

Summary

Introduction and method

The Dutch Government wishes to modernise the application of sanctions and to improve their effectiveness. In order to realise this goal, it is seeking to improve the set of conditional sanctions. This is one of the goals of the Judicial Conditions programme programma Justitiële Voorwaarden. One of its components is the improvement of the supervision of compliance with general and special conditional sanctions with custodial punishments and criminal measures. Supervision is carried out by the three probation organisations: the Dutch Probation Service Reclassering Nederland, the Salvation Army Youth Care & Probation Leger des Heils Jeugdzorg & Reclassering and the Addiction Probation Service Verslavingsreclassering/SVG. It is evident from previous research that a lack of standardisation has resulted in a lack of clarity in the execution of the supervision of probation. The probation organisations, in collaboration with the Public Prosecution Service, the Judiciary and the Dutch Prison Service, are currently working on improving the supervision process through the ‘*Redesign Supervision*’ [Redesign Toezicht] project. The new probation supervision process must result in an increase in the effectiveness, transparency and reliability of the execution of supervision. In addition, supervision must meet general quality criteria for criminal law interventions: speed, security, strictness and legal content.

In order to verify whether it is possible to realise an effective supervision of probation with the new method, Impact R&D has carried out an evaluation of the plan, on the instructions of the Research and Documentation Centre of the Ministry of Justice. This was done through the ‘policy-scientific approach’ for the analysis of policy theories. By way of reviewing documents on the new supervision, interviews and a group meeting with the parties concerned, the policy theory of the new probation supervision process was reconstructed. Then an analysis was done of the extent to which the design of the new supervision is consistent, is supported by knowledge of scientific research and whether it is realistic to expect that the intended goals can be realised.

The most important findings are summarised below. *For a brief overview of the plan evaluation, please see Figure 2 in Chapter 6.*

The content of the new supervision

The reconstruction of the new probation supervision process is described in chapters 4 and 5. To sum up, the new supervision consists of the following steps. The probation services does an individual assessment of the risk of recidivism, the risk of harm, the criminogenic needs and the responsivity of the offender. On the basis of this assessment, the necessary intensity and content

of the supervision process are determined and the probation services issue a recommendation to the commissioning authority. The intensity of the supervision process is divided into three levels. The commissioning authority may impose a punishment or measure with special conditions and may request the probation services to supervise compliance with the conditions. The supervision process consists of two parts: control and coaching (encouraging and motivating), which are tailored to the special conditions. If the conditions are violated during supervision, efforts are made to intervene quickly and to apply appropriate consequences.

The probation services expect that the following mechanisms are effective. Behavioural change could be realised by way of tailoring the supervision process to the risk of recidivism and the risk of harm, the criminogenic needs and the responsivity of the offender in question. The higher the risks, the more intensive the combination of control and coaching should be, in general. Controlling the special conditions should, in the short term, result in a reduction in harm and a change in behaviour. Thanks to the deployment of modern or other monitoring aids, violations of conditions should quickly be identified and the chance of catching the offender increased. Control should, in combination with coaching, result in a change of behaviour in the long term and eventually in a reduction in recidivism. A transparent and reliable execution are expected to be realised through the deployment of professional probation officers and the division of their work into ten activities, but simultaneously through the retention of sufficient room for flexibly anticipating changing situations.

Consistency of and scientific support for the new supervision

Broadly speaking, the policy theory is consistent. The principle ‘the higher the risk, the more intensive supervision must be’ is applied in the new supervision model, but the type and the level of the intensity of the coaching have yet to be fully developed. It is unclear whether the division of resources (55% for supervision level 1, 35% for level 2 and 10% for level 3) corresponds with the actual division of risks under the target group. This can entail risks for the costs (if the number of high–risk clients turns out to be higher than anticipated) and/or the effectiveness (if clients were wrongfully to receive supervision that was not intensive enough).

Another aspect of the policy theory is a working process that is as simple as possible will result in a transparent and reliable execution. The principle of three supervision levels appears to meet these requirements, but this is apparently not entirely applicable vis-à-vis the combination with three basic activities and seven specific activities for coaching. Given the selected subdivision of the activities, it is expected that the probation services will achieve more standardisation in the general actions undertaken (has monitoring and/or have coaching activities been carried out?). However, more specifically (what happens in the consulting room?), the risk exists that the current general description of the activities for coaching leaves (too) much room for variety.

Not all components of the new supervision process have yet been developed. Those that are ready, however, are broadly substantiated by knowledge from scientific research (at times available only to a limited degree), but the coaching component in particular requires further development. The choice of tailoring the supervision process to risks, criminogenic needs, responsivity and environment is supported by research results. It is also evident from research that the greater the risk, the more intensive the approach must be. For offenders with a very

high risk, however, effective approaches are still not always available and it is possible that a more intensive supervision process will not always produce the desired results.

The need for the supervision process to consist of a combination of coaching and monitoring components is supported by research literature. The choice for deploying modern monitoring aids, with which violations of conditions can quickly be identified, is supported by research literature, on the basis of which it is evident that the chance of catching the offender is of major importance for compliance with the conditions. Little research literature has been found on the most suitable monitoring resources, but it is clearly apparent that monitoring can only be effective in combination with coaching and that the emphasis should be placed on coaching. Due to the fact that the coaching component has not been extensively developed vis-à-vis the monitoring component plus the lack of instructions on combining these duties, the impression might arise that the monitoring component receives more emphasis in practice than the coaching part – whereas this will in fact not be effective. This risk can be reduced by (i) specifically describing the manner in which the coaching activities must be carried out and should be combined with monitoring duties, and (ii) arranging for it to be made part of training and coaching.

The effective elements of coaching relate to a good relationship between the supervisor and the person subject to supervision, as well as good content of the supervision. Broad attention is paid to these dimensions in *Redesign Supervision*, which is divided into the ten coaching activities. These activities also stand out in the research literature, but a number of aspects are missing that would be relevant for the effectiveness according to the literature. Firstly, these are two important and oft-occurring criminogenic needs amongst probationers: thinking styles and anti-social attitudes. The level of effectiveness of the supervision process could increase by paying more attention to these factors. As a result, the role of the supervisor as 'broker' could be expanded into that of 'change agent'. Secondly, much attention is paid in the literature to the attitude and skills that supervisors need to be able to perform their duties well. These skills, however, are not described in the documents of *Redesign Supervision*, as the probation services assume that these should be considered as part of 'the basic repertoire' of probation officers. Doubts can be raised about this assumption in light of previous research on the basis of which it is evident that the execution of the work entails a lot of variety and that many probation officers find it difficult to combine the tasks of monitoring and coaching. The level of transparency and structure of the work could be raised by using protocols, checklists and decision-making models. This could support supervisors and could also make evaluation and systematic improvement of the supervision method easier. In addition, both training and coaching probation officers are essential.

Realising the intended goals

The new probation supervision process is broadly supported by knowledge from scientific research that is sometimes still limited; but due to the fact that the essential coaching component in particular has yet to be extensively developed, the risk exists that it will not be possible to realise the goals of the new supervision process – effectiveness, transparency and a reliable execution. By adding a number of elements and developing checklists and protocols, the level of effectiveness, transparency and reliability could be increased. In addition, the effectiveness of the new supervision process cannot yet be entirely estimated since a number of

important components are still in the developmental stage, such as probation officer training and the quality control system. In addition, the assessment procedure (that is ready and is being investigated within the framework of other research) must be valid and reliable.

Precisely because the combination of methods for monitoring and coaching has such a significant effect on the effectiveness of the supervision process, it would appear advisable to first develop and carry out a training programme and conduct an integral test of all components of the new working method. If the scientific evaluation chain is followed, an analysis of the stated components would first be necessary, followed by the training of supervisors and a test of all components of the new supervision method, accompanied by a process evaluation. After that, national implementation and an effect evaluation would follow. In this way, possible bottlenecks could be identified and resolved at an early stage and the chance of an effective probation supervision increased.