself. There was no intimation that the use of alcohol could singularly be regarded as a cause of offending.

II.2. The use of alcohol and white offending.

A similar observation i.e. that alcohol exacerbates situations which result in offending behaviour, can be made of the way in which the use of alcohol is described in social enquiry reports on young white offenders as the following extract from a report indicates.

'From what Mr.X has told me it appears that he and his wife have a stormy relationship which worsens when they have been drinking.'

In the same social enquiry report drink is related to burglary when the writer of the report describes the offenders' drinking as a partial explanation for the offence

'Mr X tells me that he did not think of the consequences of committing the offences and it appears that this is the normal pattern of behaviour whereby he acts first and thinks about what he has done after the event. It also appears that the offences occurred when the defendant had been drinking.'

Here the problem is located within the individual in that he thinks after he has acted, a feature of his personality worsened by drink. Like the black offender there was a temporary lapse of thought and loss of control which accounted for the offending behaviour. It is being argued that had the offender followed his usual pattern of thinking the offence would not have occurred.

This form of explanation in which emphasis is given to factors like the consumption of alcohol, resulting in a loss of control or normal thinking processes reappears in various other forms later in the research. It is significant that in the previous work that this technique is not given prominence in the findings.

In another report on a white offender the 'kicking' of alcohol is used as a factor in favour of the defendant. The writer is able to achieve this by making reference to the stability of family life and stability as being an indication of the tendency towards 'reformation.

'In the past his drinking was excessive, indeed it was associated with earlier offending, but this is no longer the case. Alcohol is not drunk in the house and visits to the pub are limited to once a week.'

Reformation and the conquering of alcohol was an almost exclusively white phenomenon in this research, being mentioned in five reports on white offenders in which alcohol was emphasised as a principal cause of offending.

### II.3. Alcohol as an explanation in interviews relating to black and white offenders.

Alcohol was used frequently in interviews as an explanation for offending, and it was mentioned by probation officers without being

prompted. In one interview the following interchange took place in relation to a black offender.

Q. 'How do you think X got himself into the position he is in ?'.

A. 'Essentially what happened is that he had had too much to drink on Christmas Eve, and he hit somebody, that's the short answer.'

Indeed 'short answers' seemed to be given in relation to the likely effect of alcohol on black offending whilst explanations were more forthcoming in relation to white offenders drinking. The same probation officer when describing a white client in an interview said,

'From being a young teenage tearaway he has turned into an adult who is settled down. He has a couple of children and a very good work record, he has a very high earning capacity, and he has made a jump from spending a lot of time with his mates in the boozier to a more home-centred life. He spends far less time with mates in the boozier, but even now these episodes do represent a high risk for him, and he is likely when at risk to find himself back in trouble, but he has changed. I have known him for a couple of years and he has worked very hard.'

Here the almost total transformation of the tearaway into a responsible adult is evidenced by the performance indicators which were frequently used in describing white offenders metamorphosis, a process notably lacking in accounts given of black offenders. This particular offender has 'settled down' in that he has a family, a good work record, and a more 'home centred life'. The only risk is alcohol which also now seems to be under control for the most part. Although the use of alcohol was



mentioned in interviews without prompting, in relation to white offenders probation officers were not anxious to develop the topic in any detail when discussing black offending behaviour.

#### II.4. Explanations given in records on black and white alcohol use.

In part c records on black and white offenders drinking was rarely mentioned, which could well have been accounted for by the fact that over 70% of the clients who had been described in social enquiry reports as having a drink related problem had been referred to a special alcohol centered group, where separate records were kept. Similarly in part b records on black offenders very little reference was made to alcohol, although slightly more reference was made to problems related to alcohol in part b records written on white offenders. There would seem to be little to account for this finding except that it may reflect a reluctance on the part of probation officers to reflect in detail on this explanation feature of offending related behaviour in a written form.

The following part b record was kept on a white offender and describes his problems in the following way.

'The prognosis on X is poor, and there is a good chance that he will go into youth custody. The main task is to get the probation order alive as he is aware that he may go down and therefore has little interest. There are areas to be tackled with an obvious emphasis on his offending which

seems to stem from his carefree attitude, his sometimes excessive alcohol consumption, and his relationship with his male peers, which is fundamentally different from his relationship with his girlfriend. He is very much into the stereotypical macho image, I bet he drinks Carling black label.

The stereotypical macho male, was associated with drink, and a particular brand of drink, Such an image/stereotype was not present in any of the material relating to drink, or any other matter, connected with black offending. It is noteworthy that probation officers felt able to represent white offenders in official records in terms of white populist images.

The same probation officer in an initial assessment on another white offender, describes the drink factor which contributes to the offenders criminal activities in the following way,

'X appears to be highly motivated in his attempts to keep out of trouble, his offending would appear to be stress, and probably drink related, his relationship with his wife is very important, although I believe she creates a pressure for him, because she is so dependent on X.'

The image here is that of a highly stressed young man whose wife seems to create a further burden. He is described by the p.o. in very positive terms as being 'highly motivated' as he attempts to keep out of

trouble, whilst drink is presented as a likely factor in offending. The reference to drink is placed between the references to stress and his wife, as is shown below.

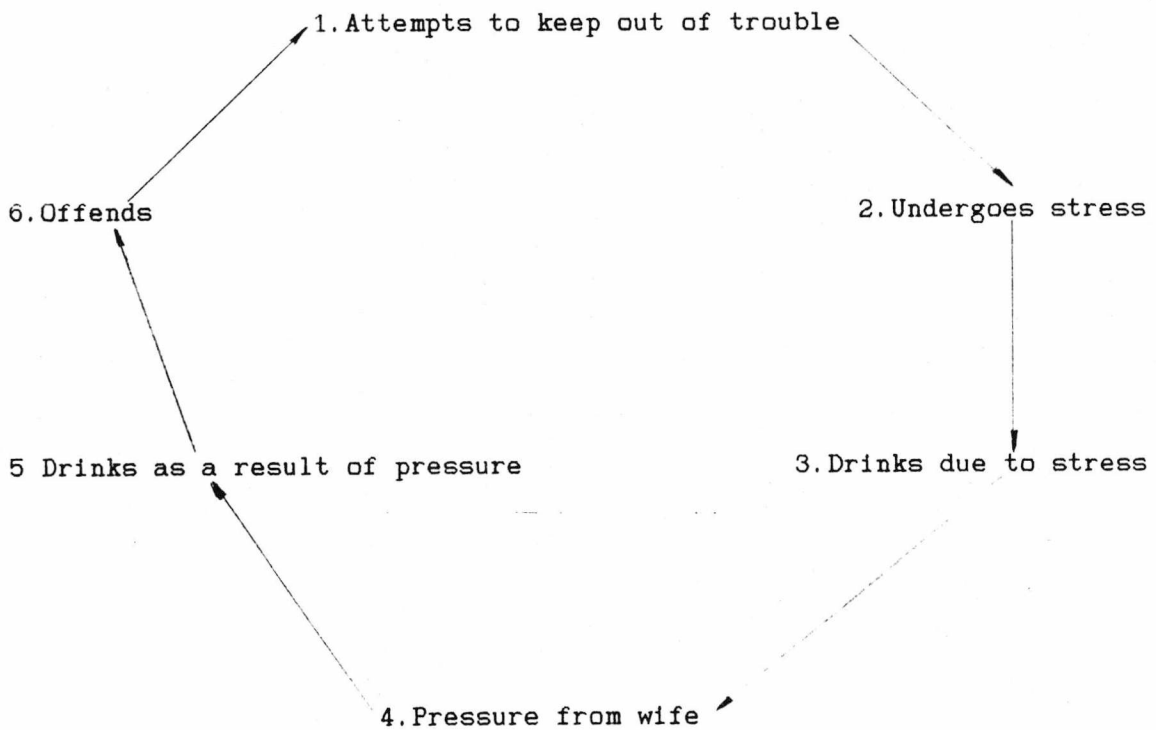


Figure 1. To show cyclical form of explanation in relation to white crime.

Here a cyclical explanation is given which presented itself on a eight occasions with slight variations, in accounting for white crime. Such generalised perceptions of causation were not present in explanations of

black crime. This observation to some extent lends weight to the work of Pinder (1984) who found explanations of black crime to be more individualised, and unconventional. Where these findings differ from Pinders' work is that the notion of the victim appears in reports on black and white offenders. This concept also effectively explains offending in terms of events external to the offender being beyond her/his control. These factors are not connectable to individual pathology which is 'punishable' by the court. Both the Carling black label image and that of the stressed drinker present the the offender as a victim. The first is a victim of advertising with the resultant connotative aspirations and consumption of the product Carling black label.

The second is a victim of stress caught in the cycle of drink related offending shown in figure 1. This is significant since the process of offending described in relation to the black client seems unconventional and frivolous. The officer seems to be struggling to provide a coherent explanation, whilst the account given of white offending follows a conventional pattern which would have a reasonable chance of being acceptable to the courts. This is further exemplified in the following extract from a part c record. In this case on a white disabled offender.

'It is clear that his resentment, and sadness for the past has undermined his self confidence. In our interview he linked his offending to feelings of anger, sometimes exacerbated by drinking, there

were certain key incidents connected with his brother, and with the disabled label he was given, which seemed to trigger this anger off'.

Here we see the complex juxtaposition of words the effect of which is to make the unacceptable, acceptable. 'Resentment', a term with negative connotations is tempered by sadness, whilst anger another negative term does not reflect the nature of the personality involved since his anger is partly created by drinking. Specific incidents concerning his brother have exacerbated the situation further to create a criminal reaction. The effect of these factors are then combined with the disabled label which finally triggers off the offending behaviour. The use of contrasting words serves to diminish an alternative impression which could have been presented, of a disabled person who has problems controlling his anger in certain situations of stress.

The important point emerging from the study of explanations based on alcohol is that its popularity amongst probation officers is indicative of a need to present an explanation of behaviour which is acceptable to the courts, and can indeed make the offender appear to be a victim. This applies as equally to white and black offenders. The qualitative difference lies in the fact that the form of explanation given in relation to white offenders follows a conventional pattern which is relatable to the cultural experience of the white probation officer, magistrate and judge whilst the alternative and highly individualised form of explanation given of black offending lacks a coherent form or

convention. There is in the words of Pinder an absence of a 'coherent and explicit framework' in representing black crime.

### III. Offending and the family

#### III.1. Offending and the black family.

Probation officers used explanations for offending based on difficulties generated within the black family with considerable frequency. The evidence which will be presented in this section seeks to demonstrate that probation officers appeared to be confused and ignorant of the values and meanings that Afro Caribbean people ascribe to family life. Probation officers generally showed a tendency to attempt to impose a white anglicised view of the nuclear family when making statements and judgements about black families. This frequently resulted in the creation of stereotypical images and stereotypes.

The process described here appears to operate at a number of levels. At the implicit level the officer makes certain linkages which lead the reader to certain conclusions without resorting to the use of stereotypes. In X's social enquiry report where offending was explained in the following manner.

'X, is one of five children born in an Oxford family, the records indicated a turbulent, and violent home background. His mother died when he was three, and his father subsequently married three times. His

marriage has been characterised by disharmony and violence from his father. His father is a heavy drinker, which apparently aggravated his temper. Predictably, therefore, the children spent periods in care. Perhaps this violent background goes some way to explaining the number of offences of aggression.

Here there is a link made between the subjects offending, a large family, his mothers' death, and fathers' subsequent marriages and cruelty. The authoritarian father figure appeared in a number of social enquiry reports and black parenting was often seen as being directly related to crime. Here as in many accounts of black family life the aggression experienced by the offender at home is linked to the aggression displayed in criminal activities. This connection was far more clearly defined and more prevalent in accounts of black than white offending. The authoritarian father figure is seen by probation officers as an important influence on crime and occurs in numerous forms. Such a tendency was found in the content analysis described in the West Midlands in (1987). Here the presentation of black people as suffering from weak family units was also clearly evident. It is as the authors of this study argue questionable as to whether social histories presented in this manner have relevance to the offence recommendation or justify inclusion in the report.

In a social enquiry report on a young black offender charged with theft and deception the report reads,

'Earlier records indicate an authoritarian and aloof father figure who has become increasingly intolerant towards his family over the years. For years there has been tension at home and I understand that a divorce is likely.'

Similarly in another report the probation officer writes,

'Earlier records indicate that X was somewhat spoiled as a child when young. From an early age it was clear that his adoptive father was very punitive and used beating as the usual form of corrective action'.

By referring to earlier records both probation officers are to an extent separating themselves from more unqualified descriptions of 'cruel' authoritarian fathers given in interviews. The words 'aloof', and 'authoritarian' in the first report and the description of a punitive father present the black father as a hard almost inhuman character. One questions how qualified the officers were to use such sweeping terms in relation to the fathers in these cases. How often for instance was beating used ?. How does the probation officer know that this was the 'usual' form of correction ?. Words like authoritarian and aloof are also highly subjective and need to be either qualified or substituted for words which have more specific meanings in relation to the offence. In the case of another women black offender the connection between offending and family situation is made clear and explicit. Here shoplifting is presented in such a way as to make it appear to be a reasonable, almost responsible, act carried out by someone surrounded by



weak and incompetent members of her family. In the case of X the officer writes,

'The offence before the court today once again seems to have its roots in the home situation. The defendant has a fifteen month old son, and at the time of the offence was heavily pregnant with her second child. At the time all seven members of the family lived in the family home in X Road, and the overcrowding, and inadequate space coupled with the noise from the children, disturbed both her father's health, and her sisters' fragile mental state. The defendant also tells me that her boyfriend, the father of her two children, had left her to return to the U.S.A. and she felt very depressed. It is against this background that the shop lifting offence occurred. X also tells me that the items stolen were intended for her and her sister's children, and not for her own gain.'

In this account the problems that the offender was experiencing in her family appeared to be presented as having paramount importance in the execution of the crime. The prime motivation for shoplifting is also presented in terms of a pragmatic need to fulfill family obligations. The social enquiry report refers to the weak health of her father the mental instability of her sister and the disappearance of her children's father. This is seen against a background of need related to both her own and her sisters' children. Shoplifting in this sense is a reasonable response to the children's needs.

Such presentations of black offending were comparatively rare the probation officer more usually combining a conventional explanation in which the black offender is victimised, with a less conventional mode of explanation as the following example illustrates. Here emphasis is placed both on family obligations and racism.

The p.o. writes,

'He has one similar offence of g.b.h. but this needs to be seen in the context of the situation, which was basically defending his father and brother, who had been attacked by a rival white gang using crow-bars. It would appear that when all else fails X has resorted to violence, and has developed a tough image to go with this, which would seem to command the respect of his friends.'

In referring to the offenders defence of his father and brother in the event of a racist attack, the probation officer initially emphasises the defensive nature of the offenders reaction. This serves to victimise the subject of the social enquiry report. Later in the same sentence, the probation officer mentions the fact that this violent posturing has commanded the respect of his friends. The first part of this quotation presents the subject in terms of oppression, whilst the second section shows clearly how the violent action has contributed towards the creation of a tough image which will be instrumental in the creation of a positive peer group identity.

The last quotation can also be seen in the context of the previous reference to the black woman shoplifter. Like her the perpetrator of

the violent act sees his offending as being positive. Faced with the ferocious racism the offender is presented as not just defending his family, an explanation which is more acceptable to the courts, but as using violence to gain esteem within his own group. Thus the probation officer appears to be attempting to create a conventional explanation acceptable to the courts, but adds a less conventional form of supplementary account which might be less well received by a sentencer. Despite the fact that the violence was created by racism one gathers from the report that the black offender uses violence to create a 'macho image'.

The tendency for probation officers to deflect attention from the impact of racism has already been noted in chapter one, when the work of other researchers was being discussed. In the West Midlands study (1987) after the specific mention of 'racial taunts' in a social enquiry report the probation officer noted the offender's propensity to 'perceive himself as a victim of circumstance.' The independent assessor made a further comment which could equally be applied to the findings of this research, 'No attempt is made to present racism as a continuing and ever present feature of the lives of black people, nor any condemnation of the racist incident which resulted in the offence. Racism and its affects are reduced to an overreaction on the part of the client' (West Midlands, 1987, p.6 ).

Pinder would not take this approach since he describes the probation officer as attempting to present the logic of black offending in an

authentic manner having regard for the relative emphasis placed upon contributory factors by the offender.

One of the explanations presented conventionally for both black and white offenders was related to the question of depression. Although a separate section is included specifically relating to depression mention should be made here of the way in which this explanation was given in relation to other members of the black family. The question of depression was rarely used in its endogenous form when referring to the mental state of the offender, and was usually seen in terms of being a reaction to a set of circumstances outside the control of the offender. In three instances however, the endogenous depression of other family members was linked in a rather tenuous and convoluted way to explain the incidence of offending as the following quotation indicates,

'A considerable number of problems had developed in recent years which have had a disturbing effect on the family. In 1982 the defendants' father was pushed from a bus. He is now quite an old man who suffers from acute depression. Another disturbing problem has been severe mental illness of the elder sister, who is receiving out-patient treatment at the X. She is now at home but requires continual administration of drugs, and has to be bathed and attended by the family. She had been a normal child before her illness so that the burden of this coupled with her father's illness became overwhelming for the family.'

The report continues,

'The defendant not surprisingly could not cope with her own life. She tells me that her father's moodiness and depression, and her sister's violent outbursts have had the effect of driving her and her younger sister X, out of the house, and they frequently stayed with friends in Oxford and Coventry. Some of these friends had previous convictions for shop lifting, and it would appear that they had a direct influence on her offending behaviour.'

Although depression is initially identified as an influencing factor in offending links are also made with the defendant's friends in Oxford and Coventry. These two factors together give the impression that the offender is a 'victim', which has the effect of diminishing her own responsibility. Consequently the probation officer is not surprised that she is unable to cope, and the suggestion is made to the magistrate that she should not be surprised either.

Thus in cases in which depression was associated with the black defendants' family it seemed possible for the officer to construct an explanation that was not dissimilar to that which would have been created for a white offender. This contrasts with the development of what can only be described as stereotyped black families by some probation officers. Such stereotypes were developed by four probation officers. In all these cases the offending second generation 'client' was contrasted with the law abiding first generation parents, as the following extract from an interview illustrates,

'His mother...well its in the way she talks, its the sort of thing you hear parodies of on the TV. She's very religious, talks about the preacher, says that she has never been in trouble, and have never caused any trouble. ....they can't understand why their son is like he is. They really are like the stereotypical conforming, law abiding West Indians who believe in the values of British society, a society which probably never existed. Somehow the first generation West Indians have been O.K. in British society, they have hung on never been a burden to anyone, been morally pure.'

What is particularly interesting about this comment is the use of the term parody which could suggest a number of possibilities. The probation officer conceptualises on two levels. The first produces the conclusion that the person mentioned in the quotation can be ascribed to the category of stereotypical, Afro Caribbean woman, whilst on the second level the officer appears to recognise that this is a parody, or a misrepresentation. However he carries this misrepresentation along as the only available mode of understanding. This form of understanding has been derived from the media ,being a television image. The probation officer who has no direct experience of Afro Caribbean culture has to rely solely upon a western source, the television.

Black families are conceptualised in a rather oversimplified manner which reveals a lack of knowledge as to the meanings which Afro Caribbeans ascribe to family forms. What is interesting about the use of the word 'stereotype' is that the probation officer appears to be suggesting that black people with whom he comes into contact could

possibly conform to such images. Thus the first generation is seen as being duped conforming to British values which 'probably never existed'. If this is the case it would seem to follow that second generation Afro-Caribbeans are acting in a rational manner when they contravene existing laws.

This theme was developed more overtly by a liaison officer for two youth custody institutions with relatively large numbers of black offenders. He related the logic of second generation Afro Caribbean resistance in a white society to his own job as a probation officer. He said 'I don't know whether it's my phrase or not, but the feeling that black people are the storm troopers of the working class is a phrase that I have in my mind quite a lot.'

Q. What do you understand by that term?

A. It's something about a refusal to be actually told you have a place and stick to it.'

Such an explicit statement expressed in societal terms supporting black people was not seen elsewhere in the research material. Despite the frequent use of racial stereotypes, which occurred on some 15 occasions if data from all sources are considered, a form of explanation appears to emerge in descriptions of black families which is highly individualised and does not conform to any identifiable form of conventional explanation. This was particularly evident in relation to descriptions of black religion. It is important to note here that the question of religion was not mentioned in any of the material examined on white offenders in relation to the commission

of crime. In one interview, for instance, when the p.o. was asked to expand on her experiences of an offenders' behaviour, in relation to the family she made the following reply,

'Mrs. X is a fundamentalist very into her religion, which is off-putting for X, I feel a bit alienated. I feel uneasy with this, she has asked about getting into a prison to set up groups in there, I feel uneasy that the subject might come up. I feel that I try and avoid this topic. I was there the other morning, and I noticed that she had a certificate for evangelical endeavour.'

Q. 'Would you see her as being very powerful ?'

A. 'She has the main responsibility for X.'

Q. 'What is his father's position in all this ?'

A. 'Well, he has an authoritarian disciplinarian. He was wheeled into beat X if he was bad.'

Q. 'Is this a feature of family life that you would associate with black people ?'

A. 'I don't know enough about West Indian families to comment on this.'

I guess I have a vague notion that parental roles could be delineated in the way the X family exemplifies.'

A similar sense of alienation from the offenders' family is not present in the more official impression created of the family in the report.

'X intends to live at home with his parents as soon as he leaves custody. Home is a well kept council flat on a local housing estate. X's parents both work, and appear to manage their finances well.'



Neither parent has been before the courts, and indeed Mrs. X. despairs that her son won't take any telling from us. Despite their attempts to give him advice it is perhaps notable that the offences for which X was convicted all occurred at a time when he was living away from the family home.'

The contrast between the tone of the report and the account given in the interview is stark. Whilst the report represents the offender's parents as responsible adults, the interview illustrates the probation officer's alienation. The interview also suggests that the probation officers' feeling of strangeness and unfamiliarity are being projected towards the offender, when the fundamentalism of Mrs X is described as 'off putting for X.'

This statement is followed by the exclamation

'I feel a bit alienated!'

No evidence was presented to suggest that the offender found his mother's fundamentalism alienating. The probation officer's visits are uncomfortable occasions during which the very topic identified as being a problem for the offender, his mother's religion is avoided. If this is defined as a problem for the offender it seems difficult to account for its avoidance...

One p.o. spoke about the effect that a family could have in the commission of crime, as the following extract from the interview indicates,

Q. 'Could you tell me a little bit about his family ?

A. His family live in east Oxford and he probably sees them once a week. There is tremendous discord in the family particularly between X's parents .

Q. Do you have much contact with them ?

A. I don't have, I do see his brother who comes in to see another officer but X says he keeps away from his brother because he is a criminal.

The findings of this research suggest that when describing black families in relation to offending probation officers demonstrated more ambiguity and confusion than when dealing with this issue in relation to white families. This is particularly evident with regard to the notion of the dislocated Afro Caribbean family, which is frequently portrayed, as has been suggested above, in terms of black family pathology. The potential strengths of white families are presented, and family breakdown is justified and explained 'rationally', by the probation officer. In the material gathered in this study that the black family was misunderstood and misinterpreted by probation officers in official records and more importantly in social enquiry reports. There were numerous examples of this with black parenting being frequently compared to white imaginary standards of care. In one set of part c records reference was made to the frequency with which the offender was given 'exotic food' as a child.

It was in describing a black family in a record that one of the most disturbing examples of racist description was found in the research. Here in a set of part b which was in fact brought to the attention of the

researcher by a white probation officer, black pathology was clearly linked to black parenting,

'Just recently X. has been the main source of anxiety, truanting from school. I have threatened to ban him from the games room if this goes on, my most potent sanction. I have seen parents once more and had quite a chat with dad, but little success in persuading them to take a softer line with the boys-Mum wondered if she could have X put away in a home for not going to school! West Indian parents seem to be the main cause of delinquency.'

### III.3. The perceived influence of the family on white offending.

In describing the family backgrounds of white offenders, probation officers, desisted from the use of stereotypes and appeared to adopt a more sympathetic and detailed approach, which frequently related to a history of bad relationships within the white offenders' family. In a case of assault the defendant is seen as offending due to an inability to accept the rejection of personal relationships, within the family. The following characterises such a linkage.

'From the above account the conclusion may follow that X's offending behaviour originates in his family and social circumstances where offending at his present age seems endemic, these influences have now been heavily reinforced by personal factors notably deep feelings of inadequacy, and by the punishments that his offending has attracted'.

Here offending seems to be conceptualised again in terms of the offender being a victim of numerous circumstances including endemic crime. In this case reference is made to personal weakness within the offender when 'inability' to cope with personal relationships is mentioned. Another reference is made to the offenders deep feelings of inadequacy. This white offender like a number of previous black offenders mentioned, is a victim but a victim who is presented with an emotional dimension revealing a weak personality.

This point is important when considered in relation to Pinder's findings, who reported a tendency for probation officers to describe white 'problem' families in terms of a breakdown in interpersonal relationships, whilst black families appear to be dislocated and aberrant. In other accounts of white offenders, probation officers appeared to focus on descriptions of various forms of loss. This was particularly evident in relation to the white family, and was more distinctively represented in accounts given of white than black offenders. In the following extract from an ser the officer describes the offender as coming from

'An impoverished upper class family. The family subsequently moved and now live in X. Another brother drowned in an accident. His father bred race horses and farmed chickens on a commercial scale, but has gone bankrupt.'

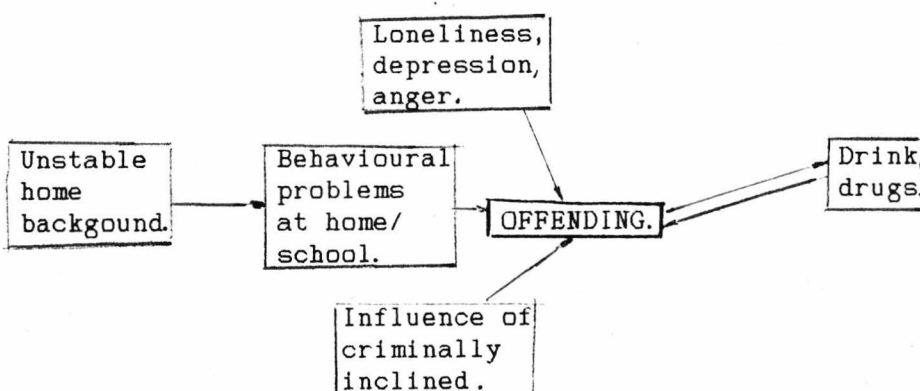
Despite a materially privileged existence including a private education, the central theme of this report is loss, which is linked to a dependency on drink and drugs. A similar line of argument is used in a report on a young white woman charged with shoplifting. In this report considerable space is devoted to the relationship with her mother.

'X is the youngest of four children. Her parents divorced in 1975 after a long period of marital disharmony. Her father was remarried and she has occasional contact with him. Following the divorce mother qualified as a social worker, and is now working in that profession. The defendant has regular contact with her mother but has as yet been unable to tell her of the current probation order, and the fresh offences. Part of my supervision with her has concentrated on helping her to come to terms with residual ambivalent feelings towards her mother by whom she has felt rejected over the years. It seems that her mother has struggled to be a single parent as well as develop her own career .

The report goes on to describe the way in which her mother's new relationship has led to the impression being gained by the offender that she has been 'pushed out', and has been led towards a 'deep rooted insecurity'. She has then turned to alcohol as an emotional crutch, which is presented as leading to offending.

Such a line of argument can be expressed in the following way.

Figure 2.- Conventional pathways to offending.



IV. Explanations based on the anti authoritarian offender.

References in social enquiry reports to black anti-authoritarianism came in numerous forms. The term anti-authority refers to the implication that the offenders' criminal behaviour can in some respects be related to a tendency to rebel and reject all forms of authority within society. Such an explanation is exemplified in the description contained within an ser on a black offender.

'X's pattern of offending in his teenage years seemed consistent with the rebellious and angry behaviour which he demonstrated as a child'.

This was followed by a catalogue of negative personality characteristics, the only redeemable feature being the fact that this eighteen year old

'Blames no-one but himself and takes responsibility for what he does good or bad.'

When the anti authoritarian offender was conceptualised in these terms, the notion was frequently contained within a series of negative descriptions which convey the impression that social work intervention is difficult if not impossible. A black female offender despite 'bags of imput' in an interview was described as having an authority problem which was

'still a threat.....?.... she seems to resent anyone putting pressure on her to do anything.'

The last quotation encapsulates the 'authority problem' which was used to denote what the probation officer perceived to be a clearly defined social phenomenon as distinct from a form of personality or character disorder. The 'authority problem' was seen as stemming from an unexplained resentment and apathy which had a limiting effect on the viability of effective social work intervention. The theme of resentment was taken up again in a report in which a young black youth was charged with actual bodily harm, in which meetings between the probation officer and offender were described in the report as being strained and confrontational, with the defendant questioning what probation had to offer him. This is followed by mention of the offender's

'Resentment at being convicted for an offence where he believed the victim asked for what he got.'

The obvious omission from this report was the essential information relating to the background to the offence. It emerged in the interview that this offender had been subjected to racial taunts which constitutes a vital piece of information. The probation officer chose not to include this information in the report.

All references to anti authoritarianism were critical, suggesting that the offenders' attitude towards criminal activity was beyond the realms of normal understanding. Thus the rejection of authority was seen as an individual defect, with no attempt being made to understand the possible causes of such feelings when they were genuinely expressed. An exception to this was the youth custody liaison officer who applauded what he saw

as the black offender's resistance to oppressive state activity. White offenders were not described in terms of being anti- authoritarian but occasionally 'reckless' or 'impulsive'. This effectively separated white offenders from the authority problem as described in relation to black offenders.

#### V. Racism as an explanation for offending.

What has been said above about the differential forms of explanation given by probation officers in relation to offending behaviour, would lead one to the impression that probation officers were making racist assumptions particularly with reference to black family life and structure. This theme will be developed later in the thesis. It was notable that racism was explicitly used on only three occasions to explain offending in social enquiry reports. One of these examples has previously been mentioned in the section on the family. References to racism were fairly brief, as the following extract from one of the two reports indicates,

'The defendant's first offence was for stealing a bicycle while staying with his father, there followed two assaults, which it is alleged was a response to racial abuse.'

Here an open ended statement clearly leaves room for doubt as to whether racism was directly connected with the offence. The statement emphasises the fact that racism is alleged by the defendant.

The offenders' anti racist expression is blatantly ignored in this account. Respondents were quite reluctant to cite racism as an explanation for offending in an official document, and when it was



brought to the attention of the court it was usually done so in a brief and somewhat cryptic manner. The possible reasons for this are complex and will be discussed in the section which deals with aspects of social work practice.

P.o.'s were far more forthcoming, and spoke of race in a more detailed way in the interviews which were conducted with them. In many cases race was an issue mentioned in interviews, but not mentioned in social enquiry reports. In one case, for instance, in interview the following interchange took place,

Q. 'How would you account for X being in trouble with the law ?

A. The reason that he was on probation was about racism, his anger whelled up about the fact that people were taunting him, so that in that sense racism can be seen as directly connected with his offending.

Q. Who was taunting him ?.

A. Some white students, I think they were poly students.'

In the the social enquiry report however, no mention is made of this element having contributed to the offending behaviour. In another case in the interview in reply to the the question of whether race was raised as an issue in conversations with the offender the probation officer replied,

'He feels victimised by the police, he feels that the fact that he is black means that he is picked up on more occasions. The service itself is a part of this authoritarianism, yes, he has very strong feelings about race .'

Here it is significant to note that the officer seems to be tenuously connecting police victimisation, and the probation service in his explanation. The offender is presented as combining a critique of both agencies one coercive the other consensual which together constitute a cocktail of 'authoritarianism', which is then linked back to race. Despite the sensitive interpretation of the offender's perception in structural terms that racism was not mentioned in the social enquiry report as a possible explanation for offending.

In another interview the following account was given of the way in which the officer had addressed the question of racism in an interview.

'We've addressed the issue of racial harassment, and it has been very difficult to clarify, but I felt that acknowledging his blackness and linking it to his offending behaviour was important for him.'

In this case no mention was made regarding the importance of racism to the offender in the social enquiry report, despite that fact that in the records the question is raised on at least four occasions by the offender as a causal factor which he related to his criminal activities.

Racism was mentioned five times in interviews but mentioned only three times in part c records, and was absent in part b records. When racism was raised in records it was given more detailed attention than in social enquiry reports. In the part c records of a young black offender, the following account of offending behaviour was found, 'He had been charged with theft, which apparently consisted of him carrying a cassette out of an electrical hi-fi store, and waving it

about outside at the manager. Apparently the defendant did this in order to prove that the manager was a racist ',

Such explicit accounts of an offender's own feelings about racism were rarely found in the research material. An examination of a file on this offender failed to reveal any mention of racism in any other official records or in accounts given to the courts in social enquiry reports.

The apparent reluctance to explore racism as an explanation for crime in records could suggest that probation officers feel apprehensive about committing their thoughts about racism to paper. This view would be supported by the lack of reference to racism in social enquiry reports. The relatively anonymous and informal nature of the interview allowed officers to raise issues related to racism.

#### VI. Irresponsibility.

When referring to irresponsibility as possibly influencing offending behaviour probation officers appeared to be referring to a form of action perceived to be entirely irrational and unpredictable, characterised by a lack of any sense of obligation to anyone except themselves. The notion of the irresponsible offender, like that of the authoritarian offender occurred frequently in reports on black clients, but was absent from reports on white clients. During interviews one probation officer mentioned irresponsibility as a factor leading towards offending in the case of a white offender.

Irresponsibility was not mentioned as an explanatory factor during interviews with respect to black offenders, although it was mentioned in one interview in relation to a white offender.

In social enquiry reports irresponsibility was not used in an entirely negative way when attempting to explain black offending as the following extract from a social enquiry report on a black offender indicates.

'Mr. X accepts that he has behaved irresponsibly, the other matters put before the court similarly reflect this.'

The p.o. then goes on in the report to show how the realisation of this irresponsibility can be used to appeal to the mercy of the court. She continues,

'However, Mr X's recent offending behaviour does not fall into the same category as his previous offending history. He now recognizes that it is as deeply unacceptable, and anti-social, and that consequences for offending are as great.'

Thus the realisation of irresponsibility leads to a contrite attitude, which enables the court to use what Walker and Beaumont refer to as 'Mercy and discretion' (Walker and Beaumont, 1981).

In another ser on a black offender the p.o links the lack of responsibility to a lack of intelligence, as perceived of in terms of intelligence quotient. The p.o. writes,

'Some factors which the court may wish to take into consideration in reaching this decision, (i.e. the decision not to continue probation, is the defendant's home background, low I.Q., and possibly diminished sense of responsibility. To assist in this a psychiatric report may be useful in this case.'

This report has a different tone in that the irresponsibility has a pathological label attached to it, being followed as it is by the suggestion that the defendant could be helped by a psychiatrist.

VII. Being led into crime by peer groups and peer group pressure:

In ser's 12 p.o.'s cited the influence of peer group pressure as being a significant factor in explaining offending behaviour. It occurred with twice the frequency in ser's on white offenders than it did on black offenders. In the case of white offenders this link is made quite explicit as the following extract from an ser on a young white offender demonstrates,

'When short of money the defendant appears to have found himself influenced into crime by his co-accused, who was, as far as I know, the instigator of these offences.'

This was the more usual manner in which offenders were conceptualised as being led into crime. No social enquiry report was found in which the subject was leading others into crime. In another social enquiry report on a young white offender the link between the influence of peers and offending is also made quite explicit,

'The original offences, however, took place in the company of X, a young man who lived near the defendant, and who is very well known for his persistent thieving. This influence was very bad, and although the defendant is no longer acquainted with X, it seems that stealing from shops is persisting with him

This reference serves to diminish the responsibility that the offender has for the offence, whilst still allowing the probation officer leeway to acknowledge the seriousness of the offence, and is clearly an effective device in court used by probation officers when trying to argue for a non-custodial sentence.

This theme is not developed in other forms of data on white offenders.

In describing the influence of a peer group on a black offender the social enquiry report reads as follows,

'Mr. X does not have a serious history of offending. The trouble he has been in reflects the changes in his life since leaving the security and supervision of the children's home, and in particular that since his move to X, he has mixed in with quite a delinquent group of young men. Given his employment prospects the chances of further trouble must be reasonably high.'

Generally, there was no appreciable qualitative difference in the way in which this explanation of offending was presented in reports on black or white offenders. It was the frequency with which this form of explanation occurred which clearly favoured white offenders which was significant.

#### VIII. Depression

Depression has already been mentioned when discussing the perceived influence of family life on offending behaviour. Depression took on a quasi medical meaning which resembled the psychiatric distinction between reactive or endogenous forms. Reactive depression can be regarded as resulting from a

specific traumatic event such as a major bereavement. Thus by definition the condition tends to be thought of in temporary terms, since the person suffering from such a form of depression can with help recover with the passing of time. The causes of endogenous depression are not always apparent and are frequently seen to be indicative of a more far reaching fundamental psychiatric problem, possibly of a permanent nature. From an examination of the research material it appeared that probation officers were more likely to present the former form of depression as contributing to offending behaviour. In one case a white offender was seen to be suffering from 'acute' depression which seemed to indicate a 'disease' characterised by 'a sudden onset, but of short duration.'

In social enquiry reports written on white offenders depression was used as an explanation of offending on four occasions, but it only appeared once in an social enquiry report written on a black offender. A further dimension is added to this in that when depression was used it tended to be seen in relation to white women. An example of the way in which depression was used as an explanation of offending in social enquiry reports was seen in a report written on X, a 20 year old white woman offender.

'The defendant acknowledges that when she keeps appointments with me she finds our discussions helpful and supportive, she has some insight into her deep-rooted insecurity, and her resultant patterns of behaviour that still cause her problems from time to time, particularly with regard to relationships. I believe the offences last year which led to this order were committed during a

period of depression, while struggling to cope with independence and loneliness. It would also seem that her money management was bad because she was spending too much on alcohol as an emotional crutch.'

This social enquiry report is a variant on the line of argument used frequently in the case of white offenders to explain behaviour. The use of depression in this 'medical' manner explains the offence in terms of the result of a disease - depression, which renders the sufferer unable to take full responsibility for her actions. Since depression is temporary and essentially reactive the hope of recovery makes the possibility of successful probation intervention a viable proposition for the court to consider. Here depression is related to drinking, and the need for drink leads to undue expenditure on alcohol, which then creates a further need for offending behaviour in order to pay for more drink. It has already been noted that such cyclical forms of argument were not as evident in explanations of black offending.

In the only case in which depression was used to explain black offending the following presentation was made to the court.

'The defendant tells me that this is his first offence and adds that he has never received so much as a caution. On this occasion he had been riding his peddle-cycle down the shopping centre listening to music through head-phones, something that he says he does frequently when he is feeling depressed. He threw a drain grid through a shop window on each occasion and stole watches and items of clothing from the displays. I gather that some of these goods



were recovered. The defendant adds that they were items he neither wanted nor needed, and can offer no explanation for what he says are spontaneous acts of folly.'

Here the probation officer presents the offending behaviour in such a way as to lead the reader towards the view of the offender as an incorrigible youth who acts irrationally, stealing items that he does not want or need. The worst effects of the potentially damaging image of the recalcitrant youth riding his bicycle listening to headphones and mindlessly throwing a drain grid through a shop front is ameliorated to a large extent by the use of the word 'depressed' which is perhaps the only possible way in which the probation officer could make such an act understandable to the courts. The report continues.

'Previous reports have linked the defendant's offending to the depressing, and disturbing home situation, and certainly his mother's over-protectiveness, and his father's tendency to over-react and punish him have not helped. However, I feel that the defendant is now beginning to realise that he has to accept responsibility for the actions himself, and I see his current offences as situational, as well as indicative of wider problems. The first offence occurred when the defendant met a friend and was persuaded to accept a car lift, knowing it to be stolen. He now sees that it was foolish to do so, but thought it difficult to back down. Certainly this sort of car offence is not in keeping with the defendant's previous pattern of offending. The other offences

are for shop lifting clothes, and I believe are directly related to him losing his job. '

Here a rather more brusque account of the black offenders' depression is given and, unlike the white offender's depression, does not appear to have been accepted by the officer. It is also significant to note the apparent rejection of black family stereo typical structures which dominated other explanations of crime. The punitive father and overprotective mother are here replaced by a call for realism on the part of the offender to accept the consequences of his actions

#### IX. Relationship problems as an explanation for offending behaviour.

It is necessary at the outset to clarify what is being referred to by the use of relationship problems. Reference is being made to problems arising within one to one relationships. In the research material relationships were heterosexual in nature, only one reference being made to homosexuality, in that one white offender's daughter had proclaimed her lesbian tendencies which had contributed to the offenders' sense of isolation. Probation officers tended to utilize explanations of offending based on relationship problems most noticeably in part c records. This practice was followed in relation to only one black offender. In this case the offence in the part c records is explained in terms of a relationship which he had had for ten months. He was co-habiting with a woman and her three children.

'In conversation X describes this relationship as having been extremely important to him, but tells me that for the later 7 months it had been both fraught and volatile. He describes his feelings towards her in very powerful and warm terms, but it's clear that there is a level of distrust that was never resolved. He talks in the interviews about fights and scuffles over a period of time, which on one occasion resulted in him being cut on the shoulder with a bread knife, he showed me the scar. He also described another occasion in which he alleged that he found her in bed with his father. X clearly puts a great deal into trying to understand and work out this relationship, and is greatly distressed at the way in which the relationship ended. As a result his ex-cohabitee is taking out an injunction against him, and there is therefore no contact. X appears now to be very confused but wants to learn from his mistakes.'

Such an emotionally charged account was quite rare in the records and indicates that the probation officer was genuinely attempting to grapple with the internal emotional state of the offender.

A similar approach can be seen in relation to the description given of a white couples' marital difficulties. In this social enquiry report the probation officer describes the circumstances leading to the defendant driving with excess alcohol, whilst disqualified. The offence is contextualised within the after affects of an argument between the defendant and his wife.

X. The dimension of gender in explaining offending behaviour. :

In two instances offending was related to issues peculiar to gender. In the first case in which a black woman was caught shop lifting in a supermarket, the following explanation was given,

'X was upset, she had been caught shop-lifting at X on Friday. She was shopping with her daughter, and at the till put some goods straight into a carrier bag which had been given to her at the till. She said she did not realise what she had done until she was stopped, and outside the store, she offered to pay for the goods, but was refused by the store detective. X says she was feeling unwell, and had got confused, she had period pains and migraine, and the baby was making a fuss. She felt sick and shocked when she was stopped and arrested. At the police station she tried to explain the circumstances, but she tells me that the police were threatening to keep her for a long time, and she was worried about the baby, so she made a statement admitting shop lifting to get home to her daughter. X is afraid that this matter will come before the court again since she knows she might get a custodial sentence.'

Here the probation officer creates the image of a woman overburdened with the responsibilities of child rearing. The reference to migraine and period pains adds a powerful force to this image, having an arguable effect. On the one hand it can be seen as making a contribution. On the other hand such wording can be seen as essentially sexist presenting women in the words of Smart as,

'At the mercy of their anatomy and emotions. Most studies of female offenders refer to women in terms of their biological impulses and hormonal imbalance or terms of their domesticity, maternal instinct and passivity'

(Smart 1976, p. 71).

Such tendencies are reflected in a part b record relating to a woman black offender is described as having a tendency...

'To shut reality out and live in a nice fantasy world of pretty things, and shelve problems. However, she is beginning for the first time to open out problems that have harboured for years, and she is likely to unearth the roots of her offending behaviour.'

In the social enquiry report and in previous records, reference had been made to the hardships which had been suffered by this offender, yet it was still possible for her to live in a 'nice fantasy world of pretty things in order to shelve problems'. This apparent irrationality will be remedied by the process of 'opening out', which although not defined as an operational concept, would enable her to unearth the roots of problems which underlie her offending behaviour. Such spurious logic, based on often ambiguous and contradictory evidence raises a number of important problems.

The use of strong stereotypes in relation to female offending is well documented in the literature (Greenwood 1982, CCPC, 1981, Walker, 1985).

Frequently the white woman offender is presented to the courts by the probation officer in terms of being neurotic, or irrational these being the 'true' characteristics of women (Smart, 1976). This may well be related to the

finding from this research that the notion of the depressed woman was attributed most frequently to the white woman. If this is accepted black women would seem to be at a double disadvantage being subjected not only to stereotypical assumptions based on race/ethnicity, but also, to the mythical presentation of the woman as being in some way unpredictable and irrational.

#### XI. Provocation.

Provocation was perceived by probation officers as influencing crime most notably in social enquiry reports on black offenders. Although frequently linked with racism this category of explanation should be regarded as being distinctive for two principle reasons. Firstly, it occurred in one case involving a white offender. Secondly, it was occasionally used to deflect from racist taunts. This can be seen in the following example in which the imitation of a black youth's walk was seen by the probation officer as sparking off an attack, which is mentioned in the social enquiry report as follows

'He tells me that he was initially provoked by the victim of the attack imitating his walk, and that subsequently a heated argument developed.'

It also becomes clear in the ser that the subject , 'struck the victim first'. The officer then goes on to express surprise that the defendant should have acted in this way, commenting that,

'I was surprised to learn that X was involved in a violent incident , because there was no indication that he is or has been inclined towards violent behaviour. During the interview in which this offender was being discussed, the probation officer emphasised that this subject was much preoccupied with his blackness. There is no reference to race in the social enquiry report however, although it seems highly probable that the incident which sparked off the attack could more properly be regarded as being racism. The use of such terms as provocation removes the reality of racism as being linked to the commission of crime.'

In the ser in which the provocation of a white offender was emphasised, as was the case with black offenders, it was attributed to peer group pressure. After a drunken evening in a public house the white defendant was provoked by a rival white gang. The subject of the report was

'Constantly mocked and spurred on by his own friends to become violent.'

There were some important common features presented by probation officers as constituting provocation for blacks and whites. Firstly, the incidents occurred in public places. Secondly, there would appear to have been considerable group pressure exerted on offenders immediately prior to the offence being committed. Thirdly, the probation officer is presenting the provocation as an influence directly affecting the commission of crime, thus without provocation the offence would not have occurred. This has the effect of providing an explanation which is external to the offender. Thus whilst acknowledging that the violent

act itself appears to emanate from the individual, the provoking act diminishes the responsibility that the defendant can take, since the provocation was 'unreasonable'. This enables the probation officer to further argue that the isolated piece of behaviour does not reflect the true nature of the offender. The offending act thus becomes 'unusual' or 'out of character', and can be used in social enquiry reports to justify a lighter non custodial sentence. Although this tendency was evident in material on black and white offenders racism was frequently an added dimension to the provocation suffered by some black offenders. Despite the central part in which racism clearly played in some of these incidents, it was rarely mentioned and never condemned.

This failure on the part of probation officers to emphasise and condemn some of the worst excesses of racism was also found in previous work already mentioned. (Whitehouse 1983, West Midlands Study 1987). This may well reflect a reluctance on the part of probation officers more connected with the attempt to forestall anticipated adverse magisterial or judicial reaction to such an explanation and condemnations.

### XIII. Pragmatic offending.

Although the probation officers rarely used this term directly in social enquiry reports, the meaning was made clear in an interview with a probation officer. In discussing a young black offender charged with shoplifting the p.o. commented



'X needed the cassette player, so he just took it....pause....it was as simple as that. He walked into a shop grabbed the player and ran....purely pragmatic.'

In using the word needed and not wanted it may be possible to argue that the officer was showing some degree of understanding of the position in which the offender found himself. This perceived influence on offending occurred with most regularity in social enquiry reports on black offenders, and was used exclusively in relation to crimes of property, as distinct from crimes connected with the person. The notion of pragmatic offending was not always expressed in such a straightforward way as the above example would suggest. In a social enquiry report on a black offender charged with theft the following account is given. After losing his job

'He was used to earning approximately £80.00 per week, and used to spend most of this on clothes. After being dismissed he received no supplementary benefit and has therefore gone from being reasonably affluent to penniless in a few weeks. He reverted to his old habits and resorted to shoplifting to get things he wanted, he understands that this is no excuse, but it is his explanation of why he reoffended.'

This explanation is a more difficult one to present in an ser, since it implies that the offender wanted something that he could not obtain legally, and faced with this situation simply broke the law to achieve his aims. In this extract the effect of this is even more forceful since the offending was mentioned in the context of dismissal from employment. The impact of this is ameliorated somewhat since the

offender appears to realise that there is no excuse which suggests a degree of contrition, giving the court the opportunity to use their mercy and discretion. This would seem to be the desired result from the probation officer's perspective since he concludes by recommending a probation order .

Previous reference has been made to the presentation of pragmatic offending in the case of a young black woman who stole from the supermarket in order to feed her children, (see section on black families). Here pragmatism was seen as acceptable in that the offender had no choice in the matter. The social enquiry report was written with an underlying implication that in some circumstances, that pragmatism could become a mitigating circumstance.

The presentation of pragmatic white offending although less prevalent was seen by probation officers in similar terms. In a social enquiry report written on a young white offender in connection with a charge of shop lifting, the writer comments

'X tells me that he needed the items and walked out of the shop with them in his hand without thinking.'

Here the goods involved were parts for a motor cycle, and cannot be regarded as essential. The subject of the report was currently unemployed but was described in the interview as

'Having a fetish about his motorbike'

There is a qualitative difference in this account in that the white offender according to his own account was not in real control of his senses when the offence occurred. The act was committed without

thinking which effectively separates the offender from the act. The implication here is that had he been thinking the offence would not have occurred. This is a similar line of argument to that found in the presentation of provocation, depression, the use of alcohol, and most of the other major categories of explanation which have been identified, with the obvious exclusion of racism. There are a number of important distinctions present in accounts of pragmatic offending which can be summarised as follows.

1. Rational pragmatic offending can be presented as being understandable to the courts if the items stolen are essential and the intention of the theft is not frivolous.
2. Irrational pragmatic offending can be used by probation officers to account for the theft of non essential luxury goods which provide immediate gratification of wants and not needs. A distinction here is being made in terms of what can broadly be viewed as deserving and un-deserving crime. Both forms of explanation were present in the material examined on white and black offenders.

#### XIV. Lifestyle.

This complex and vague notion although not prevalent in the research material overall did appear in part b records kept on 3 black offenders 2 of whom were women. In one other part b record on a black offender the combination of a high life style and low income was used to account for criminal activity. Attempts were made in the second interviews to

clarify the notion without much success. It seemed that different officers had different understandings of the term. One officer described lifestyle as being,

'The way in which offenders organise their daily lives, whether they get up early, dress soberly, and formally or just look a mess....things like that.'

Another probation officer related lifestyle to culture describing it as being

'The way in which certain values deriving from culture affect people's lives.'

In the atmosphere of vagueness it was difficult to reach any understanding as to how probation officers saw this concept as contributing to offending.

In one part b record kept on a young black woman the probation officer noted

'She says that she won't take the risk of shoplifting again, its a mugs game, but will handle and receive. Everybody around X is offending she likes the excitement and lifestyle of it all, its all she knows.'

The rather patronising tone contained in the exclamation 'its all she knows' has rarely to be found in documents examined on white or black offenders.

#### XV. Anger.

Previous discussion has considered the question of anger in sections on provocation, racism, the family, alcohol, and relationships. Anger was presented as a single causal factor in offending behaviour most

noticeably in series on black offenders. In one such report the court was told by the probation officer that

'Xs pattern of offending is consistent with angry behaviour as a child.' Anger presented to the court in this way would appear to have negative connotations. The passage suggests a consistency which has been present in the individual for the greater part of his life, which would seem to lead to an obvious pessimistic conclusion that nothing can be done for the individual non custodially. The concluding recommendation runs contrary to this however since a recommendation for probation is made.

In a second interview which aimed at exploring the perceived anti authoritarianism of an offender, the subject was described as having 'Flashpoints of anger which directly related to offending.'

The officer continued by describing the offender as a 'gentle giant.' Such references were far more characteristic of the way in which anger was used by probation officers to explain offending behaviour.

#### XVI. Acting out being a criminal.

This unusual form of explanation occurred in 3 part c records kept on black offenders. This concept appeared in this part of the research material and not in more formal documents like social enquiry reports possibly because it was vague and considered by probation officers to be unacceptable as an 'official' explanation of crime. The following extract from a c follower entry on a black male gives the an impression of the qualitative nature of this form of explanation,

'X is a real showman, when he is being the mature grown up X he shows off in quite amusing ways. When he is being the juvenile immature X he plays to the gang, acting out being the smooth guy. Part of this involves his being the sophisticated criminal. This isn't so funny. Thus in a peer group in which offending is the norm X plays to the audience and in order to gain esteem he offends. This is part of the process of being smooth and streetwise, thus defending a strong position within the peer group structure. The negative consequences for the offender are clearly recognised.'

In all accounts given of such offending the idea of acting out being a criminal was presented in slightly theatrical terms, and linked to peer groups.

XVII. Some general comparisons between explanations of offending for black and white offending.

Having given detailed consideration to particular differences that emerged from all sources of research material it is necessary to make some more generalised comments relating to the differential perceptions of influences on offending, as expressed by probation officers.

Although there were variations in explanations provided in cases on white offenders there was an important unifying strand in that the explanations being offered suggested strongly to the court that there were factors, out of the offender's control, which could potentially create a situation in which the offender was vulnerable to offending behaviour. Such scenarios were largely brought about by the random

build up of external factors. There was also a considerable amount of congruity between explanations offered in social enquiry reports and interviews, although there were exceptions to this. Explanations for offending records also bore a striking resemblance to each other in documents relating to white offenders, concentrating on what has been referred to as conventional forms of explanation.

Although some explanations for offending offered in social enquiry reports written on black offenders, also tended to concentrate on external factors and circumstances acting upon the offender there were many accounts in which black offenders were presented in a way which was qualitatively different from the explanations associated with white offenders. The white offender was frequently presented as a victim of cruel circumstance minimised the amount of blame which could be attributed to the individual. Such explanations often constituted a plea for 'one last chance', and in one case the 'mercy of the court.'

When discussing black offenders probation officers, tended to combine familiar conventional accounts of offending with differing forms of explanation which as has been seen in the section on the family frequently resorted to the use of stereotype, and myth. Underlying all this was a clear reluctance to cite racism as a cause for criminal activity with attempts being made to camouflage this explanation. In a few cases the explanations for offending can only be described as racist when for instance the term 'almost instinctive criminality' is used in relation to the offending patterns of one defendant.' Such

unconventional propositions create the impression that the offender possessed an innate propensity for offending which was performed without conscious intention. When in the second interview the probation officer was questioned about the use of the word 'instinctive' in relation to black offending, he immediately recognised that it could have racist connotations and added,

'The problem is I do not know whether I would have used the word in relation to a white client.'

In another social enquiry report regarding a charge of burglary the defendant's work record is seen as being 'abysmal', and he is seen as having a low I.Q. which could possibly lead to a diminished sense of responsibility.

What emerged in the qualitative examination of reports was that the probation officers would mix conventional accounts of offending, which were directly comparable with accounts given of white offending, with evidence of a different quality, often suggesting that black offending was impulsive and ill thought out.

It was previously noted that explanations given of white offending in ser s were similar to those given in the unstructured interviews, and records kept by probation officers. The same point cannot be made in relation to many of the explanations given of black offending. In the following case the client's own definition of the situation was given quite forcefully during the interview. Here we see that the police pick



on the offender which seems to have been a significant contributing factor in explaining his offending behaviour.

Q. 'How do you account for the position in which X finds himself ?

A: He would say that the police pick on him. He has recently been picked up by the police, and he attributes many of his problems to police attitudes. I think that he has a point here. I generally agree with him about the police.'

In the social enquiry report, however, there is no mention of the police. The following account is given of his offending behaviour, 'He has little to say regarding the offences that he appears before the court for today. The offences all occurred on March of this year, so he has had plenty of time to reflect on his behaviour. He admits that he knew it was wrong to take someone else's push bike, but needed bits for his own, and knew that his mother could not afford to buy them for him. He now very much regrets this behaviour and assures me that he will not be tempted in this way again. '

In discussing a black woman client a probation officer referred in interview to her offending being connected with 'a terrible temper', whilst in the social enquiry report the following statement was made, 'Although the defendant does not feel it is significant, I believe that the fact that the shop lifting occurred following the week that X was rejected by the college of further education from the preliminary care course is possibly relevant. She has been hoping that the college would accept her for this course, even though she was suspended from school, and was obviously upset by the decision made by the college.'

X does insist that her offence was not premeditated but opportunistic, and now very much regrets her impulsive behaviour.'

Again there is a reference to the notion of impulsive behaviour as related to offending. It also has to be noted that there was more congruence between records kept on offenders, social enquiry reports and interviews in data examined on white offenders than black. In the case of one black offender there were no fewer than four different explanations given for offending in the four sources of data that were used, i.e. the explanation for crime in social enquiry reports,, interview, and records. In the social enquiry report the following explanation is given,

'She generally finds that her outgoings exceed her income, and fails to exercise the rigorous financial restraint required to live within her means. She strives to maintain a child, a household, and herself in a meticulous manner on a limited budget. This situation leaves her vulnerable to offending.'

In the part c records, however, we find the following explanation of offending,

'The defendant was shopping and at the till the defendant put some goods straight into a carrier bag which had been given to her at the till, she says she did not realise what she had done until she was stopped outside the store, and offered to pay, but was refused.'

In the part b we see the following explanation,

'The defendant re-offended within five weeks of the probation order commencing, and this places her in a very pressurized position. Shop-

lifting is an integral part of her life, which she was introduced to by her step-mother and continues to be concerned with along side other members of her family. She struggles alone to provide for herself, and her three year old daughter.'

In interview, however, the following explanation was given of this offender's crime,

'She finds herself in a very insecure, and confused position, and frequently has periods in which she is unable to control certain impulses which lead her towards shop lifting.'

In another social enquiry report on a black offender the explanation in the c follower entry regarding the commission of offences reads as follows,

'The offences show that there were some bad feelings around, did they come from his family being black or what?. I asked him to complete the sentence - I got into trouble again because - . In reply to this he mentioned colour, and this opened up the conversation no end, he seemed to respond to it being brought out into open, and he also added that he had never offended on his own. Trouble seemed to be coming from the crowd, and running with the crowd. Possibly being out on the streets because of the problems between his parents in the home. He had never really thought about what he had been doing at this stage. Did it not occur to him that he was breaking the law ?. Certainly he comes over as a quiet, shy, naive man at times. School was where he first grappled with racism. He and his elder sister seemed to have been the only black kids there, and they learnt to protect themselves. So we have some sort of explanation as to why the anger goes underground, until there is an

explosion which then seems to be out of character. This felt like a very profitable session.'

The uncertainty reflected in the records was not seen in the social enquiry report. Here the same writer said of his offending behaviour that he,

'Gets into trouble because of the company he has kept.'

Another unusual form of explanation which was used in interviews related to black physicality. One probation officer consistently made mention of black physicality when explaining offences.

'X has a very physical presence .....he is dominant strong, and very black.'

The same probation officer described another young black offender as

'Laid back, very good looking, tall very smart, and a sharp dresser.'

In another interview the young black offender was described as

'Very large, he makes an immense physical impression.'

Although the physical presence was not directly related to offending, it occurred in some seven interviews spontaneously when offending was being discussed.

It should be emphasised that black physicality was not mentioned in social enquiry reports. The linking of racial identity with physical appearance and criminality is documented elsewhere in the literature. The West Midlands study (1987) found evidence of this tendency in reports. Here as was noted in chapter one evidence was found directly linking a 'Well built and strong Afro Caribbean with 'getting into trouble with the law.'

CHAPTER 4.SOCIAL WORK PRACTICE WITH YOUNG BLACK AND WHITE OFFENDERS.

In this chapter the nature of probation work with young black and white offenders will be comparatively considered. A number of questions have been formulated arising from a concern to understand the possible effect of race on probation practice. These questions also relate to some of the issues raised in the previous chapter, which sought to explore probation officers' perceptions of offending behaviour. This chapter then focuses on the process of probation work with young black and white offenders. It is first necessary however to state what is understood by the process of social work for the purposes of this thesis. Although this is an area of great contention a working model which helps to clarify the notion of the social work process has been recently developed by Preston-Shoot and Williams. They have described a series of steps which they argue constitute an evaluative form of process in social work which is as follows:

1. A description of the situation as precisely as possible.
2. A description of the broad aim of the work with a desired outcome.
3. The identification of feasible objectives.
4. A description of the intervention designed to achieve the desired objective.
5. The identification of indicators which reveal change.
6. A decision as to who will record what and why.
7. Establish the plan for evaluating steps 1-6.
8. Review the results of the intervention prior to either a return to step

one or termination and subsequent follow up. (Preston-Shoot and Williams 1988).

Although no formulation can be free of criticism the clarity of this model creates a useful guideline for the basis of a planned and systematic process in social work. For the probation officer the first step in the probation work process of intervention would be the formulation of a recommendation in a social enquiry report which inevitably constitutes an assessment and a recommendation for court disposal based upon the probation officers' assessment.

This would be followed by a formal assessment, usually in the form of a part b record which in this research for white offenders particularly was not dissimilar from the social enquiry report assessment. The next process would be the carrying out of the intervention based on the assessment. Evidence of the day to day progress of this was found in the part c records, and from personal accounts given by probation officers during interview. The third process involves the officer in a process of evaluating the intervention in order to understand the effectiveness of the work. Evidence of this was sought in all records and in interviews. Put simply one is attempting to ascertain whether the intervention had the effect desired or anticipated by the probation officer. In addressing the issues that arise from this research, the following questions have been formulated, which will structure the chapter.

1. Were recommendations made by probation officers in social enquiry reports equally acceptable to sentencers ?.

This question was selected since it touched upon the debates regarding probation or sentencing practice accounting for the over representation of black offenders within the custodial sector of the penal system. (See chapter 1). Despite the ethnographic slant of this research it was thought to be appropriate to engage with this essentially quantitative question since the most recent evidence in the area from the West Midlands (1987) had suggested that the acceptability, or otherwise, of probation officers could be a crucial variable in relation to sentencing outcome for young black offenders.

2. Was there any evidence to suggest that probation officers made qualitatively different forms of recommendations in social enquiry reports when young black and white offenders are examined in detail?.

This question is concerned with the complex relationship between the formation of arguments in social enquiry reports, and sentencing decisions.

3. Was there any difference between black and white assessments and proposed practice plans ?.

Much of the work of the probation officer is linked to the assessment process which warrants examination since it is a primary social work task. The researcher wished to establish whether probation officers' assessments

constituted a basis for social work and whether the assessment did bear any relation to the form of practice undertaken.

4. Was there a comparative difference in the way in which day to day work was undertaken with young white and black offenders ?.

Here aspects of probation practice which emerged from the research will be examined.

5. Did probation officers measure the effectiveness of their work with black and white offenders differentially ?.

This question was posed in order to draw attention not only to the process of intervention but also the outcome for offenders, outcome in this sense refers to the results of social work intervention. In other words the possible benefits, and or disadvantages, which accrue to the offender as a direct result of contact with the probation service.

6. Were young black offenders seen by probation officers as posing any particular problems which might lead them to be less optimistic about the viability of intervention ?.

In other words an attempt here is being made to ascertain whether probation officers regard black offenders as having characteristics which create problems for the probation officers work.

These six questions will now be considered in relation to the research data.



1. Probation officers recommendations and the sentencing process .

It has been suggested in some of the previous research examined that white probation officers are less likely to make non custodial recommendations for young black offenders than for white offenders. This point was made more consistently in the earlier work, with recent evidence raising questions as to the validity of this view. (See discussion in Chapter 1). Since this aspect of the problem is still unresolved, it seemed an appropriate dimension to include in the research. Much of the material relating to this question has been quantitative, and whilst acknowledging some of the limitations of the positivist approach (See chapter 2), in an attempt to add to this central debate, a direct comparison was made between the data collected from this research with the earlier findings of the West Midlands research (1987).

A number of preliminary observations need to be considered before any direct comparison can be made. The West Midlands figures are higher than the number of offenders in this research, the total number of defendants in the former being 222. Unlike this research in which equal numbers of white and black offenders were examined the West Midlands contained accounts of 114 more white offenders than black . Thus the West Midlands work was a more random and representative sample than this study, in which small but equal numbers of black and white offenders were compared. Notwithstanding this, direct statistical comparisons were made in the following manner.

In all the following tables the percentage figures are calculated with respect to the total number of cases examined for each group, i.e. Oxford, black =25, white = 25. West Midlands black =54, white= 168.

Table 14.

To show number of recommendations made by probation officers.

	<u>Recs made</u>		<u>Recs not made.</u>	
	<u>White</u>	<u>Black</u>	<u>White</u>	<u>Black.</u>
Oxford.	25	22	0	3
	100%	88%	0%	12%
West	147	49	21	5
Midlands	87.5%	90.7%	12.5%	9.3%

Table 15.

To show custodial and non custodial recommendations .

	Custodial		Non custodial.	
	White	Black	White	Black
<u>Oxford</u>	1	2	24	17
	4%	8%	96%	68%

West Midlands

	White	Black	White	Black.
	3	0	144	49
	1.78%	-	85.7%	90.7%

Table 16.To show total number of recommendations followed.Oxford.

Recs		Recs not	
<u>followed.</u>		<u>followed.</u>	
<u>White</u>	<u>Black</u>	<u>White</u>	<u>Black</u>
23	14	2	8
92%	56%	8 %	32%

West Midlands

<u>White</u>	<u>Black</u>	<u>White</u>	<u>Black</u>
85	21	62	28
50.5%	38.8%	36.9%	51.8%

Table 17To show the number of recommendations not followed resulting in custody.

	<u>Black</u>	<u>White</u>
Oxford	3	0
	12%	0%
West Midlands	14	22
	25.92%	13%

The West Midlands researchers claimed their figures indicated that a similar proportion of black and white defendants had recommendations made in their reports. Probation officers were more likely to exclude a recommendation from reports in white cases than in black (Table 14). There were also more recommendations for custody made in reports on white than on black offenders (Table 15). The figures for sentencing revealed that fewer recommendations on black defendants were followed by sentencers when compared with recommendations on white defendants, 38.8% compared to 50.5% (Table 16).

In cases in which the recommendation was not followed, 25.92% of the black defendants received custodial sentences compared to 13% of the white defendants (Table 17).

It was concluded that the courts were less likely to accept a non custodial recommendation on a black defendant than they were on a white defendant, and were more likely to give a custodial disposal to a black defendant particularly in cases in which no recommendation had been made.

The data from the research carried out in Oxford, on first inspection reveals a 12% difference when the number of recommendations are being compared. Recommendations were made in 88% of reports on black offenders with a slightly higher proportion, 100% of social enquiry reports on white offenders .

When the number of social enquiry reports without recommendations are examined a higher proportion of such cases were found to be white in the West Midlands, whilst in Oxford, probation officers were less likely to make recommendations in relation to black offenders (Table 14).

A greater concentration of recommendations for custody was found in social enquiry reports written on white offenders in the West Midlands study, whilst twice the number of black offenders in the Oxford research were likely to receive a custodial recommendation (Table 15 ).

Sentencers in both findings were more likely to follow recommendations on white than on black offenders. This was a more pronounced trend in this research than was found in the West Midlands. In the Oxford work only 56% of recommendations relating to black offenders were followed whilst 92% of recommendations were followed in reports on white offenders.

In the West Midlands study slightly more recommendations on black offenders 51.8% than white 36.9% were not followed. In the Oxfordshire research the trend was repeated, with a far more pronounced tendency for recommendations on black offenders to be rejected, 32% black compared with 8% white (Table 16).

Table 17 indicates a pronounced tendency in the Oxford sample, as was found in the West Midlands, for offenders whose report recommendation had not been followed, to receive a custodial sentence.

The problems involved in using small scale numerical data are once again demonstrated in the results of this comparative study (See also discussion of this in chapter 1). It seems difficult to explain the difference in the incidence of non custodial recommendations between the two studies. This particular finding would be supported by many of the earlier studies. (e.g. Taylor, 1981), whilst conflicting with the work of De la Motta who found a more pronounced tendency for custodial recommendations to be made in relation to white offenders (De la Motta 1984).

This raises the qualitative question of what constitutes a custodial recommendation. Probation officers in this study did not on any occasion argue that custody was in itself beneficial. The recommendation was couched

in terms of being inevitable given other factors such as the seriousness of the offence or the position of the offender within the tariff system of sentencing. There were on some occasions grey areas of recommendation where the researcher can only speculate as to whether a different officer might have been more imaginative in making a non custodial recommendation even in the face of a pessimistic tariff position. In order for this important aspect to be researched one would need to ask two probation officers to write social enquiry reports and make recommendations on the same offender. Such research has not been carried out in relation to black offenders to date. A possible explanation for the apparent greater likelihood of black offenders being sentenced to custody despite the probation officers' recommendation would be the more extensive and serious nature of the previous offences. Tables 18-21 relate to the main offences committed and to the form of disposal made by the court. It can be seen that in the West Midlands study the most frequently occurring form of crime connected with black offenders was theft and burglary occurring on 13 and 14 occasions respectively. Theft and burglary also appeared to be the most dominant form of criminal behaviour amongst young black offenders in this research occurring 8 and 7 times respectively.

When figures for white disposals are examined, the West Midlands study reveals a similar pattern, with burglary and theft constituting the major forms of offending. For black offenders in this research it was found that theft and burglary are also the most frequently occurring forms of offending, although for white offenders theft occurred twice as many times as burglary committed by 11 white offenders. It seems difficult to account



for this, other than to note that theft is generally regarded as a less serious offence than burglary.

Robbery a more serious crime was absent in cases involving black offenders in the West Midlands study. Three white cases of robbery were reported in the West Midlands study constituting 1.7% of the total. When crimes against the person were examined the only case of murder in the West Midlands study was committed by a white offender. In the West Midlands research, cases of assault and wounding were found to have been committed by 11 white offenders. Three cases of assault and wounding were seen in the Oxfordshire research which formed 12 % of the total number of white cases examined. In the black sample the occurrence of assault and wounding was lower, with one such offence in the West Midlands study, and an absence of such cases in the black Oxfordshire sample.

The argument that the more serious nature of black offending accounts for more custodial and less non custodial sentencing cannot therefore be sustained when these pieces of research are examined. Such independent findings direct attention away from the number of recommendations being made by probation officers towards the sentencing process. When the court disposals are examined in relation to specific types of offences this conclusion is reinforced.

The example of burglary, an offence in which black offenders were more likely to be involved in both studies, can be seen to illustrate an important point. In the West Midlands sample 11 of the 14 black







Table 21.

Oxfordshire Probation Service.  
White defendants.

	Offence	Sexual	Robbery	Burglary	Murder	Affray	Drugs	Drive ex alcohol	Theft	Abduction	Conspiracy	Going equipped	Assault/wounding	Deception	Drive Disq	Crim damage	Arson	Breach p order/cso	Receiving	Prostitution	Taking and driving away	P.T. act	Other	Total
Cond disch	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
A/c	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fine	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
So/po	0	0	3	0	0	0	0	0	9	0	0	0	2	0	0	2	0	0	1	0	0	0	0	17
Cso	0	0	2	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4
C/o	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
S/sent	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Custody	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	2
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
None.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

defendants, (78.57%) of the total number of black defendants convicted for burglary received custodial sentences whilst 2 out of 7 black defendants (37.5%) who had committed burglary in the Oxfordshire study were given a custodial sentence. In the West Midlands research it was also found that 25% of white defendants having been sentenced for burglary were given custodial sentences, whilst in the Oxfordshire work 16.6% of white offenders found guilty of burglary were sentenced to custody. It can be argued therefore that black offenders are more likely to receive custodial sentences for an identical offences of burglary. Having acknowledged this however, there is also a significant 41% difference in the figures for custodial sentencing in relation to burglary when the two geographical areas are compared. It could be suggested that local variations in sentencing for identical offences are more pronounced in relation to black offenders. Although much empirical evidence exists in the literature relating to regional variations in sentencing generally, the racial, ethnic component has not to date been considered, and would seem to be an important omission from the literature.

With regard to the offence of theft, nine white offenders of twelve convicted in the Oxford work were made the subjects of probation or supervision orders which constitutes 75% of the total. This figure should be compared with the two black offenders out of 8 who were sentenced to supervision or probation (25%) for the same offence. Some 19 out of the total of forty white offenders 47.5% convicted of theft in the West Midlands study were sentenced to probation or a supervision order, whilst the same figure for black offenders was 3 out of 13 or 23%.

In this research there was a greater possibility of being sentenced to supervision order or probation for a white offender than a black for the offence of theft. Although this trend was not as pronounced in the West Midlands research there was still a substantial difference in sentencing practice in favour of white offenders when disposals for theft were examined.

There is a problem with a direct comparison since these figures represent sentences and disposals taken from the random sample of cases which presented themselves in the West Midlands study, whilst probation officers in the Oxfordshire research were asked to select equal numbers of black and white offenders. The West Midlands work in examining all sentence outcomes in the area over a period of time reflects a more statistically accurate picture. Since this research is essentially qualitative, the quantitative data can only be suggestive of emergent sentencing trends. More random sampling needs to be done on a larger scale in order to produce a more statistically significant and sophisticated comparative study of probation areas.

An important factor to be taken into consideration is that of previous convictions, a factor which has an important determining effect both upon the recommendation made by the probation officers and the sentence imposed by the court.

Table 22.Numbers of previous convictions in relation to court disposal.

Previous convictions	White		Black	
	Male	Female	Male	Female
Probation/supervision order.				
1-3	2	1	1	1
3-5	8	2	6	1
Over 5	4	0	2	0
	14	3	9	2
Y.C				
0	0	0	0	0
0-3	0	0	0	0
3-5	1	0	2	0
Over 5	1	0	3	0
	2	0	5	0
Community service				
0				
1-3	1	0	0	0
3-5	2	0	1	0
Over 5	1	0	3	0
	4	0	4	0



## Suspended sentence

0	0	0	0	0
1-3	0	0	1	0
3-5	0	0	2	0
Over 5	0	0	0	0
	0	0	3	0

## Conditional discharge

0	1	0	0	0
1-3	0	0	0	0
3-5	0	0	0	0
Over 5	0	0	0	0
	1	0	0	0

## Fine

0	0	0	0	0
1-3	1	0	0	0
3-5	0	0	0	1
Over 5	0	0	0	0
	1	0	0	1

## Compensation order

0	0	0	0	0
1-3	0	0	0	0
3-5	0	0	0	0
Over 5	0	0	1	0
	0	0	1	0

Table 22 above shows the number of previous convictions which each offender had recorded in relation to the disposal chosen by the courts. It is clear that a greater number of white offenders who had between three and five offences were given non custodial sentences mainly in the form of supervision or probation orders than was the case with black offenders. None of the offenders in this category had previous experience of custody. It is also noteworthy that this form of disposal was the most popular for women offenders both black and white.

More young black offenders than white were sentenced to custody although the rates for previous convictions recorded for white offenders was similar. Two of the five male black offenders who had committed over five offences had previous experience of custodial sentencing. The white male in the same category had no previous experience of custody. None of the other offender black or white had previously been the subject of a custodial sentence. Although with such small numbers it is difficult to draw any firm conclusions except to comment that there would appear to be greater likelihood that the black offender will receive a custodial sentence. The figures for community service are remarkably similar with a slightly more emphasised tendency for black offenders to be directed towards this high tariff sentence. In one instance a black offender had served a previous custodial sentence.

In answering the question as to whether recommendations made by probation officers on black and white offenders are equally acceptable to the courts

sentencers a clear pattern emerges which is supported by other research. Sentencers are less likely to follow recommendations made by probation officers on black offenders. When recommendations are not followed it is more likely that a custodial sentence will result. These trends do not appear to be related to the number of previous convictions.

A problem does arise however, as to whether one can attribute these apparent sentencing trends directly to racism. What seems to emerge from an examination of small scale localised quantitative studies including this one is a puzzling picture with a complexity possibly attributable in part to local variations in probation and sentencing practices.

#### II. Probation officers recommendations in relation to black and white offending.

A qualitative examination of reports was undertaken with specific attention being given to the way in which the recommendations were presented and the relationship of the final recommendation to the body of the report. In the previous chapter it was argued that probation officers will, when writing social enquiry reports catalogue a number of explanations for offending, which constitute what was referred to as a conventional form of explanation. The purpose of this in the case of white offenders is to effectively distance the offender from the offending behaviour, or according to Pinder to use conventional forms of 'excuse' to account for the behaviour (Pinder 1984).

Combined with this is the tendency to use such explanations to victimise the offender. Thus reasons are sought to account for the offending behaviour which will make a recommendation for non custodial disposal

rational to the sentencer. In other words, when probation officers make conventional recommendations they tend to use excusing or victimising terms.

Although to some extent these comments can be applied to reports on both black and white offenders there emerged a qualitative difference in the way in which explanations were presented. In cases involving young black offenders conventional rules of 'professional' argument were modified for a number of possible reasons. The form in which the report is written may be affected by racism on the part of the writer, or the desire to present a black view of social reality which incorporates racism. The central question which emerges is the relationship between the form of explanation for offending and the recommendation made by the probation officer to the court. It is important to recognise that for a probation officer writing social enquiry reports, the sequencing of arguments and the relation between particular sequencing and recommendations constitute a major part of their social work practice. This problem will now be explored by examining in detail the accounts given by probation officers in social enquiry reports.

The following case of shoplifting involving a young white woman offender will exemplify the 'conventional' relationship between explanations of offending and recommendations. The sequence of explanations in the report can be expressed thematically as follows,

Figure 3. To show conventional representation of events in relation to shoplifting

1. She was under considerable stress.
2. She wanted to draw attention to her plight.
3. Her husband was increasingly violent towards her.
4. Non custodial recommendation by probation officer.
5. Non custodial disposal by the courts.

The recommendation for probation reads as follows.

'X presents as an anxious frightened young woman, who sees herself as a victim of circumstance. The previous probation order helped her practically to become more assertive, and create some form of control over her own life. Unfortunately she appears to be back to square one. I would therefore suggest to the court that a further probation order be appropriate in this case, especially as Mrs X is very isolated at the moment, and needs a confidante to help her make decisions and change her life for the better'.

There are a number of observations about this report which help exemplify what has been referred to in this research as conventional

practice. The recommendation clearly relates to the forms of explanation which have been provided earlier in the report. The defendant is afraid of a violent husband which is presented as a circumstance and not a form of individual pathology. The offence is then removed from the essential personality of the individual since she was attempting to draw attention to these circumstances. The report does not enable the reader to learn why it is that the individual expresses her anxiety through crime.

The probation officer then identifies what the offender needs. The offender requires more assertiveness and control over adverse circumstances which dominate her life and lead her towards offending. This link between the need for control over her situation and the role of the probation officer was previously achieved as a result of a probation order, although no evidence is given in the report as to how the previous officer was able to work with the offender. It then becomes possible for the probation officer to present the offence in terms of regression by referring to her as being 'back to square one'. The work carried out previously with this offender did not have a permanent effect since she has again found herself before the courts. Having established and justified the need for probation a role for the probation officer is expressed in terms of the worker becoming a 'confidante'.

Thus probation can be seen as solving problems for this offender as catalogued in the probation officer's explanations of the offence. The stress, lack of control, regression, violent husband, and anxiety, can

be solved by the probation officer becoming a confidante. It could be argued that such an explanation and recommendation is an ambitious project which places an enormous pressure on one worker, and that the argument leading to the recommendation was somewhat lacking in credibility. What seems to be important however is that the report follows an acceptable line of 'conventional' logic even if some obvious questions are left unanswered. Explanations for offending are related to the recommendation which should contain a solution to the problems faced by the offender. An undue confidence is invested in the one to one form of work which is implied by the notion of the confidante. This is acceptable to the courts since it is enshrined within the conditions of the probation order in which the individual officers' role is to 'advise, assist and befriend.'

In another example of conventional report writing report a picture of a confused background is presented to the court,

'With a history of familial disharmony, and a school career which was characterised by truancy despite normal intelligence.'

Although this white offender has entered a plea of not guilty the probation officer mounts an elaborate case for probation based on conventional lines, after the defendant has been found guilty he writes,

'I am recommending that the court take note of Mr.X's desire to change although I am aware of two difficulties with this. His co-defendant in this case has received a custodial sentence for the same offences in which Mr.X was involved. Secondly, the defendant continues to affirm his

innocence. In my opinion this should not be an insuperable obstacle to effective supervision. Should the court agree to a non custodial sentence there are a number of options. I first considered community service, but I do not feel that this is what the defendant needs. The defendant needs further help and guidance. His desire to stay out of trouble is not assisted by the inconsistencies which he experiences at home. At the same time I have put aside the possibility of placing the defendant in a probation hostel since the pull of home is too strong, and whilst his difficulties have been exacerbated by home factors they are probably best resolved there and not in the hostel. Similarly I have considered the day probation programme, which may place more stress on the defendant than he is able to take at the present time, since he has only just come round to being able to discuss his personal life. He also hopes to register with an industrial training programme, the restart scheme. The day probation programme would prevent his attendance on this course. I would therefore ask the court to consider a non custodial sentence, and that a conventional probation order should be granted. Such supervision would be in accordance with a specific contract the terms of which I have already discussed with the client.'

There are a number of observations which can be made about this recommendation. Despite the defendant's continued efforts to 'affirm his innocence', the probation officer feels strongly enough about the case to recommend probation in a forcible manner. The fact that the offender does not acknowledge his guilt is not for this probation officer an 'insuperable obstacle' to probation. Having established the



need for a non custodial sentence the probation officer then eliminates the various sentencing options reaching the conclusion that the offender needs social work intervention since he has expressed a 'desire to change'. One of the important explanations provided by the probation officer, was the home circumstances of the defendant which had exacerbated his difficulties. These problems are made to appear soluble at home by the rejection of the idea of the offender being placed in a hostel.

This further strengthens the case for a non custodial sentence since the view that the offenders problems can be best solved at home gives the impression that there is something further to be gained by not imposing a non custodial sentence. The rejection of the day probation programme option gives the opportunity to inform the court that the defendant has recently started to discuss his personal life. The implication here is that he can do this on a one to one basis but not in a group which further promotes the idea of a conventional probation order. The rejection of the day probation programme as a sentencing option also enables the probation officer to then introduce the fact that the offender has applied for a government scheme, which is further proof of his desire to direct himself towards a more industrious lifestyle.

Earlier in the recommendation the probation officer asserted strongly that the defendant needed help and guidance, and it is this theme which is referred to at the end of the report when the recommendation is actually made, since the probation officer requests a conventional

probation order in which work will be contractually based. The sentencer could gain the impression that this is a viable proposition since the terms of the contract have already been agreed with the defendant.

The accumulative effect of this lengthy recommendation is threefold. Firstly it makes probation a viable and attractive option for a sentencer. Secondly it eliminates other sentencing options. Thirdly a clear message is given to the sentencer that the defendant is anxious to change, despite his pleas of innocence. In this recommendation the probation officer has shown what may almost be described as a determination to have the defendant placed on probation. Every attempt has been made to cover all interpretations of the defendants' behaviour, with the reader being led to the inevitable conclusion that probation is an appropriate and effective form of disposal in this case.

Such a determination was not evident in non custodial recommendations for black offenders. When recommendations were made for community service in the case of white offenders the tone of the reports tended to be positive, both in the context of the offenders relationship with the probation service and to the likelihood of community service being a successful and viable sentencing option. This would be expected since in making a 'high tariff' recommendation sentencers require substantive reasons for following this option. Such a positive image is given in the way in which the following argument for community service is synthesised.

'I supervised the offender previously on parole licence. He was always co operative and I had no cause to worry about his life in general. His co operative response has been a feature of his relationship with the probation service over recent years. My overall impression of the defendant is that he has emerged from a troublesome adolescence, and shows every sign of being a responsible adult both in terms of employment and within the home. My observations to date lead me towards a very positive picture. I can confirm his suitability for a community service order.'

In this recommendation reference is made to the positive relationship which the offender has previously had with probation officers. The reader learns that the offender has emerged from a 'troubled ' adolescence, and shows signs of rehabilitation, although no evidence is given to support this observation. The previous positive intervention does not appear to have prevented the new offences from taking place.

With regard to the imposition of financial penalties, it can be seen from the earlier figures that in this research it was a relatively infrequently used form of recommendation. In the case in which a financial penalty was recommended for a white offender a process of reduction and elimination was used which led the reader towards the conclusion that a financial penalty was the most appropriate one. After describing the previous probation experience as upsetting for the offender, the officer went on to cite the fact that the offender was in touch with both the educational welfare officer/schools social worker,

and the educational psychologist, the justification for excluding probation from the sentencing options was logical in that there was a danger of duplication of work.

Although there was not an appreciable difference between the number of non custodial recommendations for black and white offenders, a number of significant qualitative differences were discernible. In four social enquiry reports written on black offenders reference was made in the conclusion and the final recommendation to a number of derogatory features directly attributable to the personality of the offender. Such comments did not tend to be present in accounts given of white offenders. In one case a black offender is described in the recommendation as an ,

'Amiable and able person, but these offences seem to have resulted from a rather passive and irresponsible attitude on his part. I think that they are indicative of his immaturity and of his inabilities to handle pressure appropriately. I believe that the time is right again to offer the support of supervision at this juncture. I have emphasised that the defendant will need to take the conditions of probation very seriously or face breach. He would also be expected to take part in a eight week preparation group for those newly placed on probation. I have considered another community service order, which the defendant himself feels negative about due to his previous experience. I should also add that I feel that at this stage there is a need for social work intervention.'

The difference in the tone of this quotation is indicative of the qualitative difference that was found in reports on black offenders when compared with recommendations made for white offenders. Although the offender is described at the outset of the recommendation as 'amiable and able' the notion of the offender being a 'passive and irresponsible person' is introduced which has counterbalancing negative connotations. This impression is compounded by reference to his immaturity and inability to handle pressure appropriately. The suggestion that a probation order would be appropriate is followed by mention of a warning that has been made to the offender, in that he will face breach proceedings if he fails to take the probation order seriously. The effect of this is to raise doubts in the mind of the reader, particularly with regard to the possibility of the order failing before the order has been made. The probability of a probation order being made must further have been reduced by mention of a 'negative' attitude towards community service, and mention of the previous failure of a community service order. Such a comment could possibly suggest to sentencers that the defendant himself would prefer a custodial sentence.

Surprisingly, the probation officer goes on to make his final recommendation in the following way.

'A probation order with a condition of attendance at the day probation programme, is another sentence alternative under probation service control which appears to be the most relevant measure given his present situation. Such a groupwork programme would focus on his attitudes and

behaviour in an extensive fashion. He has been seen in prison by a representative of the day probation programme and is acceptable in the unit.'

One questions the credence which can be given to this recommendation given the negative implications contained within the report relating to previous non custodial intervention, and that the defendant himself had expressed a desire not to be considered for a non custodial sentencing option. The necessity for approaching the recommendation in this manner is unclear, but was a distinctive feature in reports written on young black offenders. It would have been possible to have made this recommendation in a far more positive manner, as was the case in the reports written on white offenders. There was also a failure to address the issues which had been raised in the report earlier, the offenders' problems at home, and school for instance. Although there was a recommendation for a non custodial sentence the force of the argument was reduced by both the inconsistencies within the argument, and the negative context that was created within the recommendation.

In two instances some ambivalence was shown in the recommendation relating to black offenders when community service was being recommended which was not present in such recommendations made for white offenders. The following recommendation on a young black woman illustrates the point,

'She presents as a bright intelligent person who is committed to the care of her child and of her family. She acknowledges the folly of her behaviour, and she is aware of her position before the court today. I have discussed with her and her family the various options which the court may consider. I believe that while a community service order may have something to offer her, in terms of reminding her firmly of the consequences of her behaviour, I feel that it would be difficult for her to maintain the commitment required due to her personal circumstances. I do believe however that as her offending is reaching a position in which she is becoming vulnerable and is in danger of jeopardising her freedom, there are social work tasks which could become useful to both her and her family and a short probation order would be a timely disposal.'

A number of features within this recommendation distinguish it from similar statements relating to white offenders. The first section of the recommendation is positive in that it is couched in a form of language which is acceptable to the courts. She is committed to her family showing contrition in that she recognises the error of her ways and the gravity of the situation in which she finds herself. This offender was high within the 'tariff stakes' having some five previous convictions against her which, as the probation officer acknowledges, puts her in danger of a custodial sentence. There is then a possible danger in making a recommendation which is lower in the tariff particularly since she appears to have been excluded from this option due to child rearing commitments.

No instances were found of white offenders of either sex being excluded from any sentencing option on this basis. It should also be noted that male black offenders would also not have been excluded for such a reason. The recommendation for probation, does not appear to have been made with very detailed thought since the 'social work tasks' are not delineated. In this case then it would seem that the offender suffers discrimination both as a young black person and as a woman. The recommendation is discriminatory and ill thought out.

With regard to the imposition of financial penalties on young black offenders there appeared to be little qualitative difference. Non recommendations were made in a number of cases in relation to black offenders. In one case the non recommendation was couched in the following manner,

'I believe that I have given X a substantial number of chances to prove his motivation to see his order through and I can now reluctantly conclude that he is not ready for a probation order. In the light of the problems there have been in meeting the requirements of the probation order I do not feel able to offer any recommendation which involves willing cooperation with this service. I am aware that Mr X would leave custody with more rather than fewer problems and bearing in mind the four years when he avoided contact with the law, would respectfully suggest that should the court feel that custody unavoidable, the experience be kept as brief as possible.'



Although the probation officers view that a non custodial disposal is inappropriate in this case due to the offenders unwillingness to cooperate, the observation has to be made that such a negatively phrased form of recommendation was not found in any of the social enquiry reports read relating to white offenders.

The overall conclusion therefore is that probation officers presented arguments in relation to white offenders which were more credible to the courts in a number of respects. Social enquiry reports tended to be couched in terms which were acceptable, and understandable to the courts. The recommendations on white offenders also appeared to have a stronger internal logic than the recommendations on black offenders, being more clearly related to the body of the report also rendering them more readable, consistent, and ultimately convincing. The absence of negative comments in reports on white offenders could indicate a greater enthusiasm to champion the cause of white offenders than black. It could also reveal a confusion on the part of probation officers regarding the appropriate representation of black offending.

### III. Qualitative differences between probation officers assessments and proposed practice in relation to black and white offending.

In this section the relationship between the process of assessment in probation work and the proposed form of intervention will be examined comparatively with regard to black and white offenders. Within the literature there are a number of conceptualisations relating to social work assessment. The lack of consensus in defining the nature of

assessment even becomes apparent in the work of two writers both of whom take the individual client as a starting point. Whittaker for example describes assessment in terms of a social treatment model as 'A joint process through which the worker and client explore and assess physical, psychological, and social conditions as they impinge on the client and then attempt to relate their findings to the range of social problems experienced by the client in a manner that yields objectives for change as well as a plan for action.' (Whittaker 1974, p.159).

Sheldon writing from a more behavioural perspective, though nonetheless individualistic approach, emphasises that assessment is inextricably linked to evaluation from the outset of all work with social work clients.

Behavioural assessment he argues is concerned with the identification of behaviours which it would be useful and reasonable to perform. Such assessment also takes into account the consequences of actions for all concerned in a social situation (Sheldon 1982).

Both these views of assessment, although concentrating on judging the 'clients' ability to function, encompass a wide variety of activities which could be called social work assessment. When such diverse interpretations exist in the work of just two writers it is perhaps not surprising that individual probation officers who, it will be argued, also start from an individualist perspective will also have differing

ideas as to the nature of this central social work task.

Much of the data examined in this research related to assessment, which reflects the balance of work on most probation officers caseloads. Assessments are made in part b and c records social enquiry reports, home circumstances reports for youth custody institutions, and for parole applications. Thus much of the work carried out by the probation service is related to assessment, and plans for work related to those assessments. Evidence for the way in which this process works will be drawn from social enquiry reports, interviews with probation officers and records, part b and part c.

It was noteworthy that the initial assessments for all clients appeared to be based upon highly individualised descriptions of personality. This reflected the previously noted tendency of probation officers to provide explanations of offending in terms of individual and not societal causation. The subjective assessment of the offender, made by the probation officer usually formed the basis for a suggested form of future social work. The nature of these assessments was discretionary, in that the probation officer appeared to be creating a certain form of reality which was meant to represent the nature of the offender and the offenders' problem.

In attempting to add to the understanding of the process of assessment and planned intervention data from interviews, social enquiry reports,

part b and c records were examined. Evidence was gathered with regard to the possible relationship between assessment and proposals for intervention from these sources for all fifty offenders .

One probation officer put the assessment and planning process succinctly when in describing his work with an offender he said

'I have no recognisable model, it has been a question of staggering from one appointment to the next.'

This comment appeared to apply to much of the assessment and probation work examined in this research. Despite the ad hoc basis on which many of the officers appeared to operate, often copious assessments were present in the research .

Two marked features were apparent in the qualitative evaluation of written and oral assessments made of black offenders. Firstly there was a wide use of what can best be described as evocative adjectives sprinkled throughout the material. Secondly these adjectives were often applied to descriptions of personality. The result of this combination was a highly individualised subjective and frequently negative assessment of the individual, with idiosyncratic links often being made with proposals for practice.

Although adjectives with negative connotations were present in assessments on white offenders there seemed to be a qualitative difference between adjectives used to describe black and white offenders, which could have worked to the disadvantage of the black offender. Whereas for instance a young white offender was described as

an 'immature', 'disorganised character', a black offender who had committed an identical offence and had previous convictions was assessed as being 'anti-authority, angry, and volatile.'

On a more positive note other adjectives such as, likeable, outgoing, and warm also appeared with frequency in relation to black offenders. When all the data was examined it was found that some 73 different adjectives which could be conceptualised as carrying a negative connotation were used in the case of black offenders whilst only 48 such adjectives were used in relation to white offenders. When positive adjectives were used there appeared to be less disparity with 53, and 49 being used in connection with black and white offenders respectively.

Although this part of the research was carried out by an independent assessor who having read the materials decided which adjectives were positive or negative, as an exercise it has severe limitations. Firstly the way in which adjectives create meaning is determined not only by the use of the word itself but also by its position within the sentence and the context of other parts of the document whether it be a social enquiry report or a record. Secondly the judgement as to whether a word is positive or negative is frequently highly subjective. Thirdly the simple description positive or negative does not describe the degree of negativity which a word might impart. In other words there are varying degrees of negativity imported in words. Some might argue for instance that the word 'lazy' is more negative than 'apathetic'. Both these words appeared in the data and were described as negative. Thus the

exercise merely gives a generalised picture of the possible frequency of adjectives which might be described as positive or negative in relation to black and white offender. No firmer claim can be made for this particular part of the research. This in no way is intended to lessen the importance of choice of adjective and associated connotative and denotative meanings. This crucial determinant in understanding the assessment process, will be reconsidered in chapter 5 where the beginnings of a semiotic analysis will be applied to this data .

Generally it was difficult to discern any generalised linkage between the form of the adjective used and the type of social work intervention advocated. Many of the assessments seem to contradict the form of work advocated. There were a number of general qualitative differences in the way in which arguments were structured when assessments for black and white offenders were examined.

The work of the West Midlands researchers in 1987 revealed an unusually high number of references to the physical presence of black offenders. In this research also references to physicality were frequently contained within the assessments on black offenders. The inclusion of such references was a significant distinctive factor which could lead to the conclusion that race is a factor in the assessment process. In one interview when a probation officer was asked to assess a black offender he described a ,  
'Very physical presence.....pause.....he is a very dominant and strong personality, who is tall very black and very handsome.'

Frequently as in the above case, the reference to physicality was followed by a reference to authority.

The officer continued

'His main problem is his relationship with authority. Despite his apparent dominance I suspect that he is very insecure. He also has a severe identity problem, and this means that he has to try and understand where he fits in. Although he comes down firmly as being black he has lost identification with his parents generation, who were first generation West Indian, particularly his mother who does not conform to a stereotype. The overall problem is his finding a place in white society. He also grew up too quickly, he is still in fact nineteen. He is grown up physically, but he is still very much in his early teens. He hasn't matured much at all.'

A number of important points emerge from this part of the interview.

The probation officer himself appears to be highly aware of race and the blackness of this offender. It was the first point made in the verbal assessment, and is heavily emphasised. Having acknowledged the offenders physicality the probation officer defines the 'problem' in terms of an inability to relate appropriately to authority. In the second interview the officer was asked to elaborate on this point. He did this by describing the offenders 'difficulties' as emanating from an inability to understand that,

'In this society at the end of the day, some people have power over you. There is nothing that you can do about that, X cant understand that.'

The offender is also represented as being insecure, although at no point in the interview , or in records was evidence given to support this part of the assessment. The reference to losing his identity is related directly to the offenders' blackness, and fitting in. This essentially assimilationist model which was present in a number of black assessments appears to assume that the offender will ultimately find identity and simultaneously desist from offending by assimilation into the dominant white society. The loss of identity is further compounded by the fact that the offender is estranged from his parents who were described as first generation. It is also noted by the probation officer that the mother in this case does not conform to a stereotype, and whilst it could be read that the officer has an expectation that she should, it is important to note that mention of the stereotype followed reference to first generation black people.

The generation gap was mentioned by three other officers who also presented a stereotype of the first generation of parents characterised by quietism and passivity, who according to probation officers unlike their offending children were imbued with a work ethic. This factor in assessments was unique to black offenders. The last section of this assessment suggests that the root cause of this series of individual difficulties lies in the fact that the offender has not grown up.



The argument in this assessment would appear to be as follows :-

1. Blackness/dominance-----an indication of-----
2. Insecurity-----indicative of an -----
3. Identity problem-----created by lack of assimilation
4. Can't yet understand where he fits in
5. Lost identification with parents.

Figure 4. To show arguments used in assessments.

Three of these arguments 1,4, and 5 are race related, whilst the other two are based on the notion of the offender having a 'problem'. The last argument appears to lack a position in the development of the argument suggesting possibly that there was some doubt on the part of the officer as to how this factor could be included. It is possible to see that even though the arguments relating to identity, and insecurity are 'conventional' and can be seen in many assessments on white offenders, in the assessments on black offenders these conventional explanations are further complicated by the inclusion of race. The recommendation for practice which follows this assessment also includes a reference to race.

The probation officer said

'We have addressed the issue of racial harassment, its been a difficult thing to verify, but I felt acknowledging his blackness was a positive step. I see the way to help him is to challenge certain racial stereotypes which have affected him. He feels aggrieved at being discriminated against'.

This was as far as the analysis and associated form of intervention went. No indication was given by the officer as to how this challenge would or could happen. In this context it amounted to a statement of good intent which was not pursued in the work which followed.

The question of a black offenders physicality was mentioned on other occasions in assessments and since it was found in previous research needs to be examined more carefully. Four officers expressed an insecurity and inability in dealing with the physical blackness of offenders. For some officers a colourblind approach would have been a simpler and more comfortable solution although there was a pervasive consciousness that suggested to officers that this might not be an appropriate response to the black presence. In a second interview the officer was asked to comment on her previous spontaneously mentioned reference to physicality with regard to a black offender, she said

'I couldn't actually remember whether he is black or not, I don't really see him as black....pause.... it wasn't until you mentioned that this client was black that I had thought of it. I'm afraid that this might be racist, I think that what we are being told is that there is no such

thing as a recognizable race. Anyway for me he is very much an Oxford lad ..... a gentle giant, although there are flashpoints where he can get pretty nasty.'

When the probation officer was questioned further as to the methods she would use, a one to one model was advocated. The reason for this was described in terms of giving the offender the space to look at his anger and enable him to take responsibility for his actions. The probation officer was still advocating this course of action despite the fact that in the social enquiry report it was stated that the offender had very little motivation and that probation had little to offer this offender at the present time.

More references were made to black than white peer groups in the research. Two black offenders were conceptualised as, 'running with the crowd', which was seen as another indication of an inability to mature. In the second interview one of the probation officers was asked to expand on this concept. It emerged that he was referring to a group of black youths who were known by the local probation service to be involved in criminal activity. The probation officer was then invited to discuss the form of appropriate social work which related to the assessment. He replied

'I think it would be best to try and reinforce a positive self image of himself by rewarding things which he has done. This can best be

achieved on a one to one relationship, by rewarding him encouraging him and instilling confidence.

It is not clear in this case how the assessment relates to the proposal for social work intervention. What appears to be advocated is a form of behaviour modification although the term is not used directly. No argument was given as to why a one to one form of work is thought to be the most appropriate form of intervention. Arguably if the problem was located as being that of peer pressure within a group, it may well have been more appropriate to have directed efforts at enabling the offender to understand his own position within group. What is evident in this case is a lack of consistency in the form of argument adopted when the assessments and plan for action are examined, which leaves questions unanswered. Why for instance can the creation of a positive self image be best done in the one to one relationship?. It also seems clear that the manner in which the arguments are presented in the assessment and the plan for action have little internal logical consistency, and do not appear to relate to each other.

The position which the probation officer was advocating was made even more confusing when the part b records were read. In one of the rare references to race in this source of data, the officer recommends that the thrust of the intervention should be directed towards the offenders' own consciousness of discrimination despite the fact that the offender had already vociferously expressed a deep concern for the nature of

discrimination against black people in Britain. The probation officer goes on to describe the offender as belonging to a 'stereotypical West Indian family. His mother is incapacitated and his father is somewhere on the fringes of all this.'

Although the incapacity of the mother is not elaborated upon, the probation officer in this case appears to be accepting a 'stereotype' of a West Indian family. It was unclear from the manner in which the term stereotype was being used whether the probation officer was attempting to create his own stereotype, or whether he needed a stereotypical view of the family as a personal conceptual framework with which to view the social work task.

Although there were inconsistencies found in the kinds of arguments made in assessments and plans for social work intervention in the case of white offenders, the issue of race appears to further complicate already unclear issues. This seems to be related to the inability and, or, reluctance of probation officers to intergrate an ethnic/racial component into their assessments. Individualised assessments are preferred, and lead to a number of bewildering contradictions which were found to be present in various forms of assessment. It becomes possible for a young black offender to be assessed in the interview as being 'A girl, who had difficulty in relating to people', whilst in the part b assessment she is described as identifying quite strongly with black people and her racial identity. In the interview and the records it emerged that this defendant resisted group work due to the fact that she has a ,

'horror of relating to people.'

The probation officer in the social enquiry report had advocated social skills training in order to help the offender break down social barriers which she created in interaction with people. It emerged in the interview that there were other factors about the group which the girl had objected to in that it was predominantly white and male. This was not mentioned in any of the written material and was a factor which the probation officer involved had not thought necessary to mention in assessments. The question of ethnic/racial identity was irrelevant, whilst the points that the offender was making about race and sex were apparently being ignored. Almost predictably the decision was made to work on a one to one basis, with the probation officer in order to build up trust because this offender was unable to cope with the group. There was no explanation given as to how trust would be created and the ultimate benefit to the client of forming a trusting relationship with a white probation officer.

In other instances involving black offenders when probation was considered appropriate, the assessment of the offender was described in even more negatively loaded language. A black offender was 'a person of a nervous, impulsive, diffident disposition' in interview, whilst in the social enquiry report probation was seen as being appropriate due to the fact that the defendant had breached and had shown himself to be unable to keep appointments.

Other white offenders whose records indicated had also missed appointments and had been breached were not precluded from probation on the same basis. In other reports on black offenders, the assessment included statements which seriously questioned the offenders' motivation which could have raised serious doubts as to the viability of a non custodial sentence in the minds of sentencers. Such statements were also present in part b records on black offenders as the following statement illustrates.

'I'm not quite sure whether she wants to be helped. There seems to be a questionable motivation.'

Frequently in assessments contradictory impressions were given as was the case with a young black offender described in interview as a 'A pleasant engaging personality with an appalling list of previous convictions.'

In social enquiry report a portrait of an 'Aimless and self destructive personality' was painted who had little insight into his offending behaviour.

When group work was advocated there appeared to be little link between assessment and the justification for this form of intervention.

Frequently groupwork was recommended when the social work task was conceptualised as enabling the offender to accept the consequences of their own actions.

Three black offenders were described as having 'warm personalities' which was seen as being a particularly useful quality for the successful use of group work.

In two cases black offenders were described in part b assessments as being unwilling to be involved in social work intervention. The underlying reason for this was seen in terms of the offender having problems with handling authority. It was significant that in both these cases offenders had expressed deeply held feelings about the racist nature of society and the criminal justice system.

When the relationship between probation officers assessments and the form of work advocated was examined different tendencies emerged in a number of respects. There was a slightly more diverse use of choice in terms of proposals for action. The plans for action were also more clearly related to the assessment. Two examples will serve to illustrate these points. During interview a probation officer was asked to assess one of his young white male offenders.

'He came along with his wife, terrified that he was going to go down. When things go wrong his anxiety levels are immense. He is a very up and down sort of person. He is an interesting guy since he wants to succeed, although he has numerous offences for one so young I do get the impression that he is someone



who is growing out of his offending. He is trying to break into a middle class ethos.

Q What do you mean by this?.

A. He would like to buy his own house and have children.

Q. How would you work with X ?.

A. I feel that the day probation programme is most appropriate partly because the offences might result in his going down. Had it not been for the dpp I think that he would have gone down. They had to start from scratch with him , and I'm not sure whether they ever got to the issues which were of most significance.'

In this case the probation officer explicitly describes the day probation programme as being an alternative to custody expressing the view that had it not been for this sentencing option that the defendant may well have been subjected to custody.

This offender shows a number of important characteristics which might have led the officer to make a decision specifically designed to prevent the offender from being given a custodial sentence. The offenders fear of the possible outcome in court is important since part of the probation process involves offenders demonstrating that they are contrite and put themselves at the mercy and discretion of the court (Beaumont and Walker 1981). Moreover this particular offender was showing every sign of wanting to live a good and industrious life, which for the probation officer in this case was related to

what he regarded as being a desire to conform to a middle class way of life which was characterised by a wish to have children. Thus the white offender is presented by the probation officer as fulfilling a number of requirements which may make the the court more amenable to a non custodial sentence.

There often appeared to be an appropriateness between the assessments made by probation officers on white offenders and the form of social work practice advocated. This frequently applied to the more innovative forms of practice. The following assessment illustrates this point in relation to groupwork. The assessment made in the interview with the officer was as follows ,

'He is very much into being one of the lads, and again he is into the macho thing.....pause.... he isnt the brightest person that I have ever come across. If he gets pissed then something awful usually happens . I was unsure about using the probation order but it was the probation order or custody . I suppose that I was using the probation order as an alternative to custody, which also emphasised the fact that he had to make a go of it otherwise the next thing would be custody. I involved him in groupwork quite early on in the order in order to challenge the macho bit.

Q. Do you think that groupwork is an effective way of challenging that kind of image ?.

A. I think that it is when you've got a client group challenging each other as opposed to a probation officer challenging somebody's ideas it comes much

stronger when it comes from somebody more of their own background, who understands more about their situation. This is far preferable to preaching.

In this case the probation officer expressed some uncertainty as to appropriateness of probation but still explicitly used this form of disposal in an effort to maintain the offender in the community. The extent of the offender's alcohol problem does not deter the officer in his resolve to divert the offender. The argument used in relation to challenging the offenders views seems to be a powerful one, but possibly would not apply with equal force to black offenders, most significantly the likelihood of some black offenders feeling uncomfortable in groups dominated by white people. Evidence from this research also suggests that some probation officers divert discussion of race related matters in groups into safer realms of exploration.

### III. Assessment and race.

Throughout the research it was found that probation officers had major problems in dealing with race in assessments, with little evidence of any attempts to link assessment, race and probation practice. This resulted in assessments and plans for practice that were qualitatively different in that the officers would attempt to avoid making reference to race as a factor important to the assessment. Black offenders were frequently conceptualised as being 'a nice kind of guy who likes to dress well', an alternative variant being the offender who 'likes to stand out in the crowd'.

It has been previously noted that one of the main differences found in the presentation of black offenders were references to physicality when they were probably referring to blackness and race. The social work methods advocated were also contextualised in a manner which was distinct from white offenders in that work was more likely to be directed at controlling the 'incredible amount of energy', or the 'almost hyper-active' black offender.

The most specific references made to race in assessments were in terms of the offenders relations with the police. In these five cases race was identified as influencing the way in which the officer would approach the case, with a one to one form of work being advocated in which the offender would be encouraged to look with the officer at forms of self-protection and the way in which the offender deals with the police. In two of these cases the probation officer involved acknowledged the need to develop strategies to cope with racism. Police harassment of offenders was acknowledged in interview with probation officers, but was absent in assessments and social enquiry reports despite the offenders' own clearly stated view that racism was directly connected with his offending. The officer preferred to view the difficulties of intervention in relation to the considerable energy of these offenders,

'It has proved difficult to focus the work that the offender has been doing, but what has emerged is X's attempts to channel all his considerable energy in a useful way that provides him with some satisfaction. He acknowledges that he finds it difficult to apply

himself and often resorts to wondering around the town with friends which is what ultimately led him into trouble .'

The validity of the offenders view of reality appears here to be diverted towards a conventional form of social work reasoning which is likely to be more acceptable to the courts. This point relates to the previous work of Pinder, in a manner which both supports and refutes his findings. What is evident in this research is an absence of a coherent and explicit framework for recognising and representing specific racial and ethnic identity which is in keeping with Pinders' findings. In another important sense these findings stand in contradiction to Pinder when he argues that a failure to secure alternatives to custody and differential work with black offenders emanates from officers recognition of the power of black offenders in stating their own interests and understandings. In this part of his work Pinder is making an important distinction between the needs of the offender and their interests. Thus a non custodial sentence might fulfill a need, in that the offender is diverted from a potentially damaging experience of incarceration, whilst an anti racist probation officer takes cognizance of a black offender's desire to put racism in the forefront of an assessment, in an effort to serve the best interests of the offender. A probation officer, therefore, might take the offender's own view of police racial harassment, and decide that given the view of the offender probation intervention was impossible. This line of argument in Pinders' work could provide an explanation for differential forms of practice, but could be seen as good social work practice in that the

probation officer by taking cognizance of the views of the offender was attempting to practice in an anti racist manner, even if this resulted in a custodial sentence. Thus the black offender's own view of reality is recognised and is intergrated into the probation officer/offender interaction.

A different process appears to be occurring in this research in that the probation officer appears to be attempting to ignore the offender's view of reality by diverting attention towards a form of personal abnormality, e.g. the excessive energy of the offender.

White offenders who were also described as being extremely energetic and outgoing, were channelled into more conventional assessments usually couched in terms of the white offender attending a probation group over eight weeks which would enable him to look closely at his offending and the circumstances surrounding that behaviour. Most importantly it was more likely to be acknowledged in reports and interviews that white offenders accept the need for correction and acknowledge their foolishness, or as one probation officer expressed it in a social enquiry report on a white offender,

'Accepts that it is important and timely to reconsider the direction in which he is heading, and I have impressed upon him the expectations of such an order. He is also aware that he would remain within the jurisdiction of the court should he commit a further offence during the current probation order.'

In cases in which probation officers made favourable assessments of offenders the fact that racism and the influence of race on the offence was not mentioned to the court resulted in the number of sentencing options being reduced since the required form of conventional argument acceptable to the court was not present. In interviews it was often clear that an offender's reluctance to accept forms of disposal, like community service and the day probation programme, related to his feelings about white society and white structures, particularly the criminal justice system. In one case the probation officer stated quite clearly in interview that the offender felt,

' That it would be inappropriate for him to be associated with community service even though he knew that the alternative might be custody .' Such feelings expressed by the offender were not recorded in the report even though the explanation was given freely in the more informal interview setting .'

What is stated above represents the general trend of the findings regarding assessment. There were important exceptions to this. It was not always the case that probation officers preferred white offenders at a personal level. In comparing a probation officers assessments on two young offenders one black one white it was clear that the officer in question personally found greater rapport with the black rather than the white offender. The white offender was described in the part b records and in the interview as being isolated and defensive having an arrogant manner.

The black offender, however, was described as being likeable, outgoing, with once again, a reference being made to a physicality in that he smiled a lot, the officer also saw him as being very co-operative. The one to one social work method being used was a very unproductive one as far as the probation officer was concerned. The officer acknowledged that race was not raised as an issue at the point of assessment although the offender felt victimised by the police, The officer felt it possible that he might see the probation service as being a part of white authoritarianism.

Here the dislike of the white offender's racism was expressed in the part c as the following extract illustrates.

'I am finding it very difficult to engage X in anything meaningful. He rambles on at great length about peripheral matters, particularly his car, his comments are often bragging and racist. I sense a great degree of bitterness in him, perhaps deriving from his disability and this leads him to present himself in a very unattractive way.

Later we discussed this case and joint supervision with my senior probation officer with particular reference to X's unpleasant presentation.'

In the interview it emerged that part of this unpleasant presentation was made manifest by the disability suffered by the white offender. He saw the offenders' artificial arm as being rather like a hook. The arm and the unpleasant personality, as far as the officer was concerned combined together to make it quite difficult for him to work with this



particular offender. A probation group was recommended in the social enquiry report on the white offender as well as community service, a similar course of action was recommended for the black offender. The plan for probation work for the white offender reads as follows,

'I have discussed the possibility of a probation order with him, and his view is that such an order would again be appropriate. While the court may be concerned that he was involved in offences involving a fifteen year old girl, nevertheless it is his first offence since 1979. My view is that he would be unlikely to re offend in the near future what ever the outcome in the court here today, but a probation order may be of assistance in other respects.'

The probation officer goes on to suggest a number of viable alternatives including community service, and a fine, the latter disposal in the view of the officer being an acute punishment, since the offender normally manages his finances well. This should now be compared with the recommendation made for the black offender.

'These offences have arisen as a result of a an irresponsible attitude on his part. I think that they are indicative of his immaturity and inability to handle pressure. Despite this it would be appropriate to offer the support of a supervision order, particularly at this time when he is about to attempt living on his own in accommodation found for him. Sending him out of the community would only delay his need to learn how to cope effectively within it. I considered another community service order, but feel that at this point there is a greater need for social

work intervention, particularly while he is feeling the pressure of his new environment .'

In the last example the probation officer in this case expressed a personal preference for working with the black offender, the plan for practice is presented in a far more positive way for the white offender. The officer makes a prediction that the white offender will not reoffend in the near future, which minimises any possible damage which might have been done by reference to the fact that these offences were committed with a fifteen year old girl. The positive factor relating to the fact that he can apparently manage his finances well is further positive proof of the viability of a non custodial sentence.

The irresponsible attitude of the black offender referred to by the probation officer would not inspire the same confidence in a sentencer neither would the difficulties experienced by the offender in handling the prospect of living alone. It is not surprising therefore that the recommendation in the report was unacceptable to the courts.

Officers during interview had difficulty in seeing their assessments and plans for action in the context of race and racism. All probation officers except one felt that race should only form part of the assessment if the question had a direct bearing on the commission of crime. There seemed to be variations however on what constituted 'direct bearing'. There was wide disagreement for instance as to whether the offender's personal views about race should be included in the assessment. Some probation officers seemed more happy to include

race as a factor in assessment in the case for instance of racial abuse, but were less willing to officially record a black offenders anti police feelings in an assessment.

No consensus emerged on any of these issues, only an ambivalence in attempting to place race within the context of assessment, social work intervention and plans. Some probation officers expressed an honest uncertainty about what was right and what was wrong with regard to the appropriate handling of young black offenders. There was an acknowledgement that 'culture' was in some vague manner significant but probation officers had no way of knowing in what way this significance could be used in assessment and in the associated social work intervention.

### III.2. Assessment and black women.

The question of gender is a crucial one since black women may be subjected to discrimination on the basis of gender ( Walker 1985 ) and differential treatment related to racism. This general statement appears to apply to some black women offenders mentioned by probation officers in this study.

An observation that can be made with respect to the question of gender and assessment is that when women officers were writing assessments on other white women there appeared to be a far more detailed and coherent form of description, which was more relevant to the proposals for

intervention than was the case with all other male offenders who were examined. This point can be illustrated with reference to a white woman offender with a number of previous petty offences dating back to 1981, was described by the woman probation officer in the part b records as being quite prone to depression over some years seemingly as a result of an insecure up bringing. As an adolescent she identified first with a group who used solvents, and then with a group who would use rather harder drugs. She was described as a,

'Pleasant intelligent young women with a potential to make a positive life for herself, she is however, unconfident and has a self-image badly in need of a boost, but she does not seem to respond to encouragement and attention. The areas that I am currently looking at are

1. The unresolved and ambivalent feelings for her mother, these offences seem to have been partly a vehicle for punishing her mother for not caring enough, but she cannot bring herself to admit her offending to her mother for fear of losing her altogether.

2. Her money management and low motivation to search for full time work. She often gets into debt, and on this occasion offended in order to obtain nice treats for herself, such as clothes to make her feel better.

3. Loneliness which seems to be inevitably part of this, she's clear about where her supports are, and she tends to be emotionally very dependant, particularly on her close adult friends who she regards as substitute mother figures. At this stage I feel that X is showing a real desire to grow up and come to terms with the unhappiness in her

past. I think there have been consistent boundaries in her up-bringing and I did wonder whether she might try to wriggle on this order .'

Although as in most of the assessments made the contents are conjectural in nature, the probation officer has had little problem in identifying the offenders' needs. Three distinct areas of work are isolated on which to work, the feelings which the offender has for her mother, money management, and loneliness. The part b and c records indicated that all these areas were tackled albeit in an ad hoc manner. Practical advice was given particularly in relation to the question of money management, the probation officer acting as a broker between hire purchase companies, social security, and the local council.

This degree of sensitivity was not present when the same probation officer was working with a young black woman who had very similar offences dating back to 1982. The part b records revealed that the probation officer had experienced difficulties in making initial contact with the offender, and that she had made an effort to make her attend a probation group.

Her assessment of this offender was that she was a very quiet woman who may find the group uncomfortable. The part b records indicated that she had failed to attend further interviews and despite the attempts made by the officer to reassure her that the group would be beneficial, it was not having any effect on the offender. It was also recorded that sessions between the probation officer and the offender were becoming

unbearably uncomfortable, and that the offender was unable to sit down and talk about her offending. It was difficult for the officer to create a constructive form of conversation. although this latter notion of constructive was not defined. In the interview the officer commented that the offender had not responded due to nervousness. After a number of months interaction with her, the probation officers' assessment was that this offender was in a very vulnerable state, particularly with regard to her accommodation.

The officer went on to explain that she recommended probation since she felt that this woman needed a basis for social skills, because she was very isolated, withdrawn and depressed. In the interview with the researcher the officer was asked whether race was an important issue for this offender.

The probation officer answered,

'I don't think it was an issue, It certainly hasn't been a regular focus for our discussions, it has come up, the problem being that she is so inarticulate that she's unable to explain her feelings about this.

'The over-riding thing about her is her susceptibility, she tends to always say what you want her to say and you can get any answer out of her you want, what ever you want her to say she will say. When I have gone to her flat it didn't look to me that there was much white influence about, she had a big poster on the wall which pertained to be about back home, but I am unable to comment on that. I suppose it did look on reflection that she was trying to identify quite strongly with being black. The problem really is that I feel she has no sense of

herself, or who she is. I want to give her some feeling of belonging I don't think that she's got that, and I feel if I'm going to be a good social worker I should recognize the fact that her experiences earlier are of the this mixed cultural experience must be significant, and that not belonging is a problem. Yes I think that I am quite embarrassed about it, I feel terribly uncertain about what's right and what's wrong. If I was supposed to be a white liberal who is open to these things I feel really hampered by not knowing. There is a feeling that there is a right and a wrong, and I am very unclear what is right and what is wrong.'

This is a significant view and has been quoted at length since it reflects the idea that not belonging to the dominant culture lies at the root of this offenders' identity problem. It would appear to exemplify an assimilationist position since the task of a good social worker is to enable the offender to develop a feeling of belonging to the dominant culture. It is also important to note that having made this point that the officer shows some confusion as to what is right and wrong in this context.

The above quotation is also remarkable in the way it attempts to underestimate the offenders' attempts to identify with her own blackness. The picture on the wall in the flat would seem to have significance to the offender, but was given cursory attention by the officer. The overriding concern was with the vulnerability and female hopelessness which the officer saw as being central to the problems

experienced by the young woman. One is impressed here by the offenders' perceived helplessness. This was found to be the case predominantly in cases in which white women probation officers involved, although four white male officers made parental references to their work with white male offenders. No such example could be found in connection with any black offender.

The question of physicality previously mentioned in relation to young black male offenders was also found in three cases in which a white woman probation officer was assessing a white woman offender.

Thus a white woman offender was described as an attractive girl with 'lovely curly blonde hair'.

In this case the woman probation officer described a good relationship with the offender although it was evident from the records and from the interview that there were problems experienced within the communication process between worker and offender. The officer noted for instance in the interview that,

'A regular feature is that she misses every other appointment and certainly after a heavy session that feels productive she will miss another one, she says that she knows it's helpful, and I know that I get things out of it, but it's quite difficult for her to carry that around. There is a feeling of avoidance about something a bit slippery when we meet. She's open and quite willing to look at things, she has insight but it all slips back. I do feel some frustration.'



This perhaps is the key to the relationship between the initial assessment and the form of action being taken. The white woman probation officer was able to identify a clear role for herself with the white offender, and could appreciate her as being pleasant and attractive, and is able to describe her relationship as being good. White women offenders tended to be presented in terms of being under considerable stress, having suffered as a result of a combination of events which were beyond individual control. The form of social work that was most usually advocated was that of one to one casework. The justification for this was that this form of work could assist the offender in making decisions.

This contrasts with the way in which black women offenders were frequently described, in terms of being impoverished, nervous and taciturn. Problems in the family, were also more likely to be mentioned. However, the social work methodology based on this assessment was recommended in more general terms, although it usually involved some form of one to one casework with the offender. For white women offenders, what appeared to emerge when assessments and plans for action were examined, were conventional forms of assessment and action which constituted a predictable form of argument. A conventional assessment on a white woman could be related to the conventional form of explanation mentioned in Chapter 1 and described as follows:-

Figure 5.

To show how assessment links with practice  
problems

Loneliness.  
Depression.  
Overdependence.  
Unstable home background.  
Alcohol.  
Genuinely inadequate.

Forms of behaviour

Inability to cope  
and erratic, senseless  
behaviour.

OFFENDING.

Potential solution.

Forming a relationship with p.o.  
Benefiting from empathy  
Building trust in groups and  
with p.o. through personal relationship.

This form of reasoning linking assessment with proposed practice did not apply to black women offenders, although the social work methods were

roughly comparable in that one to one work was recommended, the bases for reaching this conclusion were different and unconventional. Thus the genuinely white inadequate personality was not applicable to the assessment of the black offender. In assessments on white women it was far more likely to see.

'A cry for help from a very troubled young woman.'

These cries for help were not as evident in assessments on black women offenders. The intrinsic worth of the social work relationship and the power of the relationship in itself to create beneficial results, although present in assessments on black offenders was not argued with the same enthusiasm as it was compared with some white male and female offenders. In this research there was some evidence to suggest that black women were also having the experience of being black denied them and were being conceptualised in terms suffering from a peculiarly 'feminine' form of 'silliness' and vulnerability.

#### IV. A comparative examination of daily probation practice undertaken with black and white offenders.

In this section the nature of the work undertaken with black offenders vis a vis white will be qualitatively examined.

At this point in the social work process the need for non custodial supervision has usually been acknowledged and recommended by the officer and it is to the nature of the work following the court hearing that attention is now turned. One probation officer summarised the beginning of the process of supervision in the following way,

'The first priority is to look at the actual offences that have been committed, breaking then down in quite a lot of detail and looking at the level of denial, there is frequently a high level of denial. I then try to get the client to face the position that he is in, and how far they will move in facing their own situation with respect to offending. This is designed to get them away from their denial. It is up to them then to work out and to pace the form of work that follows that. I work out a programme which suits the individual.'

This response has been quoted at length since it encompasses much of the underlying rationale for probation intervention which emerged in this research. Some central elements of social work practice are present in the mention of denial which in this research was expressed in terms of the offender being unable to personally accept the act that he or she had acted in a particular manner. Thus it was argued that offenders showed a tendency to emphasise other factors surrounding an offence like burglary whilst appearing to be unable to face up to the fact that they had broken into a persons home with the intention of stealing. Alcohol and drug abuse would be other examples of denying the existence of a problem. The other important notion contained in this quotation is that of client self determination which in this research appeared to relate to the idea of working in such a way as to allow the offender the most choice in determining the course of his/her own future. This raises the important question for black offenders as to whether the clients' own views relating to racism and the white dominated criminal justice system should be given credence. This question will be returned to in more

detail when emergent conceptual categories are discussed in the next chapter.

The justifications in records and social enquiry reports frequently revolved around the notion of providing the offender with the opportunity of examining his offending behaviour. Nothing was said as to the form in which this examination would take. It seemed to be assumed by probation officers that offenders had not previously been through this process of examination. It was not possible to find any explanation as to the benefits of this process for the offender. The proposition seems to be made here that it might be possible to reduce offending behaviour through a process of self examination in which the inherent foolishness of offending would be understood. The aim appeared to be applicable to both black and white offenders .

On a more practical level many of the tasks performed by probation officers related to practical problems experienced which could occasionally be described as crisis intervention. An example of such work most frequently cited in this research was the non arrival of a supplementary benefit giro cheque. When probation officers were questioned on this aspect of their work in interviews they seemed to regard this as secondary to the formulation of a social work relationship. This finding is similar to that of Fieldings' study who reported that probation officers, although frequently engaging in work of a practical nature in that they attempt to assist in the resolution of personal

practical difficulties, do not define it as central to probation work. (Fielding 1984).

No evidence was found in this research that would indicate that probation officers were more or less willing to assist black offenders with such practical difficulties. Probation officers in this work offered many forms of practical help to both black and white offenders on a daily basis which included negotiation with various government departments, most notably in relation to social security payments, domestic budgeting, assistance with the securing of employment, and negotiations regarding debt. Four probation officers stated that they felt black offenders less willing than to ask for this form of help from the probation service. Black offenders unlike many of their white contemporaries tended to allow situations to develop in uncontrollable ways before asking for help .

On occasions practical difficulties developed into major crises, and detailed records were found of such situations in the part c records. Crises developed in a number of areas which were common to black and white offenders. They were in the area of finances, in which debts including the non payment of fines appeared to be a threat to the liberty of the offender. The other area was that of child care when non accidental injury was suspected. This occurred in the case of one black woman offender. Davies has defined the goals of crisis intervention as ,

'Counteracting the effects of a crisis, to relieve the symptoms of emotional pain, and to restore the client to a state of being able to function normally' (Davies 1985, p 171).

It was the case in the records that officers were able to respond swiftly and imaginatively to specific problems which were placed before them. What was significant in these interactions was that the offender was generally a passive party to the negotiations which were taking place in relation to her/his practical problems. Thus officers 'took over' responsibility in crises and appeared to be reasonably successful in assisting offenders. What was significant however was the higher number of crises reported to probation officers by offenders. Seven male white offenders and three white female offenders experienced crises and were assisted by the supervising probation officer, whilst only three black male and three women offenders were recorded as experiencing crisis.

Group work was another form of social work intervention which was undertaken with a number of offenders, and this was of varying types. It is necessary at this point to give a brief account of the forms of group work practice which were established at the time that the research was carried out.

The day probation programme provides the opportunity for sentencers to make probation orders with a special condition requiring the offender to attend a programme for a ten week period four days a week at the beginning of the order. Legal authority for such a condition is contained within schedule 11 of the

Criminal Justice Act 1982. This facility was specifically designed for offenders who were at severe risk of a custodial sentence. These group sessions were of one and a half hours duration and 'Focus clearly on offending behaviour and its causes and consequences, both in general and for the individual member in particular, for their families and the victims of the offences. Most social skills and groupwork methods will be used to help clients explore their offending behaviour in some depth and detail' (Oxfordshire Probation Service 1985).

There was no indication that this form of provision was being differentially utilised by probation officers. In all cases in which probation was being recommended, and an offender was in the high tariff risk group the day probation programme was recommended. Formal groups were also run for new probationers with the introduction to probation group being designed to 'Help clients assess together their reasons for offending'. The alcohol study group was a short educational programme which,

'Aims at confronting offenders who have been in trouble through drink with the consequences of their behaviour',

The majority of offenders attended these groups also as a condition of the probation order. These groups met over an eight week period with six two hourly evening sessions, plus individual interviews. It was seen in the previous chapter that the use of alcohol was more likely to be identified as an explanation for white offending by probation officers. It follows that more



white than black offenders were involved in this form of social work intervention. Seven of the twenty white males had some involvement with this project. Two black male offenders had been referred to the alcohol study group. Attempts had also been made to involve two black and two white female offenders with the project.

The young offenders team also ran a regular group in one of the youth custody centres. Much of the recorded material on day to day interactions within these groups was kept by key workers with special responsibility for a number of groups which have been previously mentioned (Chapter 3). In some cases it appeared that black offenders were more willing to communicate with white probation officers in a group. Accounts of black offenders in custody reveal that they frequently took a prominent part in discussions occasionally taking the opportunity to voice views relating to racist features of the institutional regime. Black women offenders particularly found it difficult to relate to others in groups. When this occurred it was interpreted as an inadequacy on the part of the offender, whereas two black offenders had voiced objections to being in a group with white offenders. It was difficult to find material which reflected the experience of black and white offenders comparatively in group sessions. A number of questionnaires were discovered however relating to the offenders own assessment of the day probation programme. Answers were found by one black male offender and one white male offender. The questions and answers for both black and white offenders were as follows:

1. What was the group about ?.

White response . Rehabilitation.

Black response : I don't know.

2. What have you enjoyed about the group?.

White response . I have enjoyed the debate.

Black response . Nothing.

3. Is there anything you would like to change about your situation ?

White response , I'd like to find somewhere to live.

Black response , I'd like a job.

4. Is there anything you would like to change about yourself while on probation  
if so what ?

White response . A little more organisation would be handy, self-discipline.

Black response , Nothing.

5. Think about the following areas of your life tick any that you made need  
help with while on probation,

Family relationships. White response. O.K.

Black response. Nothing.

Partners

White response. This is not the business of the social  
services.

Black response, O.K.

Alcohol

White response. No problem

Black response, No problem

6. Do you think that probation can help with this, if so why ?

White response . Advice etc.

Black response . Blank.

7. What is your personal agenda for the future?.

White response . Job, drama college, writing, fame, parties, and an early retirement to somewhere hot where I could waste my life in comparative comfort.

Black response. Blank.

Although it is very difficult to draw any conclusions on the basis of two completed questionnaire, it seemed that the white offender was more integrated into the group than was the black offender. The black offender's response seems to have been one of indifference, the records indicating that he attended the group on sufferance and that breach had been threatened if he did not attend. A clear message that did appear from the questionnaire was that the black offender wanted a job. This was an example of a social work orthodoxy, in this case the attending of a group, which was considered by the individual probation officer as being a potentially worthwhile experience.

To an extent the responses given by the white offender suggest a willingness to give what he perceives to be appropriate responses. It may also have been possible that this offender did for instance enjoy some of the debates, as was indicated by his recognition of the need for more self discipline . There was an apparent inability on the part of the black offender to see any benefit in what was being offered by the probation service. In other words the blank responses were very powerful statements in that they posed questions relating to the viability of using methods which had been developed in social work textbooks and training courses dominated by white people.

#### V. Probation officers' evaluation of their work with black and white offenders.

The idea of evaluation in practice relates to the phase of work in which the extent to which social work objectives have been realised is assessed. Sheldon, a behaviourist, argues that evaluation should occur throughout the social work process, and emphasises the importance of specificity of goals, and the establishment of base lines for problem behaviour prior to intervention. This he argues makes the task of measurement considerably easier. Although this method of evaluation provides tangible evidence of for instance improved functioning in a specific area of behaviour, situations faced by offenders are multi faceted, which makes the problem of selecting one particular behavioural pattern for attention almost impossible. Indeed one of the major problems facing po.'s in this research was the complex nature of diffused client goals.

Brown has argued that in practice, very few structured approaches similar to that advocated by Sheldon and other writers are used in day to day practice. Even when they are used the terminology is not understood, the theory not employed, and the structure imprecise (Brown 1978).

One of the major problems in using such models is that they require considerable time since methods of recording evaluative data have to be developed and recorded. Such processes will often involve negotiating with another individual in order to monitor the process. It should be stressed that time limited structured interventions like the task centred model appear to be relatively instrumental in the creation of changed offender behaviour patterns. Work carried out by a number of researchers indicates that when social work is evaluated a task centered approach in controlled comparisons, appears to have positive effects on clients social and inter-personal problems leading to a reduced need for social and psychiatric services ( Goldberg 1977, Gibbins 1981).

One of the important observations relating to structured methods is that the 'clients' problem is focused upon for work, which tends to deflect attention from the part played by macro structural problems like unemployment, which is frequently beyond the control of the offender. Mention of such evaluated methods, and indeed any formal social work methodology was virtually absent from accounts given by probation officers. Probation officers when interviewed tended to talk about the offenders' future or the past in anecdotal terms. Records were usually written descriptions of life events containing little

evidence of formal evaluation of social work intervention on black or white offenders.

Very broad statements which can be described as evaluative were found in some 15 of the cases which were examined and tended to be undetailed and usually made in relation to black rather than white offenders. The part b records contained most evaluative statements, although these comments tended to be impressionistic in that they recorded improvements in attitude to work, or a greater level of maturity. No effort was made to break down dysfunctional behaviours into their constituent parts prioritise problems and then work at each problem area as suggested by Sheldon and other writers. Statements relating to evaluation made in interviews were also vague.

One part b record written some three years previously made reference to a black offender who was aware of the fact that racial abuse was in some way responsible for his offending behaviour. The record continues by noting the fact that this offender frequently exhibits resentful behaviour and open hostility to all forms of authority, expressing a 'Deep hatred for those who are forced to admonish him.'

The probation officer said that whilst she agreed with parts of this assessment, that her dealings with this particular offender were not in any way threatening and that he had not been overtly aggressive. She did comment however, that his

'Sullen attitude makes hard work which is unrewarding, but I am trying to break the ice with a view to establishing some sort of relationship with him on which to base supervision.'

Whilst in custody this offender expressed to the officer his intention to ignore the terms of youth custody supervision. After release the probation officers in the c follower entry records that the black offender had a chip on his shoulder, which made any form of work 'very difficult and trying.'

During the offender's stay in the youth custody institution the probation officer saw the offender on a monthly basis, both individually and within a regular institutional groupwork session. Between visits she received letters from him.

She commented that she hoped the habit continued and that regular and meaningful contact has been established and will pave the way to a successful period of supervision .

On release, the probation officer was disappointed since she was able to record that X's earlier period on youth custody supervision was coloured by his resentment that he had been detained three weeks longer than the maximum sentence for his age. Supervision was not fruitful X preferring to turn up when it suited him rather than keep to his appointments. The attempts made by the probation officer seem to have been unsuccessful, since the individual re-offended within a matter of months following release. Work with black offenders appeared to follow a depressingly familiar course, with reconviction occurring

within a relatively short period.

On occasions work was evaluated in social enquiry reports and although recommendations have been examined in a previous section the evaluation in this aspect of work needs to be examined separately. These attempts at evaluation were usually subsumed under the heading 'response to supervision' as the following extract from a report on a black offender illustrates,

'At X's second appearance before the juvenile court he received a supervision order for eighteen months for offences of shoplifting. Initially his response was erratic but picked up as he became more trusting of his supervising officer. He also attended intermediate treatment groups with mixed success and work was done with his parents to try and ameliorate the effects of a difficult home situation. I believe that the order was partially successful in that it provided support and guidance for X who is at a crucial transition period, that of school to employment. Unfortunately it has not stopped him re offending although X has told me that the order has been an effective reminder to stay out of trouble.'

This is an important entry to the social enquiry report characterising the form of evaluation that was made by probation officers. The response is described as erratic although it is seen as qualitatively improving due to the development of trust on the part of the offender. Once again this evaluation demonstrates the use of some quite vague terms. No indication is given as to the meaning of



the terms like trust. The intermediate treatment group is described as having mixed success although the nature of the success is not elaborated upon. Records were examined in an attempt to understand the meaning that the officer was ascribing to success. No further reference appeared to be made in any of the material examined to evaluation or successful practice. Overall this assessment of response to supervision lacked clarity which makes any evaluation of the work carried out extremely difficult. The probation officer appears to be reporting a partial success in that support and guidance was provided to the offender at the period between school and work although this was not sufficient to keep the offender out of trouble. The last sentence could perhaps be seen as adding a note of self justification in that the order is seen as acting as an effective reminder to stay out of trouble.

The problems in using reconviction rates in evaluating probation work have been discussed within the social work literature. Reconviction rates for juveniles and young offenders receiving custodial sentences are published annually by the prison department. Rates for other forms of intervention are not as easily obtained. A comparative appraisal of the different forms of intervention and their effectiveness in preventing re offending is further hampered by the fact that few studies deal with offending histories. Writers have argued that the defendants criminal history and current living situation outweigh the type or length of any intervention in determining the likelihood of reconviction (Rutter and Giller 1983). Some 81% of young male offenders and 47% of young females released from youth custody are likely to re offend within two years. These

figures seem to have been unchanged by the new tougher regimes in detention centres ( NACRO 1987). This research suggests that probation officers notion of success is related directly to the development of a relationship with an offender rather than any tangible effects that the intervention might have had in terms of preventing black and white offenders from being reconvicted.

'Talking through problems' was an activity which was seen as being intrinsically worthwhile. Officers did not see any problems with this orientation to their work, since this had been the prevailing orthodoxy on training courses and was the form of work expected by the probation service. When the question of reconviction rates as a possible measure of success was approached probation officers seemed bewildered replying with an unequivocal rejection of the idea for both black and white offenders. One probation officer summed up the view expressed by most of the officers interviewed when he was asked

Q. 'Do you think that you can use reconviction rates as a measure of success of a probation order ?.

A. No I certainly don't ....forming a relationship with a probation officer can do far more than one can measure in such a crude way. Often you can build up trust often you can give the offender space to say the kinds of things he has never been able to say to anyone else. Often you can help the person come to terms with problems. . You can also identify problems that have not been identified before . '

Most probation officers interviewed, defined success either in terms of establishing a relationship with offenders, as was stated above, or diverting offenders away from custodial sentence. Probation in itself and the achievement of the probation order when a custodial sentence was probable was also seen as a form of successful intervention. More attention was directed at success in the context of getting a recommendation accepted by a sentencer than in the actual form of the intervention which followed.

In accepting these two criteria of success as defined by probation officers it would appear that black offenders in this small sample were disadvantaged in both counts. Firstly it would seem that probation officers despite a recommendation for non custody are less likely to be successful in diverting a black offender from custody. Secondly, it has been argued at various points in this research that the white probation officer will experience other difficulties in forming relationships with black offenders. Thus in the terms applied by probation officers, work with young black offenders is less successful.

The comparative short length of this section of evaluation compared with for instance the length of the sections on assessment and intervention is another indicator of the lack of research material found which attempted to provide an evaluative framework.

Previous reference has been made in this section to the importance attached to the notion of client self determination by probation officers. In this research the concept seemed to have a particularly important relevance with regard to the creation of reality for the client. The aims of social work intervention based on reality orientation, were variable in nature, it appearing to be the case that black offenders were perceived as requiring more assistance with this process than whites.

Probation officers claimed that black offenders frequently had 'totally unreal expectations' of what was possible and 'unreal' expectations of life generally. Many had aspirations towards careers in the music or fashion business.

Probation officers recorded that special efforts were being made to assist these offenders come to terms with reality. One offender who wanted to be a 'rich movie star' was seen in the part b assessment as being in need of 'orientation towards the possible and not the fanciful.' The form of work advocated does not reflect this concern and indeed appears to constitute an amalgam of most work plans which were found in the research relating to both white and black offenders. They were listed as follows,

1. To see X fortnightly.
2. To encourage him to use the resources on offer, e.g. the day probation programme and the job search
3. To help him find accommodation that is really what he wants.
4. To discuss with X his offending and the likelihood of him offending again.

Related to the notion of reality orientation was the question of identity, since those offenders who were unable to understand reality were often conceptualised by probation officers as being unable to understand their own identity. Some seven of the offenders who were examined in this research, five black and two white were said to be suffering from an identity problem, although this tended to be seen not as an explanation for offending, as much as a barrier for effective intervention.

For white offenders the identity problem was conceptualised in terms of them being ignored by their families, in both cases the offenders had a long history of residential care from a very early age. In the five cases where identity was thought to be a problem in relation to black offenders. In one black case identity problems were expressed in terms of

'X being alienated within a society in which he cannot find a place.'

The black offender's lack of identity was a problem for the individual and not the society in which he lived. This seemed again to be an essentially assimilationist position in which the offender was conceived of in terms of not being able to adapt and become part of the 'host society.' These black offenders were viewed as suffering from a psychologically determined phenomena referred to as an identity crisis, and were unable to cope and incapable of adjusting to life in Britain. They were driven in a state of desperation and insecurity into crime, as a means of coping. No evidence was present in the research to suggest exactly how this identity crisis was handled in the one to one relationship with probation officers. In five of the cases examined records

and plans for intervention were not present and the minimum amount of recording on part c documents was found. In a minority of cases part c records were missing or incomplete.

The possible explanations for this may well have been that the probation officers were presenting to the courts an acceptable form of explanation in order to avoid custody. In other words it may well have been that officers themselves were aware of the fact that there was very little chance of implementing the plans. If one read the social enquiry reports and the part b assessments one would reach the conclusion that officers had a blind hope in the one to one relationship, placing undue emphasis was placed upon this technique. These comments, however, apply to both black and white offenders.

When a probation order is blatantly unsuccessful, and the probationer is flouting the rules and agreements of the order the probation officer has a duty to bring this fact to the attention of the court through the process of the breach. This has been described by Fielding as the final sanction. In his study of fifty officers he found that three were unwilling to breach under any circumstances, 21 would breach for extended failure to report or keep in touch, 8 for failure to fulfill any condition of the probation order including contracts made with the probation officer, and 13 would breach to 'keep their caseloads neat.'

Fielding estimates that some 2% of probation orders generally end in breach (Fielding 1984).

This low figure reflects the general reluctance felt by most probation officers in taking such a drastic step as breach, since in this research it was regarded as a negative step, and indeed an indication that the work of the probation service had failed.

For the 50 offenders examined in this research breach proceedings had been taken in two cases both of whom were black. This figure represents some 4 % of the total sample double Fieldings' figure and 8 % of the black sample . Records were examined in order to ascertain which offenders failed to keep appointments. This was an extremely difficult operation since some of the offenders had been on probation for different periods, and the offenders were still in youth custody institutions at the time at which the research was carried out. In order to gain a comparative notion of missed appointments officers were asked to select offenders on a pairing basis. The average number of missed appointments was calculated quite simply by dividing the number of missed appointments by the total number of black and white offenders. For the purposes of this research a missed appointment is defined as a situation in which a probation officers attempts to to either report to his office or visit him/her at home had been unsuccessful.

Table 23 To show number of missed appointments.

	Black		White	
	Male	Female	Male	Female
Missed appts.	67	28	59	23
Number of offenders.	20	5	20	5
Average.	3.35	5.6	2.95	4.6

This simple calculation can only suggest that black offenders did not miss appreciably any more appointments than did white offenders. A slightly higher average figure was recorded for young women offenders, although it must again be stressed that this very simple counting method would not stand up to statistical analysis and was suggestive of what was occurring at a specific point in time with a number of caseloads bearing in mind that some offenders were in custody.

When records were examined it was found that breach was considered in some 5 of the fifty cases, four of which were black. In every case it has to be said



that the offender had flagrantly missed appointments, and that there were good grounds for reaching the conclusion that the probationer did not wish to cooperate with the handling of the offence with the probation order. It would be useful to examine the circumstances leading to possible breach proceedings. In relation to two black offenders, the following records read as follows.

Offender X :-

3/7/86 Oxford City Magistrates Court, gave X 12 months probation order.

18/9/86 failed to attend hand over interview.

25/9/86 & 2/10/86 failed to attend after letters being sent.

14/10/86 telephone in response to letter saying unable to attend, had no money, in response I inferred that breach proceedings would be taken if he didn't attend.

20/10/86 he reported. I impressed upon him that unless he reported consistently I would have to seriously consider breach.

30/10/86 failed to report.

6/11/86 home visit. X was in, he agreed that I had been very patient with him. I said that I would send a letter reminding him a couple of days before each appointment.

10/11/86 reminder letter sent first class regarding appointment for 13/11/86.

13/11/86 failed to report.

18/11/86 letter informing X of breach proceedings for failure to report, gave him an appointment for 24/11/86 to discuss implications.

21/11/86 warrant issued court date set for 12/12/86.

24/11/86 failed to report.

3/12/86 phone call from X appointment made for 4/12/86.

4/12/86 failed to report.

5/12/86 he reported, I could not see him as I was otherwise engaged.

9/12/86 two phone calls from X.'

In this case it can be seen that the officer made every attempt possible to contact the offender. However, it might be argued that on the 5/12/86 when he did turn up at the office that the officer might have attempted to at least see him in order to avoid further problems with respect to breach proceedings. An other example taken from a c follower emphasises this, what some might regard as a tendency towards premature breach, when compared with white offenders.

Offender Y

'13/7/87 letter to Y, appointment for 16/7/87

16/7/87 failed appointment.

27/7/87 formal letter threatening breach.

28/7/87 telephone call from Y, I emphasised the need to return to court.

29/7/87 Y reported to the office. He finds it difficult to talk about his personal situation. I challenged him on this but he did not want to push too hard given that we didn't really know each other, we agreed fortnight reporting.

I will breach if he misses more than two in a row.'

The last remark does seem to point to a fairly unusual tendency towards breach given the short nature of the relationship which had developed between the two. It would also seem unusual to take out breach proceeding if the offender misses only two appointments. There was certainly far more latitude given to other white offenders in this respect. It was also unusual to find the p.o. stipulating such rigid conditions to the probation order before the breach had occurred. Particularly in view of the fact that the offender had on this occasion reported. The latitude and discretion regarding the question of breach was also illustrated by another probation officer who in interview expressed the view that slightly more leeway could be given to black offenders in terms of breach proceedings and that this could be viewed as a form of positive action. He said,

'Some years ago I breached a black female client, and it was only afterwards that I wondered was it me?.'

At the beginning of this section the perceived importance of the social work relationship between worker and offender was mentioned. The notion of forming relationships appeared to be at the centre of the efforts made by probation officers in relation to black and white offenders. One to one casework was frequently directed towards enabling the offender to understand the interactions offenders had with significant others which were usually referred to by probation officers as relationship problems. Day found in his study of the

probation service that 90% of clients and 90% of their officers perceived probation in terms of personal counselling (Day 1981).

It was notable that in this research more emphasis was placed on creating therapeutic relationships with white offenders, than black and could suggest that more time and effort was being directed towards 'casework' with white offenders than black. This would seem to be a significant finding since it could reflect on the ability of the probation officer to differentially engage with problems identified in assessment, which were largely of a interpersonal kind relating to members of the offenders' family. It could also point to the possibility that the black offender is less willing to engage with the probation officer at the one to one level than the white offender or vice versa. If any of these conditions pertain then the style of work adopted by probation officers in this research is less likely to be of relevance to the black client.

Probation officers' difficulties in approaching these matters relating to personal relationship problems were not expounded upon greatly in records relating to black offenders, whilst frequent and lengthy references were made regarding protracted discussions with white offenders which related to various forms of life crises. It is clear from the records that probation officers considered this work to be 'intensive', and fruitful. Officers argued that the ventilation of feelings in a secure safe environment, usually in the probation officers' office, was in itself therapeutic. The exact nature of the benefit remained unclear, and did not seem to affect the white or black offenders'

desire to report since probation officers still mentioned problems in this area of practice.

It was not possible to draw the conclusion that one to one case work was denied to black offenders, since such work was attempted. The main difference seemed to be in the use of conventional terminology in relation to black offenders. What emerged from the research was a usage of words which appeared at first sight to constitute a shorthand form of communication used most noticeably in part c and part b records. On closer examination it appeared that this terminology, used in interviews and records, tended to be vague and confusing, with probation officers making reference to esoteric ill formulated notions such as boundary and space.

Taking the example of boundary, it has to be acknowledged that there are a number of ways in which this concept can be used. Following Durkheim, Erikson has argued that the principle underlying the argument is that people need boundaries, and that without clear guides for action people discover these effective boundaries by deviance. (Erikson 1966). Fielding has argued in his study of probation practice,

'In arguing for boundaries probation officers are discovering in the client centred ideology how control can be presented as need. The control work that they are obliged to perform can be justified by the discovery of peoples' need for boundary defining' (Fielding, p.48).

The idea of setting boundaries was found widely in this research particularly with regard to counselling work which was primarily concerned with problems that offenders had with relationships. In two cases of boundary construction by probation officers resentment and anger was expressed by offenders. In describing a white woman offender the probation officer refers to her as 'an intelligent person and has never had difficulties in opening up in our sessions, although keeping to a regular reporting pattern, centred her not only on the crisis but also issues between us at times. She does respond much better now to the firm boundaries which I try to place on supervision, and she is able to acknowledge why it is important for her even though she resents the boundaries'.

This prompted the researcher in a second interview to ask the officer what was meant by the term boundary in the context of the above quotation

The answer was far from clear-

'Its about not letting the client go too far, holding on to what is , keeping them within the realms of reality.'

Boundary in this case then seemed to refer to a form of reality orientation within the counselling relationship, although other officers appeared to be using the term in connection with legal boundaries in relation to acceptable behaviour whilst on probation, and the possibility of breach proceedings, or boundaries in relationships with others. What is important here is that such a term was used in official probation records in such a way as to suggest that there is a common understanding as to the meaning of the term boundary since

the word remained unqualified in all forms of data examined, when in fact a term as broad as this could have different meanings to different people. This form of quasi-technical word usage was less prevalent in records on black offenders.

In seven white cases and two black cases the counselling relationship was seen as providing a 'space' for the offender to explore his relationships with people. All probation officers who used this term were asked in second interviews to define what it meant in the context of their work with that offender. Four different meanings were given for what was being attempted, whilst in three cases the probation officers were unable to define the term, and expressed some surprise that they were being asked to do so.

Space for these officers was such an obvious concept, or alternatively so complex so as to defy verbal expression. Four meanings were given in relation to this concept. In one of the examples involving a black offender it emerged that the officer was referring to physical space, or the place in which an offender could come on a regular basis in order to discuss problems. Secondly, and again in a case concerning a black offender there was the creation of space away from the daily grind of life in order to consider feelings and relationships with other people. The third notion can best be described as an ontological form of space which enabled offenders to explore their own feelings in an almost existential way. This was used in relation to white offenders and was expressed in the following manner by a probation officer,

'X has never understood his own position in the world, he can't understand why people react to him in the way that they do. Our talks together have given him the space to do this .'

Space was used in a fourth sense to describe a punctuation mark in the counselling process in that the probation officer in the interview describes herself as

'Holding off to give him space to think about what we've spoken about'.

Other examples of such linguistic practices abounded in the research. The idea of 'working through problems', 'confronting offending behaviour', 'denial' and 'starting from where the client is', were equally as confusing and ill defined. The use of such terms constitutes more than an esoteric peculiarity within probation officers' use of language. What appears to emerge are a number of conceptual frameworks within which practice is conceptualised, each with its own language, logic, and set of meanings. This is achieved through an associated set of linguistic devices associated with social work practices which probation officers assume are common.

This research indicates that the agreement as to meaning of these terms is illusory. Whilst they constitute a conventional form of linguistic communication between probation officers, these terms appear to have no specific or agreed meanings. Surprisingly perhaps these terms do have enough legitimacy to be included on records, and are commonly used in professional conversation between officers. They were not used in social enquiry reports, which suggested



that they were intended for the consumption for colleagues, whom it was imagined shared common understandings.

This idea has an important bearing on any examination of possible differential forms of probation practice with black offenders. It was significant that the use of such terminology was not as evident in records and in interviews relating to black offenders. There may be preconditions to what has been referred to as the use of conventional explanations and assessments. A situation must exist in which the offender is willing to admit that he needs help or at least will make it appear that he needs help. As Beaumont and Walker have argued contrition is an essential precondition in that the potential probationer must be prepared to show remorse (Beaumont and Walker 1981). Put rather more cynically the offender must be prepared to play the game, to know his role as a client and what is expected of him within that role, whilst showing a willingness to take part in the professional process. In order to understand what is expected, the offender must share basic meanings and cultural assumptions relating to the nature of the probation process. Such common understandings cannot be assumed.

These findings have already suggested that probation officers are confused by many aspects of black culture, with family life, and black religion being only two examples. Thus the idea of forming a confidential and trusting relationship in which personal relationships can be discussed with an official from the court is a western concept which may be alien, and even objectionable

to a black offender who suspects all such personnel as being racist. These linguistic forms serve to create a further rift between the officer and the black offender. Pitts call for social workers to,

'Equip themselves to navigate the space between the white powerful authority figure and the black, young person whose only power lies in the ability to resist or confound our often incomprehensible overtures' (Pitts 1984, p.8).

#### VI. Pessimism probation officers and the black offender..

This short section has been included since it emerged so distinctly from the research material, and would seem to have significance in that it was differentially present in relation to black and white offenders. Optimism was rarely to be found in relation to the successful completion of probation work in relation to black offenders. This seemed to contrast sharply with the often exuberant and unrealistic optimism which characterised many assessments and work plans for white offenders. (See previous section in this chapter on recommendations made by probation officers in social enquiry reports).

There was additional frustration present in some work with young black offenders which was seen by probation officers in terms of the individual weakness of the offender in that nothing that the probation officer could offer had any meaning to the offender. Probation officers frequently complained that black offenders did not really see the relevance of probation treating 'Me and the whole thing, as a big joke.'

Although this may well have been the case with some white offenders it seemed that the white offender was more likely to-

'Play along with the idea of being a client, because he maybe thought that it would save his neck.'

Evidence from this research in relation to the experience of group work would point to the fact that white offenders at least at the early part of a probation order are presented by probation officers as being more likely than black offenders to take the exercise seriously. The cynical attitude of some black clients, created frustration which led one officer to describe her work with one young black offender as,

'Like cutting down a hanging man, only to watch him get out a knife and cut his throat.'

This last quotation leads to another feature of the way in which officers viewed black clients, which can only be described as a self destructive urge which they perceived to be present in black offenders. There was dismay expressed, in that young black offenders, and a small minority of young white offenders, despite

'All my efforts can't see what is good for him'.

The underlying root of the pessimism was seen as a lack of motivation on the part of the individual. At no point however, was it suggested by a probation officer that alternative methods might be more effective consequently the nature of the work being carried out remained unquestioned.

So powerful was the sense of pessimism expressed by probation officers in relation to black clients that it was a question put to officers in a number of

first interviews. In three cases in which probation officers had expressed pessimism regarding work with black offenders they were asked what methods they would adopt with endless resources which might make them more optimistic about the future. The answers given were, more well resourced sheltered accommodation, extensive work with a trained counsellor, and involvement in a therapeutic community.

It was only in the last possible course of action that any reference was made to the wider society, one probation officer saying, 'He is angry with society, the therapeutic community could get rid of anger and bitterness straight away. That's the way he could learn.'

The other ideal solutions concentrated on the need for the individual offender to cope with his personal problems in a manner which was separated from the wider society.

The question of optimism is important since the perceived lack of optimism in this research could influence the way in which the black offender is presented to the court in the social enquiry report, which could ultimately be viewed as a differential form of probation practice.

#### VII. Differential social work processes and race.

From what has been said in this chapter the day to day work of the probation officers who were researched was dominated by the demands being made upon them by the service. The greatest concern for most of the officers who were interviewed was to complete the tasks required of them without building up a back log of work. The reality of day to day

demands created stress for many officers who felt that they did not have sufficient time to attend to the possibilities of innovative practice designed to provide a meaningful service for black offenders which addressed the issue of racism. It also has to be said that some officers did not see the need to examine their practice in any way.

Groupwork was regarded as innovative but as has been suggested in this chapter seemed to have little relevance for black offenders.

What was particularly worrying about the forms of practice being undertaken by officers was that they hurried through their days work apparently under the impression that the agency expected them to respond on a daily basis to the needs of between 35 and 40 offenders (the average caseload), whilst being unable to link their work to existing community agencies.

This observation was particularly relevant to the position of black offenders some of whom were members of an established black community organisation, designed to provide black cultural experiences and support to black people in the area. Surprisingly little mention was made of this organisation in social enquiry reports or records. When questions were put to probation officers in relation to their contact with this agency it emerged that the local service had scanty knowledge of their activities. There appeared to be minimal contact with the group, although one team reported that they had invited a representative from the organisation to speak to the team, but she had not turned up. There was little evidence to suggest that this was anything more than tokenism

on the part of the local service, and was disappointing in view of the well established and publicised probation links with other black community organisations in the neighbouring West Midlands service. Here in the late seventies the local probation service had been instrumental in the creation of the Handsworth Alternative Scheme. This project was backed by the Home Office and jointly administered by NACRO and the local West Midlands service concentrating its efforts in the areas of housing, employment, and education of offenders and was focused on resource development for young black offenders. Probation officers in the sample were mostly unaware of this unique development. Thus with regard to innovative practice locally it seemed that the officers interviewed were reluctant to develop links with existing black organisations, or expand upon links that black offenders might have with such organisations.

Although the probation officers occasionally mentioned links between offenders and this organisation references stopped short of explaining the significance of the offenders commitment to this group, whilst missing the opportunity of explaining to the bench the purpose of this form of community work activity in the area.

Even in cases in which the offence was connected directly with racial attacks during interview, with only one exception, (See previous reference to the use of the term black bastard in Chapter 3), references were not made to racism in social enquiry reports.

Race in this research was signified in a tangential manner and was not seen as being a central determinant in any aspect of social work intervention. This is related to the tendency of probation officers to underplay the race issue even though this research has suggested that race was an important issue for offenders which appeared to relate to their offending behaviour.

What did emerge from all the data connected with this research was a fear on the part of probation officers of expressing race and race related issues in an inappropriate manner which could leave them open to the charge of being racist. The solution to this problem was to minimise the issue in the hope that the less that was said the fewer mistakes could be made. Although situations faced by black and white offenders were described, by probation officers these descriptions were less precise for black than for white offenders. It was also more likely that a broad aim with a desired outcome would be expressed in relation to white offenders, and that feasible objectives would also be delineated. Although the intervention designed to reach the desired objective is unlikely to be achieved, this research indicates that it is more possible for white probation officers to formulate such objectives and make some attempt to put them into practice with white offenders.

The process of evaluation was confused and generally seen as being secondary to the formulation of a social work relationship. No evidence was given as to how the nature and benefits of the social work relationship could be evaluated.

This research has so far focused attention on a number of areas in which differential forms of practice appear to prevail. This can be seen principally in the area of making assessments, in social enquiry reports and records and the manner in which recommendations for non custodial supervision are formulated. Also differential practice can be seen in the selection of social work methods in relation to the assessment made by the worker, and in discretionary use of the breach procedure.

An officer put the position as follows-

'I never know what to say, its such a big issue at the moment .....I don't even know whether race exists or not.'

This sense of confusion was prevalent in some eighty percent of the officers who were interviewed. A smaller number of officers provided a possible solution to their problem which was expressed in the words of one officer when he said

'I only mention race when I think it is relevant to the offence'.

The problem with this position is the considerable amount of discretion which the probation officer has in defining what is relevant or not.

The material described in this research suggests a certain amount of reluctance to approach the relatively unchartered areas of race and racism despite the apparent protestations of black offenders. The black offenders view was interpreted by probation officers indicating a clear need to research the way in which black offenders view the work of the probation service. Until this is done the Pandora's box effect of probation officers attempting to deflect the issue of race appears to lead them towards confusion, bewilderment, and a differentiated, decontextualised form of practice.



CHAPTER 5EMERGENT CONCEPTUAL CATEGORIES RELATING TO PROBATION PRACTICE.

In Chapter 2 it was argued that the value of ethnography can best be seen in relation to the development of theory and it is to the perspectives and understandings which have emerged from the data that attention is now focused.

The most frequently occurring concepts emerging from this research are those of client individualisation, culture and subculture. The latter two concepts are of equal importance when considering both the occupational culture of the probation officer, and youth culture/subculture. The chapter thus opens with a consideration of some of the literature in the area of culture and subculture which will assist in the understanding of the research data. The chapter continues with an analysis of individualised probation practice, with specific reference to individualised explanations of black and white offending in relation to professional decision making. This will lead to a discussion of the nature of the relationship between individualisation and conventional / unconventional forms of explanation of offending and probation practice.

The theme of conventional and unconventional clientisation is further developed in relation to an analysis of the use of professional language.

The chapter then concludes with a consideration of the implications of the findings of this research with reference to wider theoretical currents within the sociology of race relations.

It will be argued throughout this chapter that the probation officers in this study concentrate their attention on describing individual character traits which they consider to be relevant to the offending behaviour, in isolation from the structural factors which shape such apparent character traits.

This tendency is well documented in the literature on probation practice. (Bean, 1978, Day, 1981, Beaumont and Walker 1981, Fielding 1984). Beaumont and Walker argue that the process of individualisation effectively deflects attention from structurally contextualised explanations of crime. They argue that the concept of individualisation is fundamental to the transformation of the individual into an obedient citizen (Beaumont and Walker 1981).

Individualisation it will be argued leads the probation officer towards a process of clientisation i.e. a process through which the offender is defined as being in need, which then justifies social work intervention. (Smith, 1980). The sequence of argument and use of language in social enquiry reports and records are a crucial determinant in the creation of clientisation. Conventional forms of argument depicting the image of the conventional normal client are predictable and coherent in form, and tend to be associated with white offenders. When probation officers were attempting to assess work with black offenders elements of conventional practice were frequently combined with unconventional forms of intervention

resulting in modes of expression which frequently appeared variable and unpredictable. Thus, it is argued that although conventional forms of expression used by probation officers in relation to white offenders are often highly subjective, they constitute patterns of argument, recognizable to other professionals and sentencers. This familiarity defined offenders conventionally as being acceptable for inclusion into the probation system, and subsequent process. Put more simply, conventional clients, are viewed as suitable cases for treatment.

It will be argued that although there was little evidence of positive racist practice, in that probation officers were deliberately excluding black offenders from probation, there may have been a form of negative racism operating within the complexities of the way in which unconventional arguments were expressed. Thus individualised explanations of offending, combined with unconventional forms of assessment and practice were occurring most obviously in relation to black offenders. This it is argued led to a differential form of service delivery. Individualised forms of practice led to possibilities for probation work being conceived of in rather more limited terms for black offenders. For the most part, the attempts made to adapt conventional methods and explanations to the needs of black offenders, ignored the issue of racism. In short practice with young black offenders appears to be more confused and inconsistent than with white.

1. Probation practice, subculture, and the notion of the individual.

A dominant individualist theme has emerged from this research for black and white offenders in social enquiry reports and records. Probation officers appear to adhere to the view that personality is made up of a number of traits common to all members of the same culture. Since the term culture will be used extensively in this chapter both in relation to offenders and probation officers it will be useful to explore some of its meanings. Kroeber and Kluckhorn synthesised a definition of culture based on an analysis of 160 definitions drawn from different social sciences. They concluded that,

'Culture consists of patterns explicit and implicit of symbols constituting the distinctive achievements of human groups including their embodiments in artifacts. The essential core of culture consists of traditional i.e. historically derived and selected ideas and especially their attached values; culture systems may on the one hand be considered as products of action, and on the other as conditioning elements of further action' (Kroeber and Kluckhorn 1952 p.2).

Other writers have sought to link culture with dominant class interests (Brake 1980). Swingewoods' analysis of culture bears a number of obvious resemblances to the description of the role of the probation service found in Beaumont and Walker (Beaumont and Walker 1981). Here culture is seen as an essentially active and controlling concept inextricably linked to ideology.

'Through the major social institutions (the family, religious, educational, political, trade union) cultural values norms and aspirations are transmitted, congealing into largely nonconscious routines, the norms and customs of everyday experience and knowledge. At the level of popular consciousness culture is never simply that of the people or region or family or subordinate class' (Brake 1980 p.6).

Although culture is clearly being linked to social class here Brake is quick to point out that there may be in society a dominant class, but it is doubtful if there is a dominant culture per se. This is not to deny that there may be a dominant value system, which groups may understand that they are supposed to subscribe to, but any major value system is never homogenous. There are constant modifications to and adaptations of dominant ideas and values.

The notion of a subculture is also important when considering the findings of this research and is conceptualised as,

'Subsets of larger cultural configurations' (Brake 1980 p.7).

Downes makes an important distinction between subcultures which emerge in positive response to the demands of social and cultural structures e.g. occupational subcultures like the probation service, and those which emerge in negative response to these structures such as delinquent subculture e.g. black and white offenders' (Downes 1969).

The probation officers positive response to the a professional subculture is not surprising when one considers that it provides the probation officer with a livelihood. There is not the same vested interest in the values

which are transmitted through this form of professional subculture for the offender. On the contrary it may well be that the offender has been socialised into accepting cultural values which involve moving beyond the law, and it is through this subculture that the offender finds both meaning and self esteem. Thus within a particular subculture which may appear alien to the probation officer, the offender can appear to himself and his peer group as a success .

Although this may appear to be the case with some white offenders there is more likely to be some elements of cultural congruence between the white probation officer and white offender than between white probation officer and black offender. There will for instance be some common understanding in the former case as to what constitutes the family, and the nature of mutual obligations and roles within that social grouping.

Such a common cultural understanding did not seem to exist when probation officers had dealings with black families as this research indicates. Thus the subculture frameworks of the black offender are likely to be more alien to the white probation officer than what has sometimes been referred to as the white delinquent subculture. An obvious example of the rejection of black culture would be in relation to the smoking of marijuana by young Afro Caribbeans some of whom may be identifying with Rastafari. In this case the probation officer is unable to condone the use of marijuana since it is illegal, and is thus prevented from recognizing the legitimacy of activity which is to many young Afro Caribbeans, culturally acceptable, and in some cases a religious act.

The inability to recognize other subcultural norms was indicated by the assertion made by probation officers who argued that black offenders were suffering from a lack of identity. Such a conclusion often fails to recognize that offenders can gain identity through a subculture. The failure to recognise this on the part results in alternative subcultural expression being either neutralised or ignored. The process through which this occurs is as Brake suggests above, largely unconscious, and routinised in the form of culturally specific conventional explanations and modes of work. The result of the rigid adherence to a professional subculture is an inability, and in some cases unwillingness to accommodate alternative subcultural repertoires within their explanations of offending or their plans for practice.

What has been said above should not be seen purely in individualised terms since within a society the complex of cultures and associated subcultures are inextricably linked to class. Membership of a sub culture may be an extension or in opposition to existing class relationships (Brake 1980).

It is important to relate notions of subculture to the findings of this research. Three forms of subculture appeared to emerge which have clear links with social class. Following Downes the probation occupational subculture with its emphasis on individualisation and dominant institutionalised values related to the white nuclear family, living a good and industrious life, and living within the law. This can be seen as a

positive response to social and cultural structures upholding and extending the functioning of the judicial systems.

A second subculture is also present in the form of what can be referred to as white delinquent subculture which is a negative response to social and cultural structures. A number of writers have associated this form of delinquency with lower working class culture. Wilmott for instance found in his classic sociological study of the east end of London that petty thieving was a normal pattern of behaviour for that social group and was regarded 'lightly' by most local people (Wilmott 1966). Downes also argued that working class delinquency is part of the subcultural ethos of the lower working class (Downes 1966). Other writers have been at pains to point out that youthful criminal activity is not confined to this social group (Rutter and Giller 1983).

In this research young white offenders were presented by probation officers as belonging to a working class criminal subculture frequently being led into crime by peers and other members of the family. It was interesting to note that in this research twice the number of white offenders were presented as being led into crime when compared with black in social enquiry reports (Chapter 3). Although the descriptions of most white offenders indicated that they came from what may broadly be described a lower working class backgrounds, not all white crime was of this kind. A third distinctive black subculture emerged in this research distinct from white working class delinquent subculture which can be specifically associated with black offending. Brake writes,



'Race mediates the experience of the lives of black people but also raises a consciousness of their structured subordination which white working class youth lacks' (Brake 1980 p 123).

The descriptions given by probation officers in this research appears to point to the existence of a separate black youth subculture or 'hustling' which is described by Brake as,

'Earning a living outside of wage labour, and by definition involves petty crime. It also provides the supply of services goods and entertainments in a quasi legal manner to the respectable element of the black community' (Brake 1980 p.123). Thus many of the offenders being 'treated by white probation officers were men on the street who either cannot find employment possibly due to racism, or refuse to subject themselves to the routine labour of white society, preferring to hustle. This draws upon the 'rude boy' culture of Kingston. Rudies are the Jamaican hustlers operating in the downtown areas of West Kingston. (Hebdige 1976, Campbell 1980). This subcultural form, like the previous white subculture of delinquency, resists the dominant social institutions.

What these cultures appear to reflect is a number of competing meaning systems. The probation service and its professional culture represents a dominant value system which whilst providing a 'moral' framework, fails to accommodate existing social inequalities. The offenders subcultural value systems stands in contradiction to the probation professional subculture and constitutes a subordinate value system.

The process of individualisation by probation officers has a number of important functions in this regard. It enables each offender to be judged individually against dominant cultural criteria. Thus by using what has been referred to as a conventional explanation it becomes possible for the white working class offender to be presented in social enquiry reports as deferential to the dominant value system. If the white offender perceives that by co operating there may be benefit in terms of a non custodial recommendation from the probation officer he/she will appear to 'play the probation game' and become the client with potential for a reform into the obedient citizen. Thus although this form of white delinquent subculture is in Downes terminology a 'negative' response to social and cultural structures, it becomes possible by individualising the offender to argue that a transformation to a positive response has, or could occur, and that the offender with the help of the probation officer can be taught to be deferential to the values of the dominant culture.

The black offender adhering to a distinctly oppositional subculture however, appears to retain a more resistant stance when faced with the possibility of custody and even within the custodial institution. Acts which were clearly connected with racism were frequently deflected into more acceptable conventional forms of explanation. (p.156). It is to the way in which these three subcultures operate in relation to each other that attention is now turned.

It will be argued that the officially sanctioned process of individualisation enables the process outlined above to occur. The

individuals personality traits can be used to measure the extent of the offenders potential for transformation into the obedient citizen with a positive attitude towards dominant cultural values. Probation officers therefore present a view of the world in which individual differences displayed in human behaviour are perceived as arising from different strengths of trait through the interplay of heredity and early childhood environment and experience. This view of the causation of crime is reflected both in official Home Office documents and the legislation relating to probation work. The probation order itself requires the officer to 'advise assist and befriend', the probationer. The 1973 Powers of the Criminal Court Act defines the probation officers task with regard to social enquiry reports, in terms of enquiring, in accordance with any direction from the court, into the circumstances or home surroundings, of any person, with a view to assisting the court in determining the most suitable method of dealing with his case.

Two fairly recent Home Office circulars (17/1983, and 18/1983), expanded and reiterated the highly individualist suggestions made by the Streetfield Committee of 1981. These circulars suggested that the following matters should be considered in social enquiry reports.

'An assessment of the offenders personality character and family background which is relevant to the courts assessment of his culpability; information about the offender and his surroundings which is relevant to the courts consideration of how his criminal career might be checked, his employment

or prospects of obtaining employment, information about the circumstances in question, and the offenders' attitude towards it, and opinion of the likely effect on the offenders' criminal career, of probation or some specified sentence' (Home Office 1983, p.6, Home Office 1983 p.3).

Since in addition the probation officer is described in the legislation as a 'servant of the court' it is not surprising that explanations and work carried out by the service is of an individualised nature.

This research suggests that probation officers adhere more strongly to these official requirements than they do to any theoretical analysis or practice approach taught on professional courses when defining their professional role. Very little attention appeared to be given to the place of theory in the practice examined, and probation officers were reluctant to discuss in any detail how theory was related to their practice.

Concentration on the individualised nature of offending behaviour allowed probation officers considerable discretion in their work. Much of the evidence in this research has been related to individualised assessments of personality character and family background. In tackling these complex areas probation officers were able to use their discretion to decide what was relevant information to include in social enquiry reports and the manner in which relevant information was selected and represented.

It was the official sanctioning of such individualised work which provides a context for the differential forms of assessment and practice for young black offenders found in this research. At some points in the official literature, reference is made to some of the individualised and

differential forms of assessment and explanation referred to earlier in the thesis. Take for instance the advice given to probation officers in Perrys' Guide to the preparation of social enquiry reports (1975). Here specifically in relation to social enquiry reports it is suggested that probation officers,

'Talk about relationships within the family, is there any marital disharmony, violence, rows or separation?. Try to get an understanding of each person s attitude, and their expectations of each other. What kind of discipline is imposed in the home and by whom?. What moral standards are there?. What do the plain facts reveal ?. Did he have a good relationship with his father or was the father overbearing or authoritarian ?. His mother, was she a warm outgoing personality or cold and in different, an accepting or rejecting person ?' (Perry 1979 p.47).

This approach to the assessment and associated social work intervention can be seen in relation to both black and white offenders. With regard to black offenders, in this research, the greatest misunderstanding and confusion was found in relation to the areas for attention contained within Perrys' advice to probation officers. Relationships within black families were frequently misunderstood, and the assumptions made by Perry that it is possible for a white probation officer to understand motivations, and moral standards were reflected in some of the ethnocentric assumptions which appear to have been made. (See section on the family and black offending Chapter 3). It seemed that if a probation officer was in doubt that she/ he would resort to the use of the individualised explanation. This in one sense is understandable in that it is an officially sanctioned way of

dealing with all probation clientele. It also makes the probation task considerably easier and does not require the officer to question long established operational practices. Crucially however, it ignores alternative cultural and subcultural meanings with regard to, for instance, the way in which people expect to bring up their children and relate to other family members. The statement and the work carried out by probation officers appears to assume that this can be measured in relation to one cultural yardstick. What the concentration on individualised explanations enables probation officers to do is to designate any family form which seems strange to the realms of the abnormal.

This can be seen clearly in many of the examples of practice given in Chapter 3. The individualised nature of this approach also fails to take into consideration the disproportionate effect of market forces on black families. Black mothers tend to work for longer hours and for low wages. Afro Caribbeans may have greater need due to the greater number of lone parents. There is also a greater likelihood that black fathers will be on shift work or permanent night shifts, (CRC 1975, CRE 1977, DHSS 1984).

The question of discipline mentioned in the above quotation is also of crucial importance in this study. The research reveals that when probation officers were describing black parents the individualised nature of probation officers assessments enabled them to select material and present black family members in stereotypical forms. Thus individual personality traits were selected in order to enable the black person to appear to

conform to rigidly defined conceptions of black life and culture. This was most clearly seen in the extract from the interviews in which in the space of a few words a probation officer was able to express her own unease at the fundamentalist religion of the stereotyped black mother with her 'certificate for evangelical endeavour', and in the next sentence to create the impression of the authoritarian father figure, overdisciplined and unrestrained in his beating of the offender, being 'wheeled in' by the black mother when necessary.

Although the officer in this case admitted her own sense of alienation, as did all the officers who presented black families in negative terms, there was no attempt made to understand the strengths of the black family. In the above case for instance the strong relationship that the offender had been able to sustain with his mother, and the fact that the parents had retained contact with each other despite their separation was not emphasised. The officer chose to highlight the elements which seemed strange and alien whilst no effort was made to explore with the black mother the nature of her religious belief and the potential strengths of the black pentecostal movement.

Consideration of religion led to use of the word moral standards by Perry in his advice to probation officers. It seems to suggest an uncomplicated absolutist view of morality based upon white anglicised values. It assumes that the white nuclear family is a norm against which all other family forms should be compared. The situation within the Afro-Caribbean family is complicated and cannot be adequately dealt with here. The rigidity with

which Perry and the probation officers who appear to adhere to his approach apply categories such as 'moral' are wholly inadequate in explaining the complexities of the Afro-Caribbean family forms experienced in probation practice. Underlying the explanations and mode of work based on individualised work, probation officers in this research appear to operate on a model of cultural deficit in which the black family forms are not understood but measured against an imaginary moral culturally defined standard, one exemplified by the white nuclear family. One can only speculate as to the reason underlying this misunderstanding of black family forms. Fletchman-Smith has suggested that probation officers tend not to have formed relationships with black people other than with offenders with whom they have professional contact (Fletchman-Smith 1984). Clearly the misunderstandings which underlie the assessments made in this research are inadequate and may be contributing to discriminatory forms of practice.

The tendency of probation officers to utilise individualised explanations and strategies can also be criticised on another level. For some years the question as to whether behaviour is determined by individualised or situational factors has been a contentious one within the criminological literature. This approach, taken by probation officers in this research suggests that criminal behaviour is explained by individual personality characteristics which are themselves enduring and will determine an individual's future behaviour. (See Chapter 4).

This line of argument will be analysed further in the next section on conventional and unconventional modes of explanation in relation to black



and white offenders. It has already been argued that the probation officer enjoys considerable discretion in the selection of relevant information to include or exclude from reports. The findings of this research support other research (Sutton 1983), which suggests that information is sought by probation officers at the psychosocial level, at a level directed towards explaining the individuals behaviour as a function of immediate social forces which act upon them. In this research this force was dominantly interpreted as being the family and the offenders emotional reaction to the family.

There is also considerable evidence to suggest that crime causation is less connected with the individuals' personality than with situational and opportunistic factors. One of the most important situational factors which may affect criminal behaviour is that of employment. Although this factor is mentioned above in the quoted Home Office circular in terms of the likelihood of an offender obtaining employment, no reference is made to the special difficulties facing young black offenders in this regard.

There is now overwhelming evidence from many sources confirming that young unemployed black people experience discrimination in their search for work. Ollereanshaw in reviewing formal investigations and research studies carried out by the CRE show that to find work black school leavers have to make more applications and go to more interviews than their equivalently qualified white contemporaries living in the same areas. Black applicants

may be turned away by lower level personnel before reaching an interviewer. Ollereanshaw goes on to argue that interviewers, like some of the probation officers in this research have stereotyped assumptions about the capacity of black workers, or may be under pressure from senior management, or the white workforce not to take on black employees. Employers may be unwilling to act against known or feared hostility towards the recruitment of black staff or white employees/ customers (Ollereanshaw 1984).

In this research failure to obtain employment was not cited as a significant factor to be considered in assessments, probation officers preferring to focus on personalised accounts of the individual. The black offenders aimless and self destructive personality (p.235), or a person of 'nervous impulsive and diffident disposition (p.234). Black clients' 'questionable motivation' which was related not to structural factors like unemployment and discrimination which affected the offenders immediate situation, but to individualised notions relating to the assertion that the offender 'didn't want to be helped' (p.235).

Even when black offenders were successful in gaining employment this was interpreted as a change in individual attitude or the development of individual maturity. Sutton in his review of the literature relating to crime causation specifically in the young reaches the conclusion that 'At a technical level we simply do not know the empirical facts, never mind the mechanism to understand how background and upbringing interact with

such interpersonal matters as opportunity police presence etc to produce acts construed as anti social or criminal' (Sutton 1983 p.139).

Other evidence seems to suggest that such behaviour is far more situation bound than is suggested by this approach. In other words an offence is far more likely to be determined by the situation in which the offender finds her/himself (Rutter and Giller 1983, Morris and Giller 1987).

Considerable research attention has also been directed towards the claim apparently being made by probation officers, that criminality is associated with particular forms of personality (Waldo and Dinitz 1967, Allsop and Feldman 1976, Eyesenk and Eyesenk 1973, Farrington 1982).

All these studies although showing 'measurable' personality differences between delinquent and non delinquent groups are fraught with difficulties. Firstly in many of the studies the groups are incarcerated, which means that the results may well reflect incarceration rather than personality. Secondly some of the questionnaires in these studies only refer to criminal behaviour e.g 'Would you take drugs which may have strange and dangerous affects ? ' Thirdly it is very doubtful whether the questionnaires access enduring personality traits (Rutter and Giller 1983).

Highly generalised personality consistencies have not been demonstrated in the literature. Criminal behaviour appears to be more dependant on the stimulus conditions in the evoking situation, and an individuals experience of previous

situations. This effectively undermines some of the central assumptions which underlie the practice of probation officers. Personality traits are not universal or constant, and a personality in different situations behaves in different ways. In this research there was an overwhelming emphasis on probation officers individual interpretation of an offenders personality in relation to suitability for non custodial intervention by the probation service.

There is also a questionable correlation between expressed attitudes and actual behaviour which also places a question mark over the objectivity of social enquiry reports as diagnostic tools. Much of what was contained within social enquiry reports and records in this research was based on the offender expressed attitudes in interviews. It was the offenders' individual attitude towards his family, work and to the probation service which was reported in the social enquiry reports examined. These reported attitudes may not reflect the offenders' attitude in any specific situations. The factors stressed by probation officers may be more of a reflection of the social context in which the report is prepared rather than a comment on the offender. Thus a record of unemployment in a time of relatively full employment might be indicative of a white offenders reluctance to live as the probation order says 'A good and industrious life.'

Frequent job changes can reflect the state of the economy generally for all offenders. In addition for black offenders this may be as has been argued previously, an employment market that is at times racist. Thus the expressed

attitudes of the offender may have little bearing on the outcome of a period of probation. What seems to be required in court is the expression of a state of mind which is demonstrably contrite. It has been argued in this research that black offenders are less likely to express the remorseful attitudes which are perceived by courts and probation officers as signifying an intention to reform (p 242). This conclusion however is based mainly upon the expressed attitudes of offenders as perceived by probation officers. This only constitutes the probation officers interpretation of the expressed attitudes of offenders. The individually expressed attitudes of white and black offenders may bear little relation to actual behaviour, which it has been argued, is more likely to be determined by situational and structural factors.

Additionally for black offenders, it has been seen in this research that probation officers make ethnocentric assessments of them as individuals and of their families. The methods employed often based upon the perceived failings of the individual seem irrelevant to the black offender (p.262-263). Any relationship starting from this supposition is intrinsically unbalanced in that power is disproportionately concentrated in favour of the probation officer. Thus in expressing contrition the offender is admitting that his/her view of the situation, and perhaps in the case of the black offender, his/her view of the reasons for offending are mistaken and that he accepts that he was wrong and the values of a society which he may perceive as racist are right. Once this view has been expressed by the black defendant he is seen as being suitable for probation. Until that point is reached he is in the words of some

of the respondents in this research unamenable to intervention, hard to motivate, anti authoritarian, or a braggard.

It is argued here that the form of expression required to make a positive response to dominant culturally prescribed values, like for instance the desire to live a good and industrious life, is considerably easier for the white offender who does not daily experience white racism in many aspects of life. It is not the case as seems to be implicit in the treatment by probation officers that as individuals black offenders are intrinsically dysfunctional or 'unrealistic'. It may well be the case that the experience of racism has given young black offenders what amounts to a structural critique of white society. In other words the experience of institutionalised racism and the occupation of a position of structured subordination has enabled them to penetrate the dominant conventions within probation practice. Thus they perceive the position of the probation officer in terms of control rather than care.

Far from seeing this as a challenge to existing practices, and opening the way to more innovative forms of work which may have implications for both black and white offenders, the officers in this sample were bewildered and puzzled by the care control dichotomy within the probation officer/ client relationship. This problem has never been adequately addressed in the literature (see for instance Day 1981). Senior in a discussion of the probation order argues that 'Resolution of this debate has frequently got no further than citing the example of good parenting. Radical critiques have emphasised the social control present

in the seemingly helpful and caring role. There is an intrinsic inequality in the relationship between worker and client, no matter how open, negotiated and seemingly unconditional help may be: the power relationship between giver and recipient must be acknowledged' (Senior 1984).

Thus in accepting the role of probation client the black offender simultaneously accepts an 'official' friend who also has the power to return the offender back to court if the officer considers the offender to be in breach of the conditions of the probation order. This is an important point which is taken up by Pinder in relation to black offenders. He argues that this reluctance on the part of black offenders to express the desire to become a conforming client was indicative of their reluctance to accept the designation client. White offenders on the other hand seemed more easily able to accept the role of client. (See Pinder 1984 p.124). It is to the question of power in the one to one relationship between black offender and probation officer that attention must be focused, since it is in this area that the findings of this research diverge from those of Pinder.

In the conclusion to his study of black offenders and white probation officers he argues that,

'With the development of (routine) work with black offenders, the culture thus fashioned has been exposed to a series of challenges which suggest its reformulation in terms that take account of the transformation of British society that has occurred since the recruitment of a black migrant workforce in the 1950s and 1960s.....the change that has occurred can be interpreted in

terms of the power of black offenders to challenge the conventions through which white professionals operate' (Pinder 1984 p.166).

He goes on to argue that the new framework is based upon the abandonment of a number of conventional understandings primarily that

'Probation work as a form of social work takes as its object the individual; and of the conventional understanding of the relationship between offender and officer as being -for better or for worse- one between equals' (Pinder 1984 p.166).

Pinder claims that his findings indicate that black offenders in his study were resisting the designation client. A new framework for practice according to Pinder is based upon two fundamental evaluations. Firstly that the power dimension of the one to one relationship must be seen in terms not of the probation officer holding constant power, but a position in which there is a fluctuating concentration of power between offender and officer. Secondly the object of the relationship has to be evaluated. Intervention is not 'just a matter of coming into the office', but a more difficult process of coming between parties to a relationship, or complex configuration of relationships. Mediation, Pinder argues has not been traditionally seen as being central to probation practice and workers have been cast in the role of service deliverers. Such a perception claims Pinder is only possible if social work is held to be separate from the struggles between groups variously defined in terms of class, religious, and ethnic terms. Release that hold and it becomes obvious that social work is a highly political process in which workers are called upon to



mediate between a variety of interests. Pinder interprets his findings in terms of black offenders pushing probation officers towards this re-evaluation of practice. In his own words,

'The conditions of their practice are pushing them towards a perception of their mediating role' (Pinder 1984, p.36).

Pinder emphasises in his conclusions the power of the offender to challenge conventional individualised forms of practice.

In this study it is argued that only part of this process is taking place. Black offenders are challenging individualised relationships with probation officers in which they feel powerless. In chapter 4 there were numerous examples of the ways in which black offenders connect their offences with racism and police harassment (p.158-159). There is also evidence that black offenders often objected to some forms of social work intervention (p.262-263).

The officers in this study did not appear to respond in the way Pinder suggests. When faced with an unconventional response to a conventional probation approach, as for example when a black offender linked the probation service with police victimisation, the response was to ignore this in the official social enquiry report and resort to a conventional form of explanation and assessment based upon the failings and strengths of the offender (p.158).

Probation officers seemed determined in adhering to individualised interpretations of offending behaviour throughout this research. What appeared

to happen in relation to some black offenders is that the probation officers would use forms of explanation e.g. authority problem, irresponsibility, in an unconventional way whilst adhering to an overall framework of individualism. Although no direct discrimination could be found in the frequency with which recommendations were made numerically it was the nature of the formulation of the arguments and the way in which words were used which appeared to be qualitatively different.

It will be argued in the next section of this chapter on conventional and unconventional forms of clientisation that the main difference could be seen in terms of the sequencing of the arguments and the choice and ordering of words in social enquiry reports. It will also be argued that some aspects of practice were differentially applied to black offenders. What is important to consider here is the conclusion that probation officers were attempting to adapt a conventional model of practice based on the probation relationship to an unconventional situation in which the offender, as was argued at the beginning of this section, began with different and opposing cultural assumptions and was frequently critical of the context of the interaction, of the welfare state, and the criminal justice system, in which the probation officer was working.

There was no discernible change in the nature of the relationship that the probation officer was attempting to make with the black offender. If anything, the opposite of what Pinder suggests occurs was happening in this research, since a questioning of the power of the probation officer led to a greater

assertion of power on the part of the probation officer.

II. The probation officer as a gatekeeping arbiter.

What seems to emerge from the individualised form of probation assessment is the role of the gatekeeping arbiter. The work of the probation officer can best be expressed in these terms since the officer effectively controls the flow of offenders into the probation system mainly through the means of the social enquiry report, described by Morris and Giller in their account of the court system in which social enquiry reports are received as influential documents. (Morris and Giller 1987 ). This statement should be qualified in relation to the tariff system in that the probation officer is constrained by factors like the nature of the offence and the number of previous convictions recorded against the name of a particular offender. Notwithstanding this the probation officer is the sole arbiter in interpreting to the courts the offenders suitability for non custodial supervision.

In this research two recurring explanatory themes emerged when probation officers were making individualised arguments for non custodial supervision. These were, loss, and the offender as a victim (Chapter 3). Both these devices had an important effect in that they distanced the offender from the crime in a manner that was conventionally acceptable to the courts and to the probation officer. Loss was conceptualised in various ways but most frequently in terms of losing other family members and was more evident in explanations of white than of black crime. The idea of the client as victim also enabled the

offending to be presented as being relatable to circumstances beyond the control of the offender. Thus the victim has, as was argued, a diminished responsibility, which makes the offending behaviour unsurprising (p.151-152). The presence or absence of these two factors appeared to determine the acceptability or unacceptability of the explanation to the probation officer. What emerged from the research was a process of cognition which was utilised on an individual basis for each offender. When the officer prepared a social enquiry report the following sequence of cognitive events which occurred can be expressed as follows:-

Figure 6.

To show cognitive events leading to recommendations in social enquiry reports.

<u>Cognitive event.</u>	<u>Basis for decision.</u>
1. Creation of explanation for offending	Previous records  Interview with offender and sometimes family.
2. Matching of created explanation to officer's criteria of acceptability e.g. evidence of loss or victimisation	'Evidence' collected from interview  Previous records.
3. The writing of the social enquiry report.	Product of 2
4. The final recommendation	All the above

Parts 3 and 4 of this process have been separated since some officers indicated in the research that their final recommendations were often affected by their thoughts during the report writing process, and after they had read the part of the report leading to the recommendation.

What appears to be happening in this individualised process is that each explanation is linked to the probation officer's particular subjective understanding of the personality of the offender. It is important to note that the highly individualised nature of the process which is occurring. The creation of an explanation in the first part of the process is created from the officers' own impressions based frequently on one interview, combined with a consideration of other officers' subjective understandings of the situation from previous records. At the second part of the process these impressions take the status of evidence since the combination of the officers' impressions with previously created impressions in records is seen as constituting corroboration. What appeared to be happening in this research was that some 'personality types' combined with particular explanations, rendered individual offenders acceptable to the probation system whilst others were not.

Two categories derive from the subjective assessments of personalities:- deserving and undeserving of probation intervention. The deserving offenders were usually conceptualised as victims within a particular situation who were not blameworthy, whilst the undeserving were seen as willfully and consciously

playing an active part in the offence, showing no realisation that they were in error in committing the offences. Central to the concerns of this study is the possibility that race influenced judgements made in this highly subjective process. In chapter 3 explanations for offending were considered in some detail as expressed by probation officers. These explanations are an integral part of the process outlined above.

The use of alcohol was generally acceptable to probation officers in that it was seen as placing the offence beyond the control of the offender. The resort to alcohol was seen as being related to personality weakness in some cases, but was more often seen as an understandable escape route for offenders who had multiple problems in conducting their lives (p.127-135). Although the use of alcohol was seen to be a major form of explanation for black and white offending it was more likely to be used in the case of white offences. It was also interesting to note that problems related to alcohol had been isolated for special attention, this acceptable problem receiving considerable probation resources e.g the alcohol study group for offenders. The family which also constituted an important form of explanation gave probation officers considerable scope for exploring the themes of loss and victimisation. Here however, the probation officers demonstrated that some forms of behaviour which were related to individual family members, was unacceptable with considerable attention given to the violence and authoritarianism ascribed to black fathers and the religious proclivities of black women in particular.

The offender who had been defined as being anti-authoritarian, in this study as most likely to be black. This explanation tended to be less acceptable to officers, and consequently the assessment and subsequent recommendations for social work action were less likely to be positive. It is important to reiterate that this research suggests that the expressed negativity on the part of probation officers towards the black offender was not reflected directly in a quantifiable manner for instance in the number of non custodial recommendations that were made, but in the qualitative way in which social enquiry reports were phrased to present the individual to the courts. The data shows that words like rebellious, apathy, resentment, and anger serve to make the offender appear more blameworthy and less suitable for a form of intervention which is seen as requiring a modicum of motivation.

There was evidence to suggest that some officers did attempt to interpret the reluctance of some black clients to engage with them in general pathological terms. It became possible to describe black offenders as suffering from an authority problem (p.154-155). This did not victimise and remove responsibility from the offender however, as did loss, or a more acceptable and treatable problem like alcohol addiction, which were both more conventional modes of expressing inadequacy.

racism as expressed by offenders did not appear to be an acceptable explanation for offending by probation officers (p.157-158).

Even more unacceptable to probation officers seemed to be the creation of the irresponsible offender, which was used entirely in relation to black offenders. Here probation officers found little to redeem offenders who were seen as acting irrationally and irresponsibly. This example of an unconventional individualised explanation lacked even a hint of victimisation or the idea that the offence was beyond the control of the individual involved (p.158-159).

The explanation suggesting to sentencers that the offender had been led into crime to a large extent removed culpability from the offender directing 'blame' and pathology towards more seasoned and sophisticated criminals who were influencing the offender. The led offenders were merely weak, and not intrinsically criminal.

This explanation was found most notably in data on white offenders, and appeared to be acceptable to probation officers. Here the officer could demonstrate a clear role for the forms of intervention that the service had to offer (p.161-162). This was a particularly significant finding, since unlike many of the other explanations it was based upon a situational understanding of the offenders' situation, which as the literature above suggests has more relevance to offending behaviour than the personalised interpretations based on the individual which dominated the material in this research.



Explanations based on depression took on a highly individualised quasi medical form (p.162-166). Such explanations fell within the realms of the the experiences of most probation officers and were treatable within the present resources of the probation service occasionally in tandem with the psychiatric medical services. Here the officer could argue that work with the offender to ameliorate the offenders' behaviour, and improve the situation could realistically be expected. The disease-like nature of the mental condition constituting an understandable reason for offending was beyond the direct control of the offender. This explanation was again most notably found in explanations of white crime.

Problems related to one to one relationships with partners were, like depression, within the realms of the probation officers' life experience and acceptable. As one officer put it, 'These problems can happen to any of us, its just that X has problems in dealing with pressure of any kind.'

These were explanations which were amenable to counselling and one to one work which the officers favoured in this study. White offenders were most likely to be seen as having relationship problems which were connectable with criminal behaviour (p.166-167).

Although gender in itself was not acceptable as an explanation for offending the overbearing nature of factors like period pains and lone child rearing were

seen as legitimately contributing to offending. The general 'silliness' attributed to young black and white offenders was also seen as being a naturally occurring phenomenon which was accepted by probation officers.

Provocation in this research is closely linked with racism, but is distinct in that it provides a more acceptable explanation which is external to the offender in that an outside agent has placed unreasonable pressure on the offender, which creates the victim category. The offenders' fault is that he has responded inappropriately. An inappropriate response however is amenable to the perceived beneficial effects of one to one counselling.

Provocation was acceptable whereas a response to racism was not. The distinction is a subtle one but is based upon the probation officers' own individualised interpretation of the events leading to the offence. The most salient factor in the interpretation of event as being based on either racism (unacceptable) or provocation (acceptable) was the probation officers' previous subjective judgements as to the personality traits of the offender. If the probation officer had previously formed a positive impression of the offender, the offence could be explained in terms of a temporary loss of control under extreme pressure (p.161-167). What officers were apparently reluctant to do was to express the idea that a racist comment in itself explained a violent reaction on the part of a black person. Provocation of white offenders was usually related to another acceptable factor like the use of alcohol (p.170).

The notion of pragmatic offending was used most often in relation to black offenders. On occasions these accounts suggested that pragmatic offending was acceptable to probation officers in that situations were created in which the offender felt that there was no other course of action but to break the law. Here the justification is seen in terms of an insuperable culmination of circumstances which combined for reasons which may have been beyond the direct control of the individual.

The use of the notion lifestyle used exclusively in relation to black was bordering on the unacceptable for most officers who appeared to consider offenders to have had some choice in living a particular lifestyle. The choice was an individual one, and related to the individuals proclivities and idiosyncracies expressed in the way offenders dressed and in terms of whether they lived well ordered and sober lives (p.175-176). This left little room for alternative subcultural forms of expression. This presented problems for those pursuing alternative ways of life which may be based upon alternative Afro Caribbean cultures like Rastafarianism. This question can more properly be dealt with at length in the third section of this chapter. A more generalised statement can be made here in that probation officers had difficulty in accepting that a persons life style could provide an explanation for offending.

Anger was another unacceptable explanation which was exclusive to black offenders. Anger flair-ups were seen as erupting unpredictably which made intervention impractical.

The notion of acting out being a criminal is linked to the notion of lifestyle, and applied to black offenders who were depicted as emulating more sophisticated 'streetwise criminals'. Probation officers were unimpressed with this as an explanation for offending which led them to the conclusion that little could be done for individuals who engaged in such practices non custodially (p.177-178).

A number of possible conclusions can be drawn from this examination. Firstly, that the categories created by probation officers to explain crime are less likely to favour the black offender. It is probably at stage 2 of the process described above (figure 6, p.320) where the officer attempts to match his/ her impression with possible sentencing options and recommendations that the discrimination occurs. The impressions which guide the probation officer in making the explanation fit the perception of the offender are based on a number of assumptions, including that of the primacy of the individual and the individual's responsibility for his actions. This process of individualisation applies to both black and white offenders.

Secondly, the fact that some offenders are manifestly more deserving of social work help than others. This tendency had direct implications for black offenders in that the process of individual assessment led probation officers towards explanations which made black offenders appear less deserving than white offenders.

Thirdly, that the probation officer through the process of individualised assessment can make an objective judgement as to who is and who is not deserving of help. Reference has already been made earlier in this section to the difficulties involved in making objective judgements of individuals. The process of individualisation produced highly subjective assessments in this research for both black and white offenders. For black offenders the alienation from black people combined with an unwillingness to understand offending from a black perspective puts them at a distinct disadvantage in this process.

Fourthly a voluntaristic view of offending, can be identified, in relation to what has been referred to as unacceptable explanations of offending. Simply stated, probation officers present offenders as having a choice as to whether they offend or not. The tendency although affecting all clients who are designated undeserving, affects black offenders differentially due to the fact that they are less likely than white offenders to have a choice as to whether they offend or not, given their well documented position of subordination within the social structure. The presentation of a voluntaristic view of offending even for the undeserving offender is essentially decontextualised in that it does not take any account of the ramifications of racism. This decontextualised view of the black individuals leads to what can only be described as an assimilationist perspective. Assimilation is described as,

'The process of incorporating a freshly arriving group with a distinct culture into the host society in such a way as to make the incoming group conform to

established cultural patterns and eventually, disappear as an identifiable group of people' (Cashmore and Troyna 1983 p.57).

The question as to whether the probation officers themselves are assimilationist in utilising explanations based on the individual or whether it is the structure within which the probation operates is a complex one. What appeared to be happening in this research was that officers were aware of racism as a concept, and generally believed it to be unacceptable. What was lacking however was an ability, or perhaps in some cases a desire to incorporate their personal detestation of racism into practice. Even a cursory reading of the official directives and legislation quoted at the beginning of this section would lead to the conclusion that no consideration appears to be given to alternative views of reality based on differing cultural norms and values.

### III.1. Conventional and unconventional clientisation.

The previous section which suggested that the work of the probation officers in this study could be described as being a 'gatekeeping arbiter' was principally concerned with the way in which probation officers conceptualised offending behaviour. This section examines the process of clientisation and is more action based concentrating on processes and outcomes of the social work process. Although unconventional and conventional clientisation are distinct they are in many respects inextricably linked. They describe two distinct processes through which the offender becomes designated client by the officer. These distinctions it will be argued can be seen in the way in which offenders are presented by the probation officer. They are linked by the fact that they both result in the individualisation of the offender through the process of clientisation.

Although conventional and unconventional practices are utilised in relation to Afro Caribbean offenders the research indicates a tendency to either adapt or abandon conventional forms of explanation and recommendation for probation intervention in the case of black offenders.

Pinder argues that there is a lack of any coherent and explicit framework for recognising and explaining specific ethnic and racial identity in court. He also observed there to be a lack of what he referred to as 'excuses' for the offending behaviour of black offenders.

'Central to these conventions , and holding them together is the concept of the offender as 'client' which in this context rests upon the identification of 'need' which justifies intervention. It is this concept, the client in need, that work with young black offenders calls into question. More precisely, it is this designation of client that probation officers find black offenders resisting' (Pinder 1984 p.167).

Need is central in understanding the process which links individualisation to the process of clientisation. In this research the findings would indicate that individuals became clients when in the opinion, and one can put it no stronger than that, of the probation officer the offender demonstrated needs which were potentially remediable. In order for an offender to meet these criteria it was necessary for the probation officer to construct a conventional argument which would convince both the courts and him/herself that the offender had need which could be treated by the probation service. The major problem for black

offenders in this research was that the response of the black offender to the probation officer prevented such a conventional form of argument being constructed. In terms of the previous section they were seen as being undeserving since they could not be contained within conventional frameworks of need.

In the previous section the existence of acceptable and unacceptable frameworks of explanation was acknowledged. Here more detailed attention will be given to the way in which probation officers construct conventional and unconventional arguments in relation to offenders. conventional and unconventional offending will be examined. These processes, although acknowledged in the previous work of Pinder are not analysed. It will be argued here that they are based on two processes. Firstly, the formulation of arguments which involves a specific form of sequencing of argument, and a process of selecting material defined as relevant. Secondly, attention must be directed at the way in which probation officers use language to construct arguments and explanations.

### III. 2. Conventional forms of argument.

In this study the form of argument used in relation to white offending followed a developed and recognisable strategy. There were individual variations on the theme whilst a number of features appeared common to the way in which these arguments were constructed. Figure 2 (p.153) indicated the mode of conventional argument found in this research.

Here it was suggested that an unstable home background led to behavioural problems at home and school which when accompanied by loneliness or depression with the influence of the criminally inclined



the result was offending behaviour. This form of behaviour could be exacerbated by drink and or drugs which could in themselves generate a new and separate spiraling need which lead to further offending. This line of conventional argument can be applied most easily to specific forms of explanation which were dominantly associated with white offending (e.g. family breakdown, use of alcohol). They cannot be as easily applied to the explanations which were dominantly found to be related to black offenders (e.g. the authority problem, racism). Many of the components of the conventional argument can be regarded as being within the personal experience of the white probation officer, and sentencer. As one probation officer commented in relation to one example of white offending,

'I felt there but for the grace of God go I.'

Thus instability in the family, loneliness and perhaps the influence of the criminally inclined and the use of drink and drugs may well be within the realms of the experience of the probation officer. They regarded themselves as being fortunate however in that these problems for them were always controlled by boundaries usually created by parents. White offenders were seen by probation officers as having been deprived of such parental controlling influence, and thus become more prone to offending. Thus an intergral part of the probation role was that of surrogate parent. In conventional explanations it was the family which formed the basic starting point for the explanation. The white nuclear family was seen as representing an ideal to which an offender should aspire. Most white families defined as problematic were seen

in terms of various forms of inadequate socialisation. Within these explanations potential familial strengths were also presented.

Individualised conventional forms of arguments made it possible for probation officers to make conventional prescriptions in relation to practice. Suggestions related to the building of trust, and the creation of empathy, within the one to one therapeutic relationship, a process contingent on shared interpretations of the problem.

For white offenders the problem was stated in conventional terms which made the possibility of pursuing conventional forms of practice a logical possibility. Thus within the explanations of white offending in the main there was a continuity between explanation and prescription which was recognised by the probation officer and the bench as being normal reasonable, and acceptable.

Such was not the case for black offenders, since the premises and assumptions on which assessments and plans for action were built were unconventional. Probation officers clearly experienced difficulty in accommodatng cultural ethnic diversity on their assessments and practice. The material in Chapter 3 suggests that the basis of these difficulties appeared to be located at the level of explanation. What appeared to be happening in general terms, was that when probation officers were faced with a situation which was not translatable into conventional explanations they would attempt to either adapt these conventions or disregard them altogether ,resorting to unusual explanations

which followed lines of argument unfamiliar to the bench, or a more recognisable form of what can only be described as individual pathology.

This conflicts with the thrust of Pinders' findings who found probation officers attempting to include the black offenders view of his/her offending into the explanation. This research indicated that probation officers were reluctant to use race ethnicity or descriptions of racism or any of the unconventional forms of explanation provided by black people to explain offending behaviour.

The conventional prescription for action, in this research, usually the one to one casework model, had to be changed and modified in such a way as to disregard the continuing and ever present element of racism in the lives of black offenders. Explanations of this type were deflected into a quasi- form of conventionality. Thus there were normal and abnormal forms of explanation the former being conventional and acceptable to the probation officer whilst the latter was abnormal and unacceptable to the probation officer. When white families were presented in terms of dislocation and breakdown, this was reasonable and acceptable since the potential strengths of the white nuclear family when in their ideal state were recognised and could be achieved with the assistance of the probation officers relationship.

Such a goal could not be recognised in the case of black families who were different alien and often strange. They were more frequently associated with violence and authoritarianism.

Thus the raw materials for the makings of a one to one relationship were not presented in conventional terms. Given that probation officers had to be seen to give some form of explanation and recommendation for action which had some resemblance to the conventional rules of behaviour, adjustments were made to accomodate the unusual problems which black offenders appeared to present. Thus inescapably the black offender was presented as being different, and it was the way in which that difference was communicated and perceived by probation officers which was of crucial importance.

This research suggests strongly that in the attempt to adjust and accomodate unfamiliar problems into professional frameworks that probation officers would occasionally use methods that were discriminatory and racist. This was evident in the research when probation officers resort to the use of stereotypes (p.146).

Similarly black religion was seen as alien and strange constituting a possible reason amongst others, e.g the authoritarian father, for the young black offender being involved in crime. The use of such reasoning illustrates not only the probation officers' distance from black people but also an inability or unwillingness to move from familiar professional conventions.

Physicality also provided another example of an unconventional form of explanation and was directly related to black offenders. In some cases such unconventional conceptions of personality were blended to form a

negative image of the offender. Thus it became possible to present a dominant physical presence, with a strong authoritarian personality to create an explanation of offending and an ambivalent assessment of suitability for probation intervention qualitatively different from that used in relation to white offenders. In cases in which the probation officer was highly aware of racial differences, ethnic and cultural distinctions become conventionalised into problems of identity .

It was not the case that the officers were overtly racist as was suggested by writers such as Whitehouse, or that they were expressing negative personally held beliefs about black offenders. They seemed genuinely confused, and when in doubt resorted to conventionality.

Concepts such as loss and victimisation were related more definably to the white offender. Unconventional explanations presented the image of a powerful, anti authoritarian, generally truculent individual who was not amenable to what social work had to offer. The white offender was presented in terms of a person who was under stress having suffered as a result of a combination of events which are beyond their control. Consequently the form of work offered was casework. The justification for this was that the offender could be helped in the making of decisions. The recommended form of social work action for black offenders was argued in terms unfamiliar to the magistrate.

The force and power of conventional arguments then is based upon familiarity in the formulation and presentation of them particularly in social enquiry reports. This research suggests that probation officers go to extreme lengths to make a recommendation within conventional arguments with all aspects of the defendants history being selectively used to make the case that the offender is a victim of circumstance, or has suffered some form of loss. The conclusion being that probation is a viable, and in some cases seems inevitable. These impressions are created and reformulated throughout the report. If a negative statement is made this was found to be countered by a more positive neutralising statement. Report writers are also careful in presenting white offenders in a generally positive light. Many eventualities relating to the imposition of a non-custodial sentence are dealt with, which leaves the impression that the officer is attempting to anticipate any objections to probation that the sentencer might have, and answer them before questions are asked in court.

Although the term 'conventional' is not usually found in the literature it is recognised that 'getting a result' requires the use of strategies. These strategies are idiosyncratically built upon individual relationships that probation officers develop with individual sentencers and vary regionally (Powell 1979). All these strategies require the selective use of information and the careful use of words and concepts. The process of selection and sequential ordering of material on offenders becomes important in the understanding of conventional and unconventional clientisation.

III.3. Probation officer discourse - An analysis of power in conventional and unconventional use of language.

Although the sequencing of arguments and the acceptance or non acceptance of explanations in social enquiry reports is an important factor in the construction of conventional explanations, it is the import and the meaning of words themselves which is of crucial importance both in the presentation of offenders by probation officers to the courts, and in subsequent probation practice.

In this section of the chapter attention will be more focused in an attempt to analyse the part played by words, and the use of words in the processes which disadvantage the young black offender in interactions with white probation officers. It has been argued throughout this research in Chapters 3 and 4 that the way in which officers use language is of crucial importance in attempting to understand the process whereby probation officers confirm differential client status on black offenders. It is necessary in order to examine some of these issues more closely to move towards the area of linguistics. It is perhaps puzzling that given the fundamental importance of word usage in probation practice that little or no previous attention has been given to the possible understandings that linguistic analysis can offer to the probation service.

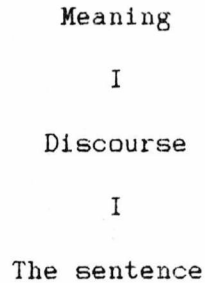
Until fairly recently linguistics was bound to an analysis of the sentence, and within this science a sentence was perceived of in terms of a series of

words that constitute meaning. However, where a sentence cannot simply be reduced to the sum of its words, and effectively constitutes more than the sum of its parts, it becomes a unit of analysis, or a section of discourse. It is in the field of discourse analysis that we are more likely to find a clearer understanding of the use of the conventional and unconventional term. It seems that in this research something more than the dictionary definition of words is being received by sentencers and other probation officers. The problem with such an excursion into discourse analysis is that this area of language analysis is still very new, and struggling for its own definitions, and more acutely its own terminology. A short description of the nature of this form of analysis is therefore required before attempting to apply it to some of the findings of this research.

The springboard for the establishment of discourse analysis has been in its relationship to the sentence. It is assumed in discourse analysis that there is a relation between the sentence and discourse in as much as there are forms of organisation that order all linguistic systems which give them meaning. It is therefore safe to say that a discourse is a long sentence, the units of which are not necessarily sentences, and that a sentence is a short discourse. The basic premise of discourse can be illustrated simply in the figure below



Figure 7 To show basic premise of discourse analysis.



It can be seen that the sentence and the meaning are linked, whilst discourse mediates between the two. Thus the sentence 'the client needs space' spoken to another probation officer would have one meaning, whilst spoken to a magistrate might have another. The first meaning could relate to possible emotional space, whilst the second might refer to physical space. Thus the sentence should be regarded as one system inextricably linked to a system of meanings derived from that sentence.

What we are most interested in here is the use of terminology and language in the probation officers' discourse. It is clear that the different levels of meaning reside both within the words used and beyond them. In the pursuit of this discourse a useful set of distinctions is offered by Sassaure, and are referred to in the literature as 'langue' and 'parole'. La langue is the linguistic system, that one learns from a language (Sassaure P. 1960).

An example of this system would be the basic rules governing the conjugation of verbs in any language. Parole denotes the way in which speech is used in every day life, the innumerable utterances spoken in language which might not always adhere to the basic rules of a language. It is parole or the use of speech in every day life which, unlike say the conjugation of a verb, which defies a systematic analysis. The diversity and complexity of meanings within parole was shown in relation to the way in which probation officers develop a quasi professional terminology, as for instance when they talk of creating boundaries for clients or creating space. It seems hard to accept that there may be a system, an organisation which governs it. However, Barthes argues that where ever there is meaning there is a system.

It is the search for meaning within parole which constitutes the basis for the science of semiology. For Barthes semiology systematised the loaded nature of discourse, and the way in which language itself directs particular responses in speech and subsequently directs understanding of meaning (Barthes 1977). The parole of probation can best be described as the 'signification' of the offender to the court through the medium of the social enquiry report. The language used will always be that of the courts, of the ser or the c follower.

A semiological analysis of this form of parole enables us to attempt to describe the innumerable utterances spoken and written within this form of discourse. It is necessary to consider the connotative values of what is

said by a white probation officer to a white magistrate where an invisible shared level of communication exists. This invisible communication which as has been noted above is less likely to exist between black offender and officer, could be interpreted as a conspiracy between the probation officer and the magistrate. However, a semiotic consideration of the probation discourse suggests that such a process between individuals is not taking place. It is the language itself that creates complexities as much as the individuals who use it. The nature of differential meanings must be found within the power which can be attributed to words and language. The connotational value for conventional explanations present an image of the victim. What then is the connotational value of this image of the conventional client ?.

The complexity of the use of just one word in a report can be illustrated with reference to the connotative value of one word, 'harmony' in the following examples from social enquiry reports. To return once again to Figure 2 (p.153) an example is given of what has been termed a conventional argument presented by a white probation officer in relation to a white offender.

We learned that the offending originated in the unstable home background, 'X is the youngest of four children her parents divorced in 1975 after a long period of marital disharmony.....part of my supervision with her has concentrated on helping her to come to terms with residual ambivalent feelings towards her mother, by whom she has felt rejected over the years.'

This extract would have denoted to the magistrate an offender who has been a victim of family problems, and yet the connotations could possibly project not only a past problem but a future solution which in one sense makes the offender eligible for acceptance into the realms of clientisation. A key to the image of the offender is held in the term disharmony, a word close to its antonym harmony and could therefore infer the possibility of harmony in this particular case. The report also gives evidence of harmony between the probation officer and client in dealing with her feelings towards her mother, which could also be seen as inferring a future harmony between the offender and her mother. Once this family harmony is achieved there is an implication that the offending will cease, since it was a disharmony that apparently caused the offending in the first place, yet what is the connotative value of terms such as harmony and disharmony?. There is an obvious musical connotation in which more than one instrument creates a unified sound. It is this unity that would seem to be the solution to the clients offending. What then is the nature of this unity?. From the report it would seem to be threefold. The desired unity of,

1. Mother and father
2. Probation officer and client
3. Client and mother.

What holds these three pairs together is an idea of the possible unity and harmony of one individual with another. Such unity is presented as being

achievable by individuals like the probation officer, and the result is harmonic, musical and desirable.

The musical connotations of the term disharmony can be very powerful for such a sound is only created when sounds are at least being attempted. There is a sense given in this conventional form of probation officer expression that with time and practice, and ofcourse the orchestration of the probation officer, all will lead to harmony. A probation order could provide the necessary conditions conducive to this creation. The term disharmony is also used in a black explanation of offending that can be termed unconventional,

The probation officer writes,

'The records indicate a turbulent and violent home background....His father's marriages have been characterised by disharmony and violence. Perhaps this violent background goes some way to explaining the number of offences of aggression.'

Here the possible connotative value of the term disharmony already given is negated by the use of the word violence. The image of the musical and potentially melodic is severley qualified by the use of this term violence. The disharmony is seen as being connected with marriages which have been characterised by the use of violence. Whilst on the surface these two explanations for offending are the same in the case of both the black and white offender i. e. the family disharmony, the connotations of the black ser has an additional dimension, violence something that threatens harmony.

No indication is given of any change in the fathers' behaviour. The very fact that his violence has been persistent, in that all his marriages have been characterised by violence, connotes an unceasing disharmony. What is interesting when the use of this term is compared in the two cases is that we do not know the nature of the disharmony in the white parental situation and yet this potentially damaging extra information was thought appropriate to include in this report by the probation officer in relation to the black offender.

What then is the connotational value of the term 'violence' which is repeated twice in the space of two lines, and is connected with the term turbulent ?. It has negative connotations of uncontrollable behaviour, and may invoke storm images which are associated with the unpredictable and the destructive. Therefore in the first conventional social enquiry report that used the term disharmony the overall picture could be perceived as unifying whilst in the case of the report on the black offender there is an association with wild destruction. The white case of disharmony is containable within the social structure and gives an opportunity for the probation officer to play a role within a conventional sense i.e. individualised casework, while the use of the term disharmony in regard to the black offender with its connotation of turbulent violence that seems to be without specific cause is threatening to social structure and offers no opportunity for the probation officer to prevent or control the outbursts of client aggression that are emulated by the mans' offspring.

What can be inferred from this and other comparisons of social enquiry reports written on black and white offenders is that adjectives used to describe the white offender not only present the client as victim but also as 'potentially controllable victim who does not threaten the social structure, which both magistrate and probation officer are responsible for maintaining. Although a probation order was recommended for this black offender the invisible connotators present in the probation discourse parole, have indicated a threat to social structure, which was read by the sentencer, resulting in a custodial sentence.

Connotators are thus utilised by probation officers, possibly unwittingly, to constitute various explanations of offending which are either acceptable or unacceptable for the creation of client status.

In Chapter 3 some 21 separate explanations of offending are found in social enquiry reports which were submitted to the courts, 16 of which suggest that in some way the offending was to varying degrees beyond the control of the offender. Five explanations are negative suggesting that the offending behaviour emanated from forms of individual pathology and are as follows:-

1. Irresponsibility.
2. Instinctive criminality.
3. Anger.
4. Anti authority.
5. Racism.

A number of observations can be made about these five forms of explanation. Firstly they are used almost exclusively to describe black offending. Secondly, they are created by connotators through the form of unconventional explanation. Thirdly, the first four explanations are attributable to the individuals' pathology, whilst racism is a structural phenomenon. However it is racism which is the unifying concept which is relatable to all these pathological individualised attributes. At times it becomes difficult to separate these first four explanations from structural racism as expressed by probation officers. An example of this can be seen in which a black offender's 'irresponsibility' is linked to a low I.Q. and possibly psychiatric problems (Cashmore and Troyna 1984 p.125). In referring to I.Q. as the 'lethal label in relation to black people', they have noted the crude, but often used, assertion supported by the work of Burt, (1966) and Jensen, (1969) that, 'Black people are intellectually thick, and this thickness is a product of genetic differences between groups' (Cashmore and Troyna 1984 p.137). Instinctive criminality has been commented upon earlier, but connotes the earlier link between genetics and criminal behaviour.

Anger was related to racist attacks and the offenders feelings about racism. The anti authoritarian offender was seen as rebellious and rejecting of society, and although the link was not made by probation officers, there were clear relationships between the experience of racism and anti authoritarianism.



Racism then is the central concept which is avoided by probation officers and is translated into unconventional personalised forms of explanation. There is however a way in which the concepts which have been described in this section can be linked together as Figure 8 indicates.

The figure summarises the line of argument which it is being suggested emerges from this research. Conventional connotators which are used dominantly although not entirely in relation to white offenders contain positive connotators which present the offender as being in some way partly responsible for offending behaviour. The offender becomes a victim of circumstance, which firmly places the context of the offence within the micro domain. This then enables the probation officer to argue that the techniques at her/his disposal are relevant in the attempt to rehabilitate the offender, thus validating her/his professional position. The offender then gains entry into the probation system, since the presentation of a written report in this conventional form stands a greater chance of being accepted by magistrates.

The unconventional explanation contains negative connotators often used to qualify and severely affect conventional explanations lead towards the offender being presented as a threat (see p.154). This threat is conceptualised at two levels. There exists the threat on the micro level in terms of the offender being threatening to other individuals. However, the nature of the feelings directed towards authority and the structure is seen as rebellious and irrational ultimately being directed towards parts of the social structure if not checked.

<u>Conventional</u>	<u>Unconventional</u>
<u>Explanations</u>	<u>Explanations</u>
I	I
Positive	Negative
connotators	connotators
I	I
Offender predominantly	Offender predominantly
presented as	presented as
victim of individual	threatening to other
circumstance.	individuals
	and possibly social
	structure
I	I
<u>The micro domain</u>	<u>The macro domain</u>
The individuals	The individual
environment and	within the social
network of	structure.
interactions	Possibilities for
	change limited.
I	I
Possibility of	Officer part of macro
change giving	structure, therefore in
officers position	contadictory position.
validity.	

Figure 8 To show process of conventional and unconventional connotation.

These connotations show a disregard for established structures and lead towards a macro or structure threatening form of explanation. Since the probation officer is part of the structure which is creating anger, or being disregarded by offenders the she/he is in an impossible position professionally. It is remarkable that black offenders appear to fall almost exclusively into this unconventional category particularly when they mention race or racism. It would seem then that when the probation officer is faced with is an unconventional situation, an alternative to racism has to be found in explaining offending to the courts. Racism then becomes transformed into an uncontrollable and structure threatening individual, with problems which are not amenable to probation intervention.- This is the essence of the differential service being delivered to black offenders.

#### IV. The ramifications of racism in probation practice

It has been argued that through the processes of individualisation and unconventional clientisation, most black offenders were differentially treated by white probation officers. It is now necessary to explore the implications of the affects of these processes both in relation to the findings of previous research into probation officer/ black offender relations and to wider issues relating to the ramifications of racism within the British social formation. In this section of the chapter the findings of this research will be considered in relation to other work in the more specialised area of black offenders probation officer relations and the wider relevant considerations of writers who have concerned themselves with racism and social institutions.

The first conclusion to be drawn from the literature which need to be examined in relation to the findings (see chapter 1 ) was that differences in style of social enquiry report writing and styles of working with black offenders are indicative of an attempt to present the reality of offending behaviour as perceived by the black offender. Although the nature of the way this process operates in practice is not made explicit in the previous research, this contention is supported by the extensive work of Pinder (1984). Other research, for example the West Midlands study of 1987 and the work of Whitehouse, presents an alternative view emphasising the presence of racist assumptions on the part of probation officers, resulting in an inequitable use of power which disadvantages the black offender (Whitehouse 1982).

It is evident in many parts of this research, (Chapters 3 and 4), that some of the process described by Pinder appeared to be operating, particularly the use of the conventional/unconventional forms of explanation. The essential difference between Pinders' findings and the work of this study lies in the fact that no evidence was present to suggest that unconventional explanations of offending were being used to present an alternative black reality. On the contrary officers were daunted by the unconventional view of offending expressed by many black offenders, and responded by giving accounts of offending behaviour in social enquiry reports which were qualitatively different when compared with the conventional forms of explanation given in relation to white offenders. This was combined with an adherence to what they considered to be expected of them by the courts and the probation service. The context of racism,

presented on numerous occasions by black offenders as being linked to their offending was ignored, or diverted (p.158).

The idea that probation officers perceive black offenders in a manner incorporating varying degrees of positive and negative racism, which constitutes discriminatory behaviour (Whitehouse 1983), has to be acknowledged as existing to varying degrees in the findings of this study. The above qualification needs further examination since the racist assumptions which were present in the research findings need to be examined at a number of levels. There were two examples of what might be described as positive racism. Firstly the use of the term 'almost instinctive criminality' (p.179) in relation to a black offender seems entirely compatible with the definition of racism used at the beginning of this thesis i.e. 'The doctrine that the worlds population is divisible into categories based on physical differences transmitted genetically' (Cashmore and Troyna 1983 p.35).

The term was used in an official document, the social enquiry report, which served to institutionalise the racist meaning of the statement. A crucial distinction between positive and negative racism is that of intentionality, in that a positively racist statement is consciously intended to insult an individual or a perceived racial grouping on the basis of racially defined attributes. It was not entirely clear whether the officers intended to be racist in their descriptions. When questioned about the use of the term 'instinctive criminality' in the second interview the officer explained that he was unsure as to whether he would have used the same term in

relation to a white offender, appearing genuinely shocked and surprised when the case was put to him that the use of such terminology could be insulting when used in relation to a black offender.

It was significant in this research that no such terms were used in relation to white offenders which leads to the inevitable conclusion that use of such a term that was racist in effect. The officers comment opens up an important debate in relation to the findings of this research since there was evidence of widespread ignorance in relation to these matters which could have partly accounted for the differential forms of probation practice which were found.

The second statement asserting that

'West Indian parents seem to be the main cause of delinquency' (p.151), was also offensive and appears positively racist. Although this statement was not contained in a social enquiry report it had been present in an official record since 1977. In presenting 'West Indian' parents as the main cause of delinquency, it seems to be implied that black people have an style of parenting which creates individual pathology. Although in this case it was not possible to verify intentionality in a second interview since the probation officer had moved to another area, one must again reach the conclusion that such an assumption pathologises black parents and is therefore discriminatory, offensive, and racist in its effect.

A distinction has to be made however between such rare statements as occurred above and the other forms of terminology expressed in written and verbal forms. The acknowledgement of feelings of alienation (p.149),

again in relation to black families, constitutes a discriminatory form of description which could lead to different prescriptions for practice when compared with white offenders. Whilst not wishing to minimise the affects of these conceptualisations, the use of such statements as 'His mother.....well it's the way she talks, its the sort of thing you here paradies of on TV, shes very religious, talks about the preacher' (p.146), has to be distinguished from the remarks such as 'instinctive criminality', which have more obvious racist connotations. Although the former description clearly appears to be accepting a stereo typical image of a black woman, it does not directly attribute deviance and /or negative qualities to blackness. They are then qualitatively different from the above two statements. It was obvious in this research that this second form of conceptualisation which indicated an acceptance and use of stereotypes were far more frequent than the form of positive racism which was noted earlier relating to 'instinctive criminality' and 'black familial pathology'.

A second conclusion based on previous findings was that probation officers although aware and possibly anti racist in personal orientation are constrained by structure imposed by the courts, the wider criminal justice system and probation service convention, leading them to include irrelevant information, and exclude other more relevant information from social enquiry reports on young black offenders. This research indicated that some probation officers had a genuine fear that the mention of race as a factor directly connected with offending might incur the wrath of the bench and result in a harsher sentence (p.159). The quantitative work in

this study relating to recommendation and non recommendations for black and white offenders points to the magistracy as being crucial in the imposition of custodial sentences differentially in respect of black offenders. (See p.190-193). It should also be reiterated that the statements that some young black offenders were making in relation to racism were critical of the structure of British society, and left no room for the officer to conventionally demonstrate contrition.

Probation officers appeared to utilise a number of solutions to these difficulties. As has been argued an easy solution is to define such attitudes as unacceptable. This resulted more frequently in omission than it did in the inclusion of racist statements. In such cases the probation officer may be seen as being placed in a contradictory position in that the social enquiry report is meant to provide an unbiased account of both the social background of the offender and the background to the offence. If these reports are intended to provide the court with an understanding of the motives underlying an individual criminal act, then the failure of probation officers to make reference to the black offenders view of the situation must necessarily involve a failure on the part of the court to understand the offenders' motives. Thus only a partial view of the situation is being presented through white eyes.

It seems that when officers were unable to comprehend what they considered to be an appropriate course of action, an essentially 'play it safe' posture was taken. One possible explanation was that the probation officer



took this position as a form of protection in the event of criticism relating to their work with black offenders.

This research strongly suggests that the white probation officer working with black offenders is presented with aspects of human experience by black people which extend beyond the range of knowledge that probation officers most frequently apply to their work. Such ideas are also beyond the theoretical ideas which are usually contained within general social work training. Ely writes,

'White caseworkers might generally be expected to hold values appropriate to those of most of the white middle classes; a belief in the primacy of the two parent nuclear family, and a general assumption of the desirability of self reliance and self realisation. Social work training may have reinforced this with its rhetoric of self determination for the individual' (Ely and Denney 1987 p.69).

In an attempt to understand the relationship between the orientation of work carried out with young black offenders and the underlying ideas relating to race and social structure, four dominant perspectives in the literature relating to social work practice with black people were

Table 24 : Five perspectives in multi-racial

practice and their differences

Perspective	Related political ideology	Location of the problem	Related social work method	Race relations goal	Social work practice
Cultural deficit	<i>Laissez-faire.</i> Emphasis on individual responsibility.	In lower class West Indian families who use services inappropriately because of black pathology and cultural deficit.	Worker's perceptions are superior, as she can function better in society as it exists now of Hollis (1964).	Assimilation	Services to have residual role. Resist the use of services that seem inappropriate to white cultural ideals.
Liberal pluralist	Fabian. Policy should be designed to reduce inequality.	Interface between the black family and other agencies. Multiple deprivation. Inter-generational tensions.	Systems approach. Casework, group work, community work, cf Pincus and Minahan (1973).	Blend of assimilation, integration, pluralism.	Enable black people to use other services better. Ensure full entitlement is provided.
Cultural pluralist	None. Lacks a vision of political change.	Idiosyncratic individuals who fail to carry out cultural reinterpretation. Racism in wider society. Lack of cultural information among social services providers	Uncertain. Relates to structural-functional concepts in social anthropology according to which each culture forms a coherent self-sufficient system.	Pluralism. Protection of ethnic minority cultures.	Social Services Departments (SSDs) to form specialist sections staffed by ethnic minority personnel to work through 'traditional' conflict resolution mechanisms, healers etc.
Structuralist position	Socialist/Marxist	Material disadvantage. Racialist policy and practice. Dominant ideologies of the state.	'client-centred, community-based' practice.	Removal of racially 'structured subordination'.	Provide black clients and black community with more material resources. Work through black community organisations. Review policies for racial bias.
Black professional perspective	Creation of a black Black community to be allowed to assume some responsibility for its own problems.	Black people have insufficient power and influence over policy and service delivery. Racism and multiple disadvantage.	All methods but incorporating a stress on ethnic identity and employing mainly black workers.	Power to be shared with black people, leading to the elimination of racism. Celebration of ethnic identity and diversity.	Practice under black direction supporting the strengths in black communities and families and carrying out policies designed to meet needs in ways considered appropriate by black people.

developed by Denney in 1983, and re worked by Ely and Denney in 1987. It will be seen in table that five professional perspectives can be identified which to some extent constitute an historical progression parallel to government policy, whilst also reflecting the emergence of second and third generation black people. These approaches have something to offer in understanding the nature of the relationship between ideas about race /ethnicity, and probation practice.

Moving from left to right of the table it can be seen that most of the material from this research clearly points to the existence of a dominantly cultural deficit perspective. The related political ideology which appeared to be reflected in this research was laissez faire which was seen in the voluntarism appearing to underlie the explanations provided by probation officers. Within this framework offenders were presented as having a choice as to whether they committ offences or not. This effectively decontextualises offending behaviour and was closely associated with the notion of individual choice and individualised assessments which have dominated the findings of this research. The emphasis on the primacy of the individuals freedom suggests that black people and Afro Caribbean families particularly are incapable of making appropriate use of the existing social services.

The related social work methods were based on the idea that the perceptions of the worker were superior since she/he can function more efficiently in society than the offender. The notion of assimilation has been clearly reflected in this work and was related to the idea of individual

responsibility. In effect by individualising the offender the underlying proposition emerges that the black offender regardless of culture and ethnicity was expected to adapt to white norms and values.

This was also reflected in practice with the use of what has been referred to as conventional explanations and a resistance to the use of services, for instance in this case the possible use of other black agencies in Oxford like Roots. Combined with the cultural deficit perspective were suggestions of a more liberal pluralist model. This was not as evident as the first cultural deficit model which seemed to dominate. Very little reference was made to policies designed to ameliorate the worst effects of racism. When officers were asked to speculate on the possibilities for innovative practice for black offenders there was usually a referral to prescriptions based on the idea of therapy. An example of this was the suggestion that an offender should be placed in a therapeutic community.

In terms of the location of the problem there was more than a suggestion of liberal pluralism in this research. It has been suggested in chapter three and chapter four that probation officers did frequently locate the source of black offending in terms of the interface between the black family and other agencies. There was a strong suggestion that black offenders and their families in failing to provide conventional responses to the probation officer were behaving in an inappropriate manner. Inter-generational tensions were frequently cited as explanations for offending behaviour. (p.148).

With regard to the social work methods associated with liberal pluralism in the diagram there was little evidence of the adoption of a systems approach which encapsulates and integrates work with individuals, groups and the community. Casework and groupwork the most frequently recommended forms of social work were seen as separate types of social work intervention. Therefore the liberal pluralist concern to link the individuals problems with wider societal systems as reflected in the work of writers like Pincus and Minahan (1973), was not present in the descriptions given of probation work in this research. The race relations goal was previously described as being assimilationist. On some occasions an integrative approach was suggested in this research by officers, the major distinction here being that the onus was seen as being on both the dominant white society and black people to live in a harmonious manner. However, it was noteworthy that probation officers showed a reluctance to recognise racism as a continuing and ever present feature of life for black people (p.156-157).

The notion that white society and white people should have any role in the creation of harmonious race relations was not emphasised in the same way as the individual responsibility of the black person to adjust and function in white society.

When the probation practices which accompanied a liberal pluralist model were examined it was clear that there was evidence to suggest that probation officers were anxious to allow black people to use public services more effectively, and to ensure that their full entitlements to

benefits and services were given. The one area in which no differential form of practice was found was in that of welfare rights, and the solution of basic practical problems. Here probation officers were as eager and efficient in dealing with difficulties with black as they were with white offenders.

Regarding the cultural pluralist position probation officers appeared to show little regard to the location of black offending within the realms of the purely cultural, showing little concern for any lack of cultural information for black offenders. There was no evidence to suggest that probation officers were anxious to recognise that each cultural form was in itself a coherent self sufficient system with most perceptions and examples of work emanating from a white ethnocentric position. With regard to the race relations goal there was little evidence of any attempts to protect the cultural rights of black offenders. When probation officers were asked about possible future developments in their work no mention was made of the need for specialist sections, or any form of innovative practice which might take cognizance of the black view of offending.

Moving to the structuralist position one probation officer only, defined the position of young black offenders in these terms, describing them as being,

'Stormtroopers of the working class' (p.147). In this account material disadvantage and racist government policy particularly in relation to immigration and the rights of black people was directly related to

institutionalised racism found within capital. The associated social work practice however was not clear to this probation officer although a vague reference was made of a possible review of policies within the Home Office which would incorporate a black critique of white society.

#### IV.2. Racism power and the probation officer.

The perspectives adopted by probation officers in this study were most frequently based on notions of the individual and failed to adequately address wider relationships between power and social structure. What is the nature of that power in a wider context?. From where does it emanate?. Who exercises it and why?. How can the notion of power be best understood in relation to these research findings?. In order to begin to tackle some of these questions we must look to the analyses of power found within the works of Marx and Weber, since it is from them that the most significant forms of analyses of race relations have been derived.

Firstly, the Marxist conceptualisation of the work of Oliver Cox is of paramount importance. Cox defined race relations as ,

'That behaviour developed amongst people who are aware of each others imputed physical differences' (Cox 1948 p.6).

Cox's argument simply stated was that people are encouraged to think in terms of race and therefore inherent inequality because it benefits capital. The power of the owners of the means of production capitalists is contingent upon their ability to maintain their grip over the workers, and this is best done if those workers do not receive their common

exploitation, unite and present opposition. It becomes necessary to keep them divided into factions by introducing and perpetuating antagonisms between them. Race performs this function in that it encourages workers to regard each other as different and unequal. They therefore arrange their relationships with each other so as to align themselves with members of their own race who they perceive as allies. The Marxist therefore is able to reduce racial and ethnic problems to a social class analysis, thus calling into question the liberal pluralist view that racism could best be eliminated through juridical or social reform (Cox, 1948, 1976).

Sivanandan has taken the Marxist perspective further emphasising the relation of power, exploitation and the primary role of the class struggle between capital and labour. He argues that Britain deliberately underdeveloped its colonial territories by starving them of capital which resulted in the reproduction of a reserve army of labour waiting in readiness to serve the needs of the metropolitan economy.

These accounts must then be considered in conjunction with an analysis of the black offender within the judicial system, and the fact that for the Marxist the probation service is an integral part of the judicial system. Within the ideological domain Beaumont and Walker argue that probation officers promote conformity both implicitly and explicitly to produce the obedient citizen. Probation officers impose the culturally determined imperative that the subject should be of good behaviour. This means more than avoiding offences, probation is intended to influence offenders to



accept and conform to their place in society. The probation officer also encourages work requiring probationers to live a good and industrious life. It also calls upon offenders to accept authority and use their leisure constructively. This is reflected in some of the more innovative forms of practice like outward bound courses. Most fundamental is the idea of individualisation which has dominated the findings of this research (Beaumont and Walker 1981). Within a Marxist perspective the black offender is doubly disadvantaged both in terms of being a member of the working class, and also if Coxs' analysis is to be accepted as being in a structurally lower position than white offenders.

There are a number of problems with this view of power when applied to the position of black offenders and the probation service. Most obviously it suggests that working people are dupes of the system. Probation is something that is applied to an essentially passive offender. The available evidence suggests that young offenders tend not to accept the ideological messages, since probation fails in most cases in that young offenders reoffend. In their exhaustive empirical examination of the effectiveness of probation they write,

'The evidence provides no indication that probation makes any difference to recidivism.....Straight comparisons taking into account age, previous criminal history, have suggested that probation is not a particularly effective measure' (Rutter and Giller p 298).

This has led some writers to suggest that the service could be abandoned or divert its energies into the invention of new methods (Jones 1983). The Marxist interpretation of probation work seems to be overdetermined leaving the reader with the impression that there is a conspiracy against that nebulous and ill defined working class.

The fractioning of the working class as suggested by Cox, leads to the conclusion that young black offenders carry the further burden of racism. What is significant is that the theoretical posturings of Marxist writers on probation fail to take into account the position of young black offenders in their analyses (Beaumont and Walker 1981). This research suggests that other more complex processes which occur at the micro level of interaction e.g. the use of language also contribute in a significant manner to the micro processes which constitute probation practice.

The Marxist explanation of power has also been criticised by other writers applying a Weberian framework. Rex claims that the position presented by writers like Cox suggests that all human action is controlled by capital. Rex following an essentially Weberian line of argument conceptualises social structure in terms of status groups and separate power structures. Class for Rex is not about the social relations of production, but differential access to various markets within the social structure. While not denying the importance of class to the black community he emphasises the complexity of relations between various groups.

This position would be compatible with the liberal pluralist perspective referred to in relation to the social work literature, it is best expressed with reference to the notion of the housing class developed by Rex and Moore in their study of Sparkbrook in Birmingham (Rex and Moore 1981). Here they found distinct types of residences which were linked to each spatial zone. The three groups referred to by Rex as upper middle, middle class, and working class, although all living in different types of housing shared the same value system and aspired to the scarce resource of suburban housing. This formed the basis for a potential conflict between the groups wanting the same limited resources.

All groups had limited access to the accommodation that they strove for and so were in potential conflict with those who had more access, and those who had control to the access. In this sense housing is a source of inequality quite separate from other sources such as employment. Rex and Moore theorised that just as work produced conflict, housing in the city produces its own unique conflicts with respect to the distribution of life chances. A person might occupy one position in the labour market, but this did not necessarily affect her/his power in the housing market. Thus Rex has consistently argued against the Marxist view that ones place in the division of labour and ability to generate wealth determines ones total life experience. Thus the concept of a separate 'housing class emerged'.

Rex argued that he was not theorising about exploitative relations but the relative position of groups within a politically and bureaucratically

organised system. They are in competition and conflict with each other due to the competitive nature of the battle for scarce resources with some receiving better treatment than others. Rex then argued for a more general explanation of power in relation to race relations, in that an underclass of migrants in the inner city had been created by concentrations of similarly disadvantaged groups in specific zones of the city. In employing a Weberian form of analysis which, while not denying the social class dimension, Rex emphasises the complexity of the relations between various groups within the class structure.

Using this form of analysis it might be possible to argue that the probation service is a bureaucratised and allocative system, in that the non custodial recommendations in social enquiry reports are allocated by probation officers within an essentially bureaucratic structure. By the differential use of the conventional explanations young black offenders constitute an underclass within that structure. The allocative process working within the probation system is separate from other inequalities within society such as housing and work and it may be possible for a young black offender to have a position of power in another sphere of life perhaps in the housing and job market and be disadvantaged within the probation bureaucracy. Such a position does not pertain in relation to these findings in relation to young black offenders for a number of reasons.

Firstly, the offenders who were examined in this research appeared to be suffering multiple deprivation in all areas of life, housing, employment

and education. This finding is also confirmed by the work of Guest whose research which is described in chapter one found that young black offenders were structurally disadvantaged, and over represented within the criminal justice system. Secondly, unlike housing, there was no indication that probation was a scarce resource. When the probation officer is making his decision as to whether to recommend probation she/ he is not constrained by a shortage of resources, as is the housing officer. Probation is not an allocated commodity determined by the availability of resources. This cannot be said of an alternative disposal community service the availability of which in some areas is determined by availability of work.

Thirdly Rexs' Weberian analysis does not take sufficient account of the ideological nature of the probation officers role which was clearly demonstrated in this research. The link that has been made between unconventional forms of explanation and social structure demonstrated that much of the work of the probation officer is involved with must be located within the ideological domain.

Although both these models have much to offer in terms of understanding the nature of power distribution in relation to young black people they do not adequately explain the structural sources of power which have been suggested in this research. Although probation officers appear at one level to be attempting to inculcate a set of ideas which ultimately lead to the conforming citizen the treatment does not appear to work, particularly for black offenders. Weberian analysts are right to point to the fact that the role of the probation officer as portrayed by Beaumont

and Walker is overdetermined and fails to assist in the understanding of race as a differential factor in the delivery of probation services. What this evidence clearly points to is the fact that racism is a dynamic which is crucial to the understanding of the processes described in this research. The response of black offenders to the probation officers, can best be understood in terms of subculture, in so far as cultures and subcultures represent as Downes suggests, collective solutions to contradictions in social structure.

The contradictions for the black offender are clear in that large numbers of the parents of offenders were imported from the third world as cheap labour in the presence of a post war employment crisis. Having arrived they were subjected to the ramifications of racism in the labour market housing, and education responding with quietism and passivity for the most part. Second and third generation black people born in the inner city appear more resistant than their parents and are less willing to accept racism (Hall 1979).

The probation subculture has developed from within the values of a racist society whilst the young black Afro Caribbean culture has developed from without. Young black people have developed new constellations of behaviour and values. A unique response to officials like probation officers is part of this response and is distinct from the response of white offenders. Thus a two way process is occurring within interactions between white probation officers and black offenders which can be represented as follows:-

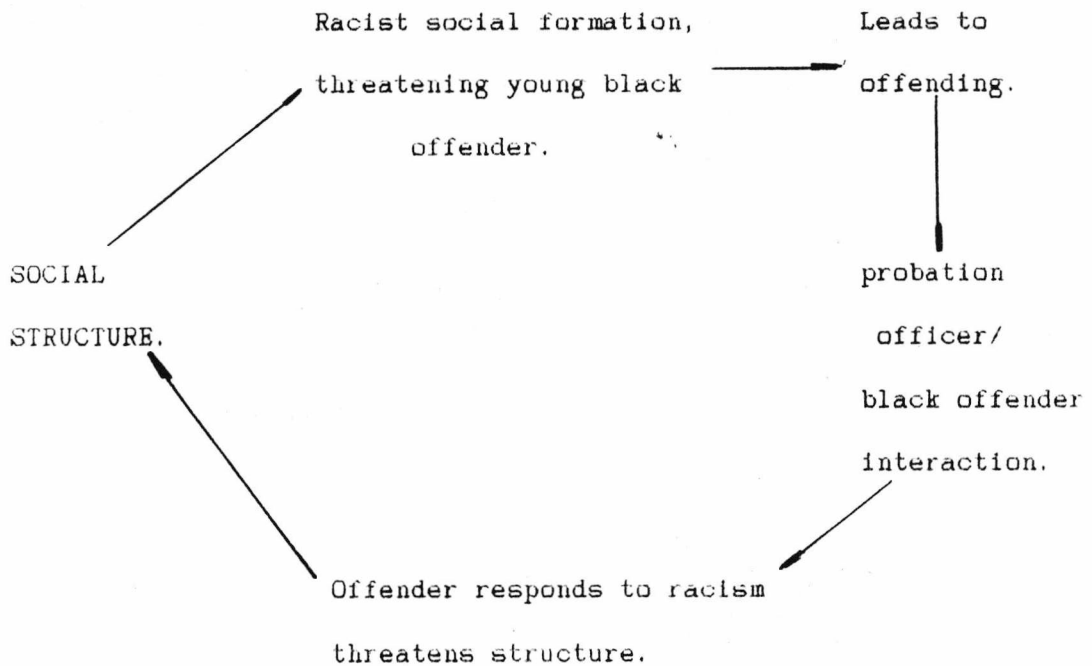


Figure 9 To show relationship between social structure, racism and offending.

It is being suggested that the black offenders' experiences of the contradictions inherent within social structure are qualitatively different from that of the white offender, since that experience is mediated through racism. Racism is threatening to the offender not only in a physical manner, but also in that racism threatens the offenders' life chances and opportunities. From the black perspective those who are in power or represent power, i.e. probation officers, play an important part in and are themselves part of that structural threat. Although this research was not directed at examining the motivations of offending behaviour from the offenders' perspective it has emerged that some black people have expressed

the view that some offending behaviour is connected with racism. A small number of offenders see themselves as redressing a historical balance, created by white slave owners. Thus as one probation officer put it,

'X says that he is simply taking back what belonged to his forefathers what was taken from black people during slavery.'

A greater number seem to be frustrated by being subjected to examples of racism in their daily lives. It is not being suggested that all black offending behaviour is directly relatable to racism. What has emerged amongst the explanations of offending given by probation officers is a tendency for black offenders to associate their behaviour with a macro concept racism, which is locatable within the social structure.

Their offending then can lead them towards contact with the probation officer who conceptualises their offending in a highly individualised manner. It is at this point in the process of probation work that contradictory views of offending between black offender and white officer emerge most starkly. The black offenders view of offending is to some extent legitimated by various forms of clearly recognisable Afro Caribbean subcultures which also emphasise the link between racist practices in contemporary Britain with the experience of slavery and colonisation suffered by their black ancestors. This historical link with slavery is frequently forgotten by white professionals including the probation officers involved in this research. The officers who recognised the importance of racism did so in an historical vacuum.



In contradiction to this stands the probation officers individualised view of offending enshrined in law and supported by the institutionalised procedures of the criminal justice system. Thus to return to figure 9 this contradiction leads to the position in which the black offenders response to probation is conceived of by the officer in terms of a threat to social structure, whilst the black offender has perceived the social structure which the probation officer professionally represents as a threat to her/his well being.

Underlying the phenomenon is mutual fear, for the black offender of the social structure which can produce institutionalised racism, and the fears of the probation officer representing the social structure which appears to be threatened by the unusual explanation of offending expressed by the black offender. The probation officers' response which is to 'do the job' by transforming structurally related explanations into individualised forms of anger and anti authoritarianism then provokes a black response which is critically redirected at the social structure. It is this process of unconventional structural redirection on the part of the black offender that the white probation officer cannot accommodate within her/ his apparently predefined professional repertoire of responses.

The importance of this interpretation is that it firstly recognises the importance of culture class and racism on the probation interaction. Secondly unlike Marxist and Weberian interpretation it shows the important inter relationship between the micro and macro sociology in this relationship. Thirdly, and perhaps most importantly, it emphasises the

374.

pivotal position of power occupied by the probation officer within the professional relationship.

CHAPTER 6.SOME POSSIBLE IMPLICATIONS FOR PROBATION PRACTICE

In this final chapter some of the prescriptive suggestions which have emerged from this research will be examined. Although speculative statements have been developed in the previous literature, there has been a marked tendency, to draw attention to the position of young black offenders in a descriptive manner. There is therefore a paucity in the literature with regard to practical measures which can be taken to tackle some of the problems described in this and other research. Researchers have rightly taken the view that attention needed to be drawn to differential probation service delivery before 'solutions' could be found. A problem has to be recognised before suggestions can be meaningfully made as to how it should be solved. The suggestions for future action described in this thesis will be tentative but will be related to the main categories which emerged in the previous chapter, individualisation as a process, conventional and unconventional forms of explanation and the problem of racism within practice. In this chapter, seven measures which could be taken by both the probation service and probation training courses will be addressed in relation to the research findings.

I.Race awareness and anti racist training..

It has been argued in this thesis that through the process of individualisation and the use of unconventional forms of explanation that most probation officers in this research resorted to the use of stereotypes, and ethnocentric forms of explanation which ultimately disadvantaged the young black offender. Whitehouse although not using the same terminology has argued more simply that the stereotypes and partial explanations of black lifestyle might be removed from reports by more training in race awareness. This he argues is the current strategy in one probation area, the West Midlands service (Whitehouse 1983).

The notion of race awareness has now, due to the activities of black trainers, been transformed to the more active concept of anti racist training. The argument underlying this change in nomenclature being that awareness in itself is inadequate, the overall aim of training in this area should enable social workers to combat racism in their practice and not simply be aware of it. There is a paucity of literature in relation to the content and effectiveness of such programmes in relation to probation practice. Several large probation services e.g. the West Midlands and the Inner London service expect officers to undergo this form of training. However, only four officers in this research reported having taken part in some form of anti racist training.

There did not appear to be any appreciable difference in the form of practice undertaken by the officers who had undergone training. It also has to be said that there are a number of fundamental problems in adopting this policy as a solution to some of the problems which have been identified in this research.

Firstly, the terms race awareness and anti racist training have not been adequately defined. They are usually 'packaged' to probation departments on a consultancy basis, with generally two or more black 'race experts' leading experiential programmes designed to draw attention to the individual white participants racism. The underlying assumption appears to be that the fact that a person is white means that she/ he is unaware of their racism, and that the only way of dealing with this is within an open group. Through this it will be seen that they hold views which, following the group experience, they understand to be racist.

A major problem with this is that the line of reasoning is in itself biologically determined. It assumes that if a person is white it automatically follows that she/ he is racist and needs to have the guilt for this expiated. Whitehouse for instance uses the term 'exorcised' in this context, which connotes a cutting away of the poisoned part. It seems then that such an argument is itself like racism, biologically determined, since the biological fact of being white immediately equates with being racist. Some members of such experiential awareness groups, who for instance have been married to black

people, and whose children have suffered racism have found this assumption difficult to accept.

Also the element of public humiliation which has been seen in the workings of some of these group experiences has been counter productive. In this research some of the respondents were afraid of the label racist, realising that racism was wrong in practice but fearing to ask or raise the question of how to tackle it in practice. Since the issue had been approached on an emotional level, in race awareness groups the anger generated had encouraged other officers in this research to retreat from the issue arguing quite simply that,

'I have tried but was shouted at so many times that I became rather tired of it...Whatever you do they will say that it's wrong....you simply can't win in this situation.'

'They' in this case referred to the leaders of an anti-racist training day that one of the officers had experienced. Some officers response to this research also reflected negative, and sometimes humiliating, experiences that they had experienced in relation to race awareness and anti racism training.

Senior probation officers had requested that the researcher provide a summary of the research findings to the teams in meetings. When reference was made to some of the stereotypical references in social enquiry reports in one team the response was one of anger. Officers claimed that the entire issue had been

'overdone' those who researched racial issues were seen as 'ideological policemen'. Officers also put the point that other issues relating to social class, the position of women and ageism were also of vital importance to practice and could produce differential service delivery. There was an endless list of client groups who suffered what was described as 'prejudice'. This is an important question which must be examined, the major point being that this research has relevance for all probation work since it raises fundamental questions relating to the relevance and usefulness of the methods employed by probation officers.

It should be said however that anti racism training and research into race was not universally condemned as negative by all officers who had experienced it. One officer found both experiences entirely beneficial enabling him to understand his own racist assumptions. Thus whilst not denying the importance of understanding of racism as a factor within the process of white socialisation, shouting at white probation officers publically without reference to substantive material describing the ramifications of racism in a constellation of policy areas, like employment, education, and social work practice, seems to have limited long term value. Anti racist training is not simply an emotional exercise, but needs to be placed in a more informed context.

At the level of departmental policy formulation a 'race awareness' workshop does serve the function of making it appear that a probation department has paid attention to racism and can become a form of tokenism. Thus if a department

has insured that its officers have been through the process of race awareness the department has done all that it could reasonable be expected to do. The thrust of this research suggests strongly that more must be done to enable anti racism to be structured into every aspect of the probation officers work. This requires training to be more specifically related to the day to day tasks of probation officers. It was in these areas that probation officers seemed most bewildered and confused. In some cases there was no further need for an emotional creation of guilt, but a genuine desire to change practice. The major problem for officers was that they did not understand how they could achieve this, and were confused as to the 'right' approach to the issue of race in practice.

The race awareness workshop approach also appears to focus attention on the individual pathological racist probation officer which bears a resemblance to the form of individualisation surrounding the pathologisation of young black offenders found in this research. This training approach dominated by the subjective interpretation of individual behaviour fails to take sufficient account of the constraints imposed by the wider criminal justice system, particularly the expectations of sentencers which this research suggests makes it extremely difficult for an individual probation officer to practice in an anti racist manner.

Although the creation of awareness of racism and anti racist training is a vital part of the professional development of probation officers an attempt



should always be made to access the results of such training. A criticism made by some black social work trainers is that this aspect of anti racist training in social work anti racist programmes is usually ignored (Ahmed 1988).

The above approach must also be combined with more specific exercises which are bound to daily probation practice. Report writing, and assessments generally would be an example of this. One exercise which could follow from this research would be to present individual officers with the same case, possibly in a role play situation, and ask the officers to produce a social enquiry report. The results in terms of the way in which individual explanations of offending were developed and the way in which conventional and unconventional forms of explanation and probation practice were expressed, would constitute not only useful research material but also a useful training exercise.

A similar process could be carried out in relation to the making of assessments in part b records. A very recent development in record keeping within the probation service has been the shortening of the part c records. In many areas they are no longer lengthy typed documents, but hand written brief records of contact. Such brevity could possibly reduce the chances of the development of unconventional forms of explanation in relation to black offenders in part c records. Similarly in relation to part b records the more structured form of record which makes it essential for the probation officer to list tasks

prioritised and achieved might also assist in this regard giving less opportunity for officers to express purely subjective opinions in official records.

The research also calls into question the relevance of such orthodox methods as task centred work (Reid and Epstein 1977). Such social work approaches appear to adopt an individual approach with reference to the achievement of prioritised forms of functional behaviour within given time limits. The emphasis of such methods on the individual fails to recognise the importance of structural factors particularly for black offenders. Such a method does not appear to include the task of combatting racism into consideration. Take for instance the task of getting a job. The achievement of such a goal is severely hampered by racism either overt or covert, and the possibility of building this into a contract between an officer and black offender would seem to be almost impossible in an atmosphere in which probation officers appear to concentrate on individual deficit.

Groupwork was another popular method of work within the probation officer which appeared to be of questionable relevance to black offenders since they were usually dominated by white people who frequently appeared unable to subjectively appreciate the importance of racism in the lives of black people. Thus groupwork like the court room situation represented another sea of white faces within the criminal justice system.

A more appropriate model for practice might be the systems approach which focuses on linking individuals with appropriate systems in the context of problem resolution. Such work would enable target systems to be identified within the process of change. In some of the examples of probation work given in this research the Commission for Racial Equality, and local black groups could be considered to be part of the clients system which could potentially be targeted by the probation worker to create change (Pincus and Minahan 1973).

An equally important question relates to evaluation of probation work, an aspect of work which was neglected in this research. Attention must be directed at attempting to record precisely the effects of racism on the progress that black offenders make whilst in contact with the probation officer. It is suggested that an objective approach as possible be adopted in respect to this question, recording clearly and objectively the affect of racism on a particular aspect of work. The clients' own view of the ramifications of racism are essential component features of this process.

## II. Monitoring.

There are strong arguments for and against monitoring in probation work. Put crudely the argument for is that without such a process the needs of black offenders cannot meaningfully be assessed, which inevitably results in the continuation of a colour blind individualised approach, such as has been

described in this research. Thus systematic monitoring is argued as being necessary in order to discuss the current needs of black people and the gaps in services. This has to be balanced against a genuine fear that some black people have as to how such information will be used. Will it for instance be made available to the police ?.

In relation specifically to the probation service, it has to be acknowledged that a limited amount of monitoring has taken place, as was described in the West Midlands study 1987, and the London study (ILPAS 1982). The Home Office has also recently undertaken an ethnic monitoring exercise nationally designed to gain some quantitative understanding of the ethnic racial origin of probationers.

This research appears to suggest that a more intensive process is required, and should be instigated both locally and nationally. At the local level following the recommendation of the Central Council of Probation Committees there should be ethnic liaison officers in each area who are not, in the words of the committees report, 'unobtrusive to the point of non existence' (CCCP 1983 p.1). At the local level a constant and rigorous process of monitoring could be undertaken. What this research clearly indicated however, is that a counting exercise for instance, of the number of recommendations for non custodial disposal does not constitute effective monitoring.

At the national level monitoring needs to be co ordinated by an independent body in order to gain an overall view of the service being offered to black offenders. An organisation like the Commission for Racial Equality could with extra resources perform this function , but is statutorily disempowered to investigate the civil service or the Crown.

Words used by probation officers have powerful connotations and in this small sample of fifty cases, only 25 of which were black, it was possible to find terms like braggard , instinctive criminality , being used in relation to black offenders. Had this process been more extensive it would be safe to assert that other forms of racist word usage would be found. Such terminology must be removed from the vocabulary of probation officers which requires a careful form of monitoring. The use of stereotypes reveal some basic gaps in knowledge about the black family which also need to be made clear to officers. This process is demanding and needs to be carried out with tact and sensitivitiy if negative fearful reactions are to be avoided.

Whilst acknowledging the difficulties of covering vast amounts of course material in a relatively short time periods, social work training courses must take some responsibility for this lack of knowledge whilst ensuring that students are equipped with the essential knowledge to challenge racism in their practice. The Central Council for Training and Education in Social Work has taken cognizance of this by setting up a working party as long ago as 1981 being now committed to a policy of anti racism. Black members of the current

black perspectives committee complain of the powerlessness of black people within CCETSW to bring about institutionalised change (Small 1988).

This research indicates that four of the officers interviewed had qualified within the last two years. In three of these cases there was little evidence of any increased awareness or knowledge in relation to race and ethnicity, these officers being as bewildered and confused as their more experienced colleagues. Thus recent attempts by CCETSW to require adequate training in this area was not apparent in most of the recently qualified officers interviewed in this research.

### III. Innovative practice.

A solution which is frequently advocated by writers dating back to the early work of Husband in 1980 is the creation of services which go beyond the individual. Quoting from a confidential Home Office report, which drew attention to differential treatment of young black offenders in the probation service, Husband argued that the pathologisation of black offenders sprang from the inability of probation officers to adapt their inappropriate, ethnocentric, one to one, casework models to an essentially new situation in which second generation black offenders were challenging racism (Husband 1980).

Green, (1987) and Whitehouse (1983) have described innovative forms of practice which have attempted to move beyond the rigid conventional social work approach which has been seen in this research. Green describes the cultural centre in the West Midlands Probation Service, where the local service operates a community centre using black dance, steel bands to promote black culture in the community. This is designed to give

confidence to black offenders to deal with other aspects of their lives. (Green 1987, p.190). This project by raising funds also seeks to enable young black offenders who have previously not had contact with their own cultural roots to visit the Caribbean. Most of the staff and sessional workers are local black people who know the users of the centre at a personal level. The cultural centre has been very successful in providing a leisure facility within their own community.

The Handsworth Alternative Scheme, sponsored by the National Association for the Care and Resettlement of Offenders, is another probation linked project which was generated in the area mainly through the work of Whitehouse when he was a senior probation officer in the Handsworth area. The aim of this project was to present the offender in a positive manner to the courts and concentrate practice efforts not purely on the individual but on structural factors like education, employment, and housing. Offenders are linked with training and housing projects many of which have been developed by black people in the area.

Some problems have arisen in relation to the implementation of this approach. Green reports that officers have shown a reluctance in referring offenders to this project, and many referrals have been gained by representatives from the project. The workers in the scheme tend to become involved at an earlier stage in the court procedure and will frequently be involved not purely as a result of a request from the court but on their own initiative.

Green argues that one of the major advantages with this approach is that it recognises racism as a major contributing factor in black criminal behaviour. Also many of the workers in the project are black who understand the impact of racism on the lives of black people. This makes the discourse between worker and offender more meaningful, and potentially helpful. This innovation like monitoring rejects the colourblind approach, and puts racial disadvantage at the centre of probation intervention.

In relation to this research it can be argued that such an approach would place considerably less emphasis on the conventional individualist form of probation practice which, it is argued, disadvantage young black offenders. There are however, many difficulties with this approach mentioned in the literature. Pinder for instance argued that the Handsworth Alternative Scheme, although able to assist the most alienated and hostile offenders, would not have been possible, without a diversion from the treatment model of probation practice.

There have been a number of difficulties with this approach which need to be mentioned. Disappointingly, the initiative does not appear to have succeeded in increasing the use of probation orders in magistrates and Crown Courts as it was intended to do (NACRO 1982). Imaginative and inspired as many of these projects are, they have a tendency to 'ghettoise' black people by diverting them into projects primarily designed for a racial category. Also projects of this kind tend to be funded on a temporary basis by unqualified staff who have little security and consequently move on to other more permanent posts.



A further problem with such projects relates to power, since the local probation officers are represented on management committees, and might see themselves as representing the funding organisations like the Home Office or NACRO, perceived by the black workers who run the projects as oppressive and autocratic. This also places the white representative on such management committees in a contradictory position as representing the values of the state and the criminal justice system, whilst adhering to some of the views which schemes like the Handsworth Alternative Scheme uphold and perpetuate.

It is also undoubtedly the case that a redistribution of resources as described above in favour of black groupings is necessary on a scale far larger than is possible through any form of social work intervention. It must be doubtful whether such distribution alone provides an appropriate premise on which to base the extension of probation involvement for black offenders, if one of the unintended consequences for instance of providing probation funded cultural centres for the whole of the community and not just probationers, is that all young black people using the facility in a particular area become more enmeshed in the criminal justice system.

The description above indicates the lengths that some probation authorities have gone to in order to direct resources towards black offenders. The West Midlands appears to be one of the few areas which has taken the initiative in this area, forming a stark contrast to the findings of this research, which is far more typical of the pertaining situation in most probation areas. In Oxford the workings of a local black organisation,

Roots, which in some respects resembled the cultural centre described above, was unknown to most of the officers who were interviewed in this research. Mention was made by one officer that a black representative from Roots was invited to speak at a staff meeting held by one of the teams involved in the research. It seems that the representative did not turn up, and that the matter was not taken further.

What was remarkable about this research was the level of ignorance and apparent disinterest which was shown in the potential for learning or developing some working links with existing black groups.

Although there are obvious problems involved with the efforts that have been made to develop innovative forms of practice for black people directions which have been taken in the West Midlands which would seem to offer the possibility of seeking to provide a service to young black offenders which has meaning to them. The fact that significantly higher numbers of black people live in areas like the West Midlands should not deter probation authorities from seeking to develop such projects.

The essential advantage of such forms of work in relation to the findings of this research is that it indicates a willingness on the part of the probation service to recognise the alternative reality of the black offender which is beyond tokenism. The existence of a project which looks further than individualised ethnocentric ways of explaining black offending and providing a relevant service has obvious advantages and needs to be developed urgently in other probation areas.

#### IV. Future developments in practice.

Although these efforts are important, a need for other forms of innovative practice are indicated by this research. Broadly this can be described in terms of including what has previously been referred to as the black offenders construction of reality into the routinised day to day work of the probation officer. Thus the struggles related to racism which many black people face in their daily lives should be recognised as legitimate within social enquiry reports and in the work of the probation officer. The recognition of this alternative reality partly removes the powerless, and in some respects demeaning status of the client 'in need', and potentially offers a method whereby the probation officer can have credibility with black offender, which is essential for practice to have meaning to black offenders. Put another way the black offender's right to a different view of offending must be recognised by the probation service in order to incorporate the black offenders' view of reality.

This research clearly indicates that a starting point for this process would be a reassessment of the presentation of offending and offenders in the social enquiry report to sentencers. The essential point which emerges is that racism can partly or wholly create responses within black people which leads them to situations in which they break the law. Thus the centrality of racism as a concept and a causal factor in offending must be acknowledged and explained to sentencers in reports if relevant.

In addition every possible opportunity must be taken to enable magistrates to have a broader understanding of the factors which influence black crime. This would require not just a shift in style but a reappraisal of the purpose of the social enquiry report requiring a move from the conventional material contained within these reports which is highly subjective, conforming to certain assumptions which are frequently inapplicable to black offenders.

In restructuring the way in which reports are written it is useful to refer to the seminal work of Bottoms and McWilliams (1979). In their 'non-treatment paradigm' they argue for a redirection of the probation service in the light of the collapse of the treatment model, and suggest four aims for the probation service. They are: the provision of appropriate help for the offender, the statutory supervision of offenders, diverting appropriate offenders from custodial sentences, and the reduction of crime. Within this context they argue for a reconceptualisation of work involved with the writing of social enquiry reports. They suggest that probation officers move away from the language of implied moral judgements and develop practices which simulataneously aim to present the appropriate information to the courts to help offenders develop appropriate strategies to prevent imprisonment.

Although this broad approach has applications to all offenders it is of particular relevance to the black offender. There must be a clear sustained effort to remove such judgements form all reports, at a national

and local level, since the negative connotations of some forms of expression, as has been suggested, can have a force of their own. The findings of this research reflect the lack of attention given to this area of practice on professional courses. It is also so widespread and blatantly subjective that it needs to be taken account of in any monitoring process referred to earlier.

Furthermore such an approach must also concentrate on utilising information which is of direct relevance to the offence, and questions the use of more routinely included information, i.e. on school attendance or the probation officers impression of the quality of familial relationships. It must also exclude accounts of families which connote common stereotypes of over religious intolerant violent black parents. It would however allow the inclusion of other material which was not present in any of the reports examined in this research. This would include local unemployment rates, housing problems and other factors which differentially affect young blacks.

In arguing for a greater specificity in the writing of reports one is not arguing for a complete exclusion of factors which relate to the offenders family or background. When such factors are mentioned however they should be directly relatable to the offence and mentioned in no other context. It cannot be good probation practice to speculate in a quasi scientific and uninformed manner on a young black offender's relationship with peers or family, unless the matter is clearly related to the offence. Neither can

it be good practice to fail to recognise the enduring and all pervasive nature of racism a phenomenon which affects many aspects of black peoples lives.

Crucially then the validity of mentioning the effects of racism in relation to offending must be included in reports. Morris and Giller have argued that the free 'floating catalogue of pathology' found in many reports on young offenders leads to the danger of the young person being sentenced twice.

'Once on the basis of the offence and once on the basis of his or her pathological problem and potential for future deviance' (Morris and Giller 1987 p.218).

It is being argued here that if urgent action is not taken to change the manner in which social enquiry reports are written that black offenders are being sentenced three times, since they suffer the added burden of what has been referred to in this research as the negative connotations of the unconventional explanation.

#### V. Education of the sentencer.

This research points clearly to the fact that the probation officer forms only one part of the process which appears to disadvantage young black youths in the probation process. The quantitative evidence in this small

sample suggests that recommendations for non custody made in relation to black offenders are less likely to be followed than similar recommendations for white young people (Chapter 4).

Evidence was also presented to suggest that some officers might be reluctant to adopt a new style of report writing which did not include moral judgements, innuendo and quasi scientific conjecture, since they thought that such a style was expected by the sentencers.

A number of possible ways of tackling this problem have been suggested. Pinder for instance has suggested that a verbal account of offending given in the form of evidence in court might provide a less formal and stilted explanation of offending for black offenders. No evidence exists to support this view, if anything the opposite applies with Powell suggesting that some probation officers play an almost ritualistic part in the court process (Powell 1985).

More realistically the probation officer can utilise formal and informal contacts with magistrates and judges to argue for a new style in report writing. This could also include formal meetings with magistrates which occur from time to time, the production of explanatory literature for the consumption of sentencers by the probation service, and meetings with magistrates instigated by groups of probation officers. Probation officers should also create as many opportunities as possible for young black offenders to meet sentencers in a less formal atmosphere in order that they can explain their view of offending behaviour.

More research clearly needs to be done not just in the area of sentencing practices in relation to young blacks by magistrates and judges, but on the effects on sentencing of words used by probation officers in social enquiry reports, and verbal accounts of offending behaviour given in court, an aspect which was not included in this research.

There is also a clear need all employees within the criminal justice system to have an understanding of race issues and anti racist practice. In service training should be obligatory for both professional and lay people working in the criminal justice system. The Home Office and the Lord Chancellors department should prioritise anti racist strategies providing funding for to ensure successful implementation.

#### VI. The perceived irrelevance of social work theory.

Another finding from this research which would seem to be applicable to both black and white offenders was the lack of theoretical contextualisation. Theory was referred to in a wide ranging manner with references being made to notions like casework, family therapy, although the nature of these forms of social work theory were not made clear, despite the opportunities given to officers to do this in interview.

An overwhelming conclusion was that the form of work undertaken by the probation officer appeared to be led by the demands made by the occupational



structure in which she/he works, rather than with reference to theory or the expressed needs of the offender. Such a structurally demand led service appears to emphasise the requirements of the system in which officers are working rather than the welfare of the offender. The untheorised unplanned nature of much of the work examined in this research points to the delivery of service on an ad hoc reactive basis rather than in any planned evaluated systematic manner. Probation officers in this study were,

'trying to get through the day'

as one officer put it, having little time to reflect upon some of the judgements that they were making about offenders.

This has clear consequences for both white and black offenders although the effects upon black offenders seem to be more serious. The overwhelming emphasis on the 'individual' was structured into the daily routine and requirements of the probation task, as were the ethnocentric assumptions about the primacy of the nuclear family. Considerable periods of time were spent keeping often copious part c and b records which is again a requirement of the agency. It was often difficult to see any relevance to the offence in these records many of which lacked reference to assessment, process of social work or evaluation of work undertaken. Some attempts were made at the first two processes whilst there was a notable absence of the third i.e. evaluation. If probation officers are to have an opportunity

of understanding the effects of their work, a serious effort must be made to assess the effects of their intervention. It is only when this process of evaluation is taken seriously by probation officers that some of the processes described relating to the mode of expression employed by probation officers in relation to black offenders can be understood in day to day practice.

This research also raises the important question as to why theory, which is taught on most social work training courses is forgotten, or thought to be irrelevant in assisting officers to meet the requirements of the agency. Theoretical ideas when mentioned were as has been suggested earlier were vague and ill formulated. Even on the rare occasions when officers were attempting to agree specific tasks with offenders over measured time scales, the tasks themselves were unclear, as were methods for achieving tasks. A cursory reading of the task centred literature emphasises the importance of clearly stating these two aspects of task centred practice, at the early stage of the intervention (Reid and Epstein 1977). In the opinion of the researcher the work of the probation officers in this research would possibly have been more structured and effective with reference to basic theoretical concepts. Whether this comment is more applicable to white clients who appear to be more willing to become 'clients' is an idea which could not be tested in this research, given the general absence of any reference to theory in the work examined.

There would appear to be a need for both training courses and probation management to emphasise more clearly, the potential usefulness and utility of relating theory to practice. Given the manner in which meeting agency requirements dominated the work of the officers, theory has to be shown as being a tool which can assist in this process.

More effort also has to be made within the service, to enable theory to be a continuing part of professional life which is useful, and not an activity restricted to training courses, which is irrelevant to daily practice.

This research also suggests the need for some alternative theoretical departures which could encompass some basic semiotic concepts. Social work training aimed at enabling probation officers to gain some understanding of the connotative value of the words used in explaining black offending. This should be taught with reference to comparative case material on black and white offenders in the context of the structural requirements of the criminal justice system. Some basic distinctions which have been made in relation to conventional and unconventional explanations also need to be made clear in relation to the possible differential affects that such a model of explanation may be having on sentencers.

VII. A paucity of knowledge.

This point has been touched upon in relation to anti racist training, and is linked to points made earlier in the chapter. As very little theory relates to race and ethnicity there is clear need for the inclusion of basic knowledge to be included on training post qualifying, and inservice courses.

One of the most alarming results of this research was the level of ignorance which pervaded the issue, which could have contributed to the tendency to attempt to treat all offenders the same and pathologise if this attempt failed. Although it is difficult to isolate one particular piece of 'knowledge' which constituted the most important omission the notion of the Afro-Caribbean family seemed to be referred to most frequently in derogatory terms. There was a strong suggestion being made that in some senses the weak Afro-Caribbean family structure was in some way to blame for offending behaviour whereas research carried out by Foner (1979) on Jamaican family life emphasises the durability of kinship ties between generations of Caribbean families. Officers also failed to appreciate the importance of black religious organisations which constitute a central place in the development of a uniquely Afro-Caribbean subculture in Britain.

Other areas of knowledge include policy development, the affects of discrimination, the social work managerial response to Afro Caribbeans and

the overall position of the young blacks in the criminal justice system e.g. relations with the police .

#### VIII. The recruitment of black probation officers.

In this research carried out in the Oxfordshire area, only one officer was black. This is not surprising when one considers that only 1.38 % of probation officers are black, and no black person at the time of writing has risen beyond the grade of senior (Denney and Ely 1987).

If the forms of differential service seen in this research are to be avoided a major black presence is needed within the service. This will almost certainly require some form of positive action within the recruitment process. The present recruitment material reflects a white dominated service. Thus in identifying courses as being eligible for Home Office sponsored students it might be stipulated that places be reserved for several black students. This would require non graduate courses to actively recruit black students from existing access courses and graduate courses would be impelled to make special provision for non graduate black students .

A closer relationship between academic institutions and area 'ethnic liason officers' would be required in this regard. Special efforts must also be made by local services to recruit black ancillary or volunteer workers who might be suitable for training. Positive efforts must be made to monitor

recruitment and promotion within the probation service nationally in order to ensure that an appropriate number of black people are being recruited and promoted. Career opportunities within the probation service should therefore be advertised in the black press.

#### IX. Positive directions for the probation service.

One of the most important points to emerge from this research was the lack of any coherent policy in relation to the treatment by the probation service of young black offenders. Despite the accumulating evidence to which this thesis will hopefully make a small contribution, that young black offenders are discriminated against in this area of social work it would seem that the probation service has had sufficient time since Husbands' initial work in 1976 to attempt to formulate a policy which would attempt to make the service offered relevant to black people.

De la Motta reports that in the Nottingham area that the Association of Black Probation Officers, frustrated by the absence of a formulated national or local policy or policy statement have considered the possibility of non co operation with management as the only way of expressing their anger (De la Motta 1984).

Implementation of any of the measures mentioned above is dependent on probation management understanding the importance of the discriminatory effect of current probation practices on young black offenders. The

Association of Black Social Workers and Allied Professionals in 1983 produced a document which suggested a list of four aims for practice in a multi racial society with special reference to black families (ABSWAP 1983).

The findings of this research suggest that these aims could be adapted, to probation practice . Firstly, probation officers should wherever possible strive to enhance and not deny the black identity of an offender. This will require knowledge of the objective position of black people in the social formation, and more contact both formal and informal with black people. It will also require a clearer committment on the part of courses and the Home Office to provide a suitable form of training in order to achieve this end.

Secondly, the officers attention must be redirected from the inculcation of a dominant set of ideas relating to industriousness and the constructive use of leisure time towards the notion of 'survival skills in a racist society'. For the young black offender who is for instance attempting to find work the 'problem' is not simply the presentation of self in interview. The black interviewee might well be confronted with racism in this and many other situations. Attention could be directed at allowing the offender to challenge racism, and cope with the phenomenon at a personal level.

A third emphasis would recognise that certain cultural and linguistic attributes are necessary for survival in a racist society. In other words black offenders could be helped in understanding how white power structures work, in relation to obtaining employment or housing for instance. Also if discrimination occurs it is important to be aware of the various available appeal and grievance procedures. This research suggested that most of the probation officers interviewed had little experience or expertise in this area of welfare rights work. This is an important point since evidence suggests that there are, as has been argued earlier many black youths who have a desire to succeed within white society. Although the probation service tends to work with the group defined by Troyna as the 'rejectors', as distinct from the mainstreamers and compromisers (Troyna and Smith (1979).

Mainstreamers aspire to white set goals like success in financial and career terms. Compromisers whilst accepting the reality of racism still strive to achieve in a white society. Thus the fourth aim of probation work should be the attempt to equip the young offender with a balanced bi-cultural experience which will ultimately enhance his/her life experience. Whilst acknowledging the existence of racism and taking steps within practice to assist black offenders with its worst excesses, the offender must be given encouragement finding satisfaction within the social structure as it exists. Probation officers in this research however appear to expect this process to occur before the two processes described above have been attempted. In other words the black offender must see that the officer not only acknowledges the nature of racism in society, but is



prepared to formally acknowledge this in, for instance, a social enquiry report.

The introduction of innovative forms of probation work with young black offenders requires a change in the 'professional' approach to the presence of black people in the criminal justice system. What emerged most clearly from this work was the impression that black people constituted a problem which had to be overcome. The adaptations which were inevitable had to be made in order to satisfy the black lobby were something of a nuisance to the smooth running of the service. What has been demonstrated in some areas like the the West Midlands where a new form of work has been carried out with black people, is the potential strengths within the critique of the probation service being made by black people. Far from being a problem black offenders force white probation officers to view their practice critically and provide a relevant form of work which has the potential to benefit all recipients of the service. Until this quantum cognitive leap is made by basic grade officers and management from the definition of the situation as a problem towards the notion of potential in black people, innovative practice carried out without proper consultation with the local black communities, will amount to little more than tokenism. Such action will be penetrated, and rejected by black offenders.

It is hoped that this research will make a small contribution to the recognition of the potential strength, diversity and challenge that young black people offer to the workings not only of the probation service, but

to the wider communities in which they live. Until probation officers recognise the part that young black people can play in nurturing new ideas within the probation service, they will simply be denying an enriching challenge, falling back on familiar, but frequently irrelevant practices.

Appendix 1.Record of research activities June- December 1987

<u>A.M.</u>	<u>P.M.</u>
17 June	Negotiations with Asst. Chief Probation Officer.
22 June	Meeting with Temple Team to discuss research
25 June	Meeting with y.c. team to discuss research.
26 June	Meeting with Park End St. team to discuss research.
27 June	Pilot interview 1.
28 June	Pilot interview 2.
13 July	Interviews 1 / y.c. team
14 July	Group interview with clients (participant observation). Attended team meeting.
15 July	Court duty with p.o. (y.c. team). Interview 1 with p.o. from y.c. team.
16 July	Interview with senior p.o. Interview p.o., Park End St. (Interview 1).
17 July	Interview p.o.'s Park End St. (interview 1). Interview p.o.'s at Temple (Interview 1).
20 July	Team meeting: Temple. Participant observation in open reporting: y.c.
21 July	Interview 1 p.o.'s at Park End St. Interview 1. p.o.'s at Temple.
23 July	Court duty observation. Court duty observation.
24 July	Team meeting : Temple.
27 July	-
14 Aug.	Transcriptions of 1st. interview material and initial analysis.
17 Aug.	Collection of material from records : Temple
18 Aug.	" " " " " " " " " "
19 Aug.	Collection of s.e.r.'s/ and records : Temple
20 Aug.	" " " " " " " " " "
21 Aug.	" " " " " " " " " "
24 Aug.	-
28 Aug.	Collection of research material from Park End St.
1 Sept.	-
12 Sept.	Collection of material from y.c. team.
14 Sept.	Interview 2. Park End St. Interview 2. Park End
15 Sept.	" " " " " " " " " "
16 Sept.	Interview 2. Temple Interview 2. Temple
17 Sept.	" " " " " " " " " "
18 Sept.	Interview 2. y.c. Interview 2. y.c.
21 Sept.	-
2 Oct.	Transcriptions and analysis of material from second interviews.

- 
- 26 Oct. Further collection of documented data : Temple  
s.e.r.'s /records.
- 30 Oct. Further collection of documented data Park End
- 4 Nov. Further collection of documented data Park End
- 12 Nov. Further collection of documented data Temple
- 16 Nov. Further collection of documented data Temple
- 19 Nov. Further collection of documented data Temple
- 25 Nov. Further collection of documented data . Team meeting : Temple  
to discuss findings
- 4 Dec. Team meeting :  
team, discuss findings.
- 9 Dec. Team meeting : Park End  
to discuss findings.

Bibliography.

- ABSWAP, (1983), Black Children in Care. Evidence to the House of Commons Select Committee. London, Association of Black Social Workers and Allied Professionals.
- Adorno, T.W. et al (1950), The Authoritarian Personality. London, Harper.
- Ahmed, S. (1988), Racism and Social Work Education. Lecture, National Institute of Social Work 11th November.
- Ahmed, S. Cheetham, J. and Small, J, (eds), (1986), Social Work with Black Children and their Families. London, Batsford.
- Alsop, J and Feldman, M. (1976), Personality and Anti- Social Behaviour British Journal of Criminology 16 pp 337-51.
- Althusser, L. (1976), Essays in Self Criticism, London, New Left Books.
- Barthes, R. (1977), Image, Music, Text, London, Fontana.
- Bean, P. (1976), Rehabilitation and Deviance, London, Routledge and Kegan Paul.
- Beaumont, B and Walker, B (1981), Probation Work Critical: Theory and Socialist Practice. Oxford, Basil Blackwell.
- Becker, H.S. and Greer, B (1982), Participant Observation,: An analysis of qualitative field data. In R.E. Burgess (ed) Field Research, London, George Allen Unwin.
- Bottoms, A.E. and Mc Williams, W (1979), A non treatment paradigm for probation practice. British Journal of Social Work. vol 9 Summer pp.159-202.
- Burt, C. (1925), The Young Delinquent, London, University of London Press

- Brake, M. (1980), The Sociology of Youth Culture and Youth Subculture. London, Routledge and Kegan Paul.
- Browne, B. (1978) Behavioural Approaches to Child Care. British Journal of Social Work vol 8, p.313-26
- Campbell, H. (1980), Rastafari: Culture of Resistance, Race and Class, vol 22, no 1 pp. 1-23.
- Carrington, B. and Denney, D. (1981), Young Rastafarians and the Probation Service. Probation Journal vol. 28, no 4 pp.111-17.
- Cashmore, E. and Troyna. B. (1983), Introduction to Race Relations, London, Routledge and Kegan Paul.
- Cashmore, E. (1979), Rastaman: The Rastafarian Movement in England, London, George Allen Unwin.
- CCPC, (1983), Probation a Multi Racial Approach, London, Central Council of Probation Committees.
- Cheetham, J. (1981), Social Work Services for Ethnic Minorities, Report to the DHSS. Oxford, Barnett House.
- Cicourel, A.V. (1964), Method and measurement in sociology, New York, The Free Press.
- Cicourel, A.V. (1968), The Social Organisation of Juvenile Justice, New York, John Wiley.
- CRC, (1975), Who Minds ?. A study of working mothers and childminding in ethnic minority communitites. London, Community Relation Council.
- CRE, (1977), A home from home ?. Some policy considerations on black children in residential care, London, Commission for Racial Equality.

- Coombe V. and Little.A. (1986), Race and Social Work, London, Tavistock.
- Cox, O.C. (1948), Caste, class and race: A study of social dynamics. New York, Monthly Review Press.
- Cox, O.C. (1976), Race Relations Elements and Dynamics, Wayne State University Press.
- Culler, J. (1983), Barthes London, Fontana.
- Davies, M. (1985), The Essential Social Worker, Aldershot, Gower.
- Day, P. (1981), Social Work and Social Control. London, Tavistock Publications.
- De La Motta, (1984), Blacks in the Criminal Justice System. Unpublished M.Sc Thesis, University of Aston.
- Denney, D. (1983), Some Dominant Perspectives in the Literature Relating to Multi Racial Social Work, British Journal of Social Work, vol 13, pp.149-74.
- DHSS, (1984), Services for the under fives from ethnic minorities, Department of Health and Social Security.
- Downes, D. (1966), The Delinquent Solution. London, Routledge and Kegan Paul.
- Eichron, D.H. et al (eds) (1982), Present and Past in Middle Life, New York, Academic Press.
- Ely, P. and Denney, D (1987), Social Work in a Multi Racial Society. Aldershot, Gower.
- Erikson, G.D. (1966) Childhood and Society. Harmondsworth, Penguin.
- Erikson, G.D. (1968) Identity Youth and crisis. London. Tavistock.

- Eyessenk, H.J. and Eyessenk, S (1978), Psychopathy Personality and Genetics, in Hare, R Schaeting, H. (eds), Psychopathic Behaviour, approaches to Research pp.197-223, New York, Wiley.
- Gunn, J. and Farrington, D.P. (eds), (1982) Abnormal Offenders, Delinquency, and the Criminal Justice System, Chichester, Wiley.
- Fevre, R. (1984), Cheap Labour and Racial Discrimination, Aldershot, Gower
- Fielding, N. (1984), Probation Practice. Client Support and Social Control, Aldershot, Gower.
- Fletchman-Smith, B. (1984), Effects of Race on Adoption and Fostering. International Journal of Social Psychiatry, Nos 1/2 Spring pp. 121-28.
- Foner, N. (1979), Jamaica Farewell, London, Routledge and Kegan Paul.
- Gardiner, J.D. (1982), Probation and After Care with Ethnic Minorities. Unpublished M.Sc thesis, Jesus College, Oxford.
- Gibbons, J. (1984) Live Wires, Social Work Today 15 (24) p.14 -15.
- Gilroy, P. (1987), There a'int no Black in the Union Jack, London, Hutchinson.
- Glaser, B.G. and Strauss, A.S. (1973) The Discovery of Grounded Theory, Chicago. Aldine.
- Goldberg E.M. (1977) Exploring the task centred casework model. Social Work Today, 9 (2) p. 9-14.
- Green, R. (1987) Racism and the offender : a probation response. in Harding J. (ed), Probation and the Community, London, Tavistock.
- Greenwood, V. (1982), The role and future of womens imprisonment. Noel Buxton Lecture (Unpublished). In Walker H and Beaumont B. (1985)



- Guest, C. (1984), A comparative analysis of the career patterns of black and white offenders, Unpublished MSc. thesis, Cranfield Institute of Technology.
- Hakim, C. (1987), Research Design Strategies and Choices in the Design of Social Research, London, Allen Unwin.
- Hall, S. Critcher, C. Jefferson, T. Clark, J. Roberts, B. (1978), Policing the Crisis: Mugging, the state and law and order. London, Macmillan.
- Hammersley M. and Atkinson.P (1986), Ethnography, Principles in Practice. London, Tavistock.
- Haralambos, M. (1980), with R Heald, Sociology, Themes and Perspectives. Slough, University Tutorial Press.
- Hebdige, D. (1976), Reggae, Rastas, and Rudies. in Hall.S. and Jefferson, T. Resistance Through Rituals. London, Hutchinson.
- Hedges, B. M. (1981), An Introduction to Social Research, in Walker. R. (ed) Applied Qualitative Research, Aldershot, Gower.
- Hedges, B.M. (1978), Sampling minority populations, in M.Wilson (ed) Social and Educational Research in Action, London, Longman.
- Hewitt, R. (1986), White Talk, Black Talk, Cambridge, Cambridge University Press.
- Home Office (1983) Home Office Circular 17/1983.
- Home Office (1983) Home Office Circular 18/1983.
- Home Office (1988), Punishment Custody and the Community. Green Paper.
- Husband, C. (1980), Culture, Context and Practice: racism in social work, in Bailey, P. and Brake, M. Radical Social Work and Practice , London, Edward Arnold.

- ILPAS, (1982), ILPAS, in a Multi Racial Society. Inner London Probation and After Care Service.
- Jensen, A.R. (1969), How much can we boost I.Q. and scholastic achievement. Harvard Educational review, vol 39 no 1 Winter p.1-123.
- Jones, R. (1983), Justice Social Work and Statutory Supervision. In Morris, A. and Giller, H.eds) op cit.
- Kidder, L.H. (1981), Sellitz, Wrightsman and Cooks Research Methods, in Walker R, 1985 op cit
- Kirwin. K. (1985) Probation and Supervision in Walker. H. and Beaumont. B. (1985), op cit.
- Kroeber, A.L. and Kluckhorn, B (1952), Culture - a critical review of concepts and definitions. Papers of the Peabody Museum of American Archeology and Ecology. vol 47.no 1.
- Leicester City Council, (1980), Working party on ethnic minority youth.
- Leonard, P. (1975), Explanation and Education in Social Work. British Journal of Social Work. vol 5, 3. pp 325-333.
- Levi- Strauss. C. (1973) Tristes tropiques. Translated by Weightman. J. and Weightman. D. London, Cape.
- Lofland, J. (1971), Analysing Social Settings: A guide to qualitative research. Belmont, California, Wadsworth.
- Lowenthal, D. (1972), West Indian Societies. Oxford, Oxford University Press.
- Merseyside Probation and After Care Committee, (1976), Annual Report of the Chief Probation Officer, in Staplehurst .A. 1983.
- Morris, A. and Giller, H. (1987), Understanding Juvenile Justice. London, Croom Helm.

- NACRO, (1986), Black People in the Criminal Justice System, London, National Association for Care and Rehabilitation of Offenders.
- NACRO, (1987), Juvenile Crime Briefing. London, National Association for Care and Rehabilitation of Offenders.
- NAPO, (1988), Racism, Representation, and the Criminal Justice System. NAPO News No 4. National Association of Probation Officers.
- North East London Probation Service, (1981), Annual Report. Quoted in Staplehurst. op cit.
- Oxfordshire Probation Service, (1985), Publicity Literature, Oxford.
- Ollereanshaw, S. (1984), The Promotion of Employment Equality on Britain. in Glazer N. and Young. K. (eds) Ethnic Pluralism and Public Policy. London, Heinemann.
- Parnes, H.S. (1975), The National Longitudinal Surveys: new vistas for labour market research, American Economic Review, Vol 65 pp 244-9.
- Perry, F.G. (1979), Reports for Criminal Courts, Teddington, Owen Wells.
- Pincus, A. and Minahan, A. (1973), Social Work Practice and Method. Illinois. Peacock Press.
- Pinder, R. (1982), On what grounds negotiating justice with black clients, Probation Journal Vol,29 No 1 p.19.
- Pinder, R. (1983), Respecting differences: the ethnic challenge to social work practice. Social Work Today. Research and Practice series.14, 22.
- Pinder, R. (1984) Probation and ethnic diversity, Monograph, University of Leeds.
- Pitts, J. (1984), Racism Juvenile Justice and IT. IT Mailing No 17, July pp 4-5. Leicester Youth Bureau.

- Popper, K.R. (1963), Conjectures and Refutations, London, Routledge and Kegan Paul.
- Powdermaker, H. (1966), Stranger and Friend: The Way of an Anthropologist, New York, Norton.
- Powell, M. (1985), Court Work, in Walker, H. and Beaumont, B. Working with Offenders. op cit. London, Macmillan.
- Preston-Shoot, M. and Williams, J. (1987), Evaluating the Effectiveness of Practice, Practice vol 1 no 4, winter.
- Reid, W. and Epstein, L. (eds) (1977), Task Centred Practice, Columbia, Columbia University Press.
- Ridley, J. (1980), Implications of Rastafarianism in Young West Indians in Slough. B.A. Dissertation, University of Reading, in Staplehurst A. op cit.
- Rex, J. and Moore, R. (1967), Community and Conflict, Institute for Race Relations, Oxford, Oxford University Press.
- Rex, J. (1979), Black Militancy and Class Conflict, in Miles, R. and Philzaklea, (eds) Racism and Political Action in Britain pp.72-92,
- Rosenhan, D. (1972), 'On being sane in insane places', Science vol 179, pp.250-258, Routledge and Kegan Paul.
- Rutter, M. and Giller, H. (1983), Juvenile Delinquency, Trends and Perspectives. Harmondsworth. Penguin.
- Sassure, F. (1964), Course in General Linguistics (Translated by Wade Barkin) London, Fontana
- Schatzman, L. and Strauss, A. (1973), Field Research: Strategies for a Natural Sociology. Englewood Cliffs, N.J, Prentice Hall.

- Schutz, A. (1964), The Stranger: an essay in social psychology, in A. Schutz (ed) Collected Papers Vol II, The Hague, Martinus Nijhoff.
- Sheldon, B. (1982), Behaviour Modification, London, Tavistock.
- Sivanandan, A. (1981), From Resistance to Rebellion: Asian and Afro caribbean Struggles in Britain. Race and Class vol 23 nos 2/3 pp 111-52.
- Sivanandan, A. (1982), Race Class and the State, in 'A different hunger ; writings on black resistance, London, Pluto Press.
- Schuessler, K.F. and Cressey, D.B. (1950), Personality Characteristics of Criminals. Amer.J.Soc. vol 55 pp. 476-84.
- Small, J. (1982), New Black Families, Adoption and Fostering, vol 6 no 33.
- Small, J. (1988), Social Work Education and Racism . Lecture at National Institute of Social Work. 11th November 1988
- Smith, G. (1980), Social Need London, Routledge Kegan and Paul.
- Sproat, K. (1979), Using National Longitudinal Surveys to Track Young workers. Monthly Labour Review, vol 102 , no 10 pp 28-33.
- Staplehurst, A. (1983), Working with Young Afro- Caribbean Offenders. Some dilemmas and opportunities. Social Work Monograph, Norwich, University of East Anglia.
- Sutton, A. (1983), Social Inquiry Reports to the Juvenile Courts, in Geach, H. and Szwed, E. (eds) Providing Civil Justice for Children, Edward Arnold. pp 123-64.
- Swingewood, A. (1977), The Myth of Mass Culture London, Macmillan.
- Taylor, W. (1981), Probation and After Care in a Multi Racial Society. London, Commission for Racial Equality.
- Thornton Heath, (1977), The West Indian Client. South East London Probation and After Care Service.

Troyna, B. and Smith, D. (eds) (1979), Racism, School and the Labour Market in P.Golding (ed) Mass Media and Social Policy

Tutt, N. and Giller, H. (1985), Doing Justice to Great Expectations,  
Community Care. Jan 17 pp 20-5

Waldo, G.P. and Dinitz, R. (1967), Personality attributes of the criminal ;an analysis of research studies,1950-1965. Journal of Crime and Delinquency 4. 185-202.

Walker, H. and Beaumont, B. (1985), Working with Offenders, London, Macmillan.

Walker, R. (ed) (1985), Applied Qualitative Research. Aldershot, Gower.

Webb, D. and Harris, R. (1984), Social workers and the supervision order.: A case of occupational uncertainty. British Journal of Social Work, vol 14 p.579.

West Yorkshire Probation and After Care Service, (1978), Probation and After Care in West Yorkshire., Sheffield, West Yorkshire Probation Service.

Whitehouse, P. (1980), Probation in a Multi Racial Context. Paper presented to the British Psychological Society Conference, Bradford University, 22/28. March.

Whitehouse, P. (1983), Race Bias, and Social Enquiry Reports. Probation Journal, vol 30 no.2.

Whittaker, J. (1974), Social Treatment, Chicago, Aldine.

Wilmott, P. (1966) Adolescent Boys of East London, London, Routledge Kegan Paul.

Wrong, D.H. (1961), 'The Oversocialised Conception of Man in Modern Sociology.' American Sociological Review, vol 26 pp.184-93.

