



TOWARDS 'A LIFE MORE ORDINARY': THE POSSIBILITIES OF DESISTANCE-ORIENTATED PROBATION

**Dr. Bronwyn Morrison and Jill Bowman
New Zealand Department of Corrections**

Abstract

This article critically reflects on the role that probation supervision plays in desistance. Utilising evidence from a New Zealand longitudinal post-release study, it finds that while most participants had a good relationship with their probation officer, few credited their probation officer with having a substantive part to play in their desistance. Reflecting on a case study in which supervision did catalyse desistance, it concludes that supervision can have an impact, but questions to what degree desistance-orientated practice departs from more traditional probation models. It recommends that more could be done to delineate and empirically assess whether desistance-orientated practice results in better long-term outcomes for those under supervision.

"I would like to live a normal life. A life without being in trouble with the law ... living like normal citizens, like, the working class citizens" (Fleur, Māori woman in her 20s, nearing her release from prison).

"Just sitting there and not having to be drunk or stoned, and just being normal and just seeing the world for what it is without having to be paranoid ... Just get a bit normalised ... I want to know normal people that have got some purpose in life ... I'd like to just be normal. Just very, very normal" (Peter, Pākehā¹ male in his 50s, who has spent the last three decades cycling in and out of prison).

"[I just want to] have my own house, just be renting, I'm obviously not going to own a house ... but have my own place, a partner, probably a couple more kids, a job, nice car. A house with a white picket fence kind of lifestyle" (Zack, Pākehā male in his early 20s who had spent the majority of his adult years to date in prison).

Introduction

In 2017, 8,222 individuals were released from New Zealand prisons². On the basis of current recidivism rates, it is anticipated that just under a third will be re-imprisoned within 12 months of their release, rising to just over two-fifths after two years. While such figures understandably cause concern, the fact that over half of those released do *not* return to prison within the first two years is often overlooked. Indeed, while much attention has focused on understanding why people reoffend, there has been surprisingly little research undertaken in New Zealand about why and how people actually go about desisting from crime.

From international research we know that the factors associated with desistance from crime are not synonymous with those linked to the onset of offending, nor the risk of re-offending (Kroner, Polaschek, Serin & Skeem, 2017; Laub & Sampson, 2003; Laub, Nagin & Sampson, 1998; Sampson & Laub, 1997; Healy, 2010; Porporino, 2010; Kemshall, 2010). We also know that desistance is common and that most people engaged in crime will eventually desist (Maruna, 2001; Healy, 2010; Farrall, 2002; McNeill, 2006); however, in New Zealand, there is some provisional evidence that suggests the median age at which people stop receiving Corrections-managed sentences is gradually getting older, indicating that people may not be desisting from crime as early as they once did³. In this context, establishing a better understanding of how people actually desist from offending and what factors catalyse, accelerate, and maintain desistance is critical if we hope to further reduce New Zealand's prison population and sustain this reduction in years to come.

This article reports some initial findings on desistance derived from a longitudinal post-release study undertaken in New Zealand between 2015 and 2017. Specifically, it examines the role that probation

1 This is the Māori term for the NZ European ethnic group.

2 Just over one in ten of these individuals were released more than once during the course of 2017.

3 A limited exploratory analysis of New Zealanders who commenced a corrections sentence (community work, supervision, imprisonment) using "no further correctional sentences in the following 10 years" as a measure of desistance found that the median age of desistance increased from 27.4 years for those who commenced their initiating sentence in 1993 to 31.3 years for those who commenced their initiating sentence in 2006. The span of years was chosen as it was less likely to suffer distortions due to policy changes affecting the likelihood of a correctional response to offending.

supervision plays in encouraging and cementing desistance among those released from New Zealand prisons. Prior to discussing findings from the study, the article briefly explores the extant knowledge about desistance in New Zealand and outlines what is known about the relationship between probation and desistance within local and international research literature.

Desistance research in New Zealand

The most comprehensive research study of desistance in New Zealand was conducted by Julie Liebrich during the 1980s. Liebrich found that a mounting sense of shame was a key catalyst for desistance among her sample, and that the greater the stakes people had in conventional behaviours, goals, and relationships, the lesser the pull of criminal activity and associations (Liebrich, 1993, 1996). In essence, like much recent desistance literature, Liebrich argued that there was a complex interplay between subjective and external factors which combined to bring about desistance (see Farrall & Bowling, 1999; McNeill, 2006). The fact that this study is still widely quoted within international desistance literature is testament to its ongoing importance and relevance; however, Liebrich's research was relatively small scale (based on interviews with just 48 people) and focused on people who had been on supervision sentences. Indeed, only eight of Liebrich's participants had ever been to prison, meaning that the relevance of her findings to the population released from New Zealand prisons is questionable. Furthermore, utilising a cross-sectional retrospective design, Liebrich's work was based on retrospective accounts of desistance, rather than an examination of the desistance process as it unfolds in the moment. As desistance scholars have widely noted, such approaches are problematic as they may be "coloured by post hoc rationalisations, unconscious distortions and memory failures" (Healy & O'Donnell, 2008: 27; see also, Sampson & Laub, 1997; Bottoms, Shapland, Costello, Holmes, & Muir, 2004; Weaver & McNeill, 2010; Kazemian, 2007).

Based on fieldwork completed in the late 1980s, Liebrich's study is now three decades old. Certainly both the volume and characteristics of those managed by the Department of Corrections, and the society from which they come and return to, has changed markedly in the intervening decades (see Farrall, Bottoms & Shapland, 2010; Bauman, 2000). It is, therefore, now timely to take a closer look at how desistance processes unfold for those leaving New Zealand prisons, and reflect on the implications of these findings for corrections practice, particularly in relation to probation.

More recent desistance research in New Zealand has focused on women (Campbell, 2018), youth (Carpenter, 2012) and family violence perpetrators (Roguski & Gregory, 2014). Like Liebrich, these studies have typically found that desistance is a highly individualised, dynamic, complex, and multi-faceted process. It has been suggested that most would-be desisters have relatively humble desires to live a conventional or 'normal' life (Carpenter, 2012), and that, for many, desistance is associated with a gradual maturing process involving increased critical self-reflection, through which the consequences of continued offending come to outweigh the perceived benefits (Carpenter, 2012; Roguski & Gregory; Campbell, 2018). Sobriety, recognition and receipt of familial support, (re) discovering 'faith', new parenting responsibilities, and employment have were also identified as important factors in desistance processes within these New Zealand studies.

All of these studies, however, have been relatively small scale. For example, Carpenter interviewed six young people aged 18-19, Campbell interviewed 20 women who had been released from prison one week to seven years prior to interview, and Roguski and Gregory interviewed 26 people who had

previously committed family violence offences but claimed to have desisted for 12 months. In addition, like Liebrich's study, they have all been retrospective cross-sectional studies, and have included participants who were never categorised as persistent offenders. Crucially, none of these recent studies considered the role of probation supervision in desistance processes. While making a valuable contribution to desistance research, these limitations mean that our understanding of desistance processes in New Zealand remains restricted.

What role can probation supervision play in desistance?

The majority of those who leave New Zealand prisons are subject to supervision by Community Corrections. For example, in 2017 more than three quarters (78%) of all prison releases were subject to release conditions of some type (including parole). This amounted to 6,618 unique people being subject to supervision following their release from prison. Once subject to conditions, people may spend anywhere from six months to the rest of their lives, in the case of those serving life sentences, under the supervision of a probation officer. Despite this widespread exposure to probation, relatively little research effort (either locally or internationally) has focused on the role that probation supervision plays in the desistance process (Rudes, Viglione & Taxman 2014; Phillips, 2013; Burnett, 2004). One-to-one supervision has, therefore, traditionally been somewhat of a "black box" within correctional research (Burnett, 2004: 189; Raynor, 2004; Bonta, Rugge, Scott, Bourgon & Yessine, 2008; Bonta, Bourgon, Rugge, Scott, Gutierrez & Li, 2011).

Those studies that have attempted to identify the contribution of supervision to desistance have generally found that it typically plays, at best, a modest role (Farrall, 2002; Zamble & Quinsey, 1997; Appleton, 2010; McNeill, 2006; Bonta et al., 2008). For example, in their study of 311 recidivist offenders in Ontario, Zamble and Quinsey (1997) found that, although probationers viewed their probation officers favourably, they credited supervision with having little to no impact on their behaviour. Farrall (2002) examined the impact of probation supervision on desistance through an English-based study of 199 probationers and their probation officers. He concluded:

"If probationers ... had been left to their own devices, or if no interventions had been undertaken, they were just as likely to have overcome the obstacles they faced successfully as they would have been if their officers had led/co-worked with them. This is not to suggest that these efforts never produced beneficial results, but they were just as likely to succeed as they were to fail" (Farrall, 2002: 90).

Similarly, in her study of people serving life sentences in England and Wales, Appleton found that although 89% of her participants believed the main purpose of supervision was to reduce re-offending, fewer than half (46%) said that they were less likely to offend due to the supervision process (Appleton, 2010). Bonta et al. (2008) undertook a meta-analysis of the effectiveness of community supervision (including parole and probation). Their analysis included 15 studies published between 1980 and 2006 and found that the recidivism decrease associated with community supervision was "extremely small", and in terms of violent recidivism there was no significant relationship between levels of recidivism and community supervision (Bonta et al., 2008: 251). On this basis they concluded that "on the whole, community supervision does not appear to work very well" (see also, Bonta et al., 2011).

Despite these lack lustre findings, there is some evidence that certain *types* of probation supervision can contribute to reduced re-offending. For example, in a study of probation in Manitoba, Bonta et al. (2008) found that spending more time discussing probationers' needs and less time discussing sentence conditions was associated with reductions in recidivism (see also, Drake 2011). Evidence also suggests that probation officers who evidence a high skill level in 'core correctional practices'⁴ achieve significantly lower recidivism rates compared to those operating at below average skills. For example, in their study of Jersey probation officers, Raynor, Ugwudike & Vanstone (2014) found reductions in recidivism levels for clients of highly skilled probation officers, even when the risk profiles of such clients were higher than those who had interactions with lower skilled staff (e.g., 31% vs. 53%). A number of studies have demonstrated that the quality of the relationship between the probation officer and probationer is important (Raynor et al., 2014; Cobbina, 2010). Specifically, research has shown that relationships characterised by a 'firm but fair' approach, include a focus on problem solving and pro-social modelling, and demonstrate respect, trust, and empathy result in more positive outcomes than those focused on surveillance and control (Raynor et al., 2014; Rex, 1999; Rude et al., 2014; Dowden & Andrews, 2004; Maguire & Raynor, 2006; Appleton, 2010; Cobbina, 2010; Skeem, Encandela & Eno Loudon, 2003; Trotter, 1996).

Furthermore, follow-up interviews with Farrall's (2002) original study participants revealed that the impact of supervision can be delayed, sometimes by several years. As they state, "probation can 'sow the seeds' of change in probationers' minds, but it may be some time before change actually occurs" (Farrall, Hunter, Sharpe & Calverley, 2014: 123). For example, Farrall et al. (2014) found that, several years after the end of their supervision, probationers retrospectively credited probation officers with playing a key role in achieving desistance, through the provision of practical assistance and catalysing shifts in problematic thinking and attitudes. The research also found that despite claiming that supervision played an important role, many probationers struggled to identify exactly how probation had helped them. For many, it appeared that it was the simple act of talking between probation officers and clients that somehow established the foundations needed to achieve more fruitful intervention. The research further reinforced the value of probation officers acting as 'normal-smiths' (Farrall et al. 2014: 132), whereby probation officers were able to communicate to clients that they were 'normal', and thus capable of change. Being accepted as 'normal', was, in turn, often a precursor for primary desistance⁵, although this was not inevitably the case (Maruna & Farrall, 2004). Rather, Farrall et al. (2014: 143) concluded that, in order for desistance to occur, motivation to change is also needed, although the absence of motivation at the time supervision was received does not necessarily undermine the longer term impact of probation:

"... opportunities for change can be present *before* any desire to change has occurred and still have some impact. In effect, the ideas, techniques, and understandings that help make a change in behaviour and thus make desistance possible are 'stored' until such time as they can be accessed, when other processes that support change emerge."

Research on the role played by probation in desistance processes in New Zealand is relatively scarce. While re-offending figures suggest that those subject to supervision following release from prison

4 Core correctional practices are based on psychological research showing how to optimally change human behaviour (for a more detailed account see Dowden & Andrews, 2004).

5 "Primary desistance" refers to an initial period of non-offending (see Maruna & Farrall, 2004).

reoffend at lower rates compared to those released without conditions, particularly those released on parole, this is likely more indicative of underlying differences in the characteristics between these groups than the contribution of supervision to desistance. For example, those released without conditions are often younger and therefore at higher risk of re-offending anyway, will have spent less time in prison owing to being subject to shorter sentences, and, relatedly, will be less likely to have completed rehabilitation programmes during their prison time.

Historically, Liebrich's research has been one of the few projects to examine the role of supervision in desistance processes in New Zealand. In a similar vein to the international studies noted above, she found that, although most of her 48 participants viewed their probation officer positively, only half claimed to have got something useful out of supervision, and only six people credited probation supervision as having a key role to play in their desistance from crime (Liebrich, 1993).

In more recent years there has been growing interest in the effectiveness of community supervision in New Zealand. For example, the Parole Project, based on research conducted between 2010 and 2014 with 300 men subject to parole, examined client and probation officer perceptions of the quality of the supervision relationship (Polaschek, 2016). This research found that both parolees and probation officers rated their relationships similarly, and relatively highly. Importantly, positive perceptions of relationship quality were related to recidivism reductions. Somewhat interestingly, parolee perceptions of relationship quality were slightly more predictive of recidivism than probation officer perceptions, underscoring the importance of examining how supervision is experienced by those on the receiving end (see Polaschek, 2016). While useful, as Polaschek acknowledges, the project did not examine the content of supervision sessions, including the actual quality of interactions, nor did it consider probation officer characteristics.

In 2014-15, the Department of Corrections undertook a small research project analysing the content and quality of the supervision sessions provided by probation officers. This research attempted to replicate previous Canadian research (see Bonta et al., 2011) that had examined the degree to which Risk-Needs-Responsivity (RNR) principles were adhered to within supervision sessions (Davies & Bowman, 2015). Based on a small number of probation officers (n=25), the research involved observations of 81 supervision sessions with 44 offenders over the course of seven months. It found that most probation officers adhered to RNR and other aspects of the Integrated Practice Framework (IPF) during supervision sessions; however, motivational interviewing techniques were not consistently well-delivered, and the level of supervisor-supervisee collaboration was often assessed as low. Importantly, owing to its small scale, the research did not include any form of recidivism analysis to test the effectiveness of better adherence to RNR principles in supervision.

This study was replicated in 2017-18, revealing promising evidence of practice improvements (Fagan, 2018); however, neither study assessed the extent to which supervision sessions either encouraged or helped cement desistance. Indeed, while a desistance-orientation is undoubtedly implicit within many aspects of the IPF, there has been very little overt consideration of precisely what might constitute desistance-orientated practice within New Zealand probation practice, or, indeed, within corrections practice more broadly. It is, therefore, currently unknown to what extent New Zealand probation officers, and other Corrections' frontline staff, such as corrections officers and case managers, already engage in desistance-orientated practice (irrespective of whether it is recognised as such)

and with what effect. Equally, it is not clear what would be required to make practice more desistance-orientated, or if, indeed, this would be desirable or more effective than existing arrangements which are based, to varying degrees, on a more traditional RNR framework.

New Zealand is not alone in this regard. Despite the plethora of desistance scholarship critiquing existing correctional models, particularly the widespread adoption of the RNR framework, there have been comparatively few attempts to comprehensively outline exactly what form a desistance-focused model of probation might take (Maruna & LaBel, 2010; Porporino, 2010; McNeill, 2006). Flowing on from this, there has also been little international effort to empirically compare the effectiveness of desistance-oriented practice models against the status quo (which may or may not include some aspects of desistance-orientated practice).

Notwithstanding the absence of a framework, desistance scholars have identified a range of components which ought to be included within a desistance-orientated practice model (see Table 1).

Reviewing this list, it is fair to conclude that many of the features of desistance-orientated practice do not appear that distinct from more traditional probation paradigms (see Phillips, 2013). This, in turn, raises the question of just how desistance-orientated is current probation practice in New Zealand? The remainder of this article starts to explore this question using evidence from the Department's post-release longitudinal study. This study was based on interviews with 127 people as they approached the end of their prison sentences, within three to six months after their release (n=97), and again at 12 months' post release (n=38). The first interviews were conducted in late 2015 and early 2016, with follow up interviews undertaken in 2016 and early 2017 (see Morrison & Bowman (2017) for a description of the full methodology). The phase one sample included 84 men and 43 women. Just over half of the original sample (55%) identified as Māori, 28% identified as New Zealand European or Pākehā, and 11% identified as Pacifica. The average age of participants was 32.8, with the youngest participant being 18 years old and the oldest participant, 61 years old.

Participants were most commonly serving sentences for violence (28%), dishonesty (23%), and burglary (15%). A quarter of the sample had a family violence conviction associated with their current sentence, while just under half had a history of family violence perpetration. On average, people had experienced 11 Corrections-administered sentences at the time of their first interview, 18% had served ten or more prison sentences, and just over a third were serving their first prison sentence. Over three-quarters of participants were completing short sentences (less than two years' duration), and 16% were released from long sentences (two years or more). Just one participant was serving a life sentence. Most participants were released from prison on general release conditions (69%) or parole conditions (18%). A further 13% of participants were released without any conditions. Notwithstanding some variations, the overall characteristics of participants were broadly similar to that of the general released prisoner population. Consequently, they would be expected to show similar post-release outcomes.

The study offers a number of insights into people's aspirations for desistance and their perceived ability to achieve it, as well as providing a glimpse into how individual processes of desistance unfold in contemporary New Zealand, and what factors seem to help and hinder those released from prison as they start to negotiate the challenges of desistance. Within this, the study describes client

Table 1: Principles of desistance-orientated practice drawn from desistance studies

Principle	Explanation	References
Be offender-led	Be informed by the experiences of ex-offenders.	Maruna and LaBel (2010); Maguire and Raynor (2006).
Be strengths-based and underpinned by a belief in the possibility of personal transformation	Believe that people can change and focus on what can be changed.	Liebling, Laws, Lieber, Auty, Schmidt, Crewe, Gardom, Kant & Morey (2019); Appleton (2010); Burnett & Maruna (2006); Maruna & LaBel (2010).
Involve problem-solving and coping skills	Empower people to overcome practical problems.	Maguire and Raynor (2006); Raynor (2004); Maruna & LaBel (2010); Trotter (1996); Zamble & Quinsey (1997); Farrall (2004); Richards & Jones (2004); Cobbina (2010).
Increase motivation, sense of personal agency and hope	Encourage people to change and support them to develop the belief that they can change.	Liebling et al. (2019); Appleton (2010); Burnett & Maruna (2006); Maruna & LaBel (2010).
Help to build human and social capital	Help people to identify and build supportive relationships and feel valued.	Canton (2011); Farrall (2002); Farrall et al. (2010); Maruna & LaBel (2010); Cid & Marti (2012).
Encourage and provide opportunities for generative activities and identity change	Encourage people to engage in restorative activities which allow them to give back or "make good" to society.	Maruna, Porter & Carvalho (2004); Maruna (2001); Gadd (2006).
Recognises the value of the therapeutic alliance	Understand the importance of developing and maintaining good relationships between clients and practitioners.	Phillips (2013); Canton (2011).
Provide continuity of support from prison to community and within the community	Ensuring that relationships of trust built in prison are maintained outside prison.	Vanstone (2016); Maguire & Raynor (2006); Cid & Marti (2012).
Accept likelihood of relapse/re-offending	Acknowledge that re-offending can be a normal part of desistance processes and is not evidence of 'failure'.	Maguire & Raynor (2006).
Be future-orientated	Focus on what can be rather than dwelling on past mistakes.	Maruna et al. (2004); McNeill et al. (2015).

perspectives on the role that probation supervision plays within desistance processes. The remainder of the article focuses on these issues.

The pre-release desire for desistance: 'I just want to live a normal life'

Findings from the post-release study reveal that the majority of those getting ready to leave prison have at least some aspirations towards desistance. When asked further about their plans, most professed goals for a normal 'white picket-fence lifestyle': a life more ordinary. This 'ordinary' lifestyle was typically characterised by regular and permanent employment, financial and housing stability (sometimes including a desire for home ownership), and having good quality relationships with partners, children, as well as families and whānau⁶.

Despite the majority of people claiming that they *wanted* to desist, just over half (54%) felt that that they would actually be *able to desist*: a finding echoed in international desistance studies which have shown that successful desistance requires both 'the will and the way' (Burnett and Maruna, 2004: 395-6: see also Shapland & Bottoms, 2011). The main impediments to desistance identified by prisoners pre-release were: financial hardship, including a lack of legitimate employment prospects and stable accommodation, anticipated difficulty in severing ties with criminal associates (often including family members and gang associations), relationship problems and, to a lesser degree, addiction and mental health issues. For some, probation requirements were also viewed as an obstacle to desistance and more generally getting on with life, as people felt they had to place their life on hold while they focused on fulfilling their release conditions by attending probation appointments and/or community-based treatment programmes. Participants were asked what level of support they anticipated on their release and from whom. More than half did not anticipate that they would receive a high level of social support. In fact, around one third anticipated receiving little or no pro-social support.

In sum, then, despite most claiming they wanted to desist from offending, a large proportion felt they lacked the ability to do so. Most expected to encounter at least one obstacle to desistance and many anticipated multiple obstacles, with the majority not expecting a high level of pro-social support to help negotiate obstacles.

Participants had varying views about the role they expected probation to play in their lives post-release. Some anticipated a high level of support from probation, including finding help with accommodation, brokering employment, and organising study or vocational courses. As Kenny, a 40 year old Māori man who had spent over twenty years cycling in and out of prison, noted:

"Probation will be the ones to help me. They can organise a lot of things, and then it will be just up to me to do my half. They've really changed, Probation".

In contrast to this view, many viewed community supervision primarily as "a hassle" and anticipated receiving little substantive support from their probation officer. Many saw compliance and control as the primary functions of probation. As Fleur, a Māori woman in her 20s observed: "Their job is just to

⁶ Whānau is the Māori term for extended family and is far broader than Western conceptions of the nuclear family. While whānau incorporates a person's immediate family, it extends to a broader collective of relatives. It also includes spiritual, emotional and physical dimensions of family and encapsulates whakapapa (one's genealogy and ancestry).

see us weekly, and to see we're not in trouble".

Post-release experiences of community supervision

At the time of their second interview, the overwhelming majority of participants (94/97) were either under probation supervision or had been at some point during their release. Three quarters of those subject to supervision felt positively about it, with most reporting that they 'got on alright' with their probation officer and felt their officer was 'a good sort'. Participants identified a broad range of factors which contributed to a 'good' probation relationship. These features were remarkably consistent across participants and included:

- Offering to help – even when substantive help was not provided, the fact that probation tried to help was often important to probationers;
- Providing practical assistance, including helping probationers to find accommodation, access income benefits, obtain employment, and receive food parcels;
- Extending some flexibility about reporting requirements, including doing home visits where people lacked transport, and/or visiting workplaces or allowing late report times when probationers were working;
- Being 'up front' by providing clear and direct communication, including giving clear explanations about conditions and consequences for non-compliance, but also reminding probationers about appointments in advance to prevent non-compliance;
- Being 'firm but fair' by caring enough to follow up on missed appointments, but not automatically breaching people for non-compliance without understanding their reasons;
- Listening to people and offering advice which empowered probationers to manage their own problems;
- Investing in people as individuals and appearing to make an effort to understand probationers' individual circumstances;
- Providing a sense of hope by telling probationers that the officer believed they could succeed and that the officer was invested in their success.

Encapsulating many of these points, Janet, a Māori woman in her early 20s, noted:

"[Probation are probably the best ones that have helped me. I have a lot of helpers like family and friends, but Probation have probably got more push than any of my others ... [my probation officer's] cool as. She's down to earth, she's by the book, but she sees it for her own self. She's real laid back. She understands where we come from ... I get to let stuff out to her that I probably won't let out to anyone else. It actually helps me let it out."

Overall, many aspects of good practice identified by participants replicate the types of practice advocated by desistance theorists and empirically validated by the 'what works' literature on effective community supervision practice (see above). This is good news: there is at least some evidence that the kind of practice which has been shown to reduce recidivism and help facilitate desistance is occurring in New Zealand, and probationers recognise and value it.

Around a quarter of participants had negative things to say about their experiences of probation, and, as was found in relation to positive features, there was a high degree of consistency across people's

responses. The most commonly mentioned issue was that frequent changes in the officers assigned to probationers undermined the quality of the relationship. Regular allocation to duty officers and/or a high turn-over of one's substantive officer, was associated with dissatisfaction and was reported to cause people to "shut down" and not communicate honestly or openly with probation officers due to a lack of trust and fatigue at telling one's story over and over to different people. As noted above, inconsistency in the probation officer-probationer relationship has been found to increase recidivism in international studies (see Phillips, 2013).

A perceived failure to respond appropriately to probationers' practical problems – including identifying risks without offering advice for how to mitigate them – was also associated with negative perceptions of probation. Related to this point, people often complained when they did not feel invested in as individuals. For example, several of those describing negative experiences complained about what they believed to be the perfunctory or "tick box" nature of appointments, where they did not feel staff really listen to them, nor cared about their problems or future outcomes. As Toby, a Pākehā male in his early 20s, noted:

"Obviously they deal with a lot of people so they don't have a personal touch with people. I imagine it's just very busy, Probation. It's just numbers, not actually a face, just numbers".

Others complained about having to dwell extensively on past offences, which they found shameful and couldn't change, rather than focusing on what they could change now to ensure better outcomes in future. As Maggie, a Pākehā woman in her 40s, observed:

"Talking about what happened. Talking about why I committed my crime. I've done that. I've already been to jail ... why do you need to bring all that stuff up for?"

A final common complaint related to what was perceived as an over-zealous focus on compliance exhibited by some probation staff, often demonstrated by inflexibility around reporting and a perceived desire to try and "trip" people up. Such behaviours were routinely described as "setting us up to fail" by probationers.

As was found for aspects of good practice, therefore, there is much consistency evident about what probationers did not find useful, which, usefully, is highly consistent with international research evidence about what doesn't work. It is also the case, that positive experiences of probation – and the types of practice found to be associated with reduced recidivism – were far more common in the post-release study than reports of poor practice.

What does it mean for desistance: how can probation make a difference?

Based on a 12 month follow-up period, on the face of it those who had more positive perceptions of probation had no better re-offending outcomes compared to those who held negative views (58% vs. 60%). An analysis of the responses from the 38 people interviewed at each of the three phases of the research with a reasonable level of exposure to probation supervision provides some insight into why positive perceptions of probation did not correlate with reduced re-offending. This shows that although 68% of phase three interviewees felt positively about their probation officer on a personal level, 89% claimed to have received no substantive help from their probation officer. Just four people

claimed to have received concrete help from their probation officer and/or viewed supervision as being constructive. Of these, three were classified as 'desisters'⁷ by the point of the phase three analysis and just one claimed that probation supervision had played a dominant role in his desistance journey. A detailed case study of this person offers a useful example of how probation can contribute to desistance processes.

"They're good probies": How probation can help to support desistance

Alex was in his late 40s when we first interviewed him as he neared release. He had been offending for over three decades, amassing in excess of 100 convictions across this period. Involved in crime since the age of 13, his offending had been largely continuous when at liberty and included property, traffic, and violent offending, including threats, use of weapons, and the possession of explosives and ammunition. He had history of family violence and was serving a prison sentence for setting fire to a house of a man he believed to be dealing methamphetamine to children.

He had been a member of a variety of white power gangs for many years and held extremist, far right, political views. Born in New Zealand he had spent his formative years in Australia with his foster parents, an upbringing described in pre-sentence reports as "unorthodox". His foster family had a long association with white power groups, and his foster father had been a member of a motorcycle gang. His foster father was also an alcoholic who was physically abusive to Alex's foster mother and siblings. Alex claimed that both foster parents regularly used drugs while he was growing up. In more recent years, Alex has acknowledged that he also suffered sexual abuse as a child.

He had been expelled from school at age 12 or 13, and had difficulties reading. On leaving school he worked briefly at an ice factory, the proceeds of which, he claimed, to have spent predominantly on drugs. He recalled little legitimate employment since this time, although he said he had worked as a 'debt collector' for a number of criminal gangs. Alex's use of drugs and alcohol had continued into adulthood and had progressed to include a variety of opiates, cannabis, and the relatively regular consumption of methylated sprits. Alex's harmful drinking behaviours, alongside violent behaviour while drinking, had contributed to the end of his marriage and a protection order being put in place which prevented Alex from having contact with his children. This lack of access was a key fixation in his initial interview. In addition to his substance abuse disorder, Alex had been previously diagnosed as having anti-social personality disorder, for which he had intermittently engaged with psychological services across his many sentences.

Probation reports indicate that Alex had been claiming he wanted to desist from offending for the past decade. Despite his professed desire to desist, a pre-sentence report produced in 2011 noted: "At 44, Alex would have to be viewed as being of mature years and established habits for who significant pro-social change would be extremely difficult". The report went on to observe that, if engagement with treatment could not be "sold" to Alex as a means to be a better father to his children then, "the prospects of Alex being eventually assimilated into society post imprisonment seem bleak."

Over the course of his many prison and community sentences, Alex had managed to complete a

⁷ *Desistance was initially, retrospectively defined as the decline in the frequency and/or severity of offending over a thirty month follow-up period; however the final categorisation also took into account participants' own views of their offending and whether they viewed themselves as having started the desistance process.*

brief drug and alcohol programme in 2009, and had been having individual one-on-one psychological appointments during his latest prison sentence. He had been waitlisted to undertake a six-month drug treatment programme on several occasions; however, Alex's racist predilection had resulted in him spending a large proportion of his prison sentences housed in segregation wings, which, alongside his vocal racist attitudes, caused him to be deemed 'unsuitable' to attend group programmes.

Ahead of his 2015 release Alex had no accommodation organised and did not plan to seek employment: "I don't see myself getting a job when I get released like normal people, I don't see myself becoming one of you guys". He described slightly incoherent plans to fight against terrorists overseas and expressed a range of right-wing views about different ethnic groups. He expressed no desire to curb his drinking, although he did suggest he might reduce his use of drugs. As he approached his latest release, he did not expect to receive much assistance from probation, having had few positive experiences in the past.

When we interviewed Alex three months following his release he had made some significant changes. Although he initially lived rough on the streets following his release, probation staff had worked with local authorities to secure Alex a flat. His probation officer had also helped to organise a range of practical assistance for Alex, including donating a number of items for his new flat. Probation was actively, if cautiously, liaising with Alex's children's social worker who, in turn, had started allowing Alex to have some limited contact with some of his children. He pointed out the photos of his children to us during his interview, which were proudly displayed on the mantelpiece in his flat. He reported that he was "staying out of trouble", and had made a number of changes to his drinking and drug use habits, restricting his drug use and, while still drinking to excess on occasion, was frequently choosing to drink at home rather than in town in order to "avoid trouble".

While still claiming to be involved in mobilising others to fight terrorists and continuing to espouse some far right views, probation had helped Alex to obtain funds towards the purchase of glasses and, to our surprise, he was engaged in reading the koran at the time of his second interview. When asked about this, Alex suggested that this was part of a broader "mellowing out" and an attempt to develop a greater understanding of, and tolerance towards, a religious group he had previously regarded negatively. His probation officer had further purchased a second hand copy of the road code for Alex to assist him towards his goal of getting a driver's license: something that Alex strongly associated with being "normal" and a "legitimate citizen". Staff had also organised some psychological counselling for Alex, which he was finding beneficial for dealing with his past sexual abuse victimisation.

By his third interview, despite a few small hiccups, Alex described himself as "doing well", a view reiterated by his probation officer. He had not returned to prison over the preceding 12 months: a considerable achievement given his track record. He told us that he had made a conscious choice to stop offending:

*"I still don't understand how I've done well, I'm just shutting down, I'm really just mellowing out these days, OK? These days it's like I've made a choice ... I made a choice and I'm sitting with my choice, OK. ... My choice is keeping me out of jail, my choice is keeping me out of the drug scene, it's keeping me out of trouble, it's keeping me out of the sh*t."*

We asked him what had convinced him to finally make a different choice on this release, given that he'd been a father for a long time and had been claiming to want to give up offending for many years. He replied:

"Good probation officers ... they didn't limit me from what I was chasing, I was chasing my kids. There wasn't any "no, you can't make the phone call, no you can't ring up [the children protection agency]". There was no, "nos". It was "Righteo, but if you screw up, you're going to screw up" ... I had an opportunity and I took that opportunity and I'm not screwing up. The opportunity is still there ... They're good probies."

Thinking back to the recommendations for desistance-orientated practices outlined above, there are a number of examples of good practice evident in this case study. Probation staff had listened to Alex's needs and identified his 'hook for change' (i.e., his desire to be a good father to his children) and helped him to overcome obstacles to achieve his goals (see Giordano et al., 2002). Rather than dwelling on the past, staff had helped Alex focus on future opportunities and what could be, rather than what had happened in the past and couldn't be changed. Though focusing strongly on Alex's desire for contact with his children, probation had provided Alex with a sense of hope which had been largely absent from his previous releases. Alex was proud that staff had recognised his changes, even when these were small-scale and incremental (i.e., drinking at home rather in town). When Alex wavered, as he did with some regularity on account of either problematic drinking or re-offending, staff remained focused on the overall gains he'd made, and never characterised these relapses as failure.

Overall, Alex felt personally invested in by probation staff and believed that staff genuinely cared about his future. While not always a dominant force in desistance, Alex's example nevertheless reveals that good quality probation supervision can sometimes make a difference even when projections are "bleak". Of course, it is also true that many of the facets of Alex's probation experience echo aspects of the more traditional social worker model of probation supervision. This raises questions, then, about the degree to which "desistance-orientated" practice involves a departure from traditional models of probation or simply a renewed emphasis on traditional approaches.

Conclusion

As noted above, there appears to be a degree of reticence on the part of desistance scholars to outline precisely what desistance-orientated probation practice entails, or, indeed, what desistance-orientated corrections practice more generally might involve. As Weaver and McNeill (2010: 56) have noted: "Perhaps one of the lessons we can learn from the history of 'what works' in probation is that we should see research not as dictating practice but as a resource for practice". Such a position, however, is not overly useful if the objective is to re-orient correctional practice towards desistance-based models. While research should not dictate practice, it should nevertheless inform it, and, in order for that to occur, there is a greater need for academics working on the topic of desistance to generate more concrete suggestions for policy and practice. These suggestions can then be put to the test to advance our understanding of what type of probation model might work best and why.

Towards this end, there is a need for a greater research focus on the "black box" (Burnett, 2004: 189) of probation practice. A better understanding is needed about the degree to which current practice

may in fact already be 'desistance-focused' and whether probation officers who adopt a greater desistance-orientation achieve better results than those more reliant on risk-orientated, surveillance and control models. There is a further need to examine the degree to which RNR principles and core correctional practice techniques are utilised, and assess the degree to which such practices are consistent with a desistance-orientation (see Porporino, 2010). We also need to consider how the dynamics of probation officer-client relationship operate in practice in order to better understand how one-to-one supervision can facilitate desistance and help to 'change lives, shape futures'.⁸

Finally, we require a deeper appreciation of how probation supervision is experienced by those on the receiving end. Considering that over 6,500 people transition from prison into Community Probation supervision each year in New Zealand, and a further 27,500 people are supervised on community sentences, we need to understand what aspects of supervision those experiencing it consider most helpful to desistance, and identify what more probation services could do to capitalise on the widespread desire to live 'a life more ordinary'.

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⁸ This is the New Zealand Department of Corrections' current vision statement.

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About the Authors

Bronwyn Morrison has a Ph.D in Criminology from Keele University, United Kingdom. She has worked in government research roles in New Zealand for the last 14 years. She joined the Department of Corrections in March 2015 as a Principal Researcher. She has conducted research on prisoners' post-release experiences, family violence perpetrators, remand prisoners, female offenders, correctional officer training, public perceptions of crime and criminal justice, and the fear of crime. She was also the primary author of the 2009 New Zealand Crime and Safety Survey, New Zealand's national victimisation survey. Contact: bronwyn.morrison@corrections.govt.nz; Research and Analysis Team, Ara Poutama Aotearoa, Department of Corrections, Private Box 1206 Level 12, Mayfair House, 44 The Terrace, Wellington 6001.

Jill Bowman has worked in the Department of Corrections' Research and Analysis team for nine years following a variety of roles in both the private and public sector. She has conducted research on literacy and numeracy in prisons, methamphetamine use and treatment experiences, substance abuse and mental health comorbidity, correctional mental health services, and prisoners' post-release experiences. Contact: jill.bowman@corrections.govt.nz