

## CHAPTER 3

### COMMUNITY PROBATION SERVICE'S CONTEXT

The aim of this chapter is to explore the Community Probation Service's context. The topics covered include the historical setting, new public management and its influence. The professional supervision context is also discussed with a particular focus upon recent supervision policies. The importance and influence of context in a study that is focussed on supervision is emphasised by Bracey (1981) who also studied supervision in the Probation Service. His study found that it was difficult to abstract supervision from the context in which it was practised and experienced (Bracey, 1981:118). The three topics under discussion in this chapter are considered to have a direct bearing on the research question and set the scene for the discussion of the research participants' perspectives in Chapters 5, 6 and 7.

#### **Historical Setting**

The current Community Probation Service is the heir to one hundred and twelve years of history. The organisation originated as a part-time addition to the police and prison service following the Offenders Probation Act 1886, and was further developed by the New Zealand Offenders' Probation Act 1920, which established that the duties of probation officers were to supervise, to make enquiries as to the character and personal history of the offender, with the special duty to recommend probation where appropriate (Department of Justice, 1981). One outcome of the latter act was the appointment of the first full-time probation officer in 1926. However, the growth of this fledgling profession was slow, and by 1950 there were six full-time probation officers with volunteers playing an important role in service delivery (Coyle, 1986). The organisation's transformation into a full-time professional service under the auspices of the Department of Justice occurred with the introduction of the Criminal Justice Act 1954 (Coyle, 1986). By 1975 there were 210 full-time probation officers who managed a service-wide caseload of 8519 people on probation and parole (Coyle, 1986).

Another sign of this transformation was the establishment of the New Zealand Probation Officers Association (NZAPO) in 1960 (NZAPO, 1984). As a professional body the association represented probation officers' concerns and issues, maintained a training fund, and presented training workshops. It also worked closely with the Public Service Association on matters related to pay and conditions that affect members' ability to work professionally. In 1980 NZAPO developed a code of ethics for probation officers (NZAPO, 1984).

The Probation Service continued to develop as an organisation through to 1992 when it was renamed the Community Corrections Division (Department of Justice, 1992). This name change reflected two major changes the first being the impact of the Criminal Justice Act 1985 which expanded the range of activities undertaken from probation to four types of community-based sentences and parole orders. The second major influence involved a change in the internal structure of the Department of Justice brought about by the introduction of group and unit management (Garwood, 1994). Rather than being a separate branch of the Department of Justice, the Probation Service was subsumed as a Division of what was termed the Corrections Operations Group. This internal structural change essentially split the Department of Justice into three areas Operations, Policy Analysis and Development and Support (Garwood, 1994).

The change from the Community Corrections Division of the Department of Justice to the Community Corrections Service, within the Department of Corrections occurred on 1 October 1995. It arose out of the review, which resulted in the Department of Justice being replaced by the Ministry of Justice, the Department for Courts and the Department of Corrections (Department of Corrections, 1996). The Ministry of Justice essentially serves a policy and advice function, whereas the Department for Courts and the Department of Corrections are primarily involved in the delivery or provision of services (Boston et al., 1996). The Community Corrections Service existed as one of three services within the Department of Corrections with the other two being the Public Prisons Service and Psychological Services (Dale, 1997).

In 1996 the Community Corrections Service was internally restructured with the new structure coming into existence from 1 January 1997. The purpose of this restructuring

was to place a greater emphasis upon service delivery to clients and customers (Dale, 1997). The key features of this change were a reduction in the number of administrative and management positions; the devolution of management responsibility and accountability; a greater emphasis upon business management through the creation of seventeen specialist finance manager positions; and the promotion of self-managing teams for direct service delivery (Dale, 1997). Finally, the Community Correction Service changed its name again on 1 July 1998 to become the Community Probation Service (Department of Corrections, 1998a).

### **New Public Management in the Community Probation Service**

Generally, the origins of new public management in Aotearoa/New Zealand are attributed to the Treasury's post-election briefing documents Economic Management and Government Management (Treasury, 1984; 1987). However new public management in the Department of Justice appears to have begun in 1979 with the introduction of a "resource acquisition and management system" into the department by the then Secretary for Justice (Garwood, 1994). This system, called the Justice Management System initially operated at Head Office level and was the prelude to the implementation of other business management practices within the Department. The success and effective operation of the Justice Management System led to the Department of Justice recognising in 1985 that it needed to align its divisional business units within the one system and therefore set about providing management skills training for 700 of its Managers (Garwood, 1994).

The new system, the Justice Performance Management System (JPMS), was developed by consultants in conjunction with Department staff. The core mechanics of JPMS were based on the following management process of

**→ Direction → Action → Feedback and Correction → Review →**

Garwood (1994:91), in explaining JPMS described it as, "Much the same thing as management by objectives". JPMS had three distinct sub-systems. Strategic planning, described by Garwood (1994), as broad and long-term ranging from three to ten years and was undertaken at Senior Management level. Management planning covered the output performance during the medium term of one to three years. Management plans included

such items as mission, clients, descriptions of desired results and objectives and action plans for the achievement of set objectives (Garwood, 1994). Performance Planning consisted of a negotiated performance agreement between a manager and each staff member of a year's duration, against which the staff member's annual performance would be measured and reviewed (Garwood, 1994).

In 1988 the Probation Service produced its first management plan which identified its mission, clients and its output results. It was from this plan that the performance indicators and objectives were drawn for the individual performance plans. From 1988 onwards the impetus for the adoption of other "new public management" practices was derived from the Department's need to adapt to two significant pieces of legislation; namely, the State Sector Act 1988 and the Public Finance Act 1989 (O'Donoghue, 1994).

Between 1989 and 1994 the implementation of new public management was largely confined to the development of the JPMS system with the dominant influence being the need for managers to remain within their budget allocation. The importance of fiscal restraint as the governing management principle of this period is emphasised by Garwood (1994: 110):

Senior managers interviewed preferred to describe resourcing problems as the need to provide 'value for money', and none of them saw it as an acceptable strategic planning objective to seek extra financial resource to carry out the mission of the Community Corrections Division. The principle of cost neutrality or shifting money to areas of greatest need was the only resource acquisition strategy that they could foresee within the context of the Division's management planning.

Another sign of the influence of new public management was found in the changes to organisational structure that occurred in 1993. These changes saw the Probation Service become the Community Corrections Division within Corrections Operations Group with the Department of Justice being divided into the three distinct areas of Operations, Policy Analysis and Development and Support (Garwood, 1994). Job titles changed from District Probation Officer and Senior Probation Officer to Manager, Community Corrections and

Unit Manager, Community Corrections (Garwood, 1994). The introduction of the word “Manager” into the Community Corrections Division appeared to signal the beginning of the separation of the managerial from the professional functions. This change was particularly highlighted with the appointment of a generic manager to the position of Manager, Community Corrections, Masterton in late 1994 (O’Donoghue, 1994). Likewise the split of the Department of Justice into the areas of Operations, Policy Analysis and Development and Support signalled the beginning of both the purchaser – provider split and the deconstruction of the Department of Justice (O’Donoghue, 1994).

The separation of policy and advice from service delivery together with the breaking up of large bureaucratic structures, have been previously discussed as essential components in new public management (Boston et al., 1996). For the Department of Justice these changes occurred later than in other Government Departments, which is particularly interesting when one contrasts what occurred between 1989 and 1994 with the review conducted by Strategos Consulting (1989:x) which proposed:

- A Ministry of Justice, responsible for law reform, policy and research, Treaty of Waitangi policy, cultural advice, contract enforcement and some administrative/corporate services;
- A Corrections Agency, as envisaged by the Roper report, with penal and community-based divisions;
- A Courts and Tribunals Agency;
- A Public Registries Agency.

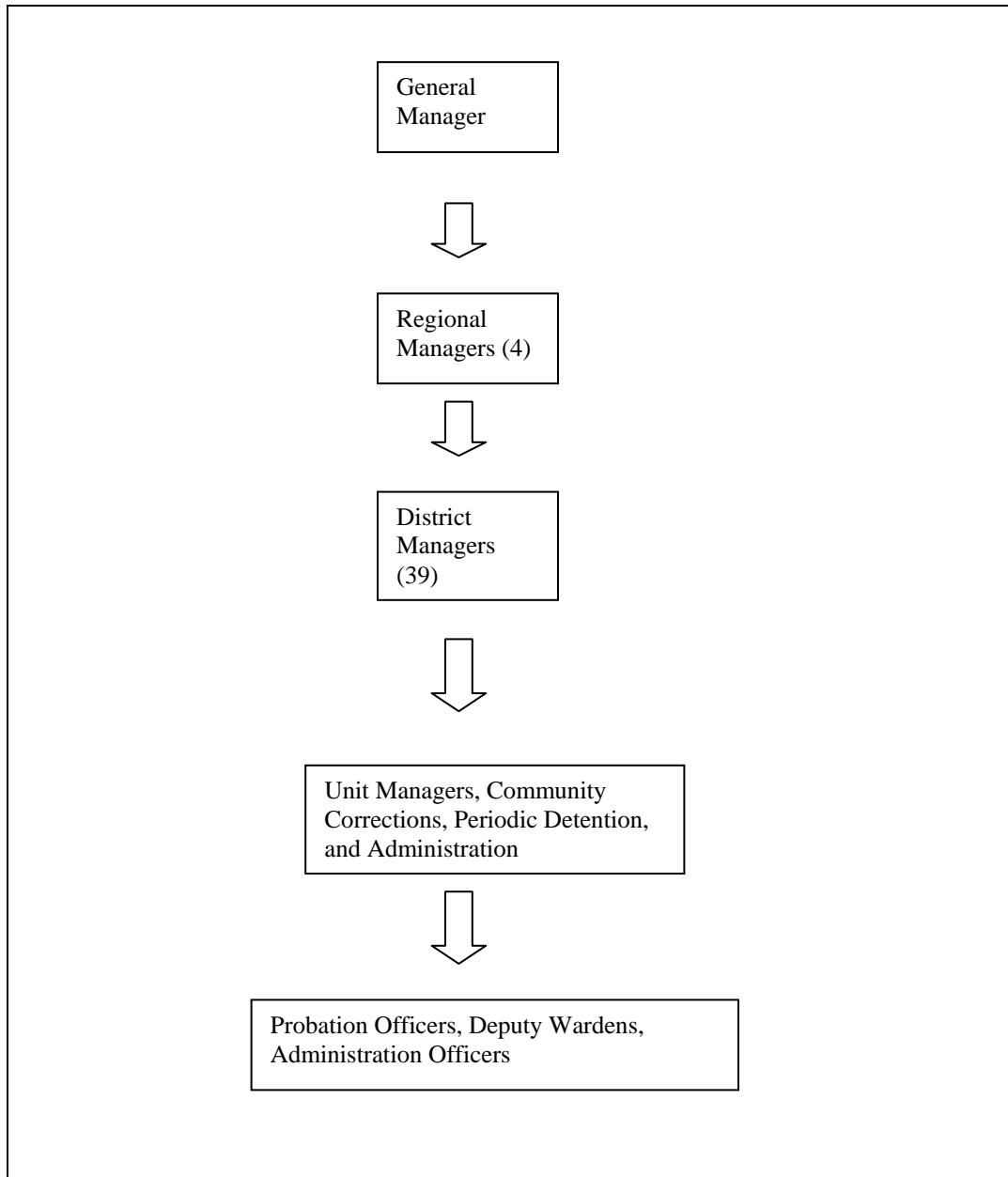
With the new Department of Corrections came new managers. The new Chief Executive, was previously a Deputy Secretary of the Treasury, whilst the General Manager, Community Corrections came from the Community Funding Agency (State Service Commission, 1995). One of the significant outcomes from these appointments was the internal restructuring conducted in 1996. This restructuring resulted in greater emphasis upon business management through the creation of seventeen specialist finance manager positions and the promotion of self-managing teams for direct service delivery (Dale, 1997). Figure 3.1 and Figure 3.2 below diagram the structural changes from this internal

restructuring. The changes from Figure 3.1, to Figure 3.2, also highlight the attempts to multi-skill the workforce. This is apparent in the expansion of the Probation Officer's role to include that of the Deputy Warden (Community Corrections, 1998a). The loss of specialist Unit Managers in Periodic Detention, Administration and Community Corrections marked a shift towards generic management skills rather than professional skills. This shift is illustrated by the Service Manager's job description person specification which had only one aspect out of twenty-five related to specialised knowledge found primarily in the corrections field - namely, "Knowledge of the Criminal Justice Act" (Community Corrections, 1996a).

The internal restructuring also brought with it the introduction of performance payments to all managers together-with all managers being placed on individual contracts whilst the professional staff remained on a collective contract (Community Corrections, 1996b; Community Corrections, 1998a). Prior to the restructuring the Unit Manager's role was included in the Community Corrections Collective Employment Contract and was essentially the top of the professional grade. This separation of professional practice from the managerial line in Community Corrections is further emphasised in the professional supervision policy, (Community Corrections, 1997b: 13-14) which states:

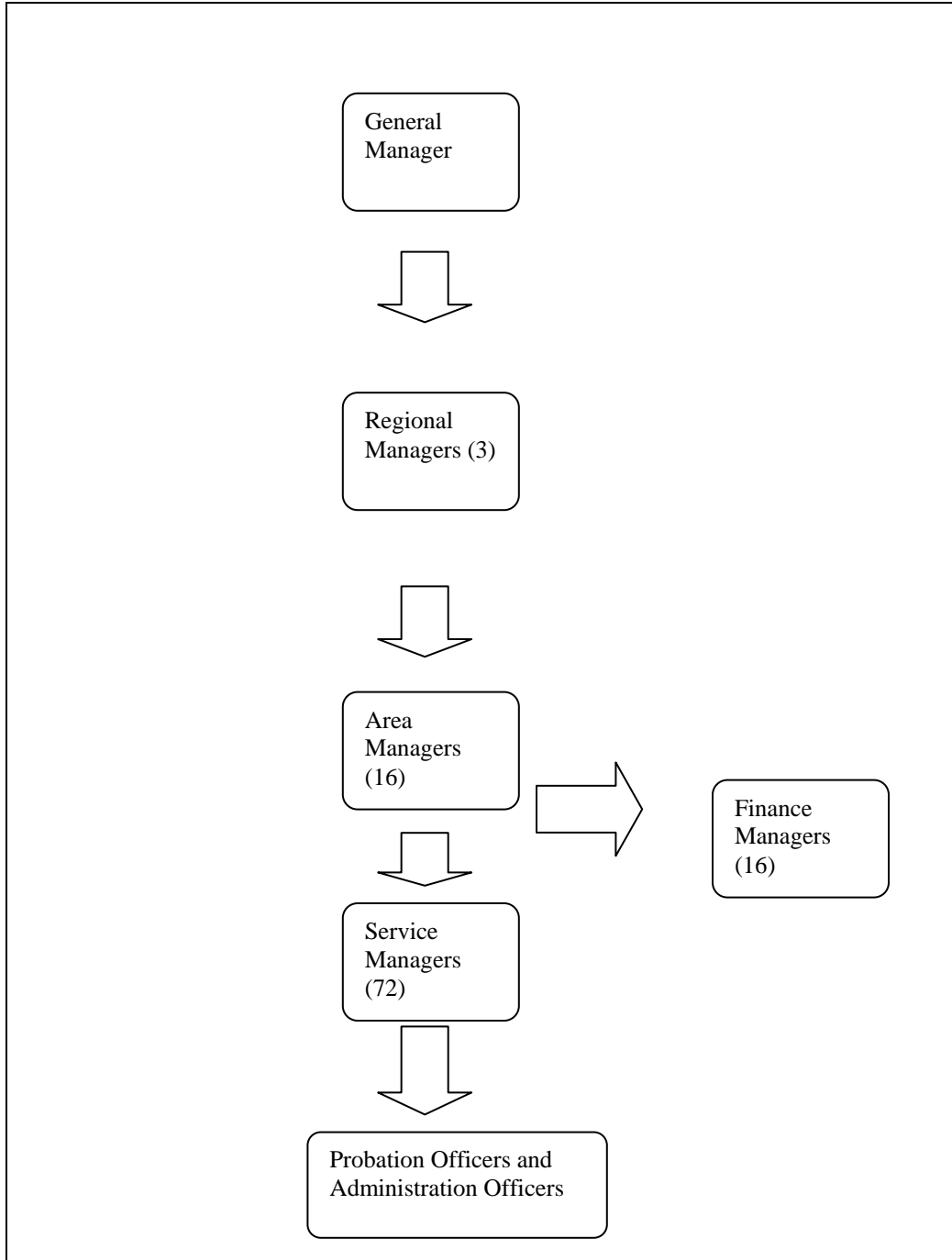
Probation Officers will be the main providers of professional supervision...Service Managers will not provide professional supervision.

**Figure 3.1. Community Corrections Service Structure as at 31 December 1996**



(Source: Dale, 1997:20)

**Figure 3.2. Community Corrections Service Structure from 1 January 1997**



(Source: Dale, 1997:20)

### **Professional Supervision within the Community Probation Service**

Traditionally probation officers have identified with the social work profession. In the 1966 State Services Commission (SSC) booklet “Training for Social Workers in the Public Service” a section on probation officers is present (SSC, 1966). This professional identification with social work is further reinforced by Bracey’s (1978a: 9) assertion that the first public statement on social work supervision made by a social work agency was the Department of Justice Annual report to the House of Representatives for the year ending 31 March 1968 which states:

In the main centres the District Probation Officer must devote more and more time to administration, and staff training and case-work supervision needs to be taken over by Senior Probation Officers. The number of Senior Probation Officers must be increased and if they are to be effective they must have reduced caseloads. New Zealand lags well behind other countries in casework supervision, a remark which applies to other social services as well as the probation service.”

Bracey (1978b:17), a Senior Probation Officer in Auckland, also reviewed the landmark text *Supervision in Social Work*, ( Kadushin, 1976) for *New Zealand Social Work*. The probation service’s link with the social work profession and social work supervision is further supported by Austin (1972), who refers to a re-planning of staffing in the probation service during 1967 which was designed to increase the frequency of supervision available for probation officers. Austin (1972) also highlights the commitment of the probation service to supervision through the provision of three short courses in casework supervision for District and Senior Probation Officers by the end of 1970. In the 1980’s, Bracey (1981) completed his Master’s thesis on casework supervision and two Senior Probation Officers are listed as contributors to the New Zealand Social Work Training Council’s *Supervision Resource Package* (NZSWTC, 1985). In 1992 the Community Corrections Service introduced a recruitment policy which made a level B social work qualification the prerequisite requirement for all probation officer vacancies. This requirement clearly

aligned the work of probation officers with the social work profession (O'Donoghue, 1994). Also in the early 1990's two policies on staff supervision were produced.

The first of these two policies was issued on 8 November 1990 and came in the form of Probation circular 1990/95, which included an amendment to the Probation Manual. The policy introduced by this circular which endorsed "that all staff should receive ongoing and structured supervision", also introduced the initiatives of written supervision contracts and an evaluation form for the participants to use in their supervision (Department of Justice, 1990). The manual amendment itself constructed supervision in terms of the following functions:

Administrative/Management, Educative/Teaching, Supportive/Enabling,  
Reconstructive/Creative.

This construction of supervision bears a close resemblance to that found in the New Zealand Social Work Training Council's (1985) *Supervision Resource Package* and emphasises the link between professional social work supervision and that of probation officers. In terms of the content the manual amendment contains the following sections: mission statement; policy statement; supervision principles; supervision functions; supervision standards and appendices. Included in the appendices are a bibliography and book reviews on supervision literature.

In 1993 the Staff Supervision section of the Probation manual was amended. This 1993 amendment is smaller than the previous policy and does not define supervision in terms of its functions nor include in its appendices a bibliography and book reviews on supervision literature. The 1993 policy put a greater emphasis upon the managerial aspects of supervision than its predecessor does. This is particularly evident in the 1993 policy's linking of supervision to the achievement of outputs and the omission of professional development from the policy statement (Department of Justice, 1993). The shift towards more managerially orientated staff supervision is also evident in the 1993 policy's clear linking of supervision with performance management (Department of Justice, 1993:P5.2).

The content of the supervision session will include:

- 1) Performance feedback and evaluation which are non-negotiable because of the co-relation of individual performance with the requirements of the management plan;
- 2) Other important aspects, which may be negotiated but should be linked to career development, training, and the management plan.

In reaction to the above managerially oriented approach to staff supervision between 1994 and 1997 a number of attempts were made to enhance the standing of supervision within the organisation. The New Zealand Association of Probation Officers (NZAPO) was at the forefront of these attempts, lobbying both publicly and with management for professional supervision. The most hard-hitting of these attempts was that made by Chris Gilbert, (President, of NZAPO) in 1995 in the editorial of the Association's official journal. Gilbert (1995:2) attributed a number of recent retirements- ostensibly due to ill health, untimely deaths and staff going on extended sick leave or becoming burnt out- to high workloads and a lack of professional supervision.

Another attempt to improve the standing of professional supervision was the production of the 48 page *Supervising Probation Officers: A Practical handbook for Supervisors* (O'Donoghue, 1995). This handbook was forwarded to the Community Corrections General Manager, the Lower North Island Regional Manager and the President of NZAPO, but there was little evident follow up.

In May 1997, the Service established a Professional Supervision working group. The terms of reference of this working group were as follows "To produce a framework for the professional supervision of Probation Officers" (Community Corrections, 1997a: 2). The outputs the working group was asked to produce included the following (Community Corrections, 1997a: 2):

- A clear definition of the objective of professional supervision.
- A description of the methods of professional supervision.
- A definition of the links from professional supervision to training and development planning.

- A model contract for professional supervision.
- A methodology for deciding on internal or external supervision.
- A cost-effective framework for the delivery of professional supervision.
- A costing for the proposed framework.

The process for policy development involved the project group initially meeting for three days in Christchurch from 28-30 May 1997 to consider the terms of reference. The result of this meeting was a draft report, which was forwarded to Area offices for consultation. The consultation included a questionnaire about the draft report. According to the project report, the response to the questionnaire was disappointing (Community Corrections, 1997a: 3):

Fewer than a quarter of Probation Officers throughout the country responded to the questionnaire, which was a disappointing return rate. It was clear from comments received that a number of factors contributed to this, including the very tight timeframe for responses, a low energy level resulting from high pressure of work, the pace of change within the Service, and in some cases the lack of a culture of good supervision which has led to a degree of cynicism.

The project team met to consider the 133 responses on 19-20 June 1997 and produced its report for management on 25 June 1997. The report recommended that (Community Corrections, 1997a :5):

1. The principles of professional supervision described in their report are accepted as a benchmark.
2. The resources provided by the department enable a high standard of professional supervision to be implemented.
3. The supervision needs of managers and administration staff be identified and provided for appropriately.
4. A Code of Ethics is developed for the Community Probation Service.

5. The model of professional supervision to be implemented included the following:

- The appointment of two people to implement the project for the next 12 months.
- The creation of 14 full-time equivalent positions for supervisors.
- Supervision for probation officers with less than two years experience is provided internally.
- Seventy-five percent of supervision for all other probation officers is provided internally and twenty-five percent provided externally.
- Training for supervisors is contracted externally and supervisors receive one hour per fortnight external supervision.

The project group's definition of professional supervision identified it with clinical supervision and described the elements of supervision as accountable practice, professional development, personal support and mediation/advocacy. This definition bears a clear resemblance to that contained in the New Zealand Children, Young Persons & their Families Service (NZCYPFS) policy (CYPFS, 1997). Essentially, it would appear that both definitions are derived from Morrison (1993). However, what is interesting is that the similarity ends there because the models constructed by the two agencies differ markedly. NZCYPFS' model keeps the managerial or administrative aspects of supervision together with the professional, whereas the Community Probation model does not. It is also interesting to note that NZCYPFS corresponded directly with Morrison, whereas the Community Probation Service did not (CYPFS, 1997; Community Corrections Service, 1997a).

The policy that resulted from the work of the project group was published in November 1997. The following statement from the General Manager introduces the policy (Community Corrections Service, 1997b: 2):

Professional Supervision is:

- Crucial to effective interaction with offenders to achieve the reduction in re-offending.
- An initiative which is complementary to the competency framework and performance management.
- We are committed to resourcing it by prioritising time use and the dollars to ensure the result is effective.

The above statement links professional supervision clearly to the Community Probation Services' mission, performance measurement and performance management systems. It also signals management's commitment to the policy and subsequent programme.

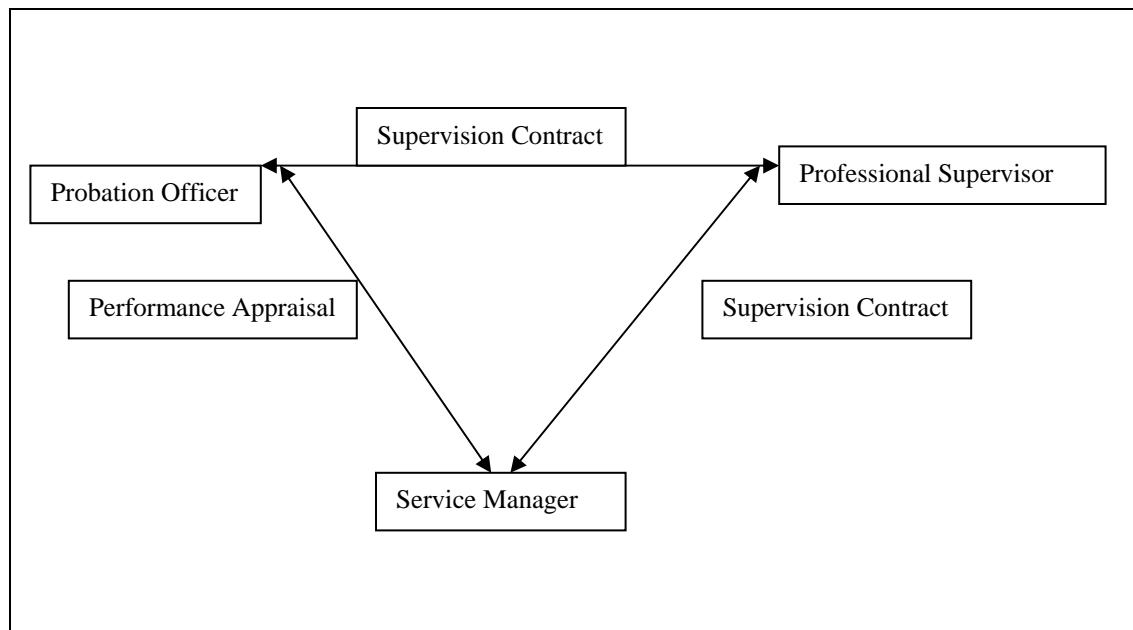
Within the policy itself professional supervision is defined as (Community Corrections Service, 1997b: 3):

Accountable practice;  
Professional Development;  
Personal support;  
Mediation/advocacy.

The Policy establishes professional supervision within a triangular arrangement involving the probation officer, the professional supervisor and the service manager (Community Corrections, 1997b). Figure 3.3 below presents a diagram of this arrangement. The arrangement reveals the relationship between the three parties involved in the professional supervision programme. The service manager is responsible for conducting the probation officers' performance appraisal, which includes their assessment of competence against the Community Probation competency framework. The service manager is also responsible for selecting and contracting professional supervisors who are in the main to be probation officers. There is provision for some professional supervision to be provided by service providers' external to the Service. The service manager's responsibilities also include the assessment of the supervisor's level of competence against competency standard 27 (Community Corrections Service, 1997b; Community Probation Service, 1998a). The

professional supervisor is responsible to both the service manager and the probation officer in terms of supervision provision. Their role is to establish, implement, close, review a supervision contract with the probation officer, and advise the service manager where appropriate of any significant matters pertaining to the above (Community Probation Service, 1998b).

**Figure 3.3. Supervision Arrangements**



(Source Community Corrections, 1997b:12)

The probation officer appears to have dual accountabilities. They are accountable to the service manager in terms of their overall work performance, management and task completion and in terms of their professional practice and professional development they are accountable to the professional supervisor (Community Corrections Service, 1997b).

The policy separates the managerial or administrative functions of supervision from the educational and support functions of supervision within the Community Probation Service. It also separates the professional practice of the Community Probation Service from the managerial business and in one sense moves the clients and service delivery they

receive from the Community Probation Service one step further away from the management of the organisation (Gowdy et al., 1993).

In terms of the implementation of this policy a project team led by Warwick Duell, (Regional Manager, Southern) was established. This team's terms of reference were to implement the recommendations of the previous working party by 30 June 1998. As at 15 April 1998 they had arranged training to be provided for supervisors during May consisting of three day long workshops to be followed up by a fourth day at a later date provided by Dynamics Consulting (Duell, 1998). The project team were also reviewing the processes associated with professional supervision, updating the human resource manual, developing a screening selection device for people who want to be professional supervisors and looking at issues associated with monitoring the first year of professional supervision (Duell, 1998). A separate monitoring group was also established to advise and monitor the implementation process (Department of Corrections, 1998a).

## **Summary**

This chapter has discussed the general historical, the new managerial and professional supervision elements of the Community Probation Service context.

The historical development reveals voluntary origins, which were slow to develop into a fully-fledged professional organisation. As a fully-fledged professional organisation the Probation Service remained relatively unchanged from the 1960's to 1992. Since 1992, it has undergone significant change and has been renamed three times and subjected to restructuring at different levels.

The discussion in regard to new public management emphasised that origins of new management practices in the Department of Justice can be traced to 1979. The 1980's were a decade of management training and systems development. From 1989 to 1994, most of the practices of new public management were introduced into the service through the JPMS system. The dominant management principle of this period was fiscal restraint (Garwood, 1994). Since 1994 the service has been restructured and the separation of the management and professional functions has been further reinforced.

The discussion of professional supervision showed identification with the social work profession and its tradition of supervision dating back to 1968. The professional social work elements appeared to give way to a managerial emphasis in the agency's 1993 policy. The 1997 policy attempted to redress the professional elements of supervision. It did this through replicating the service structure of separating management activities from professional activities and making the provision of professional supervision a probation officer activity. A further point is that the 1997 professional supervision policy was driven by management and not by the professional staff or the professional bodies. The policy also makes service managers, the managers, purchasers, and assessors of supervisory competency.

Two factors stand out from this discussion of context, firstly the rate of recent managerial and structural change and secondly the increasing separation of the professional and management functions within the organisation.