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PROBATION AND THE BLACK OFFENDER

RICHARD GRAHAM GREEN

Submitted for the degree of
Doctor of Philosophy

The University of Aston in Birmingham

August 1986

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THE UNIVERSITY OF ASTON IN BIRMINGHAM

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Summary

The research explores the response of the Probation Service to the emergence of black people in the offender population. The Probation Service has a key role in the sentencing of offenders by offering Courts alternatives to custody. In doing so it claims to treat all offenders alike. The research examines this contention, adopting methodological pluralism. Evidence is brought together from a number of sources: a review of developments in theory and practice; an analysis of a sample of Court reports; an ideal typical case; and interviews with probation officers and others. The thesis demonstrates that fewer recommendations for community supervision are made by probation officers on black offenders. This results in a disproportionate number being imprisoned. It is argued that this discrimination against black people in sentence recommendations is due to the colour-blind organisational response to deviance developed by the Probation Service. This response explains crime in terms of the pathological nature of the offender, ignoring the influence of the social structure. Consequently, attempts to reintegrate offenders ignore racial disadvantage as a factor in crime. The street disturbances of the early 1980's led to the development of alternative approaches based on self-help. The methodology incorporates an evaluation of these by means of participant observation. While these alternative approaches offer one way forward, they take black people out of the Probation system instead of changing the system itself to incorporate the special needs of black offenders. The thesis argues that the Probation Service needs to restructure its own institutional practices and procedures, and suggests ways in which this can be done in order to respond more effectively to the emergence of black offenders amongst its clientele. The need for change is re-emphasised in a postscript which analyses the Probation Service's response to the renewed street disturbances of 1985.

Keywords

Race, Deviance, Probation Service

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THE STUDY IN CONTEXT

The Role of the Probation Service

This study takes as its focus a state agency, the Probation Service, and examines its response to change in the form of a new client group, the black offender.

The probation service has a key role in the sentencing of offenders by offering courts alternative sentencing options. Probation Officers are employed by the Probation Director which comprises magistrates, and sometimes a judge, amongst others. The role of the service is to offer a social work service for offenders within the Court system and, in particular, to assess the potential for rehabilitation in individual cases. Officers' findings are presented in the form of written court reports which may include a recommendation for the supervision of an offender by a probation officer in the community. The recommendations made in such reports are therefore crucial: the Department of Justice may be persuaded not to impose a custodial sentence and to allow an offender to remain in the community, provided an argument for supervision is made strongly enough by the probation officer. The role of the probation officer is to act as a "cultural translator" on behalf of offenders i.e. to elaborate on the circumstances which have contributed to the commission of an offence, putting forward proposals for preventing a recurrence. Whether or not such proposals are accepted by the Court may depend on the gravity of the offences concerned: there could be no option as to remove from the offender the chance for

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rehabilitation. It is the job of the Probation Service constantly to challenge the Courts' thinking on sentencing in such cases, and to promote rehabilitative options rather than punishment. Philp (1979:98) summed up the role succinctly:

"Social work is allocated those whose objective status is not too threatening, it cannot operate, it cannot 'make' people, when an individual's act has removed him from the right to be perceived as human. Yet these boundaries, the boundaries of what constitutes a non-person status, are, and need to be, constantly tested. The Lord Longfords of social work are those who test the boundaries".

The tools the Probation Service has at its disposal, to test the boundaries Philp referred to, are its status within the Court setting, and the skills and expertise it has developed over the years since its inception. If it should choose not to use its skills for the benefit of a particular group of offenders, or if its skills should prove inadequate in their case, then the consequences for such offenders would be serious. By failing to recommend supervision in Court reports, a disproportionate number from that group would almost certainly find themselves being committed to custodial institutions by Courts.

1.2 The Emerging Black Offender

The research for the thesis grew out of a suspicion that the Probation Service was not responding effectively to the emergence of black people in the offender population, and that it might be discriminating against this particular group amongst its clientele. My experience of working with black offenders as a probation officer, and subsequently senior probation officer, suggested that few recommendations for supervision in the community seemed to be made by probation officers

in the cases of black clients, resulting in a disproportionate number being sent by Courts into custody. When supervision was recommended, it was often ineffective because black clients failed to keep appointments, or kept them but refused to discuss anything of substance. Casual conversations with colleagues revealed similar experiences, and some had begun to label black offenders as "unsuitable" for probation because they were seen as unco-operative, hostile, and with a "chip on their shoulder". However, there was a lingering feeling that the alleged unsuitability of black offenders for probation might be due to the inadequacy of Probation practice rather than something within the black offenders themselves. It was this hypothesis that the research set out to investigate: the thesis is therefore an empirical study of the Probation Service's work with black offenders, but concentrates on the Service rather than its black clients.

Black people first started coming to Britain in substantial numbers in the late 1940's and the 1950's as part of the then government's programme for post-war reconstruction. Most black immigrants originated from the Caribbean at that time. Work was plentiful, so there was little competition for jobs between black and white: white workers had moved up in the labour market, so black immigrant workers occupied the undesirable, low-paid jobs which white workers no longer wanted. Overt conflict on a major scale between indigenous whites and the black newcomers only began to emerge when there was competition for scarce resources such as housing, and later jobs after a downturn in the economy. Few first generation, black immigrant workers found themselves in conflict with the law and so did not come to the attention of the Probation Service. However, the Probation Service was unprepared for the

emergence of the black offender amongst its clientele, and this was largely due to the historical role the service had been allocated.

1.3 An Historical Overview of Probation Practice

The idea of a Probation Service came into existence as a result of the 1907 Probation of Offenders Act. At that time there were two themes in penal reform. The Victorian humanitarians were concerned about the effects of imprisonment, especially on young people. It was argued that minor offenders might be contaminated by contact in prisons with more serious criminals; also, the Howard Association sent a memorandum to the Home Secretary in 1872 complaining of the stigma attached to the offender leaving prison, especially children as young as seven or eight years, who might be the victims of privation and parental neglect. Further weight was added to these sentiments by the new theories on the causes of crime deriving from the Positivist school of criminology. These theories undermined the assumption, on which the penal system previously had been based, that offenders committed crime of their own free will: they suggested that punishment as deterrence was insufficient and that there was a need to rehabilitate the offender. The second theme in penal reform was much more pragmatic: the number of offenders committed to prison was increasing and the Government was concerned both at the cost involved and the insufficiency of prison buildings. The more liberal penal philosophy meant that public opinion was moving against transportation and hanging; not only this, the colonies were unwilling to accept more transported convicts. This only left imprisonment, but the cost was prohibitive.

These two themes eventually combined to produce a move to keep the offender in the community. There was already provision for this for Magistrates Courts in the Summary Jurisdiction Act, 1879 which allowed those found guilty of trivial offences to be discharged conditionally from the Court without punishment. The condition attached was that security should be given to appear for sentence if called upon, or to be of good behaviour. Some Courts were already experimenting in other ways by committing offenders to the care of local employers who took them on as apprentices; but this was not always possible because an employer was not always present or easily summoned for consultation and appraisal by the Court. However, the Home Office favoured a system which allowed for some kind of control to be exercised, rather than the simple release of the offender, and it became clear that persons needed to be appointed with this precise function in mind.

The two themes in penal reform outlined, in which the roots of the modern day Probation Service lie, contain dual perspectives of care and control which still pose a dilemma for probation officers today. Since its inception, the development of the Probation Service has been influenced by two primary factors: the criminal justice system, and advances in social work theory and practice. These two influences are not always in harmony: the criminal justice system deals with individual offenders and therefore holds individual deviants accountable for their behaviour; however, deviance theory argues that environmental and structural factors impinge on deviant behaviour and that individuals may not always be fully responsible for their actions. The dilemma has been resolved for probation officers by the Service favouring practice based on social work theories which involve bringing about changes in the

deviant's behaviour and attitudes: casework skills have been developed which aim to reintegrate the deviant member of society with the mainstream. It is not seen as being the function of social work to bring about change in the social order.

The practice of casework skills proved reasonably acceptable, if not always agreeable, to the Probation Service's white clientele. Though they had deviated from its norms, white offenders still felt a part of British society. In addition, individualised casework fitted in with the ideology of the criminal justice system. However, the traditional pattern of practice has been challenged in a major way by the emergence of second-generation blacks in the offender population: this group appear to reject traditional Probation practice, possibly because it seems either irrelevant or inadequate in terms of their needs. To them probation officers are representatives of white authority which is oppressing black people. Young black offenders mistrust officers, and demonstrate their mistrust by failing appointments or refusing to enter into any discussion.

As an example of this I remember the case of one fifteen year old black juvenile offender who had been released on Licence from Detention Centre. Initially he kept appointments with me, but sat in my office with his head bowed, staring at the floor. During the whole time I saw him (a period of about one year), I rarely received more than brief monosyllabic replies to my questions. When I called at his home by arrangement, he was usually out and I was left talking with his despairing parents who complained bitterly about his staying out until the early hours of the morning without permission, his truancy from

school, refusal to attend church, and the bad company he kept. When I did see him, I found I was completely unable to influence him, however hard I tried. Eventually he reoffended and was sent to Borstal. I recall feeling that somehow, despite the social work skills I had learned both before and after joining the Probation Service, my intervention was completely ineffective. What I had to offer was being firmly rejected by this black youth, yet at the time I could not appreciate why this was. This dilemma, common to many white officers in the Probation Service, was highlighted further by the street disorders of the early 1980's.

1.4 The Challenge of the 1980's

The disorders of 1980 in Bristol and 1981 in Brixton, Toxteth and other cities were a watershed for emerging thought about the effectiveness of the Probation Service's work with black offenders. Though there had been feelings of unease in some Probation circles about race issues prior to 1980, a new sense of urgency was fostered by the disorders: articles were published and new projects initiated which called for a re-think of Probation policy on race.

The exceptional situation of the disorders highlighted the dilemma posed by alienated young black offenders for the Probation Service's traditional casework approach. When major social problems were erupting in the form of street disorders, what was the role of the Probation Service? Should it be siding with the forces of law and order and setting about changing deviant attitudes to enable the black offender to reintegrate with society as it is presently constituted; or should it be arguing for changes in the social structure to eliminate the disadvantage

being experienced by black people, as part of its caring role for offenders? The dilemma is no more apparent than in Court.

In the normal course of events the Probation Service almost always has an officer in Court, who may be helped by a Probation Assistant if the Court is especially busy. Their role is to take the details of offenders who are referred to the Service by the Court, or to hand in completed reports on those about to be sentenced. Courts usually refer offenders to the Service when they feel some kind of social work intervention is appropriate: this may be due to financial difficulties, mental health problems, personal or family crises and so forth. They are also advised to refer offenders to the Service when they have a custodial sentence in mind, especially if the defendant has not been in custody previously. Offenders may have family, financial, or employment responsibilities which would be seriously jeopardised by a custodial sentence; Courts are encouraged to take such factors into account before imposing custody. Courts may also refer offenders to the Service for consideration for a bail hostel place: these are hostels, closely managed and supervised by the Service, where offenders may be accommodated as a condition of their bail until they are sentenced. Bail hostels are an alternative to remanding defendants in custody to await trial or sentence; they are especially advantageous to offenders who have no fixed address, or cannot return to their normal place of residence and may therefore be at risk of further offending. Thus, probation officers on duty in Courts are kept busy so long as judges or magistrates elect to use their services. Access to offenders held in police cells normally poses no problems: it is part of the probation officer's job to take their details for a report to be prepared subsequently, or to assess

their suitability for a hostel place. However, access is subject to the agreement of the Police at the time.

In the crisis situation of the street disorders in 1981, however, officers did not have immediate access to potential clients, and the Courts did not choose to make use of the Probation Service.

For example, my own recollection of arriving at the Probation office in Wolverhampton on the Monday morning after a weekend of disorder is of an air of excitement and confusion. One senior probation officer indicated his desire for a strong Probation Service presence in Court, obviously believing that there would be a great deal of work for the Service once the "rioters" were brought before the Courts. Women were not allowed to attend, only male officers - something which led one female officer to comment that it was "...as if the men were being 'called-up' to defend their country"! The atmosphere was certainly one of crisis and threat. However, once all the male probation officers were actually in Court (we took up two whole benches), we found we had nothing to do. The proceedings progressed slowly but, one black face after another, the defendants appeared from the police cells beneath the dock and were remanded back there for seven days. We were given no opportunity to see them in the police cells because, the police told us, the cells were too crowded. This left probation officers that day with a sense of professional redundancy.

For my part, I found myself commiserating with one black couple, the mother completely distraught, whose eighteen year old son had been charged with wounding. His mother was a nursing sister, and her son an

apprentice electrical engineer. No-one from the family had ever appeared in Court before, let alone been convicted of an offence. Her son was refused bail and remanded in custody for seven days. I listened with sympathy but was powerless to intervene.

Confusion about the Probation Service's role in this crisis situation was summed up by two comments made by the same senior probation officer mentioned earlier:

"Martin Luther King said that riot behaviour is the voice of the unheard".

"We must be seen to stand for Law and Order".

His comments seemed to suggest that the disorders were understandable as a protest by black people against their subordination and their inability to influence the State's policy on race; but at the same time he apparently felt that such behaviour was intolerable and had to be stamped out. So what was the role of the Probation Service?

The Courts were quite clear: they firmly located the blame for the disorders with the individual offenders and saw no role for the Probation Service when public order was under threat. This was why two benches full of male probation officers, ready to "go into action", were left sitting in reserve. The Courts were only concerned to stamp out the violence and restore order by removing the perpetrators from the streets and placing them in custody. This repressive response by the Courts was the subject of some comment by the West Midlands Probation Service, as reported by Lord Scarman (1981:147):

"In discussions with the Chairman of the Probation and After-Care Committee, the Chief Probation Officer and other members of the Service about the immediate aftermath of the

disturbances, it was suggested that more use might perhaps have been made of probation orders in sentencing people arrested during the disorders. More generally, young blacks were not receiving probation orders in proportion to their number in the offender population. This, it was said, reflected the cultural bias in Magistrates' Courts decisions which had been identified by recent studies conducted under the auspices of the Service".

In fact, cultural bias in Magistrates' Courts decisions is only one aspect of the much greater problem of institutional racism within the criminal justice system. Even if Magistrates had referred cases to the Probation Service, it is questionable whether probation would have been recommended by officers. The Probation Service was unprepared for the emergence of black people among the offender population, whether in a crisis situation, as in the early 1980's, or on a routine basis.

The Probation Service has still not resolved the dilemma posed by the refusal of alienated young black offenders to co-operate with its traditional approaches. One of the aims of the thesis is to examine the Probation process with this dilemma in mind.

1.5 The Research Process

The research was undertaken on a part-time basis and therefore spans a period of six years between 1979 and 1985. Part-time research of this kind poses real problems because of the lack of continuity; however, it has also proved an advantage in that the research encompasses a crucial period of history in the Probation Service. It traces the growing pressure to shift the emphasis in the Probation Service's approach to black deviance from individualised solutions based on pathology to community-based initiatives designed to counter structural racism. It

also records the difficulties probation officers are having in making this adjustment, because of the powerful influence upon them of the Probation Service ideology into which they have been socialised. During the research period, important initiatives have been taken, but it is argued that as yet they have had little impact on mainstream Probation work.

When the study began in 1979 little research had been carried out on the race issue within the Service. A Home Office circular (113/1977) had suggested the appointment of a specialist officer for race issues, but the emphasis was on misunderstandings between different cultures. The events of the early 1980's were to change this radically, and acted as a watershed for articles and initiatives calling for a new Probation Service approach to black deviance, which took account of structural racism. The disorders underlined the feelings of alienation, frustration and anger that black people were experiencing; they also confirmed a pre-existent belief in the need for change in the minds of several probation officers at the same time.

Two years into the research, and having empirically demonstrated via an analysis of a sample of Court reports that probation officers were discriminating against black offenders in sentence recommendations, a key publication appeared which supported my findings. In 1981 Taylor published a piece of research which also indicated that a disproportionate number of black offenders were being sent to Detention Centres and Borstals and were less likely to be supervised in the community. She wrote that:

"The message that the Probation Service is available to all

races and cultures needs to be communicated by all staff, as it appears to be currently in question".

(Taylor 1981:21)

The implication underlying her statement was that the Probation Service was discriminating against its black clients by failing to offer them a service. Our findings were not unique.

During the course of the research, there was a growing body of studies supporting my belief in the need for changes in traditional Probation Service practice because of the way it was discriminating against black people. Husband (1980:10) wrote of the Probation Service that:

" there is evidence that many black clients are being disadvantaged because white probation officers do not know how to work with them, and therefore feel that 'young blacks do not respond well to probation'".

Husband firmly set the blame at the feet of the Probation Service and not the black clients themselves. As early as 1979 the Home Office itself acknowledged this, and concluded that race relations issues had been virtually ignored by the Probation Service:

"The Service in general - possibly without realising it - has neglected this area of work, overlooking group interaction in the community because of the traditional focus of one-to-one casework".

(Cited in Taylor 1981:16)

This early suggestion that traditional one-to-one casework is inappropriate for working with black offenders was repeated by Taylor (1981:20) in relation to the West Midlands, Pinder (1982:22) in Leeds, and Lawson (1984:94) in Bristol who wrote of his Probation team's work in

the St. Paul's district:

".....in our experience, many young black, male offenders do not, on the whole, welcome probation involvement in their lives, do not fit into traditional models of Probation or social work and require a more relevant and flexible style of intervention".

However, though the Probation Service is ambivalent about its dealings with black offenders, the offenders are not ambivalent about the Probation Service. Many feel aggrieved about what happens to them in Court. In his ethnographic account of black youths in Court, Hill (1980:174) found that:

"....many regard Courts and courtworkers as insitutionalised representatives of white society and consider the justice they receive is 'white man's justice'".

He continued by suggesting that all who work within the Courts system, whether they are probation officers, magistrates, or solicitors, are classed by black people as part of the white Establishment working alongside the police to oppress them.

Despite this proliferation of research work and articles in the early 1980's, none addressed directly the issue of why a caring agency like the Probation Service should have withdrawn its services from black offenders when they clearly had need of them. They acknowledged that it had done so, and argued that it was due to the inadequacy of the Service's traditional approach. However, they did not investigate what it was about the traditional approach that made it inadequate; nor did they suggest or examine possible alternatives to the traditional approach.

In contrast to those studies, this thesis contains an analysis of routine Probation practice in order to identify how the disadvantage experienced by black offenders is manufactured within the Probation process. It begins with an overview of the development of theories of race and theories of crime in the twentieth century, showing that both sets of theory have independently moved on from concentrating on the individual to an examination of structural issues. Despite the shift of emphasis in theory, it is argued that developments in theory have had little impact on the practice of the Probation Service until the disorders of 1980 and 1981.

The same powerful institutional ideology which impeded developments in Probation practice, made it extremely difficult for myself as a probation officer researching the Probation Service to gain sufficient detachment to allow the "sociological imagination" to flourish. Nevertheless, by employing methodological pluralism, the traditional Probation Service approach is analysed in the core of the thesis and contrasted with alternative approaches. The methodology also incorporates an evaluation of these alternative approaches by means of participant observation.

The term "black offender" is used in the title and throughout the thesis to refer to offenders of Afro-Caribbean origin rather than in the wider political sense. The reason for concentrating on this group alone is that the survey of Court reports undertaken at the outset of the research indicated that people of Afro-Caribbean origin formed the largest group among black juvenile offenders coming to the attention of

the Probation Service. This would be partly a function of timing, as black immigrants from the Caribbean preceded those from South Asia: therefore, second generation blacks of Afro-Caribbean origin were the first to experience feelings of alienation from British society and find themselves in conflict with it. Now the picture is beginning to change: an increasing number of offenders from the Asian community are coming to notice. This only serves to underline the urgent need for the Probation Service to develop a relevant service for all offenders from minority racial groups so that their disadvantage is not compounded by probation officers.

CHAPTER I

INTRODUCTION

In Chapter I, the thesis is primarily an empirical study of the probation officer's work with black offenders. However, comparative probation services for the thesis exist in a theoretical sense. It is necessary to review the fund of knowledge that is available to issues of race and crime. The theories that are available not only inform the work of probation officers but also the empirical work which will be set out later in the thesis. This chapter will review the various theories available, while Chapter 2 will be concerned with an examination of how far developments in theory have brought about parallel developments in practice overall.

SECTION II

RACE, THEORY AND THE PRACTICE OF PROBATION

Researchers who carry out work on race issues generally do not tend to deal with crime, and vice-versa. For in many respects the two fields of work share common concepts and concerns one another. This is particularly so with respect to the shift in the emphasis of research in law away from concentrating on the individual towards examining structural issues. In the field of race, for example, issues pertaining to ethnicity and social difference have given way to studies of the position of black people in relation to the means of production, or the education, housing and labour markets; while in the field of deviance, issues of inadequate parenting or peer group influence have been challenged by those who seek to identify the concept of law and expose the criminal justice system as a vehicle for bolstering up capitalism.

It is not too surprising that this shift from a consensus to a

DEVELOPMENTS IN THEORY:

RACE AND CRIME

As was outlined in Chapter 1, the thesis is primarily an empirical study of the Probation Service's work with black offenders. However, neither the Probation Service nor the thesis exist in a theoretical vacuum, and so it is necessary to review the fund of knowledge that is available on issues of race and crime. The theories that are available not only inform the work of probation officers but also the empirical data which will be set out later in the thesis. This chapter will review the various theories available, while Chapter 3 will be concerned with an examination of how far developments in theory have brought about parallel developments in Probation practice.

Researchers who carry out work on race issues generally do not tend to deal with crime, and vice-versa. Yet in many respects the two fields of work share common concepts and complement one another. This is particularly so with respect to the shift in the emphasis of research in both away from concentrating on the individual towards examining structural issues. In the field of race, for example, issues centering on ethnicity and social difference have given way to studies of the position of black people in relation to the means of production, or the education, housing and labour markets; while in the field of deviance, ideas on inadequate parenting or peer group influence have been challenged by those who seek to dereify the concept of Law and expose the criminal justice system as a vehicle for bolstering-up capitalism.

It is not too surprising that this shift from a consensus to a

conflict perspective has taken place in both fields: developments in theory are intertwined with the social context in which research takes place. The recent economic crisis, and the uncertainty it has brought to British society in terms of unemployment, relative deprivation and the cut-backs in public spending, are experiences common to all researchers in whatever field. In such uncertain times, the divisions between people, whether black or white, or deviant and non-deviant, become more apparent. Whether developments in the theory of race and crime have any impact on the practice of those working for race relations or crime agencies is an entirely different matter, but that issue will be left until later.

2.1 Race

2.1.1 The Concept of Race

The concept of race is extremely fragile when subjected to analysis. There is far from general agreement about what is meant by race: does it mean differences of physical appearance, such as the shape of the nose or the colour of the skin? Does it mean the country or continent from which people come? Does it mean the culture of a group of people which transcends national boundaries? None of these can be said to be adequate definitions of race. Biologists who have struggled with the concept have found that human-beings of whatever race still share over ninety per cent of their genes in common with one another (Tobias 1972:23). Yet, despite the fragility of the concept, as an idea in people's minds it has been an extremely powerful force in history, and it remains so in Britain today. The reason for this is that Man creates his

own reality and attaches his own definitions to social situations, even though such definitions may have no basis in reality. In itself the concept of race, as an attempt to reduce the human masses to identifiable groups, is neutral. However, it becomes socially divisive when certain physical attributes are used as symbols loaded with socially constructed meanings to justify the allocation of people to superior or inferior groups. Thus, while race may be a tenuous concept in biological terms, nevertheless it is real in the way it is perceived and in its consequences for people's lives.

2.1.2 Social Darwinism

One of Man's dilemmas is having to come to terms with the evils within society, such as the exploitation of one group of people by another. Becker (1970:164) argues that it is easiest to seek the source of evil within the heredity of people:

"People don't want to admit that one large source of evil lies in what society has taught them, how they learned to go about their lives, the basic ways they have of approaching the world. It is a fearful burden to admit this, especially if you can't do anything about it even if you do admit it. Much easier is to seek the source of evil, disharmony, tension, failure, in persons; especially to seek it in the heredity of persons, even in the species".

So often in history the outward, physical difference of people, such as the colour of their skin or the shape of their skull, have been taken to indicate something about their inner characteristics, often about their supposedly "natural" inferiority. Such ideas do not need to have any objective foundation so long as they are held to be true and are used as a basis for action. Cashmore and Troyna (1983:29) refer to specific

instances in history where this has occurred:

"Ideas do not have to be clear nor knowledge sound to commission action. The action, however misguided, can then serve in such a way as to enrich the original ideas. The issue of race in the slavery case was invoked to settle moral dilemmas posed by groups of people who were in the business of making capital out of exploitation. In Nazism, it was selected to support the drastic actions of a movement trying to salvage the remnants of a society in steep economic decline. Race was an expedient in both circumstances; it stood as a call to action and, as Manning Nash put it, 'it persistently crops up wherever the political and social circumstances make it functionally pertinent'".

The expedient use of race in this way may be reinforced by Science. Social Darwinism was a theory of natural selection in human beings which had been taken from Darwin's ideas on natural selection in the animal world. Darwin argued in his "Origin of the Species" for a theory of evolution by natural selection. These same evolutionary principles were transferred in the late nineteenth and early twentieth century to Man, and it was argued that some races were superior to others, which was why certain races were dominated by others. This was an ideal justification, for instance, for slavery and for the extermination of Jews by Nazi Germany. It added a semblance of moral integrity to gross exploitation or genocide. Moreover, the theory becomes a self-fulfilling prophecy once it is put into practice: if a section of society is believed to be "naturally" inferior, and because of this is denied the benefits of civilisation, then it will become deprived, uncivilised, and inferior over the years - not for any "natural" reason, but because of the way it has been treated. However, its condition can then be cited as positive proof of its inferiority which justifies the continuation of its ill-treatment.

The discovery of the Nazi concentration camps at the end of the Second World War had such a shocking effect on the world that it was resolved that theories of the biological inferiority of races had to be challenged. A series of meetings were held under the auspices of UNESCO for delegates to give their views on the biological aspects of the race question, and their conclusions stood in contradiction to the tenets of Social Darwinism:

"The peoples of the world today appear to possess equal biological potentialities for attaining any civilizational level. Differences in the achievements of different peoples must be attributed solely to their cultural history.

Certain psychological traits are at times attributed to particular peoples. Whether or not such assertions are valid, we do not find any basis for ascribing such traits to hereditary factors, until proof to the contrary is given.

Neither in the field of hereditary potentialities concerning the overall intelligence and the capacity for cultural development, nor in that of physical traits, is there any justification for the concept of 'inferior' and 'superior' races".

(Cited in Baxter and Sansom Eds. 1972:71)

It is because of the efforts of UNESCO, as well as of other researchers, that biological explanations for the domination of one group by another fell out of favour (though they were resurrected by Jensen and Eysenck in their work on intelligence). However, racism did not end with the challenging of such biological theories.

2.1.3 Ethnicity and Social Difference

With the demise of biological explanations, other theories had to be found to explain the domination of one group by another in the world: the new explanation for discriminatory practices became social differences.

A sociology of race relations began to emerge which concerned itself with group relations. Where conflicts emerged, they were seen as competitiveness between groups, and the need for one group to retain its status at the expense of another. Thus, social differences were used as symbols to make conjectures about the moral, intellectual or cultural inferiority of the rival group.

Theories of group relations emerged in the context of post-war economic reconstruction. After the Second World War Britain was short of labour to build up the post-war economy. With jobs in ample supply, Britons were no longer prepared to take on the dirtier, lower-paid jobs like foundry work, public transport, and street cleaning. To fill the gaps, labour was recruited from elsewhere, particularly the Caribbean and South Asia. The ordinary context of British political thought at the time was against discrimination: it was regarded as something which might occur in the United States or South Africa but not in Britain. When the British Nationality Bill was discussed in Parliament in 1948, for example, a member from the Conservative benches argued that it would be a terrible decision if one of the King's subjects were refused access to Britain. The argument was not so much for democracy but rather for equality of treatment as subjects of the Monarch. As far as race relations were concerned this was a period of political laissez-faire. This is not to say that the differences between people were not recognised; the theory was that there would be a natural process of assimilation after which the differences would disappear. The new arrivals from the Caribbean and South Asia would simply become black Britons, conforming to the established cultural patterns of the host society and eventually disappear as a separately identifiable group. In

retrospect, the arrogance of such beliefs is apparent: Britons were not expected to gain anything from immigrant culture; it was to be a "one-way street" in which "they" became like "us".

It is often difficult to pinpoint in history what brings about a change in social attitudes and public policy. However, the laissez-faire attitude of the British government did change, and race became defined as a "problem" which required some kind of intervention. British politicians were aware of street disturbances in the United States, but such problems seemed distant - until there were racial disturbances in Britain in 1958, first in Nottingham and then in Notting Hill. Such events probably influenced the enactment of the Commonwealth Immigrants Bill in 1962 which ended the period of laissez-faire by placing qualifications on the right of free entry to Britain by New Commonwealth immigrants. This was the beginning of policies of integration: the new belief was that immigrants from the Caribbean and South Asia needed assistance in settling in Britain. It was also the beginning of the "numbers game", a policy founded on the belief that in order to promote integration it was necessary to restrict the number of immigrants entering Britain for the sake of those already here. Positive policies developed to assist those immigrants already living in Britain's inner cities by means of Race Relations Acts, "Section 11" money in the 1966 Local Government Act, proposals for additional education facilities, and so forth. Race became a politically sensitive issue, as demonstrated by Harold Wilson's efforts in the 1964 General Election to assert that it was not a problem of race, but of disadvantage, and that money would be spent for the benefit of the inner-city and not for the benefit of black people alone.

At the heart of these policies of assimilation and integration was a certain view of race relations in Britain. The differences between people were recognised, but there was a fundamental belief that somehow a culturally homogeneous norm was achievable in society whereby everyone would agree on what life was about. Such a view is still prevalent today in much government policy where issues of race are involved.

It should be clearer now how the mood of society influences theory formulation during a given period. The prevailing view that a culturally homogenous norm was achievable influenced the development of consensus theories of inter-group relations. The focus of interest became inter-group behaviour and social definitions of race. Banton, one of the major British contributors, regarded race as a symbol or role sign in the tradition of symbolic interactionism. He suggested that social systems use visible differences as symbols to justify the allocation of groups of individuals to unequal roles in society. He described the ways in which different groups interact in a society where race is used as a role sign:

"In its simplest form, the frustration - aggression theory holds that when an individual's attempts to achieve satisfaction are interfered with, aggression is generated; if this cannot be released in an attack upon the individual or group responsible for the interference, it is displaced onto a scapegoat. Why one particular group rather than another should be chosen is explained in terms of its visibility, its vulnerability (a scapegoat must also be a safe goat), and its tendency to symbolise the true source of frustration".

(Banton 1968:295)

Banton argued that despite this tendency to scapegoat certain visible and vulnerable groups of people, integration was still possible if a policy of paternalism were put into effect. The efforts of the Wilson

Government in the 1960's (for example, the 1966 Local Government Act which made money available under the terms of Section 11 to deal with the problems caused by the arrival of immigrants, the establishment of Educational Priority Areas, and the creation of Community Development Projects) could be regarded as a kind of paternalism. However, Banton also described a more pessimistic scenario in which dominance would lead to pluralism and the development of separate communities divided on racial grounds.

The Pluralist school of theorists, however, took a more positive view than Banton, suggesting that the cultural diversity which might emerge was desirable. Despite the possible development of separate institutions remaining distinct and apart, they argued that society would still hold together. Furnivall (1939) argued that a shared consensus about the operation of the market place would bring people together in the plural society - force and fraud would be outlawed by all. Smith (1965), however, suggested that it would be the political institution which would be the binding force - achieved by the political domination of one group over the others.

The problem with theories of cultural homogeneity such as these is that such a society is hard to imagine; it has probably never existed anywhere, or only very rarely. It is unlikely to emerge in any competitive society where one group is vying with another to achieve a better position. Marxists would argue that within capitalist society no consensus about the operation of the market place is possible because of the different relations between classes to the means of production. It must be concluded, therefore, that Pluralism is limited to being a

profoundly descriptive account: while it provides interesting examples of ideal types, it does not explain why discrimination between groups might occur.

Banton came closer to doing this when he described how ethnicity is used as a symbol of status and role to differentiate groups. Theories of ethnicity have their roots in anthropology. The Norwegian anthropologist, Barth, argued that ethnicity was a device used by people, both within and without the ethnic group, to define social difference and thereby maintain the boundaries between groups. What Banton did was to combine this notion with his model of stratification dependent on status and role. However, the problem with Banton's theories is that, while they are an advance on Social Darwinism in that they see ethnicity as a socially constructed device rather than a biological concept, nevertheless they emphasise the formal aspects of inter-group relations without considering what it is in the social structure which makes them work in the way they do. In other words, they are theories of inter-group relations rather than of inter-group conflict.

Wallman (1978) came closer to a conflict analysis when she defined ethnicity as the process by which "their" difference is used to enhance the sense of "us". She introduced the idea that ethnicity can be a resource as well as a liability. Brake (1980) developed this theme in his study of oppositional youth subcultures and, in contrast to Wallman, exposed the power element inherent in the decision whether ethnicity is defined as a resource or a liability in a particular case. Membership of an oppositional group such as Rastafarianism, which may use ethnicity in a positive way to emphasise social difference and develop black pride,

can be re-defined in a negative way by those holding power in society as "youthful immaturity" or "unhealthy peer group influence". This is especially likely to happen if the Establishment feels it is under threat from an oppositional group. Carrington and Denney (1981:116), for example, described how probation officers were re-defining Rastafarianism in precisely this negative way:

"It appears from our limited efforts that probation officers lack an adequate understanding of Rastafarianism, viewing it in either 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".

In fact, as Carrington and Denney went on to say, Rastafarianism uses ethnicity to enhance the sense of "us" in opposition to those who would see their ethnicity as a liability. It is a form of resistance against "....the differential allocation of scarce resources and racial violence" which undermine black confidence. Symbols such as African hairstyles and the Rastafarian colours are used to emphasise the Rastafarian's ethnic origins and develop black pride.

The inadequacy of ethnicity approaches is that they leave the explanation of race relations situations at the level of social difference and the setting of boundaries between groups. Of course, much valuable work has been done on the social construction of such boundaries. Aronson (1972) summarised the way in which stereotyping and scapegoating may contribute to the development of prejudice between groups and reinforce socially constructed boundaries. However, any approach which stops at the level of social difference and boundary-setting fails to take into account the key concept of power in society - in other words, whose definition of reality counts in the final

instance. Stereotyping and scapegoating may occur, but for prejudice of the kind referred to by Aronson to become racism, it is necessary for powerful groups to activate their prejudices in their daily decision-making.

During the 1960's and 70's, race relations theory and government policy was concerned with integration. The changes inherent in the developing race relations situation were recognised, and policies were introduced to try and lessen the risk in Britain of the kind of social disorders produced in the USA by racial disadvantage. Such integrationist policies still hold sway today. However, they received a severe jolt from the street disorders in Britain of the early 1980's: these disturbances made explicit the potential for conflict and added weight to the arguments of those who believe the concept of power in society is central to any discussion of race.

2.1.4 Race and Power

There is a major theoretical divide amongst those who prefer a structural analysis of race issues which hinges on the adoption of either a Marxist or a Weberian perspective.

The Marxists tend to argue against a separate theory of race relations, and in favour of seeing racism as a device used by the property-owning classes to exploit black people and obtain cheap labour. In this sense, Marxists believe that the struggle of black people against racism is part of the same struggle as that of working class people against exploitation by the owners of the means of

production. Marxists point to colonialism as a prime example of labour exploitation, slavery being a way of recruiting labour for exploiting the great natural resources of the world. However, because the profit-making motive which underlay the capitalist enterprise was in conflict with Christian philosophy, it was necessary for the exploiters to justify their treatment of black people by reference to their supposed innate degeneracy which served to justify their exploitation. Thus, whether in the days of Empire or in twentieth century Britain, Marxists see racism as essentially political class conflict. This idea has been expanded in the work of Cox (1972:208) amongst others:

"But the fact of crucial significance is that racial exploitation is merely one aspect of the problem of the proletarianization of labor, regardless of the color of the laborer. Hence racial antagonism is essentially political class conflict. The capitalist exploiter, being opportunistic and practical, will utilize any convenience to keep his labor and other resources freely exploitable. He will devise and employ race prejudice when that becomes convenient".

However, as Marxists have developed their theory they have recognised that, although immigrant and indigenous workers are part of the same class, nevertheless it is a divided class. Castles and Kosack (1973:477) distinguished two strata, the indigenous workers who are comparatively better off and the immigrant workers who are "the most underprivileged and exploited group in society". This is not an entirely satisfactory explanation: Castles and Kosack seem to blame the inferior position of black workers on their migrant status, yet as history has shown, it extends beyond the migrants themselves to their children; also, they seem to assume that there was a united working class prior to the arrival of immigrant workers, but this is a highly suspect assumption.

Doeringer and Piore (1971) provided a more convincing explanation for this class fraction among the proletariat when they argued that the owners of the means of production find it useful to have available a reserve army of labour, which is more compliant, when confronting a demanding working class. Barker and Allen (1976:53) suggest that the social group from which this reserve army is drawn has a particular set of characteristics:

"....dispensability, clearly visible social difference, little interest in acquiring training, low economism and a lack of solidarity".

While they were referring to women, their comments can be applied to black workers. They stressed that the attributes of the reserve army are not due to some innate factor within the personalities of individuals, but the product of the social relationship between employer and worker.

However, Marxist ideas on class fraction have been challenged by those who take a Weberian perspective and argue in favour of a separate sociology of race relations. They propose that the position of black workers is not the same as their white, working class counterparts, but that black workers form part of an "underclass". In other words, however oppressed the working class is, blackness is on top of all this and thereby creates a class beneath white workers, beneath even those who are part of the reserve army. The case for a black underclass has been most clearly articulated by Rex and Tomlinson (1979) who turned more to the ideas of Weber than Marx in their examination of race relations.

Like Marx, Weber emphasised the importance of power in deciding which social groups dominate other groups. The difference, however, is

that Weber's analysis of power was not related to the ownership of the means of production but to class, status and party. By class Weber meant Man's market relationships i.e. his ownership or non-ownership of property, the kinds of property, and his bargaining position in the market for goods and services. By status, Weber referred to the amount of prestige or social honour attributed to a group through its style of life, rituals and so forth. Finally, by party Weber meant pressure groups, which need not but may be class or status groups, and which organise themselves to achieve a particular goal or objective. The difference, then, between Marx and Weber is that while Marx looked forward to a united class struggle to overthrow the forces of capitalism, Weber envisaged a situation in which relatively permanent conflict groups would jockey between one another for power, goods and services in the market place.

Rex and Tomlinson argued that when black people first entered Britain by invitation after the Second World War, there was no great conflict between black and white because work was plentiful and black people could occupy the dirty, low paid jobs which whites no longer wanted. A dual labour market came into being in which black workers formed part of an unincorporated working class which did not enjoy the same union rights, security of employment and so forth, as other workers. However, when the employment situation deteriorated, whites wanted to move back into these jobs and many blacks were forced out of the labour market completely. In other words, so long as a dual labour market situation existed, the rights of white workers were not threatened; but as times grew harder, a split labour market came into existence in which workers were then competing for the same jobs and

conflict ensued. At this point, the labour market having split, black and white groups developed separate interests and pursued these through separate "parties" or pressure groups. Thereby the black underclass came into being. What made this split possible, according to Rex and Tomlinson, was the lack of status black people had, and have, in Britain. The distinguishing factor was not their relation to the means of production, but their status within the British Empire over a period of four hundred years. History caused white Britons to have certain negative views about blacks which permitted them to justify their relegation to the position of "underclass".

The authors did not limit their analysis to employment issues, but extended it into other areas such as housing, education, and welfare services. They suggested that the black underclass has limited access to these other resources as well because of their low status. In particular, Rex is known for his development of a theory of "housing classes" in which he argued that the basic process underlying social interaction within cities is the competition for housing as a scarce resource. He suggested that in the competition people are differentiated from each other by their strength in the market (party) or their standing within the system of housing allocations (status).

Rex and Tomlinson's theory seems to be borne out by events since the 1960's. In 1964, for example, during the Smethwick by-election, there was a proposal that Asian immigrants should be prevented from buying houses in certain streets within the town. Local authority housing departments introduced points systems which required a period of residence to qualify, and which employed subjective assessments on

standards of housekeeping and cleanliness. Trades unions adopted a protectionist stance to preserve the market position of their mostly white membership, and the traditional party of the working classes, the Labour Party, did so similarly. In his diaries covering 1965, Dick Crossman wrote of Labour's awareness of the racist tide running in the community, and its fear that if the Labour leadership went against it, it might have let in the Conservatives because they would have exploited the race issue. The black community, therefore, could no longer rely on the traditional party representing the working classes and the underprivileged to represent them. Black people had to form their own pressure groups outside traditional British politics, or alternatively form counter-culture groups such as the black pentecostal churches, reggae music, and Rastafarianism.

In comparing and assessing the two schools of thought, Marxist and Weberian, the Weberian proved to be of greater relevance and worth during the research process for this thesis. The findings from the empirical data (which will be presented in Sections III and IV) suggested that white probation officers consistently struggled more in dealing with black offenders, and that this was bound up with the low status accorded to blacks by the Probation Service. Their low status in the eyes of the Service, which traditionally is concerned with the underprivileged, seemed to be due to a number of factors, including the failure to develop an adequate knowledge base in social work theory for working effectively with black offenders. The reason for this failure is the low status for a long time accorded to race issues in social work: social work is geared to types of client, and so blacks are subsumed with whites into certain categories of need, thereby ignoring the special needs black people have

because of their position as an underclass. Added to this, cognisant of their low status in the eyes of many white-dominated organisations, black people have begun to form their own pressure groups which may increase their level of racial consciousness. This can make them even more suspicious of predominantly white organisations like the Probation Service and introduce mistrust and apprehension to the black offender/probation officer encounter. Such mistrust is understandable within the context of racism, but not from the perspective of most white probation officers who adopt a colour-blind approach to their work. The low status of the race issue in the eyes of probation officers is not universal, however.

Prompted by the disorders of the early 1980's, black officers have become impatient with the apparent indifference of the Probation Service and its professional association (the National Association of Probation Officers) to race issues. In the West Midlands this impatience led to the foundation of a "Race Forum" by black officers and a handful of white sympathisers, the function of which is to increase racism awareness in the Service and promote anti-racist strategies within the organisation. The Forum was created independently of any initiative by Probation Service managers and was developed by predominantly black officers working at ground level in the Service. It has become a pressure group which West Midlands Probation Service management has been forced to recognise. Similarly, an Association of Black Probation Officers has been formed, again because of the low priority accorded the issue by the predominantly white professional Association. I recall the anger of one probation officer who returned from the 1984 Annual General Meeting of the NAPO furious at the lack of debate on race issues, regardless of the

presence of a number of black officers for the first time. Despite their efforts they were unable to get the issue debated.

Whether seen from a Marxist or Weberian perspective, the real value of structural approaches to the race issue is that they confirm the centrality of the notion of power in any discussion of the subject. This is important because this notion did not appear in Social Darwinism or in ethnicity approaches to race. However, the insistence of Marxists on denying the validity of a separate sociology of race relations, and on making the relationship of black people to the means of production the unit of analysis, limits the value of their contribution. The Weberian perspective of different groups jockeying for a position in the market place, and the idea of blacks as an underclass which developed out of this, are concepts which more accurately seemed to reflect what was happening when the empirical data in this thesis was analysed.

It has been shown that over the decades, a shift of emphasis has occurred in the various theories of race relations: there has been a move away from a concentration on the individual towards an examination of structural issues. Similar developments can also be traced in theories of crime as they have unfolded over the same period, and these will be examined next.

2.2 Crime

2.2.1 The Concept of Crime

The concept of crime is not nearly so hard to grasp as that of

race. Essentially crime can be described as the point at which a conflict occurs between the demands of society and the actions of the individual. At this point, an explanation for the behaviour of the individual is called for, and much of the debate in the social sciences has been about the validity of various explanations for deviant behaviour. The exception to this is the work of Marxist theorists who have called into question the concept of Law itself, in particular the matter of who decides what the "demands" of society are. However, the issue of the responsibility of the deviant will be reviewed first, before turning to the arguments of the structuralists.

At one time, when a crime had occurred, the outcome would not have been in doubt because the individual would have been deemed "...responsible for his acts and capable of exercising control over them..."; consequently he would have been "...punished for breaking the law in accordance with the gravity of the offence" (Clarke 1975:33). However, nowadays the concept of responsibility in law has altered, largely due to the influence of the social sciences. The classical model of justice has been replaced by individualised justice which suggests that the particular circumstances of the individual may be relevant to the commission of the offence. However, the victory of individualised over classical justice was incomplete and a tension remains between the two. Philp (1979:97) argued that social workers hold the middle ground between the two:

"The social work discourse is located between the established and the residuum: between the successful and the failure, the secure and the insecure, the sound in body and the sick and handicapped, the law abiding and the law breaking, the still young and the suddenly dying, and the sane and the borderline".

Hence, in preparing his social enquiry report for the Court, the probation officer is seeking to portray the essential humanity of offenders in the hope of securing them as clients with a view to their rehabilitation. However, some explanations for deviant behaviour will be more acceptable than others: if the offender is perceived as a threat, then the probation officer will not be allowed to adopt the role of mediator, attempting to persuade the powerful groups in society that the others are safe. In such circumstances, the classical model of justice will prevail:

"Social work is allocated those whose objective status is not too threatening, it cannot operate, it cannot 'make' people, when an individual's act has removed him from the right to be perceived as human".

(Philp 1979:98)

Thus, before the development of theories of deviance is traced in greater detail, it is important to remember that some explanations for deviance will be considered more valid than others by the powerful in society. It is especially important to remember this in the case of black deviance where, as has already been suggested, power is a central feature of racism. This theme will be developed further at the end of the chapter when the two concepts of race and crime are brought together. In the meantime, the review of the theory will begin with an examination of Postivism, followed by the dialectical approach to deviance most clearly articulated in the work of Matza, and end with an analysis of the "New Criminology" of the Marxists.

2.2.2 Positivism

The origins of most modern theories of deviance are to be found in Positivism. There are three basic tenets which the Positivists hold when discussing deviance: first, that the primary focus of analysis should be the criminal rather than the criminal law, and that explanations for deviant behaviour may be found in the motivation of offenders: second, that such motivations are the result of outside forces influencing criminals and that their behaviour is determined by such forces without free will on their part; and last, that criminals are fundamentally different from the law-abiding and that explanations for deviance may be found by differentiating between conventional and criminal people.

In the same way as biological theories were applied to race, for a period they were also applied to crime. The theories of Lombroso, according to Platt (1971:96) known by American academics in the early 1880's though not translated into English until 1911, suggested the existence of:

"....a criminal type distinguishable from non-criminals by observable physical anomalies of a degenerative or atavistic nature".

Others expressed concern about the degeneracy of people drawn into the cities by the industrial revolution. The thrust of argument at the time was that the ills of these people were in no way due to the way society was structured and ordered, but to their own inadequacies caused by their urban lifestyles:

"....even when their houses are whitewashed, the sky will be dark; devoid of joy they will tend to drink for excitement; they will go on deteriorating; and as to their children, the more of them grow up to manhood, the lower will be the average physique and the average morality of the coming generation".

(Marshall cited in Stedman Jones 1971:128)

Theories such as these, drawn from Lombrosian Positivism and Social Darwinism, were the main sources of intellectual explanations for criminal behaviour at the turn of the century. Their echo may be heard more recently in the work of those who have tried to show that some criminals have chromosomal abnormalities which explain their deviance. However, as with race, the influence of such theories based on the supposedly "natural" inferiority of the criminal were to wane.

This shift of emphasis occurred thanks to the efforts of the so-called "Child Saving Movement". This movement, though still borrowing the imagery of pathology, sickness and treatment from the medical profession, believed that deviant behaviour depended as much on environmental factors as on biological characteristics. Its efforts to counter the influence of poor environments on deviants directly parallels the integrationist approach to race relations referred to earlier in the section on race. Social work was not introduced to challenge the inequalities in society, but to reintegrate the deviant with mainstream society, just as Section 11 money, Educational Priority Areas, the Race Relations Board and so forth were intended to assist the integration of black people with a predominantly white British society. Cooley (1971:97) argued that:

"The criminal class is largely the result of society's bad workmanship upon fairly good material".

In other words, he did not believe people were born as criminals, in the way that others had argued that biological traits would be inherited from parents; he suggested that it was environmental influences after birth which made people into criminals. Social work was founded upon such theories: the Child Saving Movement believed that if criminals could be removed from such environmental influences, their behaviour would change. The Borstal System, for example, was introduced to take criminals out of poor environments and place them in institutions mostly located in the countryside well away from the deleterious effects of life in the cities. Once the importance of environmental influences on behaviour was highlighted, research studies on offenders' environments mushroomed. These days the concept of environment encompasses a host of factors: social class, parenting, peer group, urban or rural residence, and so forth. The key point is that Positivism believed that factors such as these determined behaviour and that, by comparing their influence on the criminal and non-criminal, certain conclusions about the causes of deviance could be drawn. However, it is in such arguments that the weakness of Positivism lies. Human behaviour is very rarely determined to the extent that the Positivists suggested because Man has free-will and is capable of making individual decisions. The work of the Chicago School on theories of deviance illustrated this point further.

The Chicago School comprised a group of researchers who set out to investigate deviant sub-cultural affiliations by entering the deviant subculture and interpreting what was happening. Their aim was for an appreciative stance, requiring consideration of the subject's viewpoint, rather than a corrective one. Similar studies have been carried out in

Britain, such as Patrick's (1973) study of a Glasgow gang and Brake's (1980) examination of the oppositional subcultures developed by black youth as a means of coping with racism. However, the difficulty with the Chicago School is that their work is haunted by the ghost of Positivism: they suggested that the influence of subculture is so great that peer group members have no choice but to become deviant like their peers. Brake was more discerning than this, suggesting that black people choose to identify with a subculture as a means of "getting by". Streetwise culture, typified by the "rude boy" hustling subculture of West Kingston in Jamaica, may involve legitimate activities such as the construction of sound-systems for weddings, or customised car work; but it can also involve illegitimate activities such as organising prostitution, supplying drugs, gambling, or illegal stills for cheap alcohol. Hence there is a choice about membership, and also about the activities conducted. The problem with Positivistic theories of peer group influence is that they developed an "over-socialised" model of Man, suggesting that behaviour is highly determined. West (1967) pointed out that most offenders disappear from the criminal statistics after their first or second Court appearance. Thus, if peer group influence is of any importance at all, it seems that the group member can choose to opt out and indeed does so in most instances. As Matza (1964:37) suggested, there are influences on criminals other than their peer group:

"A subculture is almost always not simply oppositional precisely because it exists within a wider cultural milieu which affects it...."

Matza's criticism summed up the weakness of the Chicago School and the Positivistic theories. Though influences such as social class, family and parenting, peer group, or place of residence may draw potential

criminals towards offending, there will be other influences within their cultural milieu which will be beneficial and draw them away from crime. Positivism denies the free-will of the individual to choose either in favour of, or against, crime.

Another theorist, Sutherland (1947) tried to deal with this problem of why one person becomes a criminal and another not. His theory of "differential association" argued that a person becomes delinquent because of an excess of definitions favourable to violation of law. In other words, the potential deviant might be imagined sitting on the pivot of a set of scales: because the influences towards deviance are greater than those towards conformism, the scales are weighed down in the direction of deviance and the potential delinquent becomes an actual delinquent as if by force of gravity. Hence, it may be suggested that a black person has become deviant because of the combined influences of the alleged inadequacy of black people's parenting; the influence of a black delinquent subculture; low educational attainment; the poor area in which the family lives, and so forth. These are all factors mentioned by probation officers in their reports to Courts, as will be seen in subsequent chapters of the thesis. However, there are numerous aspects of Sutherland's theory which remain unconvincing.

First, once again it was a deterministic theory which denied the individual the ability to choose: this is unacceptable for the reasons given earlier. Second, like the Chicago School, Sutherland accounted for too much delinquency and his theory conflicts with statistics on the spontaneous remission of delinquency in the majority of cases. For example, despite all the difficulties they face, many black people do not

commit crime; and among those who do, many give it up after one or two Court appearances. Last, Sutherland failed to recognise that all people experience the pull towards deviance as well as the pull towards conformity; the theory of differential association is a fallacy because there is no essential difference between the deviant and the conformist save the label. Pearson (1975:63) put this more succinctly:

"..... when the blinds of positivism are pulled away all men are revealed as potentially law-breaking".

In contrast to such deterministic theories of criminality, others have proposed a more dialectical approach to the explanation of crime, suggesting that deviants can choose between conformity and delinquency. Their explanations are articulated best in the work of Matza.

2.2.3 The Dialectical Approach to Crime

In Britain during the 1960's there developed a more liberal attitude towards deviance and ways of dealing with offenders. The view emerged that there was little difference between the offender and others who were experiencing problems in their lives; it was not seen as a question of punishment, but of providing the appropriate level of care. This feeling culminated in Britain in the 1969 Children and Young Persons Act. This Act was an attempt to end the distinction drawn between juvenile offenders and other young people experiencing difficulties which might require the intervention of welfare agencies. Borstals were to be phased out, and juvenile offenders to be dealt with by the same social workers who dealt with children whose parents had died, were ill, or who could

not cope with their children for whatever reason. The vision was of a kind of family Court with the emphasis on care rather than punishment. The Act was never fully implemented, mostly because of the State's inability to decide finally whether a caring or controlling approach was the correct response to juvenile crime. The crucial point about the Act, however, is that it recognised no fundamental difference between the conformist and the deviant save the context: both were seen as facing a crisis in which they needed help. Compared with the 1960's, in the 1970's and 1980's the pendulum of opinion has swung back again. Possibly in the 1960's a more liberal view was possible because British society was not experiencing the combined problems of mass unemployment, increased racial tensions, and cut backs in public spending, which have emerged since. In the 1980's the emphasis seems to be much more on the containment of crime by punishment rather than on caring for the needs of the social outcast.

The deviance theorist who probably articulated best the more liberal view of the 1960's was an American: David Matza. Like the underlying ideology of the 1969 Act, Matza asserted that there is no fundamental difference between the deviant and the conformist save the context. It is the context which sets the potential deviant into a state of "drift" towards what he called the "invitational edge" of crime. In the context of the situation, the deviants-to-be are able to "neutralise" their conformist tendencies temporarily by means of a motivational account which permits the criminal behaviour to proceed by choice. In other words, Matza restored the moral dignity of offenders as human beings capable of choosing how they act, rather than reactive animals unable to think reflexively. Matza attempted to rid deviance theory of the ghost

of Positivism by suggesting that Man is influenced by his environment, but is capable of choosing which part of the environment he will take on board at any particular time. Matza distinguished between "action" (behaviour which is determined by the individual's life situation) and "infraction" (an ascribed status when the individual is caught on the invitational edge). Put another way, an infractious crime is one where contingencies are such that the conformist side of an individual personality is neutralised temporarily because the offender is able to construct a rationalisation which legitimates the deviant behaviour from the start (not "post facto"). It is important to stress that the concept of infraction is a reminder of the significance of the context and contingencies in a deviant act, factors mostly ignored by Positivism. The implication of Matza's theory is that it is wrong to regard a deviant act as irrational or meaningless unless detailed consideration has been given to the context.

To take an example to illustrate the point: black people may be totally law-abiding in most respects, but have suffered the combined problems associated with racial discrimination by employers, poor educational facilities with little reference to black culture in lessons, and lack of access to public housing. They may feel that their very identity, their right to live in Britain, and their access to public resources are all under attack. In this context they may respond to further racial abuse by assaulting someone; or take up the opportunity to buy a stolen video at a "knock-down" price because they see no other opportunity for getting one; or defraud the DHSS by both working and claiming State Benefit because they see no chance of getting a permanent, decently paid job. If probation officers then account for black people's

criminality by reference to inadequate parenting, low intelligence, or greed, their explanations ignore the context of the crime which has neutralised the law-abiding side of their personalities. Such explanations would render black people's deviant acts meaningless. Yet probation officers frequently blame black offenders for their own disadvantage in this way, as will be shown in Chapters 5, 6 and 7. In many Court reports, the reader is hard-pressed to identify offenders as black from the context of the report, were it not for a fleeting reference at the beginning to the country of origin of their parents. This is because of the colour-blind approach adopted by some probation officers: however, this approach ignores the impact of racism on black people, despite the fact that racism is part of the context in which any black offender's crime occurs.

Matza's contribution to theory was important because of the dialectical model of Man he used. The inadequacy of his contribution, however, is that he did not take his theory further by examining the social structure, in particular the distribution of power in society, which is an important factor in the social context of crime. To employ once more the example described earlier, he did not examine what it is in the social context that leads black people to neutralise their conformist tendencies. In contrast to Matza, other theorists have introduced the concept of power: they have argued that the criminal law is a device used by the powerful against the powerless to guarantee their class position. Such structural theories, which attempt to "dereify" the concept of Law and relate it to the political economy, will be reviewed next.

2.2.4 The "New Criminology"

Several criticisms of the influence of Positivism in theories of deviance have already been made in this chapter. One more has yet to be made, and it is probably the most significant of all. By focussing their attention on the criminal, the Positivists missed completely the influence that the judicial process has on the criminal, as well as the political nature of the law and its enforcement. Quinney (1975:183) made this point when putting forward a critical philosophy of legal order:

"The legal order is taken for granted, with research directed toward an understanding of how the system operates. Little attention is devoted to questions about why law exists, whether law is indeed necessary, or what a just system would look like".

As so often happens, it has been forgotten that the law (like the concept of race) is socially constructed. It is seen as an absolute, as a reified entity. In contrast the New Criminologists suggested that the reified concept of law is a myth perpetuated by what Miliband (1969:161) called the "process of legitimation". By this he was referring to the concerted effort by the Establishment to prevent the spread of any desire for an entirely different social order. Advocates of the New Criminology resolved that the focus for research should not be the criminal, but rather the institution of the Law in its many forms: the Courts, the Police, or Probation Service as in this thesis. This new development parallels the shift of emphasis in theories of race from ethnicity and social difference, to structural issues such as institutional racism in the practices of agencies set up by the State.

One of the biggest threats to the ruling class is posed by deviance,

for as Jordan (1974:161) suggested:

".....the poor are officially perceived as potentially lawless and worse still, as constituting a risk of mass action of a rebellious nature".

There is plenty of reason for such a view: the riots of the unemployed in London in February 1886, or the French and Russian revolutions, are examples of the poor acting together to secure change in the social order. It is inevitable therefore that one of the functions of law is to prevent mass rebellions such as these:

"A critical theory of crime control in capitalist society thus views criminal law as the coercive instrument of the state, used by the state and its ruling class to maintain the existing social and economic order".

(Quinney, 1975:192)

It is unsurprising that Quinney and Jordan were writing in the 1970's, for this was the period which saw the beginnings of what is now being called the "organic crisis of British capitalism" (Solomos et al. 1982:9). The downturn in the economy meant tht thousands of people were being made unemployed at the same time as public spending, which might have offered some relief, was being cut. Tensions within British society were coming to the surface, as seen in the industrial and racial conflicts of this period. The criminal law was used to devalue the meaning underlying deviant acts: they were not seen as manifestations of the inefficiency of the capitalist social order, but as gratuitous acts of violence, the work of political extremists, or whatever. Anything could be used to explain what was happening, so long as inefficiencies in the capitalist system itself were not blamed. In this sense, the New Criminologists saw crime as a product of the organic crisis of

capitalism, and the criminal justice system as a vehicle for repressing any potential threat of lawlessness coming from the working classes. They did not work on issues of race as well as crime, and so did not differentiate between black and white crime. It was not seen as a separate question of race, but of generalised class conflict.

However, it can be argued, as with the race issue, that the conflict is not so much between the owners of the means of production and the working classes, but between different groups vying with one another in the market place. From such a perspective, it can be seen that at times crime will be condemned by certain sections of the working class as much as by the ruling class; and indeed, it may be that, in order to retain their own status, it is in the interests of the white working class to hold certain views about black people and crime - for example, that blacks are more disposed to commit certain types of crime, e.g. "mugging". Such a view would improve the status of white working class people at the expense of blacks when competing in the market place for goods and services, or in the labour market for a job. In other words the criminalisation of black people could be as much in the interests of the white working class as in those of the ruling class. Such a universal labelling of black people as criminals would have serious implications for the way in which they are perceived, including the way they are perceived by probation officers.

Theorists who work on issues of race do not tend to work on issues of crime. However, in the same way as it has been argued that there is a need for a sociology of race relations contrary to the Marxists' concentration on class relations, it is argued that there is also a need

for a sociology of black crime. This idea will be developed in the final section of this chapter.

2.3 Towards a Sociology of Black Crime

There is a danger in advocating a sociology of black crime. Once the process of separating out black from white crime is begun, the ideas which are put forward are open to misunderstanding. It may be wrongly construed that the ideas suggest a greater pre-disposition amongst blacks towards crime, due either to cultural or biological factors. For example, a greater incidence of black people appearing in Court for street robbery may be taken to suggest greater lawlessness amongst the black population, rather than a predisposition amongst the police to target black people or black areas for surveillance. Another risk is that, by suggesting that different factors impinge on the commission of crime by blacks, one response would be the development of separate responses to deal with black crime. However, this may lead to the ghettoisation of black offenders, and as a result the development of an inferior service for them (a theme which will be explored later in the thesis).

Despite these dangers, there is still a need for a separate sociology of black crime. This is because black crime and white crime occur within a different context: the difference is racism. The liberal view in social work agencies like the Probation Service, as in many other public institutions, is that black and white should be treated alike as members of the same human race. However, such an apparently caring response is not necessarily in the interests of black people. Their

experience in Britain is a different experience from whites because it involves racism. To this extent Matza was right: the context in which crime occurs is of vital importance. So also is the context within which the criminal justice system operates, as will be seen later in the empirical study of the Probation process.

There is no doubt that social disadvantage is a common experience for both black and white offenders. Whilst arguing that no single theory can explain all crime, West (1967:55) pointed to the important influence of social pressures:

"Other important factors (besides age and sex) are low status in the social class system, educational deficiency, poverty, inadequate or broken home backgrounds, residence in a bad neighbourhood, and belonging to a large family".

There is evidence that black people experience more social pressures than their white counterparts. For instance, studies of unemployment have shown that rates are much higher amongst black people than amongst white, and that the difference increases during times of rising unemployment (Smith 1981). Similarly, racism in schools was the factor given most prominence by those giving evidence to the Rampton Committee on the underachievement of black children in British Schools (Rampton: 1981). The work of Rex on the low status of blacks in the housing market was referred to earlier. The social pressures black people are under come as no surprise because, as was suggested earlier, they form an underclass: their low status means that their access to goods and services is limited. Not only this, but also their right to live in Britain is under attack, as indeed is their very identity, from measures like the British Nationality Act. "Black" has come to be synonymous with "problem" in the

eyes of many. Only recently black female probation officers complained bitterly, during a casual conversation, about often being followed around shops by store detectives, presumably having been labelled by the detectives as potential shoplifters. It ought to be apparent from such evidence that a key contributory factor to the commission of crime by black people is racism. It is racist policies and practices which contribute to the disadvantage of black people in society and increase the pressures on them to become involved in deviant behaviour. Material disadvantage may be common to black and white people, but the additional disadvantage suffered by blacks is that they are discriminated against on the basis of their skin colour. Organisations may intentionally choose to give priority in the allocation of their resources (e.g. housing, jobs) to whites, or alternatively may unintentionally discriminate against blacks because of "colour blind" insitutional policies and practices. Whatever the intention, the effect is to make it doubly difficult for black people to improve their position in society and free themselves from their ascribed status as a powerless underclass. In such circumstances, the experience of racism may lead some blacks to conclude that the only hope of improving their situation is via the material gains to be had from crime. For others, resistance against the visible representatives of white authority, i.e. the police, may lead to conflicts with the Law. Despite the different context in which crime occurs, evidence will be presented during the thesis to suggest that racism as a factor in crime often goes unconsidered by probation officers.

A sociology of black crime ought not to limit itself to the causes of crime, but also to consider the way it is subsequently dealt with by

the criminal justice system. Mention has already been made of attempts to scapegoat black people for the problems in British society by suggesting they pose an internal threat to public order; such attempts are a strategy for deflecting attention away from alternative explanations which stress the organic crisis inherent in British capitalism. If black people are perceived as a threat in this way, then they are likely to suffer injustices at the hands of the Courts by receiving harsher sentences. It will then be much more difficult for probation officers to intervene and assert the essential humanity and potential for rehabilitation of black offenders, which Philp suggested is their role as seen earlier. In fact they may not even attempt to do so because officers are heavily influenced themselves by the negative labels attached to blacks. There is growing evidence that this is the case, as shown by the analysis of a sample of Court reports, the results of which are set out in Chapter 5. The conclusions reached during the early part of the research have since been supported by Taylor (1981:81) who concluded that:

".....compared to the white group ALL black groups were more likely, proportionately, to be subject to supervision on Licence, reflecting the comparatively high numbers of young black people serving custodial sentences".

The developments in theory which have occurred, both in the race and the crime fields, ought to have had some influence on those who can apply these theories in their work. Probation Officers are in the business of acting as cultural interpreters for the socially disadvantaged when they appear before Courts. The theory reviewed in this chapter stresses the importance of placing criminal behaviour in its social context: the social context for black offenders is one of disadvantage because of

their position as an underclass in the social structure. Yet, despite the valuable contribution which recent developments in theory could make to the work of probation officers, the evidence is that these developments have made little impact at all. The lack of an adequate sociology of black crime, combining theories of both race and crime, has not helped. However, even if such a sociology had existed, the evidence is that it would still not have affected the day-to-day practice of officers. The reasons for this are complex, and are to do with issues such as labelling in the Probation process and the historical role allocated to the Service. They will be examined in greater detail in the next chapter.

DEVELOPMENTS IN PRACTICE:
THE WORK OF THE PROBATION SERVICE

In the last chapter developments in the various theories of race and crime which are available to the Probation Service were traced. By way of contrast this chapter will be concerned with developments in Probation practice as they affect black offenders. It should be said from the beginning that the shift of emphasis in the theory from the individual to structural issues generally has not produced a similar shift of emphasis in Probation practice. Though there have been new developments in recent years, particularly since the street disturbances of 1980 and 1981, the mainstream of Probation work has changed little. As I have argued elsewhere (see Appendix I), for the most part the Probation Service adopts a "colour-blind" approach in its efforts to deal with black crime, viewing black offending in individual terms rather than placing it in the wider context of structural racism. In this way black offending is subsumed with white offending into certain categories of individual inadequacy such as lack of social skills, mental health problems, an aggressive temperament, and so forth. The special needs of black offenders produced by institutional racism are ignored. The reasons for this are deeply ingrained in the prevailing culture of the Probation Service which influences all who work within the organisation. It is a culture which finds its origins in the historical development of social work in Britain and in the criminal justice system. It is also a culture which engenders methods of working which black people see as irrelevant to their needs. It is an approach which makes black people a problem instead of responding to the needs of black people.

3.1 Historical Influences on the Development of the Probation Service

The fund of knowledge which a profession acquires is often due to the historical position it occupies, which limits what is seen as relevant and what it can put into practice. The Probation Service developed out of the same liberal, humanitarian beliefs as those held by the Child-Saving Movement in Victorian Britain. There was a growing feeling that individuals might not commit crime as an act of free will, but as a response to various environmental influences. There was concern at the effects of imprisonment, especially on young people, as well as at the harm done to individuals by the urban lifestyle forced upon them by the Industrial Revolution. However, there was also concern about the "professional beggar" and the need to distinguish between "deserving" and "undeserving" cases. This placed the focus mostly on the motivation and behaviour of social deviants, rather than on any external factors which contributed to their deviance. The historical context in which the welfare state and social work developed was not one in which the intention was to bring about social justice by means of a redistribution of power or wealth. The role of social work, as it originated in the work of the Charity Organisation Society, was to exert influence and control to ensure that help was reserved for those who could become useful contributors to society once more. The same kind of policing role was envisaged for the probation officer. If offenders threatened the stability of the social order then the Probation Service would not be allowed to claim them as "clients" in the same way as the help of the COS was not available to the undeserving poor. The focus was on

society.

Theories of social work developed out of this role of mediator located between the powerful and the powerless. Problems came to be defined in terms of individual or family pathology, and "casework" techniques were developed to assist clients to achieve the necessary social adjustments. The creation of a more just society was never a part of that role; the only way in which the probation officer or social worker could claim someone as their client was by stressing the individual's essential humanity and potential for rehabilitation. Hence the historical role allocated to social work limits the fund of its knowledge from which practice techniques are drawn. It is essentially individualist and integrationist in approach.

Theories of individual or family pathology, and casework techniques which assist social adjustment, marry well with a criminal justice system which deals with deviance by holding accountable individual offenders. The criminal justice system takes offenders out of the social context in which their crime occurred and places them in a court room "limbo" for sentence. The Court room effectively divorces offenders from their crime, their victim, and the physical environment in which their crime occurred in a way which can make the process seem unreal. Thus the significance of deviant acts can be lost so that they seem to be merely incompetent acts.

The New Criminologists, referred to in the last chapter, sought to dereify the concept of Law and reveal it as an instrument of the state to preserve the status quo. It then becomes clear why the criminal justice

system promotes a public image of aloofness from politics and social issues. However, the historical development of the Probation Service is closely linked with the criminal justice system, which helps to explain why developments in Probation practice have taken the integrationist path they have: the development of social work and the criminal justice system have led the Probation Service in this direction.

The problem which the Probation Service has in its effort to deal with black deviance is that the historical factors which have influenced its development have restricted it to a practice philosophy geared towards categories of individual need but not to the special needs of a disadvantaged group. Probation officers will be heard talking about the need to value people, despite their problems, and treat everyone with equal respect and regard. The primary objective is to achieve the necessary social adjustment which will allow deviant individuals to reintegrate with the mainstream and become useful members of society once more. The orientation is one of integration and treating everyone the same rather than combatting social injustices to meet the special needs of client groups like black offenders whose disadvantage is compounded by racism.

Hence, developments in practice emphasising equality of treatment and the reintegration of the deviant fail to reflect developments in theory which emphasise the structural factors that contribute to the commission of crime. Yet the Service's failure to change its practice to meet the special needs of black offenders, created by racism in the social structure, has unintended racial consequences. One of the points Husband (1980:5) made about institutional racism was that there is often

no intention to discriminate but that racism occurs by default:

"... the source of the discrimination is often located in the policies and established practices and not necessarily with the personnel who administer them. Such practices that discriminate against blacks may emerge by default as much as through deliberate policy, and thus, there may exist a situation where institutional procedures are discriminatory in practice even though there exists no policy to discriminate".

From the point of social justice and client needs, it is not the good intention which counts where racism is concerned but the negative effect an organisation's policies and practices have upon a social group however unintentional. One of the major problems the Probation Service has in dealing with black offenders is a prevailing ideology which discourages differentiation between the problems of black and white offenders. This colour-blind approach is undertaken with the best of intentions; in practice it means that no heed is paid to the special needs of black offenders and so they face additional disadvantage. Probation officers' efforts to make black offending fit their standard explanations for crime in terms of universal categories of need are rejected by black offenders because these neglect the race dimension. This means that this group is seen by probation officers as unsuitable for probation because of the challenge it poses to the authority of the Service; black offenders refuse to keep appointments, contradict probation officers' assessments of their deviance, and deny any need for social work intervention. Probation officers begin to label them as having "a chip on their shoulder", or as unco-operative in keeping appointments (perceptions like these are often held by probation officers, as will be seen in Chapter 8 which includes reported conversations with white officers about their black clients).

In the rest of the chapter, Probation Service practice will be examined in greater detail in the light of these comments about institutional racism embedded in the prevailing culture of the organisation. Consideration will be given to the only Home Office policy statement on race to be issued to the Probation Service; to some of the basic elements of Probation practice which are unintentionally racist in their consequences; and finally to the shift of emphasis in the race debate which has begun to affect practice since 1980.

3.2 Towards a Policy on Race: Pre-1980

The Home Office has only ever issued to the Probation Service one policy statement on race issues (Home Office Circular 113/1977). Prior to this the presence of black people in the community was ignored by the Home Office as far as the work of the Service was concerned. Presumably this was because it held to the policy of political laissez-faire on race issues which predominated for so long.

The 1977 statement reflects the integrationist ideology which dominated political thinking after the period of laissez-faire once it was realised that assimilation would not take place. It called for "...a wider understanding of the cultural backgrounds of the ethnic groups" via training, and by the appointment of a specialist officer to act as a point of reference on race issues.

The tenor of the statement fits precisely what was said earlier

about the integrationist culture of the Probation Service. It is in essence a call for a better understanding of ethnic minority cultures amongst probation officers so that they will be in a better position to deal with the misunderstandings in communication which can occur between different cultures. The vision underlying the circular is of a culturally homogeneous society, possibly taking the best parts from both black and white culture to create a norm acceptable to all. Where aspects of black culture, such as Rastafarianism, are used in an oppositional way the statement distinguishes between the "legitimate" culture of the peace-loving "true" Rastafarian and criminals who "...call themselves Rastafarians for professional purposes only". What is missing in this document is a recognition that culture may be used to strengthen identity and the ability to cope with racism.

In the West Midlands, the effect of the circular on the Probation Committee was to give race issues a higher profile by appointing a specialist officer in this field and facilitating training opportunities. However, in line with the statement's philosophy, the emphasis in training was on issues of ethnicity rather than institutional racism. The Home Office statement, and the policy decision it produced, were integrationist in tone, as was to be expected given the historical role allocated to the Probation Service. Only later was the integrationist approach challenged by black officers who were not prepared to accept a policy which suggested that the culture of black people was the problem instead of seeing racism as a problem for whites.

3.3 Institutional Racism in the Probation Service

During the course of the research a good deal of time was spent observing the day-to-day policies and practices of the Probation Service. As a probation officer already part of the organisation, access was not a problem; the more difficult aspect of the observation was achieving the degree of objectivity required to analyse what was happening in the light of institutional racism theory. The new probation officer is quickly socialised into the culture of the Service which is characterised by a colour-blind approach, seeking individualised solutions for crime based on categories of need, and reintegrating the deviant member of society with the mainstream. The difficulty with this process of socialisation is that it happens almost imperceptibly; the probation officer's outlook rapidly becomes synonymous with the outlook of the organisation and it is forgotten that the two ever differed by many - except black officers.

The research revealed five areas of practice which had particular implications for the ability of the Service to work effectively with black clients. These were: recruitment; training; professionalisation; individualisation; and integration.

3.3.1 Recruitment

In the early days of the Probation Service there was a great deal of debate about the best type of person to become a probation officer. For a time the responsibility of recruitment was shared between voluntary

philanthropic societies and the Home Office: there were those who argued that in all cases probation officers should be drawn from the ranks of the police force, while the philanthropists argued that the befriending role of the probation officer would be compromised if figures of authority like policemen took on the job. The latter view prevailed for a period, until the Harris Committee recommended in 1934 the end of dual control of the Service between voluntary societies and the Home Office. Thereafter the Probation Service became an entirely public enterprise and recruitment policies were heavily influenced by government or its representatives. A pattern of recruitment emerged which placed great emphasis on employing supposedly solid, reliable citizens who often had a background in public service or hierarchical organisations. No doubt it was felt such people would reflect the gradualist rather than radical approach to social problems favoured by the Service. Following Weber's concept of the "ideal type", the research identified a typology of probation officers which had particular implications for the analysis of the relationship of the Service with its black clients:

3.3.1.1 **The Ex-Colonial Type**

With the collapse of the British Empire, those people who had worked in the colonies in administrative posts were forced to return home and seek employment. One of the options available at the time was the Probation Service. An officer interviewed during the research had worked in Africa as a customs and excise officer, and also as a prison governor in Kenya during the "Mau-Mau" campaign. For him, joining the Probation Service was a considerable reduction in status but offered job security and an end to moving from one place to another.

3.3.1.2 The Ex-Police Type

In the late 1960s and early 1970s a number of police officers left the force due to a salary award which put probation officers on a par with police inspectors. Many from this background are now in management roles within the Probation Service: in one office where interviews with officers were held, the Assistant Chief Probation Officer, and two out of three senior probation officers were all ex-police officers. Yet at one time police officers were barred from becoming probation officers altogether.

3.3.1.3 The Ex-Industry Type

Due to various recessions experienced by industry in the late 1960s and 1970s, some members from the middle management of industry found themselves made redundant and sought more secure employment in public service. Many felt a desire to be involved in a job where they could help others as opposed to the apparent purposelessness of their role in industry. However, the move to public service was essentially a pragmatic decision. While not previously involved in an authoritarian structure in the same way as the ex-colonial and ex-police type, nevertheless the ex-industry type generally is used to a line management structure with close surveillance of subordinate personnel to ensure the required levels of production are reached.

3.1.1.4 **The Missionary Type**

In the Probation Service there is still a connection with the churches in that some officers are Ministers of the Church who have been seconded for a period to the Service. For instance, one officer participating in the research was a lay Minister who spent some four years in the Service before returning full-time to his church. Such officers embody the caring link with the early police court missionaries out of whose work the Probation Service task was created. However, they are a dying breed, although a number of officers retain a close link with the churches. They are often motivated by concern for individuals in need of help.

3.1.1.5 **The Professional Type**

These are officers who are recruited into the Service direct from colleges and universities where they have undergone training and obtained the professional Certificate of Qualification in Social Work. They may have a relevant degree, in subjects such as sociology or psychology, or may have decided to change direction after taken a non-relevant degree course. Others are non-graduates but a good standard of academic achievement is usually required before people secure places on these courses. Whatever is the case, they then seek secondment from the Home Office on to a course of professional training. The recruitment of professionally qualified officers is a manifestation of the Service's desire to increase its expertise and knowledge to gain the increased confidence of the Courts and the Home Office.

A positive relationship between officers from any of these backgrounds and their clients is difficult to develop: if the client is seen as challenging the officer's authority, for instance, it can be perceived by officers as subversion or a defect of personality. The manner in which officers perceive such a challenge can depend on the group to which they belong. The "Ex-Colonial", "Ex-Police", and "Ex-Industry" types may feel their position of authority is under threat. Their experiences of line management prior to joining the Probation Service, and their status-consciousness deriving from the hierarchical nature of their previous employments, will not permit them to ignore any challenge to their authority. The "Ex-Missionary" types can see client rebellion as a challenge to their integrity, and so may defend their probity by labelling such clients as "bad" and "lacking in moral fibre". Finally, the "Professional" types may identify client dissent as a challenge to their professional knowledge; such officers will find it difficult to admit that after all their training, and with their qualifications, their fund of knowledge is inadequate. Therefore, they may blame the clients and label them as "anti-authority", "inadequately socialised", or "disordered personalities". Officers' professional knowledge lends credibility to such labelling carried out to defend their professional status. The black clients in their turn will resent what they perceive as incorrect labelling of their behaviour and respond in a rebellious way which reinforces the labelling process. Such probation officers, whatever their background, are essentially people who have generally achieved what they have by co-operation with the existing social order and are unlikely to seek to change it. Those classified as the "Professional" type are the possible exceptions to this, but their recruitment is a relatively recent development due to the increased

status the Probation Service gains by virtue of their expertise. None of these groups of officers have any particular interest in challenging the social order; they are more likely to advocate compliance, pointing to the rewards which can come from conformity. They are often caring people who are concerned about social disadvantage; however, they are more likely to blame the individual than question the social structure. Their experiences are distant from those of black offenders who have been disadvantaged by the existing social order and so have little motivation to integrate with it.

People from the different backgrounds bring their own strengths to the Service; they set a positive example for the offenders they deal with and so gain credibility with Courts. However, while the intention is good, in practice it means that the majority of people selected are white, since the groups in society from which probation officers have been recruited are white-dominated.

Despite the bias towards white recruitment there is no shortage of black people wanting to join the Probation Service. However, the method of recruitment adopted by the organisation is a further barrier to their success. Almost all probation officers are now recruited via the universities and polytechnics - the "Professional Type". This is because it is a pre-requisite to have the Certificate of Qualification in Social Work. However, the requirement for the CQSW is a prime example of institutional racism and colour-blindness: the desire to recruit better qualified people as probation officers is laudable; but the effect is to exclude many black candidates and restrict the pool of applicants. Because of inappropriate educational practices which are often "remedial,

compensatory or coercive" (Carby 1982:183) fewer black candidates have the necessary examination passes which would allow them to get a place on a CQSW course. This is especially so when they are in fierce competition with white candidates who may have degrees or GCE passes. Having a "colour-blind" system of recruitment, which treats black and white alike, fails to recognise the racial disadvantage suffered by black people. Such a system sounds desirable in theory but in practice perpetuates the same disadvantage which has denied black people the qualifications to gain a CQSW place. There is no intention to discriminate against black applicants: indirect discrimination in recruitment procedures occurs because of irrelevant entry requirements, or relevant requirements with which black candidates find it harder to comply. In order to counter the effects of such indirect discrimination, positive action is needed.

One example of such positive action might be for the Probation Service or the Home Office to encourage the development of access courses for unqualified candidates, which would help more black people to train for the CQSW. However, the development of such courses would undoubtedly be controversial amongst many people in the Probation Service and the Home Office who still promote an integrationist ideology which favours equal treatment for all. In fact, such an ideology does not produce equal treatment at all, as shown by a survey conducted in the West Midlands Probation Service in 1979. The survey demonstrated that while 13.3% of the County's caseload was of Afro-Caribbean or South Asian origin (26.5% in north Birmingham; 22% in Wolverhampton) only nine out of 372 (2.4%) probation officers were from these minority groups. There has been some improvement since 1979, but these groups remain under-represented in the Service. Whilst increasing the number of officers

from these groups would not on its own produce a better service to black people, nevertheless black probation officers can make a significant contribution to the debate about race and practice.

3.3.2 Training

Training for Probation work falls into two categories: professional CQSW training; and in-service training after taking up a post within the Probation Service. Prior to the 1977 Home Office circular, there was practically no training on race issues in either category. After the circular, greater attention was paid to race, but only using an ethnicity approach aimed at greater cultural understanding. Many CQSW courses did not provide any tuition on race issues even after the circular had been issued. Those that did, restricted teaching to inviting in representatives of the Afro-Caribbean or South Asian communities. These representatives were often middle-class members of their community who had succeeded in British Society; they had little in common with the black offenders the Probation Service would be dealing with, who are often alienated, mistrustful and unmotivated. Another approach was to concentrate on issues of prejudice or inter-group relations. Neither the Home Office nor the Probation Service disagreed with these approaches since they were consistent with Service ideology.

At the time the Home Office circular was issued a large number of probation officers were in post with scant knowledge of the issues involved in race relations. Of those interviewed during the course of the research, for six their training had had no input at all on race.

The rest had had some input but its content was limited. Though in-service training was available for officers who had no earlier input, the training concentrated on less contentious issues such as culture and prejudice. Once again the intentions were good in that some attempt was being made to fill the gap in officer's knowledge. However, such non-contentious approaches have since been criticised by black officers who believe that the central focus in training should be on white people and white institutions. Prior to 1980 the prevailing ideology was not conducive to such an approach, but was concerned with understanding as a prelude to integration rather than with anti-racism training.

3.3.3 Professionalisation

Improved training is an illustration of the Probation Service's desire to be seen as a professional organisation. The Probation Service faces difficulties at the moment in trying to promote the cause of offenders because of popular fears about increases in the crime rate and the calls of the "Law and Order" lobby for harsher sentencing. Professionalisation is a way of countering these fears and arguments, because it allows probation officers to put the alternative view with some authority. By so doing the Service hopes to exert more influence within the criminal justice system to the benefit of the offender. No doubt professionalisation also enhances the prestige of the Probation Service itself, so there is an element of self-interest as well as of philanthropic concern for others. However, professionalisation is a double-edged sword in that the greater prestige it brings can be used to hinder and retard change as well as to promote it. Chapter 8 refers in

detail to probation officers' fears about dealing with young black offenders: the lack of response officers get from young blacks is seen as a challenge to their competence. What seems to occur is that officers then blame the black offenders for their lack of response and regard them as "unsuitable" for supervision by the Probation Service. In this way, the status which accrues to probation officers by virtue of their professionalisation is used to legitimate the continuation of that status and power within the criminal justice system at the expense of black offenders.

Probation officers, like any other professional group, wish to appear competent and successful. However, their desire to be seen as professionals can be either helpful or harmful to offenders depending on how their status is used.

3.3.4 Individualisation

It was suggested earlier that one of the problems the Probation Service has in arguing the case against racism is that the criminal justice system deals with offenders individually. Courts do not encourage probation officers to take a structural perspective on black offending despite the developments in theory in this direction. Mathieson (1982:660-662) argues the case for the Probation Service making appropriate social comment, and refers to a Judge's criticism that "...some probation officers are not as establishment-minded as they used to be'..". Mathieson recognises that Courts do not encourage social comment, but nevertheless suggests that it is appropriate provided it is

general social comment and not party-political in tone. There are two problems, however, with his argument: first, the position of black people will only change from that of an "underclass" if there is a substantial change in the "status quo" and a major shift of power and resources towards them. Inevitably this kind of structural perspective is more in line with the view of those on the Left of the political spectrum than the Right. Such major changes in the social structure are unlikely to be welcomed by those who sit as judges and magistrates and have done quite well for themselves out of the status quo.

Second, a much greater problem is that the historical position of the Probation Service has engendered a culture which is based on seeking change in the individual rather than in the social order. This culture is deeply ingrained in those who work within the institution. As was seen earlier, the origins of social work culture lie in a view of the world seen in terms of psychodynamics and psychological explanations for behaviour. These marry well with the offender-centred approach of the criminal justice system. Therefore, despite the fact that probation officers regularly meet examples of racial disadvantage due to structural factors, nevertheless officers have been socialised into a Probation Service culture which leads them to conclusions drawn from family or individual pathology.

The kinds of explanations for deviance revealed in the court reports on black offenders which are analysed in Chapter 6, refer to factors such as mental illness, disruptions in the black family leading to inadequate socialisation, peer group influence, or an anti-authority attitude. Few reports attempt to place black deviance within the social context of

racism; most blame the black offenders for their own disadvantage.

Individualisation of the offender is a key part of Probation Service culture, but it actually alienates black offenders from the Service. It engenders a colour-blind approach to crime in which all deviance is seen in terms of categories of need. Black offenders, however, reject attempts to classify them in this way. Individualisation turns deviant acts into incompetent acts and diverts officers away from social comment and into social work ideology. Such a process does not make for effective work with black offenders.

3.3.5 Integration

Mention was made earlier of the way the origins of social work and the welfare state have greatly influenced the developing role of the Probation Service. As Bailey and Brake suggested (1975:2) state welfare schemes are only seen in their true perspective when it is realised that they do not exist to bring about social justice but to sustain the established situation.

The Probation Service's roots and traditions lie in an integrationist ideology which leads most probation officers to the view that the proper course is equal treatment for all. Yet this is clearly not the case when black people are an underclass in society, which creates the need for extra initiatives. Few white probation officers favour special initiatives to try and deal with the additional disadvantage suffered by black offenders, believing that such

initiatives fuel myths about black people getting preferential treatment. They believe that special initiatives for blacks will create racial conflict rather than avoid it.

The "integrationist" ideology of the Probation Service is particularly problematic when dealing with black offenders because of their position as an underclass in the social structure. The traditional role of the probation officer is to try and re-integrate black offenders with mainstream society. Effectively this means trying to persuade them to accept a position of disadvantage on the basis of the colour of their skin. In such circumstances, as Rex and Tomlinson (1979:242) observed of social workers in the Handsworth district of Birmingham, the socialisation of black clients seems less relevant than fighting with them against the status quo for a better deal:

"In one way or another the new type of social worker feels drawn to conflict rather than integrationist perspectives. He seeks not to change his client, but to fight with him against society or against part of society".

The integrationist traditions of the Probation Service are praiseworthy insofar as they seek a more tolerant response from society towards the social outcast. However, when officers are dealing with racial disadvantage, such integrationist traditions generate colour-blind practices within the Probation Service which inhibit effective work with black people. If probation officers do not fight against the racial disadvantages suffered by their black clients by taking special initiatives then they can never hope to gain the confidence of the black community.

Changing unintentionally racist policies and practices within an organisation like the Probation Service is no easy task. Its historical position generates a culture into which all are socialised who come within its influence. The culture overtakes each individual in such a subtle way that it becomes difficult to believe that racist practices exist and need to be changed. This is especially the case when many of the policies and practices come from a seemingly sound value perspective. However, the kind of integrationist ideology which promotes a colour-blind approach within the Probation Service had to be challenged because it was disadvantaging black offenders. The street disturbances which took place in the early 1980's were a watershed in many respects, and within the Probation Service seemed to focus attention on race issues, producing the challenge which was long overdue.

3.4 Towards a Policy on Race in the 1980's

There is a view that changes in race relations policy do not occur for philanthropic reasons but out of necessity. Certainly the street disturbances of the early 1980's had a profound effect on the Probation Service. However, it may be that they acted as a catalyst rather than as the instigator of events, and that subtle changes were already taking place.

One response which came directly as a result of the street disturbances was the report prepared by the Central Council of Probation Committees in 1983 entitled "Probation: a Multi-Racial Approach". It is a much fuller document than the 1977 Home Office Circular and deals with

the issue of why more black offenders than white are consigned to custodial institutions. Unfortunately, it does not come to the conclusion that Probation Service policies and practices are necessarily at fault, but calls for further research into the relative seriousness of offences committed by blacks as opposed to whites, and for "...white probation officers to learn about the facilities available locally for black offenders". Concerning the recruitment of black people as probation officers, the report calls for a review of the discretionary grant system for CQSW courses and recommends a statutory grant instead; it does not urge a review of recruitment policies or the establishment of access courses. Despite the obvious conflicts in society which had emerged in the early 1980's, the report still seems heavily influenced by the integrationist traditions of the Probation Service. It does not deal with the major injustices suffered by black people, because of their powerlessness to influence state policies on race, which lead to their appearance before Courts. Instead it is essentially recommending social work strategies aimed at reintegrating black people with society as it is presently constituted.

A much more challenging response on race issues has come from black officers within the Probation Service. In the West Midlands the first major challenge to the ethnicity approach came with the establishment of a Race Forum open to all members of the Service. It was formed largely by black officers together with a few committed whites and had as its initial objective the shifting of emphasis in the race debate from the ethnicity approach to institutional racism. Those involved were concerned to change the focus of the debate from race as a black problem to racism as a white problem. The Forum began as a pressure group

outside the Probation Service's policy on race, and on one memorable day mounted a rival unofficial seminar in direct opposition to the official one. The official seminar was a market-place type display by various black organisations describing their activities: there were coffee tables with tops shaped to look like the African continent produced by a black workers' co-operative; a group producing greetings cards featuring black people; and a new printing group producing basic reading material featuring black people and black stories. In contrast, the unofficial seminar was a working group analysing the preparation of court reports on black offenders, reviewing ways in which the format and content demonstrated subtle forms of institutional racism. Here the emphasis was on the white probation officer rather than black people. Since those early days the unofficial group has become a recognised Race Forum and replaced seminars taking the ethnicity approach. The shift in emphasis in the debate from ethnicity issues to institutional racism has been achieved, to the extent that anti-racism training is to be made available for all probation officers. However, it should be stressed that many white probation officers remain unconvinced and do not attend the Race Forum meetings.

Another development has been the establishment of a support group for black probation officers. One of the black officers interviewed during the research foresaw the need for a group to offer support to black officers working in a predominantly white organisation. She thought such a group might discuss issues such as the reactions of white officers to having black colleagues, and of white offenders to being supervised by black probation officers. After some doubts at the start, again this group has achieved official recognition insofar as it meets

during work time and those attending can claim expenses from the Service. However, there are many white officers who still have doubts about what is seen as the fragmentation of the Service into pressure groups. This has been the subject of debate by the Association of Chief Officers of Probation, and again is a manifestation of the integrationist ideology of the Service and the desire of those in management to achieve a homogenous Probation Service. Such an attitude fails to recognise the special needs of black probation officers, in the same way as white officers fail to recognise the special needs of black offenders, preferring to treat everyone the same.

Since 1980 some of the special needs of black offenders have been recognised and met, again largely due to the efforts of black people themselves. Funding made available by the Department of the Environment under the terms of the Inner City Partnership Scheme has allowed the development of schemes which do not adopt the traditional "colour-blind" approach of the Probation Service. In the West Midlands two in particular are the Handsworth Cultural Centre and the City and Handsworth Alternative Scheme. These projects will be reviewed in detail in Chapter 9. They are bold initiatives founded on the belief that black offenders are different. They place efforts to redress the negative effects of racial disadvantage at the centre of what they are attempting to achieve. As might be expected, such new initiatives have not always been welcomed by white probation officers. Officers who felt threatened by the challenges of black clients to their professionalism have felt even more threatened by these projects. They argue that providing extra facilities for black people increases the resentment felt amongst whites and will only worsen race relations; that all offenders should be treated

alike; that such projects do not employ professional social work staff; and that too much money and effort is being put into such projects at the expense of traditional Probation Service work. Of course, imaginative and inspired as such new initiatives are, they do bring dilemmas of their own, not the least of which is the accusation that they are palliatives and do not deal with the fundamental issue of the powerlessness of black people in the social structure to influence the state's stand on race. This accusation focusses attention back on the historical position of the Probation Service, its integrationist traditions and the resistance of Courts to comment by the Service on structural issues.

Developments in Probation practice are taking place which are beginning to reflect the shift in theory from emphasis on the individual to structural issues. These developments have largely occurred since 1980 and owe something to the street disturbances of that year and the following one. However, they probably owe more to the growing awareness of black officers about institutional racism and their desire to shift the emphasis of debate away from integration and ethnicity. Despite their efforts, integrationism and individualisation are still the norm in the Probation Service: most white officers still work in the traditional way using a colour-blind approach. This is not so much the fault of the individuals involved as of the powerful institutional ideology by which they are influenced. The strength of this ideology will be considered further in the next chapter, which explores the rationale for using methodological pluralism during the research. The decision owed a great deal to the need to achieve objectivity, and the difficulties of doing so as a member of the Probation Service because of the powerful influence of institutional culture. Section III will also describe the Probation

process in more detail, analysing its traditional approach, and identifying its weaknesses when dealing with black offenders.

SECTION III

APPROACHES TO UNDERSTANDING THE MANUFACTURE OF
DISCRIMINATION IN THE PROBATION PROCESS

DISADVANTAGE IN THE PROBATION PROCESS

DISADVANTAGE IN THE PROBATION PROCESS

SECTION III

EMPIRICAL APPROACHES TO UNDERSTANDING THE MANUFACTURE OF
DISADVANTAGE IN THE PROBATION PROCESS

Before the empirical data in this chapter will describe the development of the program, the difficulties inherent in conducting research of the Probation Service are within, and the reasons for choosing a variety of approaches to the data-gathering process rather than any single one is particular.

4.1.1. Defining the "Problem"

Research traditionally addresses "problems" of one kind or another, and the research for this thesis was no exception. The problem in this case was the "difficulty" being experienced by the Probation Service in coping with the increase of black offenders among its clientele. The next question, therefore, was how to proceed in this endeavor. Having taken the decision to conduct a detailed study of the Probation Service's work

GATHERING THE DATA:

RESEARCHING THE PROBATION SERVICE FROM WITHIN

Undertaking research on a part-time basis has advantages as well as disadvantages. It was mentioned in Chapter 1 how it was possible to trace the shift of emphasis in Probation approaches to black deviance during the six years of research, despite the problems posed by lack of continuity. Undertaking research over six years also meant that, with the time-scale of part-time research, my views on method developed as the research developed. In particular, I came to recognise the effect that my professional socialisation was having on the direction of research; and also, the limitations of any single approach, and the value of methodological pluralism for obtaining valid and reliable data. Before the empirical data is presented, this chapter will describe the development of the research, the difficulties inherent in conducting research on the Probation Service from within, and the reasons for choosing a variety of approaches to the data-gathering process rather than any single one in particular.

4.1 Defining the "Problem"

Research traditionally addresses "problems" of one kind or another, and the research for this thesis was no exception: the problem in this case was the difficulties being experienced by the Probation Service in coping with the emergence of black offenders amongst its clientele: something was going seriously wrong in this encounter. Having taken the decision to conduct an empirical study of the Probation Service's work

with black offenders, the research might well have assumed the black offender was the problem and developed accordingly. This might especially have been the case given the long tradition in the Probation Service of the individualisation and integration of the offender: the first inclination of probation officers, due to their professional socialisation, is to think of "the client" as "the problem". In fact, due to background reading on race, crime, and research methods, as well as input from a research supervisor uninfluenced by Probation socialisation, sufficient distance from the subject matter was gained to alert me to the dangers of falling into this trap. As the research developed, so did my views on method, and I began to appreciate the extent to which it is the powerful in society who define what is seen as a problem, and therefore what are appropriate subjects for research.

Almost invariably research takes place within some sort of political context, as Bell and Newby (1977:10) pointed out:

"By political context we mean everything from the micropolitics of interpersonal relationships, through the politics of research units, institutions and universities, to those of government departments and finally to the state. All these contexts vitaly determine the design, implementation and outcome of sociological research".

With research in race relations or in crime, the tendency has been to focus on minority groups or on the criminal, rather than the social institutions which deal with such people. In the field of race there were studies such as: "Attitudes of Young Immigrants" (Evans 1971), "West Indian Children in London" (Fitzherbert 1967), or "The Pakistani Family in Britain" (Hashmi 1967). While in the field of crime, a similar emphasis on the individual and the social environment existed in works

such as: "The Young Offender" (West 1967), "The Young Delinquent in his Social Setting" (Ferguson 1952), or "Approved School Boys" (Gittins 1952). It was the mood of society prevailing at the time which encouraged this particular emphasis in research studies, as was seen in the discussion of developments in theory in Chapter 2.

In recent years, there are some signs of a shift of emphasis from the individual and the social environment to structural and organisational studies. It is since the labelling process has been recognised that researchers have come to explore the reasons why certain groups are labelled as problems. A recognition of reflexivity in social relations, such as the probation officer/black offender encounter, is one contributory factor: probation officers use pathological explanations for black deviance; black offenders reject such explanations and respond by failing appointments, expressing hostility, or refusing to discuss anything in depth; probation officers then react by labelling black offenders as unsuitable for Probation; and black offenders respond by labelling probation officers as the instruments of white authority seeking to oppress them. Hence, research which concentrated solely on the black offender would have been incomplete because it would have ignored the element of reflexivity in the probation officer/black offender relationship. Another contributory factor is the growing interest in the nature of structural relationships: Marxist researchers, for example, suggest that the definition of suitable subjects for research by the owners of the means of production is part of the process of legitimation. By defining black people or criminals as the problem, the legitimacy of the existing social order is strengthened. Finally, in the field of race, a growth has occurred in the political consciousness

of blacks who reject the label of "problem". Black people argue that racism is a white problem found in the institutions and structures created by white-dominated societies; they argue that the problem is not one of the failure of black people to assimilate or integrate with white society. They are supported in their view by liberal white researchers, and by those who wish to challenge power relationships within a capitalist system.

Hence, the "problem" is becoming redefined as that of the powerholders, i.e. the problem is institutional racism and not the victims of racism. However, as a probation officer conducting research into the probation officer/black offender encounter, in many respects it would have been a natural development for the focus to have been on the black offender: such an approach would have been more in accord with the traditional relationship of the Service with its clientele. To avoid such a development, it was necessary to fight a constant battle against the powerful influence upon the research of professional socialisation; and also to nurture the development of sufficient "sociological imagination" to be able to look upon the Probation process objectively. The challenge of the thesis was to find methods which would "liberate the native", rather than to avoid "going native" in the first place because this had already occurred.

At the start of the research it was felt necessary to test out empirically the feeling that the Probation Service was not coping well with the emergence of the black offender. This task was undertaken by means of an in-depth analysis of social enquiry reports, which diverted the focus of research away from the black offender per se in order to

concentrate on the role of institutions in the amplification of disadvantage. Developments in my views on method also influenced the direction in which the research progressed: in particular, it became clearer how the powerful influence of professional socialisation might have directed the focus of research on to the black offender; and how, by focussing on the black offender, conclusions could have been reached which might have legitimised discrimination against black people by confirming their unsuitability for probation. This would have been the result of a failure to recognise the role of the Probation Service in the manufacture of disadvantage through stigmatisation. In fact this did not occur, due largely to the use of methodological pluralism during the data-gathering process.

4.2 The Argument For Methodological Pluralism

On joining a complex organisation like the Probation Service, a process of professional socialisation has to be completed before a person can be fully accepted as a member of the Service. Trainees have to leave behind their lay conceptions of the task and take on board the Probation Service's perception of proficiency in the job. During fieldwork training, they relate to qualified officers who act as models to illustrate how they should carry out the task. Over time, they internalise the values of the Service, and probation officer colleagues become their dominant reference group. Once officers have been socialised into the Service, it becomes extremely difficult for them to regain the distance and sense of newness they had before joining. As a working probation officer, fully a part of the Service during the course of the research, the dilemma I faced was how to recapture the distance

and sense of newness I had once possessed.

The research act in sociology is about recapturing this sense of newness, an enquiring mind, and the questioning of policies and practices, that were present on the first day of joining the organisation. Research is concerned with developing a healthy scepticism which fuels what Mills (1959:197) called the "sociological imagination":

"To be able to trust yet to be skeptical of your own experience, I have come to believe, is one mark of the mature workman".

It was in order to escape the powerful influence of professional socialisation, and to achieve a healthy scepticism about the Probation process, that the empirical study conducted during the research used a number of research methods instead of relying solely on one.

It would be simple enough to carry out an empirical study of the Probation process if a "slice" of the organisation could be cut away, inserted between glass slides, and examined under a microscope. However, where human behaviour is concerned, as opposed to human tissue, this is not possible: there are extra dimensions involved in examining human behaviour which result from Man's potential for reflexive action. For example, the Probation Service exists to rehabilitate offenders but, like many other social institutions, is not always successful in achieving its objectives. When this occurs, institutions do not care to admit to their failure to perform as they should, and so develop strategies for denying their failure. Researchers have to get behind the "public face" of institutions in order to see their "private face". If they rely solely on the public face, what they observe is a front, and they receive an

entirely erroneous picture of the organisation's functioning. Another difficulty is that human behaviour tends to have meanings which are specific to the context in which it occurs. Hence, within a probation officer/black offender encounter, each may attach entirely different meanings to their discussion: the probation officer may see the discussion as helpful, while the black client may see it as a waste of time. Nor can the historical context be ignored: the probation officer may behave in a particular way because of the expectations of Courts in making probation orders, or because of policy expectations laid down by the Home Office. Organisations like the Probation Service are complex, and cannot be observed at a superficial level; there are hidden meanings and codes of behaviour which interfere with any straightforward attempt to examine a slice of the organisation under a microscope, even if this were possible.

Despite the difficulties outlined, there is a tendency in state-funded organisations like the Probation Service to adopt a scientific approach to social research of the kind recommended by Positivism. In particular, there is a predilection for statistical data almost to the exclusion of any other. Durkheim, the father of the Positivistic tradition, claimed that "social facts" could be explained by other "social facts", and that it was unnecessary to consider the meanings of actions: supposedly the meaning should be apparent from the data. However, the problem with Positivism is that the meaning is not always apparent from the data: because of the potential for reflexivity in human relations, the motivations for social behaviour are often complex. The neo-Positivists, who take their lead from Durkheim, responded to this challenge by suggesting that Positivism was repairable, and that it was

only a matter of refining the methodology. Even if this were possible (which is questionable) and researchers had valid measures and strong associations between variables, the problem of attaching meaning to these "social facts" would still exist. There would always be a danger of researchers attaching meanings which were determined by their own experiences, interests and persuasions.

Despite my developing awareness of the problems associated with research carried out in the Positivistic tradition, a statistical analysis of a sample of Court reports was undertaken during the early stages of the research. The value of this exercise, which is also the value of Positivism, was that it was a reliable test, conducted in an objective manner, of whether or not a problem existed. At the end of the exercise it was possible to suggest that a problem did exist in the probation officer/black offender encounter, because the data indicated, in the sample of reports taken, that probation officers were discriminating against black juvenile offenders in their sentence recommendations. The point to be remembered about Positivism is that as a method it addresses reliability more successfully than validity.

Researching a complex organisation like the Probation Service is not simply a matter of setting up hypotheses and testing them out. A method is required which allows hypotheses to emerge during the course of the research from the new experiences and ideas produced by the stimulation of the sociological imagination. To this extent, the experiences, interests and persuasions which researchers have can prove valuable in the research process, but would be lost if a vigorous, value-free approach were adopted in the pursuit of scientific objectivity. As a

probation officer researching the Probation Service it was especially important to be open to personal experiences since I had myself been moulded by the organisation to some extent. The way in which I, myself, regarded situations, the experiences, interests and persuasions I had, were in themselves useful research material. At the same time, however, it was important not to rely on intuition alone.

Some researchers favour the abandonment of disciplined method altogether in favour of intuitive insights:



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(Phillips 1973:156)

There is merit in Phillips' argument to the extent that he exposes the centrality of opinion in research, and encourages researchers to assert the validity of their opinions, despite the challenge to their validity from the neo-Positivists:



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(Phillips 1973:177)

However, to advocate the abandonment of method altogether is to risk the

loss of validity and reliability. While opinion has a central role in research, it becomes more persuasive if it is backed by probabilities or indicators. Opinion is weakened when it is wholly subjective, for it can be quickly dismissed as prejudice or bias. If my personal opinions alone about the Probation Service's work with black offenders were presented in this thesis, such opinions could be dismissed as merely one person's view. However, when preceptions are tested against reality by using multiple research methods, they assume greater validity and reliability. They remain opinions, but they have been formed from that sceptical approach to experience which Mills (1959:197) declared to be "one mark of the mature workman". My personal opinions needed to be tested against the strongest evidence I could obtain. As a probation officer researching the Probation Service from within, I experienced an inevitable tension between opinion and evidence because I was obliged to work between two worlds: the everyday world of the Probation Service, and the world of an acquired sociological perspective. The demands of the sociological perspective for distance and scepticism did not always fit easily in with the vagaries of the everyday world of the Probation Service. Nevertheless, having reached the end of the research process, it was felt that the findings were both valid and reliable.

The present divide in sociological research is between those who accept the criticisms of Positivism but believe it is repairable; and those who believe that social life is beyond the grasp of a research methodology which derives from the natural sciences model. The view taken in this thesis is that there probably is no one paradigm appropriate for all sociological inquiry, and that therefore the scientific revolution predicted by Kuhn (1962) to resolve all these

methodological problems is unlikely to occur. There are a variety of methods which the social researcher may use, and there is probably no clear way of choosing between them. Denzin (1970) argued that triangulation can reduce the biases inherent in a piece of research. However, he seems to number among that group which believes that Positivism is repairable. As my views on method developed during the course of the research, I concluded that methodological pluralism, when used with what Bell and Newby (1977:17) called "a constructive scepticism and ethical and logical scrupulousness", comes nearest to portraying reality.

4.3 Surveying The Problem

When it was first decided to carry out research on the Probation Service's work with black offenders, the primary reason for doing so was no more than a feeling that the Service was not coping well with the emergence of black offenders amongst its clientele. I, myself, had had difficult experiences when dealing with young black offenders, as described in Chapter 1. Colleagues related similar experiences. There was also a suspicion that because of such difficult experiences, probation officers might be discriminating against this client group. In casual conversation, some officers had begun to suggest that young black offenders were unsuitable for Probation supervision.

When research for the thesis commenced, there were very few studies published which dealt with the Probation Service's work with black offenders. Work was being undertaken, the principal study being carried out by Taylor, whose results were published in 1981. However, at the

outset of the research there was only a personal feeling of unease, and a suspicion of discrimination by the Service against this client group.

The first stage of the research, therefore, was to establish whether there was a problem. This was done by undertaking a quantitative survey of a sample of Court reports prepared by probation officers on juvenile offenders who appeared in Court during 1979 in the Wolverhampton Petty Sessional Division.

Court reports (or social enquiry reports as they are known in the Probation Service - for an example, see Appendix II) were chosen for the quantitative survey because they provided a "frozen picture" of the offender's circumstances at the time: they contained information such as details of home, family, attitude towards the offence committed, and a motivational account. They also usually contained a recommendation to the Court by the probation officer as to sentence. The intention was to obtain indicators about differential sentencing between blacks and whites; differential recommendations by probation officers; motivation; type of crime; and factors which might have contributed to the commission of crime such as education, parenting, and so forth. It was decided to concentrate on juvenile offenders, generally aged between fourteen and sixteen years unless there was prior contact with the family, who were referred to the Probation Service in Wolverhampton in and around 1979. Wolverhampton was chosen because it was a multi-racial, urban area, and because research was made easier by the fact that at that time I was working in the Wolverhampton probation office and so could gain ready access to the information required. Juveniles were chosen because this was the only client group of the Probation Service in Wolverhampton where

nearly all offenders were seen prior to the Court hearing. As juveniles, it was mostly their first or second time in Court for a criminal offence, though some had been cautioned by the police previously. Thus, for the most part, they were in the early stages of a possible deviant career. A total of 138 social enquiry reports were examined. Once extracted, the information was coded for computer analysis (see Appendix III). The content consisted of certain factual information, as well as more subjective details, such as the probation officer's assessment of the risk of recidivism.

This kind of analysis, which was very much in the Positivistic tradition, had certain advantages. First, it gave rise to a review of the theories which informed the preparation of Court reports, particularly the individualisation of offenders rather than placing their offences in their social context. Second, it tested whether there was a problem at an objective level, as opposed to relying on personal intuition. Third, by using a "frozen picture", this controlled for reactivity, avoiding any possibility of the data having been contaminated by personal bias, since the reports were not produced specifically as research data. Finally, the analysis allowed a limited survey of possible correlations between variables, principally between race and other variables such as type of crime, level of intelligence, peer group influence, and so forth.

However, the analysis also had certain limitations. First, there was a danger of seeing the results as generalisable rather than probabilities. The social enquiry reports chosen for examination were a total population specific to a particular place at a particular time. It

would have been impossible to measure every report ever prepared in every part of the country, so the survey had to be narrowed down to a project that was manageable. The results of the analysis therefore are not generalisable beyond the specific context.

Second, there were many problems in trying to measure such imprecise items as attitudes, motivation, and Court sentences. Such items are qualitative rather than ordinal. Because there were so many possible responses, it was necessary to group responses together. Inevitably some accuracy was lost in the process.

Third, the Court reports were secondary data. While this enabled control for reactivity by the researcher, it was impossible to control for contamination of the data by the probation officers who originally prepared the reports. Their perception could have been distorted, or indeed officers could have been told lies by those they interviewed for the report, especially if their interviewees were suspicious of figures of authority such as probation officers.

The fourth, and biggest, limitation of the data was its failure to deal with meaning. The analysis of the data contained in the reports suggested that probation officers were not recommending supervision in the cases of black juvenile offenders, but it did not show why this was. Reasons were given in some of the reports, such as the juvenile's anti-authority attitudes or difficulties in getting them to keep appointments. However, as was suggested earlier, complex organisations often do not perform successfully the task for which they were originally established. They then do not care to admit to their failure to perform

as they should, and so develop ways of denying the failure. The rationalisations offered by probation officers in reports for not recommending supervision could not therefore be regarded as objective, since they were prepared with a particular audience in mind: the Court. Despite the limitations of the survey, nevertheless it was a very valuable exercise which lent validity to the assertion that probation officers **were** discriminating against black juvenile offenders in their sentence recommendations in the sample of reports taken. It was also possible to conclude from personal experiences that this was **probably** happening elsewhere. Hence, there was a problem in the probation officer/black offender encounter to be researched; the next step was to try to establish why a caring organisation should behave in this way. To do so it was necessary to use methods, quite different from the Positivistic approach, which were more concerned with the meaning underlying behaviour.

4.4 The Importance of Meaning: Content Analysis

The method adopted for tackling the problem of meaning was an "action approach", developed by Weber. This would make it possible to look upon the world in the same way as the probation officers who were writing the reports. I was already well-placed to do this as a probation officer myself; but I needed to be sure that my perceptions coincided with those of my colleagues.

To achieve this, further use was made of the data already contained in the social enquiry reports. Although these had already been examined during the quantitative survey, there had not yet been a close analysis

of the subtleties and nuances of their content. Some of the words and phrases used in the reports were likely to be symbols which hid far greater information than could be understood from their literal meaning. Another factor influencing the research in this direction was the easy access to the data, which was already available.

On re-reading the reports, certain themes began to emerge: their structure, for example, was very much the same regardless of the author. This was probably a function of training during the professional socialisation of officers. Also, black juveniles were often perceived in a particular way: they were seen as difficult, anti-authority, or truculent. As these themes emerged time and again, they were grouped together under single headings, such as "apparent objectivity", "blaming the offender", or "negative valuation of black culture". These single headings were then broken down into sub-headings. Negative valuation of black culture, for example, encompassed items such as religious fervour, Rastafarianism, and child care. As these headings built up, it was possible to relate them to informal conversations with probation officer colleagues about their black clients and how they perceived them. Gradually, hypotheses were formulated about the way probation officers viewed black offenders, and how their views made them reluctant to recommend supervision.

As with the quantitative analysis, the content analysis relied on data from one place at one particular time and therefore was not necessarily replicable elsewhere. Also, there was the usual problem with content analysis: there was no guarantee that the authors of the reports had actually managed to convey their meaning; or indeed if they had been

successful in this, that I had managed to grasp what they had meant to say. Another difficulty, found also with the quantitative survey, was that the reports had been prepared with the Court in mind as the audience. The content of the reports could have been slanted to present the authors of the reports in the best possible light. Their true intentions and meanings might have been wrapped up and coded in language which would make them acceptable to the Court. It was only possible to speculate about the true meanings behind the symbols used. Despite the need for a healthy scepticism about the results, the exercise produced some useful data: a hypothetical picture was beginning to emerge of the Probation process as it affected young black offenders. Far from helping to divert them from custody, probation officers seemed to be individualising their deviant behaviour rather than placing it in the context of racial disadvantage; marginalising them in the sense of seeing them as outsiders, difficult, and incapable of rehabilitation; and criminalising them, in that officers saw them as "bad" and in need of punishment.

At this stage it was felt that it would be useful to examine the Probation process as it affected young blacks by way of a case study. This would test out the hypothetical picture that was emerging from the reports via an examination of the probation officer/black offender encounter beyond the Court report stage. However, rather than examine a single case, it was decided that the validity of the exercise would be greater if the salient features of several cases were brought together into one, and then highlighted in order to bring them out.

4.5 An Ideal Typical Case

As a probation officer I had prepared case studies before, often for discussions with colleagues or magistrates, and once during my professional training when the study had been written up for assessment. However, these studies were different from the ideal typical case presented in Chapter 7 because they were real cases with only the name changed to preserve the anonymity of the client. The case of Winston is an ideal typical case - both of Winston and of his probation officer. Weber (1949:90) wrote that an ideal type:

"is formed by a one-sided accentuation of one or more points of view and by the synthesis of a great many discrete, more or less present and occasionally absent concrete individual phenomenon, which are arranged according to those one-sidedly emphasised view points into a unified analytic construct. In its conceptual purity, this mental construct cannot be found anywhere in reality".

The case study of Winston does not pretend to exist in reality. It is a construction of the imagination, based on selected evidence drawn from my personal experiences as a probation officer. Certain incidents or features are exaggerated to highlight central aspects of the relationship between Winston and Peter Bird, his probation officer. In this sense it is a methodological tool or device to paint a picture of a process which can be analysed, criticised, or compared with some other process. It illustrates the gradual deterioration in the relationship between Winston and Peter which, in the end, makes their entire encounter fruitless. It leads Peter to conclude that he can do nothing to help Winston, and to Winston withdrawing from the relationship. Moreover, it points to possible reasons why this occurs: the Probation Service's institutional structure, the negative valuation of Winston's "cultural space", the

medical model of social work adopted, and so forth.

Because it was born out of my sociological imagination, it could be argued that the subjective meanings probation officers place on their actions were ignored in favour of personal perceptions artificially incorporated into the ideal type. However, the use of this kind of case study proved an excellent method for drawing together my thoughts about the Probation Service's work with black offenders. It highlighted certain aspects of the encounter, making it possible to perceive more clearly why things were going wrong.

The time had come, nevertheless, to test out my ideas against the opinions of colleagues. Moreover, this needed to be done in more than one geographical location in order to avoid the limitations of the quantitative analyses conducted earlier.

4.6 Verstehende

Probation officers are not like robots, mechanistically carrying out routine tasks to order. They are reflexive beings capable of theorising about what they are doing. Numbers and percentages may provide indicators about their behaviour, but the key to understanding the meaning behind it is to place more emphasis on their perceptions of their role. Weber is responsible for the concept of "Verstehende" as it is understood today: it is yet another method of appreciating the world from the point of view of the actors. In this case it is seeking to grasp the explanations, motives, and beliefs of probation officers concerning their work with black offenders.

The method chosen to gain this understanding was to conduct in-depth interviews with a sample of fourteen probation officers from across the West Midlands, and with a worker from the City and Handsworth Alternative Scheme in Birmingham. All of the probation officers were from urban areas within the County: four were senior probation officers, ten were from the main grade. Interviewing was chosen because it required interviewees to be reflexive, to ponder a question which they might not otherwise have considered. It also allowed particular points to be pursued so that the subjects were not allowed to give "pat" answers reserved for their public face.

There are problems with conducting interviews. One danger was the slanting of questions in ways which coincided with my own theoretical stance. Another was the risk of a "Hawthorne effect" caused by my being known to most of my subjects beforehand. They could have been daunted by any suggestion of my being an "expert" on race relations issues; also by my promotion to senior probation officer part-way through the interviews, which could have caused anxiety in the minds of some about being interviewed by someone of a higher grade. Such anxieties could have caused interviewees to stay on "safe ground" and merely describe basic issues; at the other extreme, there was a risk of being over-responsive, making people say what they thought I wanted to hear. There were many dangers such as these, and it was necessary to be alert to possible biases and to try to keep them to a minimum. Social work training was useful in heightening awareness of these dangers. Training in counselling techniques gave a good grounding in how to interview unobtrusively, such as by starting with "open" questions before focussing

on specific issues. One of the main reasons for interviewing other officers was to seek their opinions as a counter to my own subjectivity, and so officers were reassured that their opinions were helpful. Most people enjoy talking about themselves, their job and its difficulties, so officers were encouraged to do this to the full. In a sense, this was their reward for agreeing to take part in what was essentially an exploitative relationship. Insofar as possible, questions and interruptions were kept to a minimum, and a prompt sheet (see Appendix IV) was used only when conversation flagged. However, opinions were carefully elicited so that comments were not left at "pat" responses. A "mirroring" technique, again taken from counselling training, proved useful: statements made by interviewees were "reflected" back to them, in whole or in part, to check that their meaning had been correctly understood. The prompt sheet was used as a helpful tool, but as other criteria emerged during interviews, these were pursued at the time as well as in other subsequent interviews. In this way, the interviews got closer to probation officers' attitudes about their work with black offenders.

Interviews were taped rather than notes made during or after conversations. To make notes during the proceedings would have been obtrusive; also, notes made afterwards would have been limited to my powers of recall and prone to selective perception. A small tape recorder was equally obtrusive at first but, once placed on a table, was quickly forgotten. Inevitably people's initial responses were cautious, but most if not all interviewees seemed to relax eventually. Eye contact and warmth of immediate response, made possible by using a tape recorder rather than taking notes, helped interviewees to settle down. If someone

felt threatened by a particular question, as occasionally occurred, then the conversation was turned quickly to generalities until it was safe to bring the conversation round to the same question again for a second attempt. This created an impression of informal conversation rather than of a formal interview.

The interviews went well, though they were very time-consuming. The transcription of the tapes also took a long time and demonstrated the importance of having available a competent and willing typist before even embarking on an exercise of this kind. Only one officer who was asked to be interviewed actually refused. Another black officer expressed some doubts, wondering whether she was being asked in her own right or as "the token black". However, once the aims of the research were explained to her, and she was reassured that she was not the only black person being interviewed, she agreed and indeed provided some of the most perceptive observations made by anyone. The interviews proved to be the cornerstone of the research, for they provided some excellent material in which officers talked freely about themselves, their doubts and fears, their anger and frustrations. It is in these interviews that I feel I came closest to understanding the meanings behind probation officers' actions. The meanings were complex and inter-twined, but they offered likely explanations for why probation officers were not diverting young blacks from custody by recommending supervision.

This is not to say that the analysis of the interviews is the definitive analysis. One problem with analysing data of this kind is deciding what is important and what can be ignored. As with the earlier analysis of social enquiry reports, the contents of the interviews were

read and re-read until recurrent themes emerged. These were then categorised under major theme headings, and beneath them, sub-headings. However, the important difference between the interviews and the content analysis of the reports was that it was possible during the interviews to check back with the subject to ensure that the correct meaning had been understood. It was possible to ask interviewees to expand on what they meant when they used particular words or phrases, and thereby to reach a closer understanding of the "symbols" of the Probation culture. Though I already had ideas on that culture myself, being a part of it, the interviews provided the opportunity to test out my perceptions against those of my colleagues.

4.7 Liberating the Native Via Participant Observation

Researching the Probation Service from within was an asset in many respects: it made access to data relatively easy, and provided intuitive insights into the workings of this complex organisation. However, it was also a liability in that, as was mentioned earlier, I had begun the research by already having "gone native" due to the powerful influence of professional socialisation.

The battle throughout the research process was to acquire sufficient sociological imagination to "liberate the native". Cicourel (1964:45) had some advice on how to avoid the danger of going native:

"The solution which I feel emerges from the literature is one of marginality, that is, becoming very conscious of the roles being played and providing for occasions of 'leaving the field' for periodic reviews of what has happened and of where the research is going".

During the course of the research, occasions for leaving the field were provided by consultations with a research supervisor, seminar discussions with other researchers, and a literature review. Such outside influences made it possible to step outside the role of probation officer and acquire the marginality which Cicourel recommended. However, they did not provide the opportunity to examine the Probation process from a black perspective. That kind of marginality could only be achieved by observing a self-help project organised by black people themselves. Only then might it be possible to shake off the influence of white-dominated Probation socialisation and conceive of how the Probation task might be performed differently.

To achieve this marginality, two self-help projects were observed: the City and Handsworth Alternative Scheme, and the Handsworth Cultural Centre. Despite being organised and run on a daily basis by black people for black people, access to the projects was not a problem because both were originally sponsored by the Probation Service. The observations took place quite early in the research process, but the account of the observation is left until last in the thesis because the conclusions drawn have implications for all the data gathered.

Participant observation is a particularly helpful research method in studies of complex organisations like the Probation Service, and also of less formal organisations such as self-help community projects. The purpose of the observation was to discover how the Probation process might be arranged differently in a black self-help project, rather than rigorously to test out specific ideas which I had already formulated.

Most of the observation was carried out at the Cultural Centre, though there were also brief visits to the Alternative Scheme (which at one time was located within the Cultural Centre). Informal conversations with people from both projects were followed up by more formal interviews which were conducted along the lines described in the previous section on Verstehende. Such formal interviews allowed ideas that had emerged during the observations to be fed back to the project organisers in order to ensure that they had been properly understood. Checking-back of this kind is an advantage of participant observation: it allows the analysis of the data to be carried out sequentially, checking out ideas as they develop; and also it means that further data-gathering takes its direction from provisional analyses as the observation proceeds.

Talking with the two project organisers about what they were doing proved easy. More difficult, however, was the attempt to get the users of the Cultural Centre to relax and talk openly about themselves, their opinions, and their perceptions of the Probation Service as opposed to the Centre. It proved virtually impossible to progress beyond the "observer-as-participant" role with them. It had been made clear to them that I was a probation officer and that I was undertaking research: there was no doubt that they were sceptical about my presence in the Centre. One of the difficulties with the "observer-as-participant" role is that it runs the risk of too little involvement so that the perspective of the informant is too rarely appreciated. This is a difficulty with the observational data written up and analysed in Chapter 9. Nevertheless, much useful data was gathered: this came from the contact with the project organisers, and also from close observation while visiting the projects. If being a black man in the white man's

world is not easy, neither was it always easy or comfortable for me as a white man in the black man's world. However, the observation provided an excellent experience of marginality, and an alternative perspective to that of the traditional Probation Service.

It has been a central theme in this chapter that, throughout the research process, whatever the method used, the reliability and validity of data is problematic. This is no less the case with participant observation. There is an interesting debate between Becker and Geer and Trow on this method. Becker and Geer suggest that anecdotes and illustrations drawn from participant observation provide only a selective picture of the subject observed; they go on to suggest how the validity of an anecdote or illustration can be tested. Trow on the other hand, sees this as a concession to Positivism and argues that inference is inevitable in the sociological research:

"The inferences that we make from data, and the theory from which they derive, and to which they contribute, may indeed be nothing more than 'educated guesses' - but that is the nature of scientific theory. Our aim is to make them increasingly highly educated guesses".

(Trow 1970:148)

This brings the debate about method back full circle, for this chapter began with a review of the debate between Neo-Positivists and those who would abandon method completely. An argument was put forward then for using methodological pluralism and applying a healthy scepticism: each method had its own validity for a particular purpose. This is also the case with participant observation. Notes were made on the observation, and a healthy scepticism was maintained throughout. The credibility of informants was considered, as also was the effect of my

presence upon them. There is no reason to believe that the project organisers tried to mislead me, though no doubt they wished to present their projects in as positive a light as possible. However, it was possible to check their ideas about their projects against what was observed occurring "on the ground"; also, having observed the two, it was possible to return to the projects and speak with the organisers again, challenging ideas they had put forward previously if necessary.

The value of the observation, especially at the Cultural Centre, was to experience what it is like to be a white man in the black man's world. This experience gave a lot of insights into how it must feel to be a black person dealing with a white-dominated organisation like the Probation Service. Above all, the experience stimulated my imagination about how the Probation task could be accomplished more effectively with young black offenders.

4.8 A Mature Workman

At the beginning of the research, the task seemed a relatively simple one: to examine the Probation process with a view to identifying what was problematic about the probation officer/black offender encounter. However, as the research developed, so the task spiralled out and become more complex. With the six year time-scale of the part-time research, as the research developed so too did my views on method. From believing that one method could be used to analyse the problem, I realised that an approach which used multiple methods was preferable. The kernel of the research experience, for someone who started out as a probation officer rather than a sociologist, was the development of a

sociological perspective: this meant developing the healthy scepticism which Mills claimed to be one mark of the mature workman. Whilst recognising the limitations of any one method, the conclusion reached about method by the end of the research process was that each method has its own validity for the particular purpose for which it is used.

The Positivist survey of Court reports helped to establish that there was a problem to be researched; the content analysis of the same reports began to address the meaning underlying the attitudes of their authors; the ideal typical case of Winston took this further by highlighting certain aspects of the probation officer/black offender encounter after the report stage; ideas on why things were going wrong in the encounter, developed by the ideal typical case, were then tested against reality by interviewing probation officer colleagues and other workers in order to elicit their opinions; and finally, the period of participant observation challenged the influences of professional socialisation on the development of my ideas by providing an experience of marginality, and demonstrating how the Probation task might be carried out differently.

It is felt that the methodological pluralism used for gathering the data presented in the next five chapters comes nearest to portraying the objective reality of the probation officer/black offender encounter.

THE CRUCIAL ROLE OF THE SOCIAL ENQUIRY REPORT:
QUANTITATIVE ANALYSIS

The desire to research the encounter between probation officers and black offenders grew out of a subjective impression that officers are not coping well with the emergence of black people amongst the offender population. In particular, it was suspected that probation officers are discriminating against this client group by making fewer recommendations for supervision in the community, resulting in a disproportionate number being committed to custodial institutions.

At the beginning of the research process, the existence of discrimination was conjecture, albeit informed conjecture based on personal experiences while working within the Probation Service. The first research exercise, therefore, was to try to establish whether a problem exists at an objective level. To do this, a quantitative analysis of a sample of Court reports prepared by probation officers was undertaken, and the results of the analysis are presented in this chapter.

5.1 Social Enquiry Reports: An Historical Overview

Before presenting the results of the analysis, it may be helpful to place the function of social enquiry reports in context within the penal system. Section 46 of the Powers of Criminal Courts Acts 1973 infers a general power for all criminal Courts to request a social enquiry report from the Probation Service. The purpose of asking for a report is to

assist Courts in determining the most suitable method of dealing with an offender. Although the general power to order a report may be inferred from the 1973 Act, the power existed in certain circumstances prior to this. However, in the early days reports were usually ordered only when the making of a probation order was being considered.

Probation officers were originally employees of voluntary charitable bodies with a strong religious ethos. As missionaries to the Police Courts, persuasion and special pleading by these "Missionary Type" probation officers in their reports was not out of place. However, since probation officers have become the paid employees of the state, with a recognised position in the Courts, a much more objective approach has been adopted. Since the adoption of this approach, the influence of social enquiry reports in the sentencing process has gone from strength to strength, with an ever-increasing demand for reports from probation officers being made by Courts.

Various reports and circulars have been prepared offering guidance to probation officers on what information is to be included in reports. Home Office Circular 59/1971 (paragraph 11) suggests that a report should normally be based on enquiries into:

- (a) The character, personality and social and domestic background of offenders;
- (b) Performance at any educational, training or residential establishments recently attended;
- (c) Employment prospects, or information about the attitudes and habits of offenders as known to their most recent employer.

The attitudes and feelings of offenders, and of any others who are relevant to the case, are as important as the presentation of facts. Probation officers are not bound by Court rules regarding hearsay evidence, and so may freely offer their opinions without restriction. The Streatfield Committee (Report of the Interdepartmental Committee on the Business of the Criminal Courts, 1961, Command 1289, paragraph 335) encouraged officers to pass an opinion as to the likely effect on an offender's criminal career of probation or some other form of sentence. An example of a report actually presented to a Court (with pseudonyms substituted for the real names) may be found in Appendix II.

Social enquiry reports have a crucial role to play in the sentencing process because they mediate between the powerful and powerless by placing deviant behaviour in its social context. In recognition of this crucial role a sample of reports was analysed in order to give some indication at an objective level of whether probation officers do discriminate against black offenders, particularly in recommendations as to sentence.

The advantage of using social enquiry reports for such an exercise is that they are a frozen picture of the offender's circumstances at the time and contain information about home, family, attitude to the offence and motivation. They also usually contain a recommendation to the Court by the probation officer as to sentence. By using such a frozen picture of offenders, this controls for reactivity, avoiding any possibility of contamination of the data during the analysis since the reports were not prepared for research purposes.

The analysis of the reports provides indicators about differential sentencing between black and white offenders; differential recommendations by probation officers; motivation; type of crime; and factors which may be considered to predispose individuals to the commission of crime such as poor educational attainment, peer group influence and inadequate parenting. The analysis also permits a limited survey of possible correlations between variables, principally between race and other variables such as type of crime, level of intelligence and peer group influence.

5.2 Choosing the Sample

Access to the data posed no problem because, as a working probation officer, the data was already available as part of my daily work routine. It was only a matter of requesting permission to use the information contained in the reports for research purposes. Permission was granted with the proviso that the anonymity of the agency's clients had to be preserved. Choosing a suitable sample was more difficult, since the number of reports available for analysis was immense.

I determined finally to analyse a total population of reports prepared on those juvenile offenders, generally aged between fourteen and sixteen years (unless the Probation Service had had prior contact with the family, in which case they might be younger), who were referred to the Service in Wolverhampton in and around 1979. 138 social enquiry reports were examined in all. Wolverhampton was selected for the sample because it is an urban area, typical of the West Midlands in terms of

demography and of the Probation Service's operation. Juvenile offenders were chosen for the sample because this was the only client group of the Probation Service where practically all offenders were seen by officers in order to prepare reports prior to the Court hearing. (The situation is somewhat different nowadays due to the growing interest in diverting juvenile offenders from Court appearances, and in the dangers of deviance amplification through introducing young offenders into the penal system too early). As juvenile offenders it was mostly their first time in Court for a criminal offence, though some had received official cautions (which would appear on a list of convictions) from the police for previous matters. Hence, for the most part, the juveniles were in the early stages of a possible deviant career.

5.3 Coding the Data

The "Statistical Package for the Social Sciences" (SPSS) computer programme was used to process and analyse the data. A coding manual was prepared (see Appendix III) so that the data extracted from the reports could be fed into the computer for analysis.

One of the difficulties involved in coding and scaling information is that it is often necessary to group together pieces of information into a single category, otherwise there are too many response categories to draw meaningful conclusions at the end. Sometimes this grouping of information does not pose too much of a problem: for example, in coding details of the juveniles' accommodation, a simple distinction was drawn between flats in low-rise blocks (under four floors) and flats in high-rise blocks (over four floors). In Wolverhampton it is possible to make

this distinction, since two quite different types of development have taken place: low-rise blocks are generally maisonette-style accommodation. Conversations with tenants suggested low-rise accommodation is more desirable than high-rise blocks where social stress is perceived to be greater.

At other times, however, the grouping together of pieces of information lessens the degree of detail in the data available. For example, in categorising the types of offences committed, one category was used for murder, manslaughter and other offences of violence against the person. This single category covers a host of offences, from a straightforward assault which results in some bruising to the injured party, to a wounding which involves a victim being stabbed and seriously hurt.

Nevertheless, despite the problems which arise in coding and scaling, the manual prepared still allows a valuable comparison of variables to be made. With regard to the categorisation of offences, for example, the list used is the one employed by the Home Office for gathering statistics from the Probation Service about its work. Although some detail is lost in the process, a useful comparison is still possible between the number of offences of violence committed, and offences of theft, burglary, or criminal damage. When cross-tabulated with ethnicity, it is possible to obtain indicators of any difference in types of offences committed by the various racial groups.

5.4 Probation Officers and Black Juvenile Offenders

Once the data had been coded for processing and analysis, it only remained to interpret the information which the computer had produced.

5.4.1 The Emergence of the Black Offender

One of the first pieces of information to emerge from the data was the over-representation of male offenders of Afro-Caribbean origin in the sample. From the social enquiry reports, information was taken about the ethnicity and gender of the juveniles, and the results of this analysis are set out in Table 1. It can be seen from this Table that the numbers of Asian and of female offenders are low, and that the largest client group is indigenous males, followed by Afro-Caribbean males.

If the numbers of the Afro-Caribbean, Asian and mixed (i.e. one parent was of new commonwealth origin) clients are added together, then it can be said that clients of new commonwealth origin represent 45.6% of the total. According to information obtained from the 1971 census, the general population in Wolverhampton of new commonwealth origin represents only 11% of the total. However, this figure of 11% requires adjustment because the average age of immigrant populations tends to be younger than that of the indigenous population. From the census information, it is possible to work out that for juveniles of new commonwealth origin under the age of fifteen, the adjustment necessary is 8% (i.e. the difference between the number of indigenous juveniles under the age of fifteen as a percentage of the total indigenous population, and the same percentage for juveniles in the total new commonwealth population). Thus, the

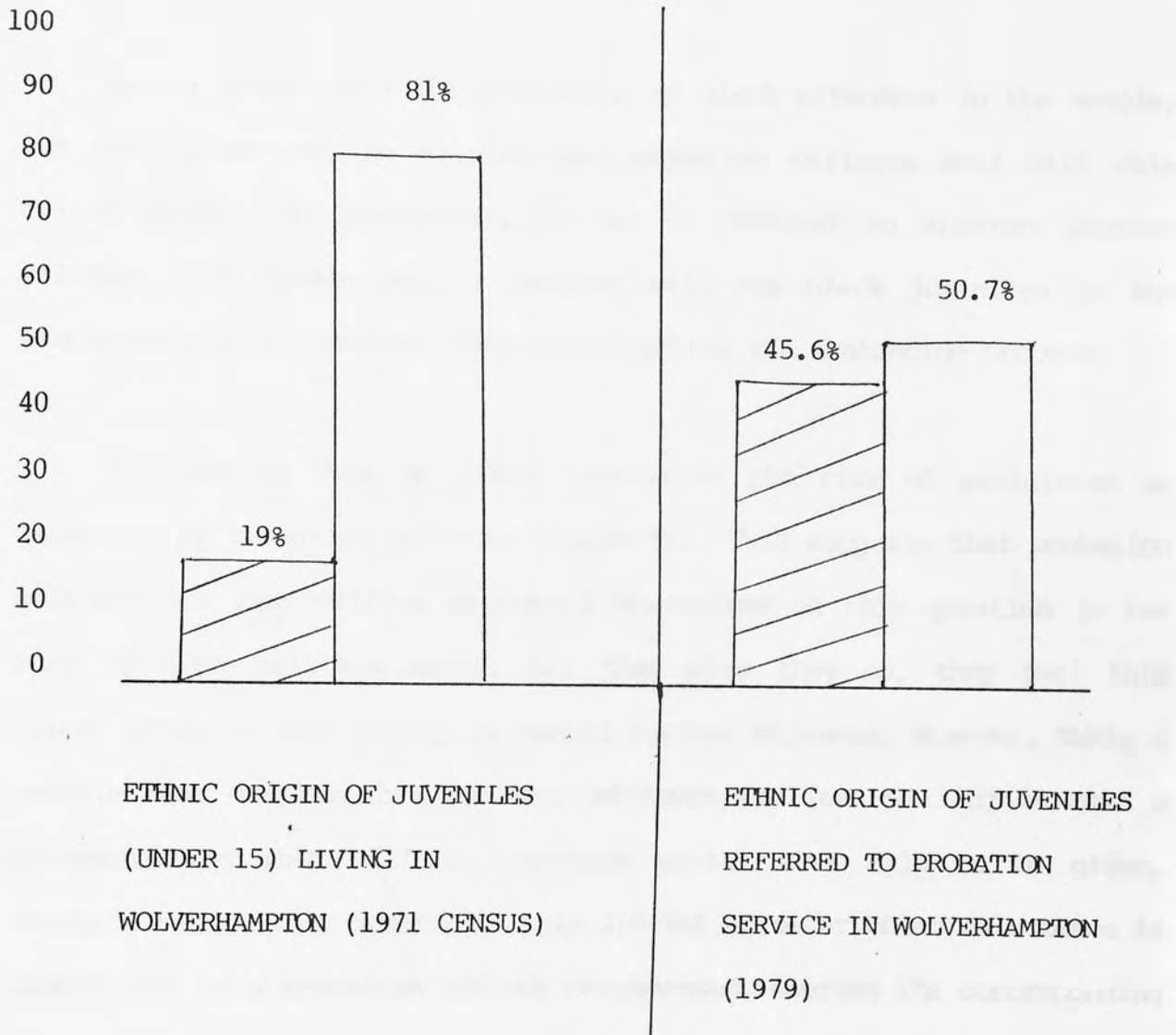
TABLE 1
 Juvenile Offenders Referred to the Probation Service
 in Wolverhampton during 1979 by Ethnicity

	Male	Female	
Indigenous	65 (47.1%)	5 (3.6%)	
Afro-Caribbean	34 (24.6%)	3 (2.2%)	
Asian	12 (8.7%)	1 (0.7%)	
Mixed	12 (8.7%)	1 (0.7%)	
Other	4 (2.9%)	1 (0.7%)	
Total	127 (92%)	11 (8%)	138 (100%)

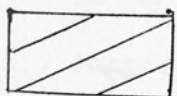
histogram in Table 2 represents a comparison between juveniles referred to the Probation Service in Wolverhampton in 1979, and juveniles in the community at large in Wolverhampton in 1971, by ethnicity. Of course, this is not a direct comparison, but it is the closest possible from the information available. These percentages indicate that juveniles of new commonwealth origin were over-represented on probation officers' workloads in Wolverhampton in 1979, compared with their presence in the

TABLE 2

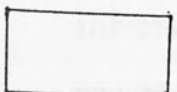
Comparison of Juveniles Living in Wolverhampton (1971 Census)
with Juvenile Referrals to the Wolverhampton Probation
Service (1979) by Ethnicity



Key:



New Commonwealth Juveniles



Non-New Commonwealth Juveniles

population overall. Moreover, the major proportion of these new commonwealth juvenile offenders originated from the Caribbean. For this reason, the decision was taken to concentrate on Afro-Caribbean male offenders for the remainder of the research.

5.4.2 Recommendations in Reports

Having established the proportion of black offenders in the sample, the next stage was to examine how probation officers deal with this client group. In particular, it was of interest to discover whether officers were opting out of dealing with the black juveniles in the sample and, if so, whether this was affecting the sentencing process.

This can be done by first looking at the risk of recidivism as perceived by probation officers (Table 3). This suggests that probation officers are less willing to commit themselves on this question in the case of Afro-Caribbean males, but that when they do, they feel this client group is more likely to commit further offences. However, Table 4 reveals that despite this feeling, officers are less willing to make a recommendation which allows long-term social work help to be given, namely a supervision order. In only 2(5.9%) Afro-Caribbean male cases is supervision by a probation officer recommended, whereas the corresponding figure for indigenous male cases is 15 (23%). Table 4(a) shows that the probability of this differential approach to supervision recommendations being attributable to chance is low ($p \leq 0.05$). Officers seem to be much happier about recommending supervision for black juveniles if an intermediate treatment clause is included in the Court order. The reason for this could be that such a clause provides a definite objective for

TABLE 3

Probation Officer's Opinion of the Risk of
Recidivism by Ethnicity

RISK	Afro-Caribbean (MALE)	Indigenous (MALE)
High	12 (41.2%)	20 (30.8%)
Low	14 (35.3%)	35 (53.8%)
No Opinion	8 (23.5%)	10 (15.4%)
TOTAL	34 (100%)	65 (100%)

work with the offender, namely the arranging of rewarding, supervised leisure activities. These activities are normally organised by intermediate treatment workers employed by the Social Services Department, and the probation officer's role is only to refer the juvenile to these workers and liaise with them regarding attendance. In this way, work with black juveniles can be delegated to other workers, and does not normally necessitate supervision in the traditional sense by probation officers. It could be that officers have found traditional Probation practice, in the form of individual casework, unhelpful in their work with black juveniles and so do not go out of their way to recommend it.

TABLE 4

Probation Officer's Recommendation to the Court by Ethnicity

	Afro-Caribbean (MALE)	Indigenous (MALE)
Custody	2 (5.9%)	1 (1.5%)
Care	2 (5.9%)	3 (4.6%)
Attendance Centre	9 (26.4%)	7 (10.8%)
Supervision Order + Intermediate Treatment	7 (20.5%)	5 (7.7%)
Supervision Order	2 (5.9%)	15 (23%)
Fine	9 (26.4%)	20 (30.8%)
Discharge (Conditional or Absolute)	2 (5.9%)	10 (15.4%)
No Recommendation	1 (2.9%)	4 (6.2%)
TOTAL	34 (100%)	65 (100%)

TABLE 4(a)

The Incidence of Supervision Recommendations By Ethnicity

	Afro-Caribbean (MALE)	Indigenous (MALE)
Supervision Order	2 (5.9%)	15 (23%)
Not Supervision Order	32 (94.1%)	50 (77%)
Total	34 (100%)	65 (100%)

$$\chi^2 = 4.6$$

$$p = < 0.05$$

If the sentence recommended by probation officers (Table 4) is compared with the sentence actually passed by the Court (Table 5), then it will be seen that the figures are similar (in fact, magistrates made slightly more supervision orders than were recommended by officers). This finding supports the view that social enquiry reports are an influential factor in the sentencing process. Therefore, if officers are reluctant to recommend supervision, as they appear to be as shown in Table 4, then their black clients are likely to suffer disadvantage as a result. Table 5 shows that only 4 (11.8%) Afro-Caribbean male juveniles were placed on supervision, while the corresponding figure for indigenous juveniles was 16 (24.6%). Table 5(a) shows that the probability of this differential pattern of sentencing by Courts being due to chance is low ($p = < 0.001$).

TABLE 5

Sentence Imposed by the Court by Ethnicity

	Afro-Caribbean (MALE)	Indigenous (MALE)
Custody	4 (11.8%)	5 (7.7%)
Care	1 (2.9%)	2 (3.1%)
Attendance Centre	8 (23.5%)	10 (15.4%)
Supervision Order + Intermediate Treatment	5 (14.7%)	5 (7.7%)
Supervision Order	4 (11.8%)	16 (24.6%)
Fine	11 (32.4%)	19 (29.2%)
Discharge (Conditional or Absolute)	1 (2.9%)	8 (12.3%)
Total	34 (100%)	65 (100%)

TABLE 5(a)

Supervision Orders Made By Courts By Ethnicity

	Afro-Caribbean (MALE)	Indigenous (MALE)
Supervision Order	4 (11.8%)	16 (24.6%)
Other Sentence	30 (88.2%)	49 (75.4%)
Total	34 (100%)	65 (100%)

$$\chi^2 = 13.3 \quad p = < 0.001$$

Both Tables 4 and 5 can be regarded as "tariff ladders". The higher up the ladder the juvenile is placed, the more serious the punishment and the fewer the options available to divert him from being sent into custody if he offends again. Once offenders have reached a certain "rung" on the tariff ladder, it is difficult to bring them down again. The progression is usually upwards.

Thus, in Table 5, if supervision without intermediate treatment is taken to be a middle-range disposal, it is noticeable how the figures in the cases of the black juveniles are higher on those rungs of the tariff ladder above this point.

The initial analysis of the sample of social enquiry reports seems to indicate that probation officers are not coping well with the presence of black juveniles amongst offenders. These clients form a disproportionate number of the total number of referrals in comparison with their presence in the population overall. Despite feeling that this group of clients is more at risk of committing further offences, probation officers are reluctant to intervene with long-term social work help if traditional casework practice is involved. There is a greater willingness to become involved if the work can be delegated to other workers in the form of intermediate treatment. This could indicate that probation officers have little faith in traditional Probation practice where black clients are concerned, possibly because it has been tried and rejected by the clients. Such a conclusion is supported by the comments made in casual conversation by probation officer colleagues who refer to black offenders as "unreliable" and "unsuitable for supervision".

The findings of the survey are not unique. They have been confirmed since by Taylor (1981:26) who concluded from her own study that:

"....in Wolverhampton there is a significantly higher than average chance of a juvenile receiving a custodial sentence. The statistical survey shows that 45.8% of all young people on Detention Centre Licence in Wolverhampton as at 30 November 1979 were black. This is the highest percentage in this category in the County. It is a matter of concern".

She found a similar pattern elsewhere in the West Midlands, though not as stark as in Wolverhampton. Taylor's survey was more extensive than my own. Her study covered the whole of the West Midlands County Probation Service, and included adult offenders as well as juveniles. However,

the smaller-scale survey carried out for the purpose of this research was completed prior to the appearance of Taylor's findings. Though smaller in size, the survey indicated that there is a problem in the probation officer/black offender encounter to be examined, and acted as a spur to further research. It led to the development of ideas about why the problem exists, and to the testing out of these ideas against reality by using different research methods.

5.5 The Juvenile Offenders in More Detail

As has been explained, the main intention behind the sampling exercise was to obtain indicators at an objective level of the number of black juveniles being referred to the Probation Service for reports, and of any discriminatory practices in officers' work. However, as a secondary exercise, certain other information was extracted from the social enquiry reports to enable comparisons to be made between the black and white offenders in the sample.

The measures adopted in this secondary exercise are somewhat crude, because it was necessary to group together categories of information. Also, the data is secondary in that it relies on the perceptions of others. For example, teachers' assessments of their pupils' behaviour are subjective, and could have been influenced by their knowledge that the pupil was due to appear in Court. Also, probation officers' own perceptions may have slanted comments made in their social enquiry reports. Thus, as in the initial survey of the incidence of black offenders and officers' recommendations, the findings are indicators rather than final conclusions and should be treated as such.

Nevertheless, they present an interesting picture of the juvenile offenders and allow useful comparisons to be made between the black and white offenders in the sample. The exercise examines in particular whether there are any startling differences between the black and white offenders which could explain why probation officers discriminate against young blacks. The findings are set out in detail in Appendix V, and the analysis of them here is divided into the following sections: criminality; family; education; and environment.

5.5.1 Criminality

The majority of the juveniles in the sample have no previous convictions and are therefore at the very beginning of what could possibly develop into a criminal career. Twenty-seven (79.4%) black juveniles have no previous convictions, compared with 53 (81.5%) white juveniles. Hence, no great difference between them is revealed in terms of previous criminal history. Nor is there any great differences in the type of offence committed. The most popular offence for both black and white juveniles is theft or the handling of stolen goods. Fourteen (41.2%) black juveniles appeared for this offence, compared with 25 (38.5%) whites. Violence is third in the league of offences for indigenous males, whilst for black juveniles it is second. However, it is only separated by 1 case (3%) from the third most common, burglary.

These figures do not indicate any major difference in criminality between black and white juveniles: few have previous convictions in either ethnic group, and there is little difference in the type of offence committed. Despite these indicators, probation officers still

feel that the black juveniles are more at risk of recidivism, as was shown earlier in Table 3. Such feelings however do not appear to be based on previous record or type of offence.

5.5.2 Family

Family and home background could be factors influencing probation officers to make them more pessimistic about rehabilitating black juveniles. However, as with their criminality, an examination of the reports reveals few differences between the juveniles. Most juvenile offenders in both ethnic groups have both parents, with few having suffered parental deprivation: Slightly more white juveniles (26.2%) have suffered paternal deprivation than their black counterparts (17.6%).

Most of the juveniles come from large families, with only one offender in each ethnic group being the sole child. Seventeen (50%) of the black juveniles have more than four siblings, and 20 (30.7%) of the whites. This lends support to the contention that large families may be more prone to criminality whatever their ethnic origin.

There are some indications of differences in the structural position of the families. The incidence of owner-occupation in housing is marginally greater among black families, but the most common form of tenure is renting from the local authority. This pattern is reflected in the age of housing: slightly more black families live in pre-1919 properties than white families, but few members of either ethnic group are in post-1945 housing.

In terms of parental occupation, more white fathers are skilled or semi-skilled, the number of unskilled black fathers being substantially greater - 19 (55.9%) compared with 12 (18.5%) white fathers. This reflects the position of black people in the labour market generally (Smith 1977). Unemployment is low among both ethnic groups (though the survey was undertaken before unemployment became widespread in the West Midlands). It is noticeable that more black mothers go out to work: only 4 (11.8%) are housewives, compared with 20 (30.8%) white mothers. The majority of working mothers are unskilled among both ethnic groups.

Hence there appears to be a degree of class uniformity between families across the two ethnic groups: most of the offenders come from working class families, though black families seem to fare worse in the labour market. This finding has been amply demonstrated elsewhere (e.g. Smith 1981). More black parents would be likely to find themselves unemployed in times of economic depression since they occupy a greater proportion of unskilled jobs. Other than these labour market differences, the home and family backgrounds of the black and white offenders in the sample appear to be similar.

5.5.3 Education

None of the juveniles in the sample seem to be doing particularly well at school. The majority are regarded as being of below average intelligence. Fewer blacks truant (17.6%) than whites (37%). Despite the lower incidence of truancy, more black juveniles (47.1%) are regarded as disruptive in school than whites (38.5%). This seems to indicate that black juveniles in the sample go to school, but are perceived as

disruptive when they get there, whereas whites simply do not attend. Having said this, the conduct of half of the sample (black and white) is regarded as good or satisfactory by teachers. A similar split is evident in the pupils' attitude towards school staff as reported by teachers, with half having a positive attitude and half a negative attitude, irrespective of ethnicity.

5.5.4 Environment

Concerning the social environment in which the juveniles live, half of those in the sample come from one of two electoral wards in Wolverhampton (Bushbury and Low Hill). Both wards comprise large Council housing estates. This seems to suggest that the area from which juveniles come has an important influence on whether they become involved in criminal activities. This is also borne out by the fact that most offences were committed in the company of others, regardless of ethnicity: 29 (85.3%) of the offences committed by black juveniles were carried out jointly with others, with a similar proportion for the white juveniles - 55 (84.6%). When asked by their probation officers why they had committed their offences, 8 (23.5%) black juveniles replied that it was at the suggestion of someone with whom they were co-accused, while 12 (18.5%) whites offered the same explanation. The rest of the figures are split fairly evenly between other motives in both racial groups.

Thus it appears that peer group influence is a major factor encouraging the juveniles in the sample to become involved in crime. Family background and individual personality defects seem to be lesser factors.

5.6 Some Final Reflections on the Survey

The statistical analysis of the sample of reports was an important first step in the research strategy. It provides a number of useful pieces of information about juvenile offenders and probation officers' recommendations.

First, the survey quantifies the presence of male black offenders amongst juveniles referred to probation officers for the preparation of reports. They form the largest category of clients after indigenous male whites in the sample. Asian and female offenders do not appear in significant numbers.

Second, the survey demonstrates the reluctance of probation officers to recommend supervision for black offenders, unless the supervision is accompanied by an order for intermediate treatment. This may suggest that officers lack confidence in the traditional casework approach where black offenders are concerned: despite their belief that blacks are more at risk of committing further offences than whites, officers only seem to recommend supervision when the work can be delegated to intermediate treatment workers.

Finally, despite this marked difference in recommendations, the survey reveals no major differences between the characteristics of black and white offenders. The juveniles seem to commit similar types of crime, come from similar home backgrounds and areas, and are of similar levels of intelligence. The one significant difference is that the black

families are in a worse position in the labour market, in terms of the number of working mothers and the higher incidence of unskilled black parents compared with whites. This reflects the position of black people as an "underclass" (Rex and Tomlinson 1979).

Therefore no major differences seem to exist between the black and white juveniles which would explain the reluctance of probation officers to recommend supervision for the black offenders.

One of the problems with a quantitative analysis of this kind is that it does not cope easily with the problem of meaning. While the data indicates that probation officers do seem to discriminate against the black juveniles in the sample, the findings are not particularly helpful in explaining why this occurs. One reason for this is that sampling is unimaginative in its unit of study: it tends to deal with individual cases. It may be that the unit of study, in an examination of probation officers' work with black offenders, should not be the offenders (or indeed the individual probation officers), but the interaction between such offenders and their probation officers.

For this reason I decided to shift the emphasis of the remainder of the research onto the probation officer/black offender encounter. As part of this new strategy, the next step was to re-analyse the same social enquiry reports from a qualitative perspective. This was because I believed the reports could yield information about the dynamics of that encounter if viewed from this new outlook. The findings of this analysis are outlined in the next chapter.

Henceforth the thesis concentrates on the Probation process as it affects young, black, male offenders, since it is they who form the largest minority racial group in the sample. By concentrating on behaviour and interactions it is hoped to gain greater understanding of the discriminatory process in action.

The Social Inquiry Report in Context

Several points should be made at the outset about social inquiry reports as they relate to probation. First, they are influential documents which can affect the sentence the offender finally receives. Probation officers make recommendations to Courts for a wide range of sentences including supervision, and the majority of these recommendations are accepted. The influence of reports on sentencing has been demonstrated by a number of researchers (Therpe and Poole 1976; Bine, Williams and Poole 1978). Also, their influence can be negative as well as positive.

THE CRUCIAL ROLE OF THE SOCIAL ENQUIRY REPORT:

CONTENT ANALYSIS

The quantitative analysis of the social enquiry reports in the last chapter indicated that there is a reluctance amongst probation officers to recommend supervision for black juvenile offenders. However, it is a weakness of this kind of analysis that it does not deal with the meaning behind the percentages: why is it that probation officers are reluctant to recommend supervision for black juveniles? To try and answer this question, a different kind of analysis had to be undertaken. I decided to analyse the content of the reports, in the belief that this would reveal something of the meanings which probation officers attach to their findings on young black offenders when preparing these reports. In order to give a picture over a broader age range, the original sample was supplemented by six reports, from the same probation office, on adult black offenders i.e. over seventeen.

6.1 The Social Enquiry Report in Context

Certain points should be made at the outset about social enquiry reports to place them in context. First, they are influential documents which can affect the sentence the offender finally receives. Probation officers make recommendations to Courts for a wide range of sentences besides supervision, and the majority of these recommendations are accepted. The influence of reports on sentencing has been demonstrated by a number of researchers (Thorpe and Pease 1976; Hine, McWilliams and Pease 1978). Also, their influence can be negative as well as positive

since the recommendation may depend as much on the characteristics of the probation officer as on those of the case (Bean 1976).

Second, reports are presented to Courts as objective documents prepared by trained professionals. This raises the issue of whether any probation officer is capable of writing a completely objective report since subjective assessment is a major part of report preparation. Pretensions to objectivity derive from the influence of Positivistic criminology; but, as another researcher has pointed out, objective scientific assessment is a mirage:

"It has been cogently argued that the whole rationale of social enquiry practice depends on a misplaced faith in rehabilitation - that is, on a belief that given enough knowledge about a defendant, one can determine a scientifically correct 'treatment' which will minimise the prospects of reconviction. Research on the effectiveness of different sentences in reducing recidivism continues to demonstrate that the 'scientifically correct treatment' is, for most practical purposes, a mirage".

(Raynor 1980:78)

In an attempt to pursue their claim to objectivity, officers can indirectly discriminate against black people. For example, the approach to black deviance adopted by liberal-minded probation officers is to treat all offenders alike, regardless of race. However, such an approach ignores the impact of racism on the lives of black offenders and therefore omits a vital part of their life-experience.

Third, as was argued in Chapter 3, because of the context in which it developed, the Probation Service prepares reports on individual offenders, and so tends to individualise deviance in these reports. The criminal justice system encourages the view that it is offenders who are

to be held accountable for their criminality, and not their social situation or environment. Though Courts may take account of environmental factors, nevertheless when deciding on sentence they concentrate on the potential for the rehabilitation of individual offenders rather than any need for change in the social order. Reference in reports to structural inequalities in society is further discouraged by the integrationist role allocated to the Probation Service which I also referred to in Chapter 3.

Finally, most probation officers are middle-class whites and have been socialised into the profession by predominantly middle-class white trainers (both within and outside the Service). Therefore, it is likely that reports will be written from the perspective of a predominantly middle-class, white culture. The "Types" of people, identified in Chapter 3, who are recruited into the Probation Service may not understand, or be sympathetic towards, patterns of behaviour which are different from their own (Naik 1978). In such circumstances, attempts to describe minority cultures could be slanted. This is a risk especially when one group in society is competing with another for scarce resources: observable physical differences, or cultural behaviour, can be used as symbols to allocate rival groups to inferior social categories, thereby lessening their chances in the housing, labour or education markets. Probation officers, as members of society, are not immune from this process: they are also prone to labelling black people, especially if their professional competence is under threat from the refusal of this client group to accede to traditional practices.

Black offenders, in their turn, may label probation officers as

agents of the white-dominated society which is conspiring to keep black people in an inferior social position by blaming them for their own disadvantage. Such inter-subjectivity between white officers and black offenders could give rise to the inclusion of damaging language and perceptions by officers in their reports to the disadvantage of black clients.

The factors which have been outlined as the context in which social enquiry reports are written could significantly influence their content and contribute to the further disadvantage of black offenders. In order to test this against reality, the same social enquiry reports used for the quantitative analysis in Chapter 5 were re-examined for their content. They were supplemented by a further six reports selected at random from those prepared in Wolverhampton on black adults during 1979. The quantitative analysis in Chapter 5 established that differential sentence recommendations between black and white offenders are made by probation officers. The purpose of the analysis for content which follows is to seek clues which might account for this behaviour. The quotations used are taken from the sample of reports (though names quoted are pseudonyms in order to protect the anonymity of the offenders and their families).

6.2 Colour-Blind Objectivity

Objectivity in writing social enquiry reports has always been urged on probation officers (e.g. Home Office Circular 17/1983). Therefore, when the sample of social enquiry reports is examined, the format adopted gives a semblance of objectivity: whether paragraph headings are used or

not, most use a standard format which covers topics such as early life and family background, education and employment, finance, leisure pursuits, attitude towards the offence, and a conclusion including a recommendation as to sentence. These are the subject headings which the Home Office circular and other practice guidance notes recommend should be covered. However, when such headings are applied universally to black and white offenders, while the intention may be impartiality, the effect may be injurious to black people. For instance, if officers adopt a colour-blind approach to their assessment, they can fail to take account of racism in the social structure as a factor producing disadvantage. Areas such as family life, accommodation, education and employment are those which highlight the structural disadvantages suffered by black people. For example, black people have less opportunity for obtaining jobs because of discriminatory recruitment practices (Smith 1981; Lee and Wrench 1983), or because of the poorer standard of education received (Carby 1982). However, the mere repetition of the "fact" of their unemployment or lack of qualifications may cause the Court to regard them as unworthy. Such repetition of "facts" means that the Court can end up with the impression of a feckless offender.

Because Courts deal with individual offenders, they do not focus on the discriminatory practices of white institutions which have disadvantaged black offenders. The Court system in effect blames individual offenders for their unemployment, poor home background, lack of educational qualifications or trade skills, and so forth, and sentences them accordingly.

Many social enquiry reports comment on the nature of the area where offenders live:

"The house is situated in an area that has a high incidence of juvenile delinquency".

(report on 14 year old)

"The Johnson family occupies an older-style, terraced, three-bedroomed house that is situated in an area with a reputation for delinquency".

(report on 15 year old)

"The family live in a four-bedroomed, Council-owned property in an area of high delinquency... Mr. and Mrs. Bennett say they dislike the area in which they live. They claim their own electricity meter has been broken into four times in recent months by intruders. They have now lived there for 11 years and have applied without success to be moved to another district".

(report on 15 year old)

These are all seemingly factual accounts of the situations of these families, presented as objective and impartial statements. Such statements would be included in any report regardless of the colour of the offender.

However, they require interpretation by the probation officer, part of whose role is to act as "cultural translator" to the Court for the powerless, the disadvantaged, or the insane (Philp 1979). What such comments do not go on to explain is the role of housing policies which allocate black people to such areas. Rex's theory of housing classes highlights this problem: because of the influence of white pressure groups, access to Local Authority accommodation by the black immigrants who arrived after the Second World War was restricted by artificial devices such as lengthy residence qualifications, points systems, and home visits to assess suitability. Over a period of time black immigrants were allocated Local Authority accommodation, but it was often

in the least desirable areas where properties were hard to let (Simpson 1981). Due to their low basic wage and the reluctance of Building Societies to lend money on older properties, those who could afford to become owner-occupiers were restricted to the lower end of the market. Many who could not afford to become owner-occupiers, and were not classed as a priority for housing by Local Authorities, were forced into the private sector of the rented accommodation market: they often found themselves living in multi-occupied dwellings together with others who were at the bottom of the housing market such as alcoholics, prostitutes, persistent offenders, and others from the twilight world.

By including information in reports about poor quality accommodation, or residence in an area with a high level of delinquency, probation officers are likely to create the impression that the risk of further offending is high and the chances of rehabilitation in such an environment low. In this case, the probation officer might be less inclined to recommend supervision, and the Court less inclined to use it, because of these environmental factors. The implication underlying the choice of paragraph headings in reports is that these are the factors by which culpability and the potential for rehabilitation can be measured. However, in a society where black people are structurally disadvantaged, the use of such topic headings is not as neutral as may be thought at first glance.

Other devices, besides the presentation of facts, may be used to give the impression of objectivity. Particular styles of terminology are applied to give an impression of distance between offender and reporting officer:

"John is in the fourth year at *** School and I gather that he is an average, middle stream pupil whose behaviour in a well-structured situation is good. However, he does tend to be easily distracted and has, until now, always been ready to join in mischief".

(report on 16 year old)

In this example, the use of the phrase "I gather that" suggests that this is simply information which the probation officer has gleaned from talking with the school authorities. However, it is the officer who took the decision to include this particular information supplied by this particular person. Other officers for instance were more sensitive, acknowledging in their reports that there were contradictory opinions about individual pupils:

"However, the individual teachers' reports contained conflicting views of him, with one teacher saying that he is not disruptive and another saying that he is".

(report on 15 year old)

Turns of phrase such as "I gather that", "...is said to be", or "... the Court may take the view that ..." give an impression of objectivity by creating a false sense of distance between offender and officer. They are a part of a stance of objective scientific assessment which adds to the status of probation officers. However, this status is gained at the expense of offenders, for the selection of material to be included in a report is a value judgment made by the probation officer. Also, the impression of distance which is given is cold, negative and unsympathetic to the client. Nevertheless, the Probation Service has traditionally placed an emphasis on the importance of the casework relationship between officer and client; yet such objective, distant phraseology does little to enhance the casework relationship and has implications for the final

recommendation which the officer will make.

Occasionally the mask of objectivity is dropped completely in an unguarded moment in reports:

"Peter has no regular, money-earning jobs, such as a newspaper round, but tells me that he goes fruit picking once or twice a week during holiday periods. He was a bit vague about it and was unable to give any figure for earnings beyond saying that pickers receive £1 per basket for the fruit that they pick but did not specify whether this was one particular fruit or not. However, I know from another youth that it is possible to earn £7 per day, but Peter did not give the impression of wishing to work at that rate".

(report on 15 year old)

The key phrase of "...Peter did not give the impression of wishing to work at that rate" is a clear signal to the Court by the officer that Peter is lazy, which can reinforce the stereotype, mentioned earlier in this chapter, of black people as feckless. At the time the report was written Peter was fifteen: this is not an age at which diligence and application in employment ought to have been major considerations as explanations for deviance, especially since this was Peter's first Court appearance. Such a negative assessment must have an influence which is unhelpful to the client's position before the Court.

Pretensions to the objective scientific assessment of deviance by probation officers are a mirage deriving from Positivistic Criminology. They seek to raise the influence and status of officers in the eyes of the Court, but this is often at the expense of their black clients. Objectivity becomes universality, with liberal probation officers claiming they treat all offenders alike regardless of race. However, what is claimed to be an equal approach in fact discriminates against the

interests of black offenders because it is colour-blind, failing to take account of the structural factors which disadvantage black people on the basis of their race.

6.3 Individualisation

In a speech to the Pre-School Playgroups Association in 1972, Sir Keith Joseph, the then Secretary of State for Health and Social Security in the Heath government, set out his theory of the "cycle of deprivation". The central tenet of his theory was that parents who were themselves deprived in childhood became in turn the parents of another generation of deprived children. What was unsatisfactory about the theory was that it failed to take account of unhelpful environmental and social influences on the family deriving from inequalities in the social structure. Because of the theory's failure to consider the causation of such unhelpful influences, it ended by blaming the family for its own problems. The same kind of blinkered theorising can be found in social enquiry reports dealing with the causation of deviance. It is not being suggested that offenders are totally under the influence of extraneous factors and are devoid of rational choice when deciding to commit offences. However, their range of choices may be severely limited by structural factors, particularly by lack of access to badly-needed resources. Black people form an underclass in the social structure, as was argued in Chapter 2. This means that their access to scarce resources is severely limited. However, there is a tendency in social enquiry reports for probation officers to ignore this and blame clients for their own disadvantage.

Education is an area of conflict for many black youths and their parents: the black pupil is often subjected to what Carby (1982:183) referred to as "remedial, compensatory or coercive" educational practices. Many probation officers take no account of this, however, and blame their clients for their problems at school:

"However, enquiries at Mark's school.... reveal evidence of a very different side to his personality. Here he is described as having a dangerous personality, amoral and a positive threat to the female staff. A recent incident involving his placing burning papers in a desk and leaving it has resulted in his suspension from school.... His unsettled, somewhat disturbing behaviour at school is a cause for concern..."

(report on 13 year old)

"I understand that he is not reaching his full academic potential through lack of effort and furthermore he is considered to be one of the more troublesome pupils at school, always on the fringes of trouble, but hardly ever taking a leading role in them".

(report on 15 year old)

In the first example, a pathological, pseudo-psychiatric approach is used: describing the incident of burning papers in a desk as "disturbing" implies that there might be a psychopathic personality at work. This impression is also given by the description of the boy as "a dangerous personality" and "amoral". Matters are made worse by the description of the boy, who is only thirteen, as "a positive threat to the female staff". This description is not elaborated on elsewhere in the report, nor is any specific incident referred to. How exactly a boy of that age could be a threat to female staff remains unexplained, but appears to rest on the stereotype of the excessive sexual drive of the black male. There is no attempt in the extremely condemnatory statements to see the situation from the point of view of the black pupil in either example.

There is no questioning of the style or content of the education offered; this is taken for granted, and it is expected that these pupils should accept what is on offer without question. When they do not, and become "troublesome", it is seen as irresponsibility or hooliganism.

It is not only those who rebel who are blamed for their disadvantage. One mother and father, whose fifteen year old son was before the Court for theft, had raised eight children in all. The father was away from work on sick leave due to high blood pressure and a gall bladder infection, which made it necessary for the mother to go out to work to maintain the family's income. Because of this, the probation officer was unable to meet her:

"Mrs. Cooper was not interviewed, she was never at home when the writer visited there. She was said by her husband to be the dominant parent, as well as the main breadwinner since his own illness. She works full-time at **** hospital".

(report on 15 year old)

The way in which the mother's absence is described, particularly the use of "never" in the phrase "never at home when the writer visited there", seems to include an element of blame and resentment. Such insinuations are subtle and difficult to detect: however, the implication is that the mother is to be blamed for not considering the situation to be serious enough to warrant staying at home. The conclusion to be drawn from such an implication - that she is disinterested - could have far-reaching consequences for this mother's son when he comes to be sentenced.

In the same report, the officer describes how members of the family have worked hard in the past to purchase their house with the assistance

of a mortgage. Despite all the difficulties the family face, the officer still feels the need to refer to the external appearance of the house as "shabby and neglected". It is hard to understand why he should have found this so surprising, given their circumstances. Even though the interior of the house is described as being "comfortably furnished", the best he is able to say later is that "... standards of cleanliness are near average for the area". The intimation is that the standards of the area are low, particularly when the officer has earlier referred to the high level of delinquency in the district. Such comments are unhelpful to the probation officer's client: they imply that the family is to blame for the condition of the house when clearly the parents have worked hard in the past to buy their own house and are only prevented from maintaining it by the father's poor health.

Some black offenders are far from rebellious and hold conventional views. One juvenile, who had already left school when he was seen by the Probation Service, told the officer interviewing him that:

"....all he wants is to get a job and to earn some money, but no-one is prepared to give him a chance".

As a result he had turned to his friends for support because they were in a similar position. However, the peer group had become delinquent, and this seems to be why the probation officer had concluded that the juvenile was "truculent" and had "anti-authority feelings". Such conclusions show little sympathy or understanding for black youths who are unable to secure employment through no fault of their own. Black youths may turn to their peer group for recognition and mutual support when faced with a hostile, racist society which attacks their identity,

and frequently also their right to live in Britain at all. When such peer groups become delinquent, as they sometimes do to provide excitement or money, they are frequently seen as a totally negative influence by probation officers. The positive reasons for black youths seeking out their peers are lost:

"Fitzroy presents as a rather limited youth who would be easily led into excitement-seeking activities by his peers, which would account for the joy riding offences".

(report on 14 year old)

"The present offence consists of receiving a packet of cigarettes which had been stolen. Edward admits his part in receiving them. He recognises that it was a foolish act but was with friends and found it hard to refuse them when offered".

(report on 15 year old)

Given such a lack of sympathy with, or appreciation of, their situation, it is unsurprising that young blacks tend to mistrust white authority. Yet when this occurs, they are blamed for this too:

"Michael impressed as being a somewhat defiant young man, although when interviewed he was always polite and courteous. When talking to him he often adopted a cautious, evasive attitude which suggested that he did resent being asked to account for himself and his actions".

(report on 15 year old)

This fifteen year old youth has probably learned that it is not always wise to be totally open with the representatives of white authority. It is interesting that later in the report the probation officer mentions that Michael spends quite a lot of time at local youth clubs where he "mixes with older boys". No doubt the older boys have advised him to be cautious. Nevertheless, it is hard to understand what justification the

officer had for calling the youth "defiant" when in the same sentence he says that " he was always polite and courteous". On what his impression of defiance is based is not revealed. Possibly it was the youth's "cautious evasive attitude" which led to the officer labelling Michael in such a damaging way.

The individualisation of offenders by the criminal justice system leads probation officers to seek individualised explanations for deviance based on pathology. Such explanations focus attention in reports on the individual circumstances of offenders and their families. This is unhelpful to the cases of black offenders who form an underclass in British society and suffer disadvantage due to inequalities in the social structure. Individualised explanations for crime end by blaming black people for their disadvantage and tend to allocate them to a variety of categories of need based on individual pathology; this can cause them to rebel against the attempts of probation officers to categorise them in this way, but they then face the risk of being stigmatised as "difficult" or "unco-operative".

6.4 Stigmatisation

One of the main purposes of social enquiry reports is to provide background information on offenders for Courts. This background information usually includes details of offenders' backgrounds, early lives, current home circumstances, attitudes and beliefs. Probation officers can be perplexed by the family structure, patterns of child-rearing and religious beliefs of those from minority cultures. This is because most officers are middle-class whites and have been socialised

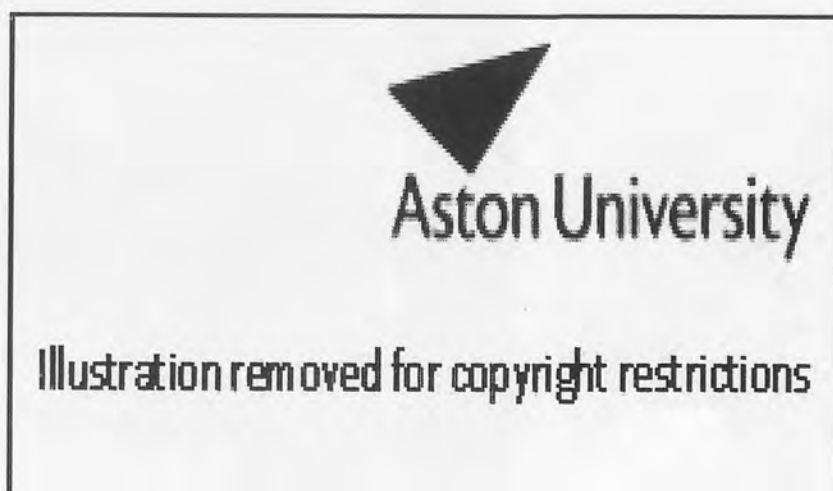
into the profession mostly by middle-class white trainers. Officers may compare and contrast minority values and patterns of behaviour with their own, and view them with suspicion. The most commonly quoted example of this process in action is of black children who have been taken into the care of the Local Authority, often merely because child-rearing practices were different and therefore considered inferior (FitzHerbert 1967).

Observable differences, whether physical or cultural, may also be used to set boundaries between groups. This happens especially when one group feels its status is under threat from another: cultural patterns may be used as symbols to stigmatise members of the rival group and allocate them to an inferior social category. Black people have been subjected to this kind of stigmatistation especially since conflict emerged in the housing, labour and education markets. Black people and their culture are labelled as alien to British society and are used as scapegoats for the disruptions in society brought about by the organic crisis of British capitalism (Solomos et al. 1982). The fact that many young black people were born in Britain is ignored. Many people, including reporters in newspapers and on television, have great difficulty in accepting that British people can be black, and often refer to them as "West Indians", whether or not they were born in the Caribbean. One probation officer was clearly having difficulty with this idea:

"I was told that Christopher was born and reared in the West Midalnds and has received a normal upbringing for a West Indian immigrant child".

(report on 15 year old)

This probation officer manages in the same sentence to say that Christopher was born in Britain and that he is a "West Indian immigrant child". The term "immigrant" itself has come to have negative connotations; in this case it is inaccurate because Christopher was born in Britain. It is true that his parents were immigrants, for they came to Britain from Jamaica, as is mentioned earlier in the report; but Christopher himself was born in the West Midlands. Despite this fact, the officer clearly does not see Christopher as being British. There is also an intimation, in the manner in which the sentence is phrased, that the "normal upbringing" which Christopher had was inferior because it was that of a "West Indian immigrant child". The probation officer does not make his meaning clear, and it is left to the Court to make its own interpretation of what is being said. The officer simply could have ended the sentence at the words "normal upbringing". Why he felt the need to add the rest is unclear; however a different upbringing seems to mean an inferior upbringing for this officer.



In the first example, negative comments about parental authority are

ascribed to the young offender. This often occurs, and creates a false sense of objectivity of the kind referred to earlier. The comments ought to be owned by the probation officer who decided to include them. Many young people go through a period of rebellion against parental values: this is also the case with young blacks, especially those who are becoming more conscious of racism and are prepared to fight against it:

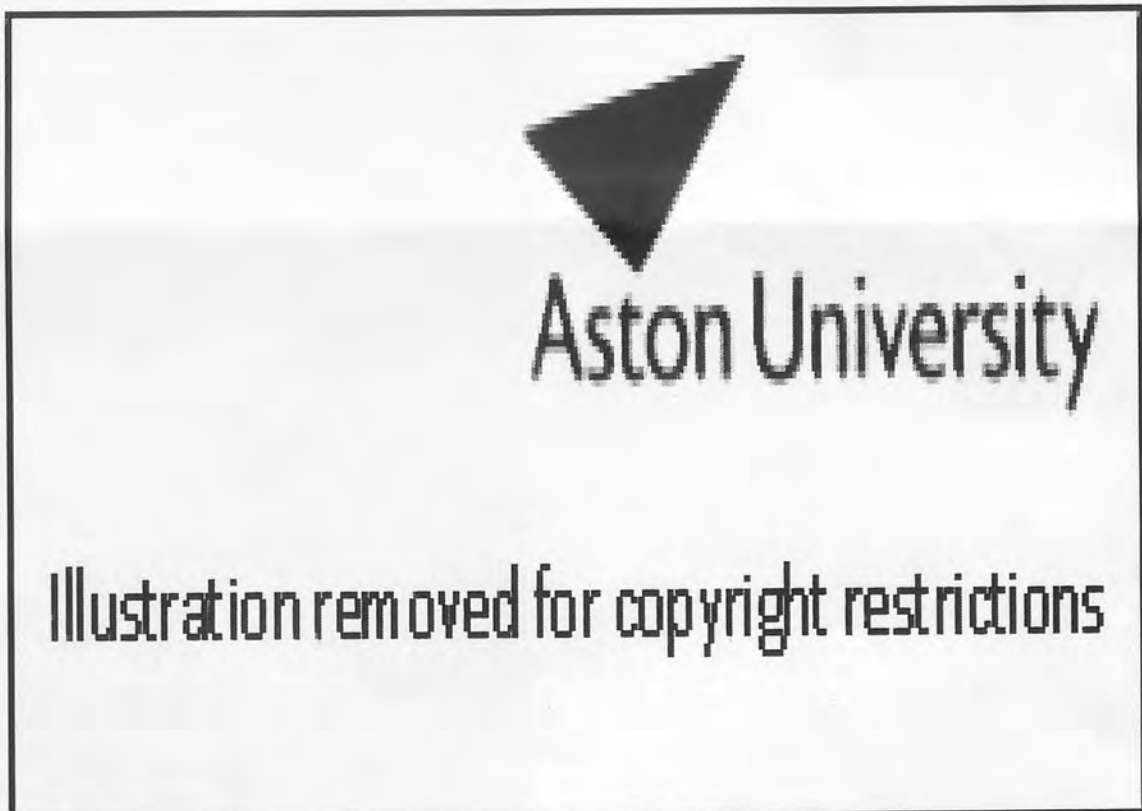
"...what many whites forget is that for black people their primary identity, the way in which they are reacted to, and the way in which they act upon the world is mediated by their colour, and the oppression that brings, structurally, politically, psychologically and economically".

(Brake 1980:115)

Their feelings may bring them into conflict with parents who are more conciliatory towards white society, having come to Britain as immigrants and therefore prepared to encounter difficulties here. When confronted by such conflicts between parents and children in black families, officers sometimes perpetuate the myth that black parenting is stricter than white parenting. However, "strict" is a valued judgment. The second example quoted refers more directly to such myths when it mentions the home being "...run in a traditional West Indian manner". It is highly doubtful whether there is such a thing as a traditional West Indian manner of organising and running a family home, any more than such a tradition exists among white Britons. Patterns of family life vary, not only between cultures, but also between families within the same culture. Also, it might have been possible to have more faith in the officer's observation had he been black himself, or had had extensive experience over a number of years of working or being friends with black families. In reality, the officer is white, born and raised in the Midlands, with a background in industry, and had been a probation officer

for some three years at the time the report was written. Such assessments are often made on the basis of probation officers' personal cultural values and assumptions; they are stereotypes rather than considered judgments born out of extensive experience of contact with black families. Such stereotyping can stigmatise black people and discriminate against them.

Other aspects of minority group behaviour are also open to labelling and stereotyping. Many older, black people sought refuge in religion from the injustice and inequality they suffered at the hands of white society. However, on coming to Britain they found they were not welcomed by white congregations and formed their own Pentecostal churches. Some of these churches encourage a demonstrative religious fervour in their members which is alien to the practices of the Established church. Such fervour is open to misinterpretation:



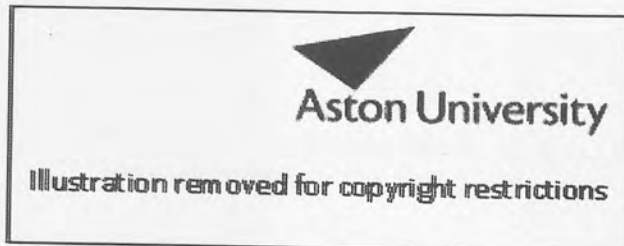


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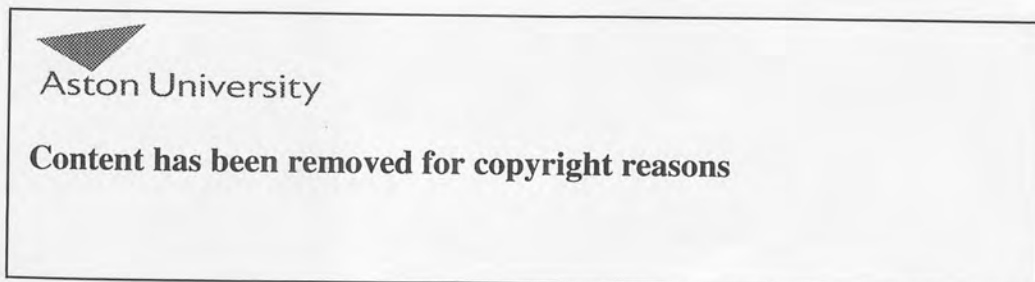
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Some younger blacks turned to Rastafarianism rather than the Pentecostal churches as a source of identity. Probation officers are prone to the same stereotypical beliefs about Rastafarians as other citizens and, in the course of their report writing, can stigmatise Rastafarians because of such beliefs. I recall one probation officer condemning Rastafarianism in a meeting, claiming that the Rastafarianism practised by his clients was not a true version, but a corruption of the true faith. He said that he regularly urged his clients to give up their beliefs. He appeared to have no appreciation that any faith is not fixed in its beliefs forever, but changes and adapts over the years to meet the new circumstances it encounters. When views such as these are held, they are likely to have a negative effect on officers' relationships with Rastafarian clients. It is not uncommon for Rastafarianism to be

referred to in negative terms in social enquiry reports, especially where there is a dispute between parents and their children over beliefs:



Probation officers tend to blame young blacks for being rebellious, and find it easier to sympathise with their deferential parents. Some officers, however, are more open-minded. Conscious of the negative connotations which can go with the label "Rastafarian" one, for instance, attempted to describe the faith in a more positive light to counter these:



This officer seems prepared to learn more from the client about his beliefs and treat them with dignity. This attitude would probably be evident to the client who, in turn, would be more prepared to talk about himself. In such an atmosphere of mutual trust there would be a much greater chance of a positive relationship developing.

Another aspect of Rastafarianism with which probation officers find it difficult to cope, is their rejection of legal marriage. Most officers are steeped in white, Christian-based British culture which is hostile to parents whose children are born out of wedlock; even more so to fathers who do not then "do the right thing" by marrying the girl they have "got into trouble". Yet State welfare benefits sometimes make it financially advantageous for parents to live separately, which is quite apart from any tenets of the Rastafarian faith which encourage this. Such arrangements, however, can arouse deeply-held cultural taboos in whites, even when stated factually:

"He is the father of a two month old child, but is not actively involved in her care".

(report on 19 year old)

By adding that this Rastafarian youth is not actively involved in the care of his child, the probation officer's moral values can be detected creeping in, even though the statement is no more than factual. The mere inclusion of the statement in the report implies that the officer feels the client ought to be involved in the child's care. Such a subtle message can still influence magistrates and increase their lack of sympathy for Rastafarianism which derives from the stereotypes they hold. One of the dilemmas faced by liberal-minded officers, such as the one mentioned earlier, is that however positive they may be, the mere statement that defendants are Rastafarians may place them at a disadvantage with magistrates or judges who also have their culturally-derived mores. This begs the question whether it is always in the interest of young black offenders to agree to social enquiry reports being prepared. The answer derived from this survey seems to be that it

is not, so long as probation officers lack an awareness of the implications of racism.

6.5 Recommendations In Reports

The content analysis of the reports provides some initial indicators to the reasons why young blacks are not placed on Probation supervision and so ascend the "tariff ladder" quicker than their white counterparts. The earlier quantitative analysis indicated that probation officers are reluctant to make recommendations for supervision. The qualitative analysis of the reports in this chapter indicates that the reasons why they do not recommend supervision are partly to do with the values and assumptions which govern their work. Such values and assumptions, which often derive from Positivistic criminology, lead to the use of a colour-blind approach to black deviance: this approach tends to individualise and stigmatise black offenders by failing to take account of the effects of racism in the social structure on the behaviour of black people. The colour-blind approach is often subtle and hard to detect; it probably goes unrecognised by many probation officers themselves because a certain level of racism awareness is required in order to identify it. Despite their pretensions to objective scientific assessments of offenders, and the use of stylistic devices to convey this impression, objectivity of this kind is a mirage. It conceals the individualisation and stigmatisation of black offenders by probation officers.

Because reports are prepared on individual offenders, this encourages probation officers to blame offenders for their own

disadvantage; officers do not consider the wider social context which is so disadvantageous to black people and contributes to their deviance. Crime is one of the few ways out of their dilemma which seems available to them. In those reports where the wider social context is considered, it is in terms of a white value system which often stigmatises black culture because whites are in competition with blacks for scarce resources. Also, probation officers may feel threatened themselves by a group of clients which rejects the traditional approach of the Service and undermines their claim to expertise. The problem is further exacerbated when liberal-minded officers attempt to provide sympathetic information about black people but at the risk of this information being misinterpreted in the Court: officers are then left in a dilemma - either they take the risk, or advise the black offender not to agree to the preparation of a report at all.

In such an atmosphere of mistrust, effective communication is difficult because probation officer and black offender both apply negative labels to one another. However, probation officers are in a more powerful position to make their label stick, because they can unilaterally withdraw the supervision option, resulting in harsher sentencing decisions by Courts in the cases of black people. There is evidence that this withdrawal of service by probation officers takes place in this sample of reports:

"It is now some 2½ years since Leroy last appeared in Court. He lives in an area of high delinquency where the opportunity to commit this sort of offence is frequent. It perhaps is to his credit that he has managed not to re-offend for four years. However, if the Court is prepared to view this offence as a minor setback, it may consider that Leroy is able to pay an appropriate monetary penalty from his not inconsiderable weekly pocket money. Supervision by

the Probation Service is not felt to be necessary."

(report on 15 year old)

"It is my opinion that he is in need of some structured training which at this stage might not necessarily have to be in a closed environment. The desired result may be achieved by making him the subject of an Attendance Centre Order".

(report on 15 year old)

"....while it is freely admitted that he has problems with his home, he must learn that the commission of anti-social acts in not an appropriate way of dealing with them. Hence, while it may seem harsh to him, it is felt that a short period at a Detention Centre at this stage could cause him to reconsider his attitudes and behaviour at an age when there is still time to make something of his life".

(report on 16 year old)

Recommendations framed in these terms have serious implications for black offenders, even though they may depend as much on the characteristics of the probation officer as on those of the case. Colour-blind assessments of black deviant behaviour, which individualise offenders and blame them for their own disadvantage, push them up the tariff ladder of sentences at an early stage in their deviant career compared with equivalent white offenders. Once they have reached a particular rung on the tariff ladder, it is extremely difficult to bring them back down again; and each rung they go up brings them closer to a custodial sentence at the top of the ladder.

The last two chapters have been restricted to an analysis of social enquiry reports, which are produced after limited contact with offenders. In the next chapter the hypotheses introduced here, to explain how the Probation process operates against the interests of black clients, will be developed further. This will be achieved by means of an

ideal typical case study. The study will highlight certain aspects of the encounter between probation officers and their black clients in order to draw out from the Probation process those practices which lead to discrimination against black people.

SECTION IV

TRADITIONAL VERSUS ALTERNATIVE APPROACHES

THE BLACK OFFENDER SEEN THROUGH THE EYES
OF PROBATION OFFICERS

The case study in the last chapter suggested certain insights into the factors which may be impinging on the encounter between black offenders and white probation officers. The case illustrated the way in which a myriad of causes, some of which have their origin in the historical development of the Service, could be contributing to a cumulative process of institutional racism.

In this chapter, the roots of the institutional racism which is thought to exist are teased out through in-depth interviews. The value of interviewing probation officers and other workers is that there is an immediacy of approach which is not present in those methods used previously. Officers can be asked to expand on particular points by the interviewer who wishes to probe more deeply into what is meant by particular answers to questions. If the interviewer is proficient, interviewees can also be helped to relax so that they are prepared to reveal more about their attitudes and perceptions.

Of course there are difficulties with interviewing, and these were discussed in some detail in Chapter 4: interviewees can be inhibited by an authoritative interviewer, or alternatively can become over-responsive by detecting verbal cues from the interviewer about the answers which are being sought. However, a sensitive interviewer, particularly one who has practised interviewing techniques as part of social work training, can minimise such difficulties.

The contents of the interviews presented in this chapter provide a richness of data and are the kernel of the research endeavour over the six year period. Probation officers talk freely and openly about their casework relationships with black offenders, and their comments provide an invaluable insight into the probation officer/black offender encounter.

8.1 Racism Awareness: Before Joining the Probation Service

The sample of Probation Service employees and other workers who were interviewed originate from a variety of backgrounds. Thirteen employees of the West Midlands Probation Service (three senior probation officers, and ten main grade probation officers) were interviewed between November 1981 and December 1982, together with one senior probation officer seconded to an inner-city project, and one worker from a black self-help project also located in the inner-city. They were employed across the West Midlands in Wolverhampton, Walsall and Birmingham. Twelve members of the sample are white, and three black. Their ages ranged from the mid-twenties to mid-fifties, and the length of service varied from 2½ years to 23 years in the case of one senior probation officer.

In terms of the typology used in Chapter 3 to describe the background of those recruited as probation officers, the sample proved to be an interesting cross-section: 5 are the "Ex-Industry Type"; 3 the "Professional Type"; 2 the "Ex-Police Type"; and one each of the "Ex-Colonial" and "Missionary" Types. When officers are quoted, they will be identified by means of this typology. In analysing the data it was found

that the black workers do not fit into this typology: all of them had entered the Probation Service through their involvement in voluntary social work within the black community in hostels, summer playschemes, and Saturday schools, rather than the traditional sources of Probation Service recruitment. Therefore, when these workers are quoted, they will be identified by their race and job title rather than the typology.

8.1.1 The Black Man Cometh

In the early part of the interview, the respondents were encouraged to talk about themselves, what work they had done before joining the Probation Service, and about their early awareness of race as a dimension of social segregation. Most of the white probation officers interviewed had grown up in the Midlands and so had lived through the period in the 1950's, 1960's and to a lesser extent the 1970's, when black people began to arrive in the area in any numbers. It was found that the officers had a sense of history and were able to reflect upon their early encounters of race issues. By some, black people has been seen as a novelty when they first arrived. One officer remembered her father talking at home about the arrival of the first black worker at his firm:

".....he worked on the section with my father and his name was Charlie, and they used to get on ever so well. And I think that at first it was a bit of a novelty, this black face, and my father rather took him under his wing. And I never met him, but I used to hear a lot about him, and so I suppose that was really the first generation of immigrants".

(Ex-industry type probation officer)

By most communities, however, black people had been seen as a threat or in a negative light. One middle-aged probation officer recalled that people seemed afraid of the unfamiliar:

".....it was the menace of the culture more than anything else, the strange black faces, the unknown black man living in your street and behaving in a way that you don't behave".

(Ex-industry type probation officer)

He recalled how myths had abounded at the time, more so about those coming from India and Pakistan than about those from the Caribbean, perhaps because the contrasts in culture, manner of dress and so forth were starker:

"....then, of course, there were additional problems when the Asians came - cooking for instance: legends about they didn't know how to use lavatories; and all of them were reported to be dumping their rubbish in their back garden, the general nature of the place was a tip. There were a lot of complaints around at that time, there was a lot of prejudice: pub landlords would not allow them into pubs, they put notices up".

This is a recognition that myths about the black newcomers were quickly generalised in a racial way after their arrival.

8.1.2 A Black "Underclass"

Others had seen immigration as a deliberate ploy by a Conservative government to fill low-paid jobs which indigenous workers refused to take without an increase in their level of pay:

"....as I understand it, the Asian and the West Indian invitation particularly to come over here had a point - that it was intended to break the stranglehold and fill in these

low-paid jobs, menial jobs, which our locals didn't want: foundry work, it is disagreeable work, unsociable hours, bus drivers weren't all that well paid".

(Ex-industry type probation officer)

This officer recognised the potential for conflict between black and white workers in such a situation, and for the stigmatisation of black workers in order to protect the interests of whites. One officer, previously a production manager in industry, recalled having negative feelings about black employees:

"....I didn't particularly like working with the West Indians because I was responsible for something that had got to be (pause) a product that had got to be turned out and I had got to be sure of my workforce".

Given that this was the culture within which most of the white officers were living, before they joined the Service, it would be surprising if they had not taken on board some of the negative images and stereotypes. However, in looking back and remembering, some officers were able to cite clear examples of what had appeared to them to be racist practices, especially in employment in industry:

"...but the existing personnel manager at that time (pause) as time went on and we began to get immigrants from the West Indies and Asia, he strongly resisted using coloured labour".

(Ex-industry type probation officer, Wolverhampton)

"I didn't particularly set out to take on coloured lads. My attitude was that the best that come are the ones that are going to get the jobs. It was made very plain to me by my works manager, though, when I took on my first West Indian boy that this was not company policy. It was not a stated policy, but I was told to get rid of him quickly....".

(Ex-industry type probation officer, Wolverhampton)

"The factory jobs I've had there have been a fair number of mainly Asians, not West Indians. They have had jobs as well,

but as a van driver or on machines, so I never really came into contact too much with them. Up to the point where I've come into the Probation Service, in fact.....there tends to be a pecking-order in factories, on the factory floor, and I knew myself that the Asians had got the low-paid, menial jobs, and were at the bottom of the pile, which just reflects society's structure really".

(Ex-industry type probation officer, Walsall)

These practices, as recalled by officers, reflect Rex's ideas on black people as a kind of sub-proletariat or "underclass". One senior officer (ex-industry type) recalled how workers from India struggled to survive when they first arrived in Britain:

"....I often used to find that there were people whom we employed, I suppose we would call them now of no fixed address, we found actually that they were sleeping on the premises. They found somewhere to sleep (pause) in a large Company you have got a lot of storerooms and stockrooms, and little walkways and alleyways between buildings etcetera, and they would make their own area in a corner and sleep there....if I remember rightly they were dismissed because they were regarded as a hazard, because they were sleeping on the premises".

8.1.3 The Marginalisation of Blacks by White Officers:

Some officers recalled that the general feeling in the community had seemed to be that the arrival of black people was a negative development, and one felt that this feeling still persists:

"I come from Handsworth, born and bred in Handsworth, Handsworth of the 30's.....When you get to know people well enough, and particularly family, things slip out all the time and yes, they still do not want their children, grandchildren, going to schools with a high black ratio, they believe the education level has dropped. My mother, who is in her eighties, is feared to go out at night and equates this with the black community. They talk of a lot of robberies and house-breakings; they always equate it with blacks, so there is that link in the mind that seems to be

there constantly, that Handsworth has gone down from a very middle-class, white area of the 30's. They see it as having gone down, they don't see the enrichment, they don't go out to find the enrichment, they don't go to places like Gurdwaras, temples".

(Missionary type senior probation officer)

Despite witnessing these injustices and hardships at first hand, to most probation officers the issue of race relations was marginal and not something in which they had felt involved. Some had even denied that there were problems, and still do. One officer (ex-police type) recalled the area in which he had grown up:

"It was very much a 'Coronation Street' type place, back-to-back, privies, and a very close community; and strangely enough, it is like that now only with a different kind of population, a lot of Asians, but very much the same sort of (pause) it is strange really, the same sort of community only Asians, but the same closeness and no major problems in terms of black living with white there as far as I can tell, certainly according to my uncle who still lives there".

Others acknowledged the existence of racism, but apportioned much of the blame to black people themselves, suggesting in other words that racism is a black problem and not a white problem:

"I think that people have got used to seeing West Indians around, I think there is still a fair lot of prejudice about. A lot of it has been brought on by certain members of the ethnic minority groups, and certainly the media are not slow to publicise muggings and descriptions that police are looking for a West Indian or somebody black. There have been some unfortunate incidents, we've had a bit of racial conflict in the town centre and so on, and these things stick in the memory".

(Ex-industry type probation officer)

However, there was a stark contrast between the early memories of black and white probation officers. Blacks were able to recall experiences of prejudice from an early age, and such experiences had influenced their thinking on race.

8.1.4 The Perceptions of Black Officers

All those quoted so far are white officers who experienced mostly negative reactions, in the community in which they lived, to the arrival of black people. Some were more aware of racial prejudice than others, but the over-riding impression gained from them during interview was the marginality of the issue, so far as they were concerned, prior to joining the Probation Service. One ex-industry type referred to his lack of contact with black people prior to entering the Service, even though they were employed in the same factory as him albeit in more menial tasks.

This is in marked contrast to the black workers interviewed, for whom prejudice was a very personal experience and had cut deep. In consequence the level of prejudice awareness was much higher with them, though it is important to note that at this stage they saw the issue of race in terms of prejudice rather than institutional racism.

One of them recalled how oppressed she had been as a child by the Western stereotype of human beauty and how this had sapped her self-confidence:

"I remember drawing pictures like (pause) definitely my favourite pictures were what I call 'Cindy pictures': kind of page-style blond hair and blue eyes, and I was drawing

what I saw a beautiful woman as - it was never black (pause) but for me as a black kid growing up and seeing all that around me, that hasn't instilled any kind of pride in myself at all about being black".

(Black worker from self-help project)

This comment reflected the findings of the study conducted by Clark and Clark (1972) which showed that even three year old children were already aware that being black was a disadvantage and they chose white dolls in preference to black ones. The black worker as a child was not aware of the prejudice inherent in this stereotype of beauty, as she reached adolescence her awareness had grown. It had made her angry, and she lays the blame at the door of the intolerance of the majority white culture.

A black probation officer recalled how his naivety about prejudice, on first arriving in Britain from the Caribbean had been quickly dispelled:

".....as a young kid when I came to England, I had never cried so much in my life in terms of prejudice: you sit on a bus and people get up next to you; or you offer somebody your seat and, particularly old women, who will say to me that they don't take seats from wogs, and words I'd never heard before in my life".

This officer, as he had grown up, was so incensed that he had become actively involved in black politics, helping to organise Saturday schools for black children and selling radical newspapers on the streets. Another black officer described how, when she had begun her course to obtain her professional qualification as a probation officer, her tutor had not expected her to find it easy:

".....my personal tutor said at one stage: 'It is going to be difficult for you to get through, but I am here to help

you'. That implied to me as though I hadn't got the capabilities to go through on my own and I had got to rely on his support. It didn't seem to me as though it was a sharing thing, he didn't say: 'Oh, Lucille, I think you can do it but we can try and do it together'. He didn't say that. He said: 'It may be difficult for you to get through but I am here to help you', and that sort of feeling of not really on a par.....".

No doubt this tutor was trying to be helpful but the officer had detected the implication underlying the statement - that as a black person she would need help to get through.

Most officers were aware of the issue of racial prejudice prior to joining the Probation Service, but the difference appeared to be that whereas black officers owned the problem by force of their experience, white officers witnessed it from a distance, seeing it as largely marginal to their experience. This was to change for white officers, once they joined the Service, when they were confronted with alienated black offenders.

8.2 Racism Awareness: After Joining the Probation Service

Entering public service within an urban area within the West Midlands can bring employees into daily contact with black people for the first time in their lives. Moreover, for probation officers that contact can be under difficult circumstances: a black offender on a first meeting may be cautious and suspicious, seeing the probation officer as a potentially unhelpful representative of white authority. Black people often have good reason to be suspicious of representatives from public services: too often they are treated as an underclass when it comes to resource allocation because of the perceptions held by the resource

allocators and their institutional practices, as suggested by Rex and Moore (1967).

With a job closely related to the Courts, and to the police, a degree of caution and suspicion towards probation officers is probably inevitable. Officers recounted that at times, the response can be outright hostility. Power as a factor in race relations can be especially evident in this encounter because it is the officials of public service agencies who hold the power in decisions about the allocation of resources. Probation officers hold power as cultural translators within the Court setting: the particular motivational account for deviant behaviour they apply may make all the difference to the Court's decision about drafting in caring resources, or adopting a punitive approach in sentencing. Historically the Probation Service has taken an integrationist approach, mostly relying on client-centred approaches to reintegrate the deviant with mainstream society. However, this is not always in the best interests of the client, as was seen in the case of Winston in Chapter 7. Nevertheless, given this tradition which still permeates social work training and professional socialisation, it was unsurprising to find when officers were interviewed that client-centred explanations for deviance were more common than references to structural inequalities.

8.2.1 Client-Centered Explanations for Deviance:

One professional type officer, who had come into the Service at quite a young age via a university course of training, and who therefore might have been expected to show some awareness of the effects of

structural inequalities on her black clients, still talked in terms of an anti-authority attitude:

"There was a guy who had come out on parole and right from the word go he had been awkward over the address that he was supposed to come out to, and we had to sort of really spell it out that he was coming to a particular address and couldn't mess about. And he wouldn't accept, didn't want to accept, that he was coming out on the kind of restrictions that we were explaining to him. Eventually he did knuckle under and he came out and he claimed to be staying at that address and I don't know if he did. Eventually he reoffended and went back inside, he was considered again for parole and he got parole again and he came out with a very (pause) the same sort of aggressiveness, off-hand attitude, and when I picked him up from the waiting room, when he came out to report, he just wouldn't even speak to me. I just had to confront him with it and there was (pause) I think I was a bit (pause) there was a lot of resentment of authority there, as well as resentment of white authority. It is difficult to separate the two and I wouldn't want to say it was all one, that it was all a colour thing, because I don't think it was".

The officer was struggling with a negative response from her black client and, in searching for an explanation, had considered a structural account which drew on racism. However, in the end she had come down in favour of an explanation which saw the client's behaviour as a generalised anti-authority attitude. The kind of anger and resentment exhibited by this client could alternatively have been explained as a natural consequence of his previous experience of racism: inevitably, his experiences of authority would mostly have been of white authority.

A black interviewee recalled herself being accused of being anti-white by her parents:

"I have personally had fights with my parents because they used to accuse me of being anti-white, and what I was saying was: 'Look, I'm not being anti-white, I'm just trying to assert that black people have other unique qualities that

are different from white, and should also be appreciated'. But that has been largely ignored and (pause) we have grown up in a kind of dual society, and as black kids we have grown up under a lot of pressure and a lot of struggle trying to please two societies: a black society where our parents come from and they have still got set values because they are grown up anyway; and a white society which sees us differently".

(Black worker from self-help project)

What might on the one hand be perceived as an anti-white or anti-authority attitude, might on the other hand (according to the degree of racism awareness of the probation officer) be seen as the natural product of the anger and resentment felt about past experiences of racism. Any authority figure, such as a probation officer, would then be a natural target for such feelings. A number of the officers interviewed mentioned a similar pattern of what they saw as lack of co-operation by black clients:

"The idea of coming on a particular day or time is something that most of the ones that I've had contact with just don't comprehend. The concept of time and day or whatever (pause). It's a case of come when I think about it'.

(Professional type probation officer)

"....they 'don't seem to take much notice of sort of appointments and days (pause) I mean if they are given an appointment for one day and they'll come at a different time another day....."

(Ex-police type probation officer)

"I've experienced a non-cooperation and an indifference".

(Ex-industry type probation officer)

The unwillingness of black clients to keep appointments with their probation officers was an issue which cropped up time and again. One officer felt it was part of a cultural pattern which could not be

changed:

"I know it's accepted among the West Indian community themselves inviting people to something, you always invite them half-an-hour early and they might get there on time. The weddings we've been to, we've always had to find out what's the real time, otherwise you find yourself there an hour before the bride turns up because she's mentioned the time so that people might get there on time. It's almost the way things are: nobody ever gets there on time (pause). I suppose that I accept that an attitude that seems rather casual is not necessarily sticking their fingers up. It's just the way things are. The cultural thing. I don't see that I should therefore try and change that".

(Professional type probation officer)

However, the cultural explanation provided by the officer seems weak: many black people do arrive for meetings, appointments and duties on time otherwise they would not keep their jobs. Life in the Caribbean may be lived at a slower pace where time is not so important, but many young blacks have been born in Britain - a complex, industrialised society where practically everything is done by the clock from an early age.

8.2.2 The "It's Not Us, It's Them!" Syndrome

What was overwhelmingly apparent was that officers laid the blame for difficulties in the probation officer/black offender encounter firmly at the feet of their black clients. This is part of the "It's not us, it's them!" syndrome, which involves the blaming of the client, as noted in the case of Winston in Chapter 7. It is closely allied to attempts to retain professional status.

Few of the probation officers interviewed seemed to have considered examining themselves and the service they were offering to their

clientele. If offenders do not see the service offered as relevant to their needs, then they are likely to be less willing to keep appointments. Traditionally probation officers have seen their clients individually by appointments, and casework has consisted of counselling or advice sessions. However, there are those who consider this approach inappropriate, and suggest it is time to consider alternatives. Whilst most officers interviewed located the problem in the black client, an alternative view was that the problem should be located in Probation Service traditions. As one of the black officers interviewed suggested, officers should consider changing themselves and the way they think about their job. However, explanations in terms of the inadequacies of the black client were the norm.

Two officers mentioned mental illness as a factor in deviance. One gave a detailed account of a case:

"He had unlawful sexual intercourse with a fifteen year old girl. I don't think he had any previous convictions at that stage. He has several since then, several things have happened. I keep hearing bits of him - he's gone off since. He started to become quite disturbed and he got a taxi up to L**** and he'd got no money to pay for it. Of course when he got up there, the taxi driver started to protest and he was done for that up there. So a probation officer from that area telephoned me. We did a report. He moved up to his brother's home up there. He wouldn't speak in Court. He had just become mute, and from that point on he deteriorated dramatically. Another probation order was made, in fact, up there.

It's very odd, but one of the things which seemed to spark off this - in fact he became schizophrenic - was a period in prison for non-payment of fines. He was fined for motoring offences - he had done a load of take and drive away - no, not take and drive away. He had got his own car, bombing around everywhere without insurance, tax, just being stopped by police the whole time. It just accumulated. And he seemed quite hedonistic about it: no way was he going to stop driving about, and he couldn't see why he shouldn't drive about. He wouldn't realise there was a risk to other

people: there was no way he was going to stop driving about and he went into prison. And it seemed from that time onwards that he started to become disturbed.

He came back and got a very nice flat. He wouldn't pay his rent - but that isn't unusual (laughs) - he became (pause) He'd do all sorts of odd things: he'd go out and buy a £1's worth of flowers because he thought it would cheer the flat up. Although he hadn't got any money for food, he would go out and buy flowers. Odd things like that".

(Professional type probation officer)

What is interesting about the account given by this officer is the way the mental illness eventually became the focus of explanation for the client's deviant behaviour. The officer was confused by the behaviour, describing it as "disturbed" and "odd". Yet it could have been seen as the rational behaviour of a member of an underclass who aspired to conventional behaviour - having a car, buying flowers for a home - which he could not afford and achieve by legitimate means. Consequently, he found himself in conflict with the law and was imprisoned. Laing and the anti-psychiatry movement have challenged the value of labelling behaviour as schizophrenic in this way, because it devalues the meaning underlying the deviant behaviour:

"Psychotic reality is in essence a competitor, a rival, a challenge to the reality defined by the normal and the sane. The sane and the normal eliminate their rival by declaring it to be madness, a deviation to be visited with legal and other penalties".

(Sedgwick 1972:40)

A somewhat different type of explanation, but again drawn from the traditions of social work, was in terms of family pathology rather than just individual pathology.

8.2.3 The "Inadequate Socialisation" Syndrome:

A number of probation officers referred to inappropriate parenting within black families:

"I find that there is with West Indian parents a readiness almost to give their marching orders to young people when they start to rebel. There is an intolerance in them towards their own children".

(Ex-industry type probation officer)

"The other problems I have been aware of have been the, what I might call, the rejection of the teenage group by their parents who have taken a rather strict view about behaviour and say, 'Well, they're not welcome in our house'. Its against our understanding and what we believe in".

(Professional type probation officer)

"I think probably with the younger West Indians there is this clash between parental background and their own feelings of wanting to have more freedom than the traditional West Indian family allow. They tend to be wanting to conform, the older West Indians, to our society, and upset if the young ones do go astray and tend to reject them. I've come across a lot of cases where parents have tended to reject children, perhaps even been violent to the children, when they have got into trouble with the police".

(Ex-industry type senior probation officer)

"It is mostly young men I suppose I've been in contact with, young West Indian men, and I think they appear to lack any kind of stability. I think that the (pause). It is my impression anyway that when they become, say, fifteen or sixteen, there is very little parental control, and I think their parents are a bit suspicious of sort of helping organisations anyway and would not try to get help....".

(Ex-police type probation officer)

Two dangers of statements such as these come to mind: first, they can become generalised in a racial way, and black families become labelled and marginalised; second, probation officers are judging appropriate family behaviour by their own cultural, and class-based, standards and

assuming that their way is better. As one professional type officer said: "It's against our understanding and what we believe in". No-one would condone excessive violence towards a child, but when appropriate disciplining becomes child abuse is very much a subjective, cultural judgement.

The issue of what constitutes child abuse has caused problems for some police forces when dealing with minority cultures. The police have received complaints from schools about excessive punishment meted out by an imam to Moslem children who have not learned their Koran; meanwhile, the parents refused to complain, viewing the punishment as appropriate.

Similarly, probation officers are used to being part of, and dealing with, nuclear families. However, the idea of the extended family is still strong in some sections of the black community. The extended family system is most readily associated with Asian culture, but it must be remembered that Afro-Caribbean families have their own version of this.

8.2.4 The "Peer Group Influence" Syndrome:

If client-centred explanations of deviance can lead officers to draw racist conclusions about behaviour, so also can theories of delinquent subcultures. One officer interviewed argued that much black deviance is attributable to peer group pressure:

"Some of the original immigrant kids that were brought over here to be with their parents, they had emotional problems, they formed a sort of delinquent subculture, there were quite a large number of them, they used to thief from

shops, take motor cars. One particular member stole 52 cars, take and drive away, I had him for a while, a fair number of these. Some have disseminated now; they're all lurking in the background somewhere. Some of them don't come back to Court, others do; they are in their late twenties now or early thirties. I think some of them have settled down. But they seemed unable to cope in this society".

(Ex-industry type probation officer)

"I think there is still a subculture knocking around that lads can get drawn into, which is alienated from the general run of society. They see themselves as having no home, and they try to preserve an essential blackness of culture. And in order to survive they are involved on the fringes of crime, a lot of them go in for - and they are not confined to the older men, sometimes the younger ones pimping and poncing, that sort of thing. There are the robberies in the street".

(Ex-colonial type probation officer)

The conclusion drawn here seemed to be that subcultures emerged because of their members' emotional conflicts. Nothing positive was seen in black youths coming together for mutual support; it was seen as a deviant response. In fact, it could be argued that the support that black youths receive from these groups is very positive, and that the groups only become deviant by force of circumstances such as boredom, unemployment, and shortage of money. As Brake (1980) suggested: "Their subcultures are areas of resistance to racism and poverty". To describe black deviance in terms of "emotional problems" denies the validity and meaning of the deviant act and relegates it to the level of some kind of meaningless, unresolved personality conflict.

8.2.5 The Social Context Versus Integrationist Traditions:

Black crime poses problems for probation officers: it places them "at the sharp end" of race relations issues. As has been demonstrated,

the evidence from the interviews is that matters are not made easier by the integrationist traditions of the Service which favour client-centered explanations for deviance. Nevertheless, some officers did show awareness of the wider social context. Interestingly, they were often officers who had had experience of working in industry prior to joining the Service, rather than those who had come via university and polytechnic training courses:

"We never have been really geared to dealing with ethnic minorities, particularly when there is this resentment, alienation. I think the very essence of the set-up of the Probation Service and the Social Services leaves us 'up the creek without a paddle'. In most cases we are going to be ineffective, where this alienation is present, the resentment is present (pause). It is because we are there, and our origin, what we represent, we are part of the establishment, part of the establishment's power structure, the white man's laws, the white man's law and order. I don't see how we can get out of that, I really don't see how we can get away from that. We are not going to black our faces and be anti-establishment; that would serve no purpose whatsoever".

(Ex-industry type probation officer)

"They're struggling with (pause) often with black identity, but yet they were born here. And then they get the messages in the press that they're not wanted here, they're alien, they're called second generation. In fact, they're not second generation, they're born here what experience I've had, they've described situations where they consider themselves to be disadvantaged, in the job market, housing market, really their interface with all kinds of bureaucracy".

(Ex-industry type senior probation officer)

Both of these officers demonstrated insight into the feelings of black offenders in these statements. However, the problem probation officers have with racial minorities was highlighted by the first of these two, who pointed to the dilemma of becoming anti-establishment on behalf of an oppressed group of clients while at the same time being paid by the same

establishment and operating under its licence.

8.2.6 The "Ignore it and It'll Go Away" Syndrome:

The complexity of the Probation response to black deviance is now apparent. Prior to entering the Service, for most white officers the issue is marginal. Once a part of the Service, they come hard up against the issue in the attitudes and behaviour of their black clients. Among those interviewed, some officers saw the importance of understanding black crime in its social context; however, most relegated it to the level of inadequate socialisation, personality conflicts, mental illness or delinquent subcultures. One ex-police type officer took the view that the importance attached to the issue was out of proportion to its relevance to his clients:

"....most of the people I've spoken to about some of the race problems that exist seem to think that it is the minority, and most of the West Indian lads aren't that interested anyway, and in the main they get on really well and are doing OK. They exist, and they probably always will do, but they are saying really that it is far less a problem than is made out by the press and other community workers....It is a similar sort of thing to a persistent offender. Usually by the time he is twenty-four or twenty-five he meets a girl, tends to sort of calm-down, and I've got a feeling that it is going to be multi-racial, far more acceptable in a generation's time here, and I don't think that these problems are going to be quite so prominent".

His attitude was that, if ignored, the whole problem would go away. Such an attitude leads to racism by default: it denies the centrality of racism as a factor in the individual development and sense of personal identity of black people.

8.2.7 The "It's All Too Much Trouble" Syndrome:

Other officers who were interviewed acknowledged the problem, but had come to the conclusion that it was all too much trouble. Some were still trying to work with their black clients, whilst admitting to the difficulties:

"....this is an area with high caseloads, supposedly, and a lot of social enquiry reports. Perhaps people feel: why the hell give time to youngsters who are not going to keep appointments and are not going to keep my diary easy and manageable. Why not give it to people who are going to apparently take notice? And the one thing I've learned with West Indian youths is it takes time, you've got to give them time and you've got to be genuine with them".

(Professional type probation officer)

".....I think that we give up too easily. We are saying we do not know how to help young black offenders. I don't think there is any doubt about that: we've reached the point where we are saying that we don't know what to do, and we are probably reaching the point also where we are saying I would rather not go through the experience anyway".

(Ex-industry type senior probation officer)

Other officers have given up completely:

"I find it very difficult. Young black adolescents and I have got little in common, and they have got little in common with me, nor also it seems want to have. Perhaps that is a two-way thing: perhaps I don't want to have too much in common with them".

(Ex-police type probation officer)

These comments reveal a despair and a sense of hopelessness amongst this group of officers when it comes to dealing with young black offenders. Such feelings may point to the reasons underlying the differential recommendations made by officers in Court reports between black and white offenders.

8.2.8 The Lack of Racism Awareness Overall:

It was seen earlier how the issue of racism was marginal to most white officers prior to joining the Probation Service. However, once in the Service, and working in one of the urban areas of the Midlands, the officers interviewed were brought face-to-face with racism. The issue underlay the attitudes and behaviour of their black clients. From their own accounts, the responses of probation officers to this dilemma were complex: at times they turned to client-centred explanations such as inadequate parenting, unresolved emotional conflicts, anti-authority attitudes, and mental instability; at others, they blamed delinquent peer groups. Some gave up in despair and opted out. Only a few showed insight into the structural inequalities which bring about racism, and their role in this process. For the most part, the black client was blamed. Generally, the level of racism awareness among the officers interviewed seemed low. One interviewee felt this was generally true of the Service, and perhaps the final words in this section should rest with her:

".....the Probation Service don't know anything about black people. It hasn't really got a leg to stand on. The only way it is or could be relevant is if it is instrumental in keeping black people out of prison. It is that kind of mercenary level really.

Do you think it is very good at doing that?

No!

Why not?

That was a quick 'No!'. I shouldn't have said that! I think the whole cultural thing and knowledge of the thing on the part of probation officers has an awful lot to do with it. Because you can't be a probation officer seeing people,

having negative views about a group, whatever that group are, whatever type of group you are dealing with, and then suddenly wanting to really, genuinely help them".

(Black worker from self-help project)

8.3 Training

Training in race issues and racism awareness could be a powerful force in combatting institutional racism within the Probation Service. For this reason, time was spent during the interviews asking officers about the training they had received on this aspect of their work. There are two types of training: formal training courses to obtain a professional qualification; and informal training, arranged "in-house" while serving as a probation officer.

8.3.1 Professional Training:

In order to become a probation officer, a professional qualification (the Certificate of Qualification in Social Work) obtained from a university or polytechnic is now obligatory. This was not always so, but in the West Midlands those officers who joined before the qualification was a requirement are now being encouraged to gain it. It might have been natural to assume that race would have been an important topic for discussion during training, due to the demography of the West Midlands and to officers' apparent lack of racism awareness prior to joining the Service. In fact, of those interviewed who had undergone professional training, none were satisfied with the input they had received. Six had experienced no input at all. The rest had had some training, but said it was limited in content. This was a surprising finding and, therefore it

was explored in some depth.

One ex-industry type officer who had had no input at all on race, save for a single study-day organised at the request of the students, felt the reason for the omission was due to inadequate staff knowledge:

".....I felt that there should be more input concerning problems of the ethnic minorities and their cultures, but this didn't come about, possibly because there was nobody there qualified to do it".

What is perhaps more relevant, though, is that nobody on the course had bothered to become better qualified on the issue, and one can speculate that this was because the training course was run by white lecturers who saw the issue as marginal and less important than others. One senior probation officer, working in a predominantly black area, felt that senior Probation Service managers did nothing to promote the issue on courses because they were willing to employ staff in his area without any background knowledge of race issues:

"Of the probation officers who have worked for me, I think about three have been (pause) have opted for specialist training in race during their social work training. Of course, the three of them happen to have come from the same university and happened to have the same tutor. One of my staff, who is now on secondment, has opted for a polytechnic course because it has a race option. So the probation officers who have been sent to work in this area I don't think have had a particular interest in this area and have had to learn, have had to sort of revise the way they thought about race".

(Professional type senior probation officer)

This senior officer had worked in the same area for six years, and some seventeen probation officers had passed through his hands during this time. His intimation was that the fault lies equally with senior

managers in the Service who appoint staff without background knowledge on race issues to work in predominantly black areas, rather than insisting on courses providing training on the issue.

Where courses did provide training on the issue, they tended to choose less contentious issues for discussion, often focussing on issues of ethnicity such as culture, religions, family patterns, and so on. This had angered one black officer:

"We had an Asian lady who did about Asian culture, and we had a black man to come in to talk about West Indian, Afro-Caribbean culture. Now the people who were brought in were professional people and they were middle class. The majority of black clients that we work with would not want to be classed as middle-class people. They wouldn't identify with middle-class blacks, and so I don't feel that that was a true portrayal of the situation that black people are in - if that was what they were trying to portray to students by calling in these ethnic minority people. The culture that they talked about was more identified with from their stance, and if Rastas were mentioned it was just in passing. There didn't seem to be any great thought into the significance of bringing these people in, or into the significance of their input or the effect it would have on students. I think it may have been just a token thing because at that time they were saying we ought to have more input on ethnic minorities and cultures and things. And it may have been something done very quickly which hadn't been thought out".

Training in race relations is a sensitive issue: the easier option for course organisers is to concentrate on issues of ethnicity, rather than racism which is more concerned with institutional practices and procedures which discriminate against black people.

8.3.2 In-Service Training:

Besides training undertaken in universities and polytechnics, there

is also in-service training provided by the Probation Service itself, either by setting up its own courses or by buying into those run by others. Until recently, the West Midlands Service has concentrated on issues of ethnicity rather than institutional racism. One of the officers interviewed, who was involved in organising training on race issues, explained why:

"If you get a group of people who are well-motivated and already engaged and have experience then you can get in quite deeply to racial issues, and racism and prejudice, and that can really be worked at, at a deep level. But I really think you must approach this with a great deal of sensitivity and care, or the defences go up and you have done an injustice to people: that they go away more entrenched than when they arrived".

(Missionary type senior probation officer)

However, this tendency to concentrate on ethnicity is now changing, largely due to the influence of Race Forum, a pressure group of predominantly black officers within the Service (referred to earlier in Chapter 3). This group feels that, however painful, personal attitudes and beliefs that are racist need to be challenged. They are more concerned to examine the structure of the Probation Service, its organisation and practices, and how these factors can militate against the best interests of black clients. In other words, they wish to concentrate not on ethnicity, but the institutional racism which results from traditional, colour-blind practices.

The black officer quoted earlier, who expressed her dissatisfaction with the "middle-class" input on ethnic minorities she had experienced, explained what she would like to see:

"It has to go right back to the start of immigration, to why people came. Then you have got to get over to students how it feels to be in a situation as what blacks are in at the moment. That can either be done by experiential means or it could be done by people who live in the inner-cities who are at the receiving end of the service, come in and actually talk to them, they hear from the horse's mouth exactly what it is like. People who have been 'inside', kids who have been in care, Rastas, and kids as well who made it.....".

This officer also went on to advocate field work placements during training, with black agencies, self-help groups and nurseries, in order to get the feel of the situation at 'street level', the actual living experience. Her attitude, however, was far in advance on most others who were interviewed.

8.3.3 Resistance to Training:

Some officers were opposed to any major input on race issues, whether during professional or in-service training. Such resistance to training is a major obstacle in the path of those who wish to bring about change in racist institutional practices:

"Find out by asking the individual. Finding out at the time rather than having a course which will churn out information that I can't immediately latch onto. Some of it I would latch onto, I suppose, but I find it better to see individuals as such. On the whole I wouldn't favour it, I suppose".

(Professional type probation officer)

".....there are other social issues that I would say are more of a priority than the black and white situation, and it is a question of keeping it in proportion, I think".

(Ex-police type probation officer)

The rationale of these officers, as so often before, seemed to derive from the integrationist approach of the Service. The first officer

quoted was opposed to generalisations about race, preferring "to see individuals as such", and to learn from his clients by asking them. His position on the issue was liberal insofar as he was prepared to accept differences in cultural behaviour, a sort of "live and let live" stance. However, his stance lacked awareness of the collective experience of black people who are discriminated against as a racial group.

The second officer advocated a "low profile" approach, placing the issue alongside all the other social issues, despite the fact that he came from an area where there had been racial tension.

Both officers seemed eager to avoid examining the element of conflict inherent in race relations in their area.

8.3.4 Training in Ethnicity or Racism?

Other officers were not opposed to training in race issues, but favoured an ethnicity approach rather than anti-racism training:

"I think a probation officer should have some idea of the Asian culture, and problems attendant upon the West Indian lads, and the history. You can't really deal with people or ethnic minorities on the basis that they are human-beings if you don't know anything about their culture. I mean we know about our own culture and a lot of the cultural variance. We don't have to learn that, we know it, we have that knowledge, so we can deal with whites easily, things that we understand about. But if you are dealing with someone who doesn't share the same background, doesn't share the same basic (pause) well, the same total culture, you are up a gum tree, because the communication is not matched up".

(Professional type probation officer)

"I think an understanding of the culture more than anything

else. I think when it gets down to the 'nitty-gritty', if we can take away all the inner-city deprivation things which are (pause) and all the flack away, if they break the law, they break the law, and in many cases I don't think it has got anything to do with the fact that they are ethnic minority, being in a hostile society. They want something the same as the white people. But I think that if we had a better understanding of their culture, and I find it quite frightening at times, a better understanding of a lot of things, we haven't got to do it, or live amongst it, or be involved in it, but a better understanding of what is going on".

(Ex-police type probation officer)

The last comment illustrates better than any other the common view amongst officers that training should be about culture, rather than disadvantage and oppression. The effect of this is to distance the issue from officers and their personal feelings. As this officer suggested, he just wanted to gain "a better understanding" of race, rather than to own the issue of racism by having "to do it", "live amongst it" or "be involved in it". There was little awareness amongst these officers that the Probation Service itself could be a part of the problem.

In summary, few of the professional training courses offered by polytechnics and universities appear to have helped the officers interviewed towards a greater awareness of racism and its implications for their work. This seemed to be largely because race was perceived as a marginal consideration in the training process by the course staff. One professional type senior probation officer also felt that racism awareness is given low priority by senior probation managers when it comes to appointing staff to predominantly black areas. When there was some input, either on external courses or in in-service training, it was usually from a consensus perspective on society. Those within the Probation Service who favoured any input at all on race felt such a

perspective was more in tune with the ethos of the Service. The integrationist role of the Service tended to militate against a conflict perspective, though a pressure group of largely black officers was lobbying for an anti-racism training programme. Issues of conflict such as the problems of black officers working within a predominantly white organisation, or the responses of offenders to black people in authority, simply were not dealt with. There was a general failure amongst white officers to recognise that the Probation Service is a part of the problem.

8.4 Is The Probation Service a Racist Service?

There is a clear distinction to be drawn between racism and racial prejudice. Racial prejudice involves holding unfavourable opinions or feelings, about people from a different racial group, which are formed beforehand without knowledge, thought or reason. Racism, on the other hand, involves having the power to carry out discriminatory practices through the major institutions of society. The potential for racist practices in the Probation Service is evident from its position as an influential organisation within the criminal justice system. Moreover, it has already been shown how a number of probation officers interviewed were bewildered about how to deal with young black offenders. Some officers opted out of the situation, while others adopted client-centered explanations for deviance instead of placing deviant behaviour in its social context. The question must then be asked: how far are officers aware of the potential for racist practice in their work?

8.4.1 Power and the Probation Officer:

Questions about the potential for racist practice in their work had to be asked of probation officers with great sensitivity. If such questions were put bluntly, there was a serious danger of alienating interviewees. However, officers were asked to reflect on their role; whether they felt they held power within the Court setting; and whether they perceived any conflict in their role between the interests of the Court, and the interests of their clients. More specifically, they were asked to reflect on what they thought might be the underlying causes of the differential sentencing patterns between black and white offenders, detected by my own research and also Taylor's (1981).

Everybody interviewed was agreed on the powerful position of probation officers within the Court setting, and the influence officers could have. They were also aware that their influence is not automatic, but has to be earned by gaining the confidence of the Court:

"I think we have power and I think we have influence. I think it is how you present yourself in Court, how you present your report. Your arguments need to be well-thought out. It is no use going in with an 'Ah!' report and expect people to go along with it - the 'Ah!' report being an 'Ah, isn't it a shame? I don't know what I'm going to do with him, but give him to me'. I think you've got to go to the Court with a pretty clear idea of what you are going to do".

(Ex-industry type probation officer)

An ex-police type officer commented that she felt it is a time of transition, when the influence of probation officers is less because of the hardening of attitudes towards offenders amongst the general public.

8.4.2 Professionalisation:

The danger in such circumstances, when the Probation Service feels its status is under threat, is that officers will regard keeping their integrity with Courts as the first priority, over and above the interests of clients which will come second. In other words, if officers are uncertain of their status, they will avoid challenging the Courts with non-custodial recommendations for fear of being accused of being unrealistic and losing their influence. One senior probation officer summed up neatly what was a general feeling amongst many officers:

"I think that individuals are threatened, notwithstanding that they are probation officers, and that they have the authority of the Court, and they have professional status, and they are accorded a lot of professional status by society. I mean each of us, we are individuals, who in certain situations can feel vulnerable, threatened, challenged, and I think that we see in the young black offender a potential threat to society".

(Ex-industry type senior probation officer)

It has already been shown how a number of officers interviewed admitted feeling vulnerable, challenged and threatened by their lack of understanding of their black clients. In such circumstances, despite their normal reliance upon their professionalism for avoiding bias in their work, they would come down on the side of the Court rather than their client. As was seen in the case of Winston in Chapter 7, professional legitimation can take precedence over objectivity. What appear to be objective comments, in fact are often justifications for the professional's "expertise". In such circumstances, pretensions to objectivity are a myth. The same senior office mentioned earlier felt it was because probation officers' role as "experts" was being challenged by

their young black clients that officers preferred to be cautious, and not to challenge Courts with alternatives to custodial sentences:

"Not that we feel we are racist in any way, or are discriminating, but we are, and I think probation officers do find it difficult, and would rather not engage therefore with young black people, because it makes them feel unsuccessful. And anything that does that to us, we would rather work in an area where we could be regarded as successful and not the opposite".

(Ex-industry type senior probation officer)

Perhaps it is a natural reaction that officers should want to work with those clients where they feel there is a chance of success. However, it could be that officers' aspirations for professional status discourage risk-taking and holding-out for non-custodial recommendations. If black offenders are seen as "a potential threat to society", as was suggested by the senior probation officer quoted, besides being a threat to probation officers' professional status, then professional objectivity will be placed to one side. The fact that probation officers are not openly hostile could be due to their professional ideology; more subtle forms of racism will exist in day-to-day practice.

One black senior officer mentioned that, when he had begun his first job at an office in a predominantly black area, there had only been a handful of black offenders actually on probation. He claimed to have changed that situation in a matter of months simply by being positive about sentencing recommendations to Courts in his reports:

"Yes, in fact we never thought what we were doing, or if we thought about it we thought: 'Oh, I can't work with blacks anyway, so why the hell am I going to recommend probation?'. It goes back to Pauline Hardiker's article on ideology and social enquiry reports. Because if you don't

make a recommendation, in other words you are copping out and just saying: 'Let the Court decide'. (Pause). I was positive in my recommendations, I knew what I was going to do....."

In this officer's experience, racism is occurring by default: officers are not openly hostile to their black clients, but are opting out of making positive non-custodial recommendations to Courts.

8.4.3 Rival Definitions of Experience:

Most of the officers interviewed demonstrated little awareness of how racism might have subtly invaded their work, and the Probation Service as an organisation. Probation officers play a powerful role in the Court setting, because in preparing their social enquiry reports they act as mediators, and define the experience of their clients for the benefit of magistrates or judges. However, when white officers define black offenders' experience in this way, the experience of racism tends to get short shrift. Black offenders are unable to define their own experience for Courts. They have to rely on interpreters, such as solicitors and probation officers, who are articulate, familiar with Court procedures, and have status in the Court setting. Such powerful people are also usually white. In some instances this reliance on powerful whites to act as interpreters makes black people angry and hostile. Such anger and hostility in turn may make probation officers feel apprehensive and under threat, and therefore often less inclined to make available the resources of their agency.

However, when interviewees were asked about differential sentencing between black and white offenders, few officers accounted for it by

reference to racist practices within their own agency. A number felt it could be due to the anti-authority attitudes of black offenders:

"I am not at all sure why this happens. The obvious inference is that probation officers don't recommend probation, or any other form of statutory supervision for black people. This may be so in some cases, where they have obviously felt that they would not co-operate with supervision. I can see a reason for that: resentment of the white man, seeing 'whitey' as the oppressor, and I have come across this (pause). I think it is an insoluble problem".

(Ex-industry type probation officer)

This officer identified the problem well, and had insight into the reasons underlying the "resentment" exhibited by some black offenders. However, it was still seen as the fault of the client who "would not co-operate with supervision", rather than something to do with the ineffectiveness of traditional Probation practice.

8.4.4 It's Not Us, It's Them: The Courts

A wide variety of reasons were offered to explain discrimination by probation officers against black offenders in social enquiry report recommendations. Some officers blamed discrimination on the Courts:

"....clearly, it is magistrates, in the main, who are doing this. (Pause) I don't know, I can only say that magistrates must in some way be threatened by a young, black, unemployed homeless youngster. Because there is a tendency to feel, I think, in the Courts, that if he is allowed to remain in the community, the chances are that he is going to reoffend."

(Professional type probation officer)

"We can guess that it is partly to do with the Courts, but also perhaps to do with our reluctance to make positive recommendations. In the instances that I have given there have been credible alternatives that have been put to the

Court that haven't been followed. So in that sense I don't suppose you could actually blame the probation officer".

(Ex-industry type probation officer)

"I can't say that I have ever been reluctant to recommend supervision. I have had West Indians on supervision; I have recommended young adults for probation (pause) and the Courts have decided to send them to Detention Centre. The ones that I have in Youth Custody were there when I first met them".

(Ex-police type probation officer)

Of course, the number of people involved in the Court process - police, magistrates or judiciary, prosecuting and defence solicitors, probation officers - make it complex. There may be truth in the suggestion that magistrates are contributing to discriminatory sentencing. However, the officers interviewed seemed more prepared to ask what action the Courts were going to take to remedy the situation, rather than to consider their own practices first.

8.4.5 It's Not Us, It's Them: The Offences

Another officer felt that Courts do discriminate against young black offenders, but believed this can be accounted for by the commission of more serious offences by blacks compared with whites:

"I would imagine if you look at the kind of offences that the West Indian youngsters have been involved in, perhaps you will find that they are - some of them - quite serious offences, and the Court really had little option but to go for custodial sentences".

(Ex-police type probation officer)

Such a proposition, regarding the nature of the offences committed by black offenders, was not borne out by the survey of juveniles reported in Chapter 5. In that survey, it was found that there was little difference

in the type of offences committed by black and white juveniles. One cannot help but suspect that the view that black clients commit more serious offences than whites owes more to the moral panic in the media about black crime than to hard evidence (Hall et al. 1978).

8.4.6 It's Not Us, It's Them: The Social Services Department

Some officers held the view that discriminatory sentencing was due to the actions of social workers. These officers felt that some social workers grow exasperated with black juvenile offenders, and so recommend a custodial sentence which will take such offenders out of their care and place the problem in the hands of the Probation Service:

"The ones that I've got at the moment have come through the Social Services net, some of them, and they've done the report, and they've recommended custody. I mean I'm not trying to blame other people, but that's the way it is. I acquired them from the Social Services Department, and they transferred them on a custodial sentence".

(Professional type probation officer)

"A lot of reports on West Indians are done by Social Services at the juvenile stage, and it's those we find we get on licence, before we've got our hands on them really. They've been in, they've done their Detention Centre before they're sixteen. (Pause). Certainly they seemed to have been whipped into Detention Centre earlier than if a probation officer had done the report. I feel they wouldn't have got a D.C. or a youth custody recommendation at that stage".

(Ex-police type probation officer).

Once again this shifts the focus of attention away from probation officers themselves. There appeared to be a reluctance to consider that they, themselves, could be engaged in exactly the same pattern of behaviour as the social workers they were criticising.

8.4.7 Middle Class "Tolerance":

Middle class people like probation officers are skilled at verbalising their apparent tolerance while hiding what they really feel. Some officers acknowledged that they might have prejudices, but they believed they could rely on their professional objectivity to neutralise these:

"Well, personally speaking, I've got to admit that obviously prejudice comes out somewhere, I don't know where. And I'm not going to try and rationalise it by saying some of my best friends are West Indians, which is the normal thing, and I've been on groups with them. I mean, yes, there are prejudices there, there has got to be. Whether I can identify them, I don't know. But I'm not aware of having given less consideration to an ethnic minority recommendation".

(Ex-police type probation officer)

Prejudices inevitably interfere with an individual's perceptions of a situation. The officer may intend to be objective, but as one black interviewee quoted earlier suggested, it is not possible to have negative views about a group and then genuinely to want to help them.

Various explanations could be made for officers' discrimination against young black offenders, but one particularly interesting reason was proffered during the interviews:

"Everyone hates a child molestor, but no one wants to be seen as racially prejudiced basically. I think that's what it is".

(Ex-industry type senior probation officer)

This officer was suggesting that it is difficult to be open and honest about personal feelings where racism is concerned. It is generally acceptable for people to hate child molesters and talk openly about their feelings; but negative attitudes about black people are generally unacceptable in social work circles, and so officers are more guarded about expressing their true fears and worries.

Unless officers can express their fears and worries about their work with black people, preferably in an environment they feel will be constructively critical and supportive, then their level of racism awareness will remain low. They will continue to represent black life-situations from a white perspective.

Some of the officers interviewed were eager to see racism awareness training introduced for all officers:

"The Courts are reading this SER, they say the boy should have conformed at school, not that the school should have made it a service which was appropriate to him or had an interest in his views about what was happening to him, about what his future was, about the sort of institutions where most of the people are black and most of the people in authority are white. But the Probation Service does that in just the same sort of way. Again you might argue that black clients would be far better off speaking for themselves in Court, without trying to cop out of it. That they would come across far better if they spoke for themselves rather than they were described in some sort of liberal way by probation officers".

(Professional type senior probation officer)

"They don't know the black person, they don't know the culture and are not aware of their home life. They visit but they are not really able to get the feel of how things are and so they may make judgements or assumptions based on their own upbringing and values that they have got through their own life experiences. And because of that I think that many black people can be portrayed in an untrue - and I don't mean lie - an untrue picture".

(Black probation officer)

"The probation officer should really be an advocate for the client, but in doing so it's rare that he would be advocating the real values and the real situation because of this barrier, this lack of knowledge or lack of appreciation of the other person's situation".

(Black probation officer)

It is not a question of portraying the "true" situation for black people, but rather of raising the level of racism awareness amongst probation officers. In this way, officers will be less likely to marginalise black people and their culture. They will be more sensitive to the social context which give rise to black crime, and better equipped to interpret such deviance to Courts.

One black interviewee stressed that drafting in black workers is not the answer: that would only allow white workers to load the issue of race onto the shoulders of black colleagues, without raising their own level of awareness. Also, it is possible for a black officer to be as unaware of racism as a white officer:

"I'm not saying you can only deal with black people if you are black because I've met black people who (pause) you have to have a level of experience that you can relate to, but not just by virtue of being black. Because if you're black - and I have seen black people who have lived a very materialistically privileged lifestyle, have known that and have known nothing else - suddenly putting such a black person in the middle of Handsworth won't help".

(Black probation officer)

In summary, most of the probation officers interviewed recognised the powerful role they play in the Court process. However, they were not aware of the potential this creates for unintentionally racist

institutional practices. Officers tended to locate the causes of discrimination against young black offenders in explanations other than their own traditional practice. Some officers felt that their continued influence with the Court depends on maintaining their credibility with magistrates and judges. One suggested that if this credibility were threatened by young black offenders, then officers would not risk recommending a non-custodial sentence for fear of appearing unrealistic. A few officers were aware of institutional racism and were eager to promote a heightened awareness of the issue. However, this would need to be promoted in an atmosphere of constructive criticism and support in order not to alienate those officers who do not find it easy openly to discuss their fears and vulnerability on issues of race.

8.5 Affirmative Action

A few officers within the West Midlands Probation Service have come to the conclusion that institutional racism does exist within the organisation. As a result they have fostered the development of projects outside the Service, but related to its work. The projects have been funded by the Inner-City Partnership Scheme, and are specifically designed to cater for the special needs of black offenders. Initiatives such as the City and Handsworth Alternative Scheme (CHAS) and the Handsworth Cultural Centre employ staff, most from the local community, with a heightened awareness of race issues and of the impact racism has on the lives of black people. They are projects attempting to intervene in the lives of black offenders in a different way from the traditional Probation approach which is regarded by them as ineffective. These projects will be described in more detail in Chapter

9. In the meantime, while talking with probation officers about their work with black youths, it was felt important to ask officers whether they had any knowledge of these projects, and what their opinion was of affirmative action of this kind. It became apparent that some white officers are frightened by such initiatives, which they regard as a threat to their professional status.

Since the projects are located in north Birmingham, few of the officers interviewed from outside that area had knowledge of them, and only one officer from outside had visited the projects to find out more. One senior officer from outside the area commented that he would

"....like to see probation officers being bolder and certainly risking it, and much more adventurous in the kind of work they engage in".

(Ex-industry type senior probation officer)

However, he felt that one of the reasons why this is so rare is because Probation is such a traditional Service:

"Well, we work within the framework of the law anyway, and I think that that tends to make us a bit inflexible at times because we think that the law is rather rigid and it has to be complied with, and it does have an effect on how we see things. So the pattern we operate within, that kind of framework of the law, regulations and circulars which say this, that and the other, don't allow much room for manoeuvre really, I think prescribes how we operate and in that sense it may not give us enough freedom".

By contrast another senior officer, this time from Birmingham, felt that the cause of the inflexibility was not the rules and the regulations so much as officers themselves who are unwilling to change:

"I mean this, to me, that is the double-bind in Probation: you talk to colleagues and they give you case analysis and this and that and what fantastic work they do for clients, and what fantastic changes they see in clients, and isn't that nice. I've seen fuck all changes in my colleagues, you know. We are demanding that people should change because we told them our society is changing, and unemployment is going to become a way of life, and therefore you have to do this and do that or else you will always be in this rut. And we are static: everything else around us is changing, but we're static".

(Professional type senior probation officer)

A minority of officers did recognise that changes are necessary. The traditional formula is proving ineffective, faced with large-scale unemployment and boredom:

"....we've got to rethink about the one-to-one situation and we've got to look at more imaginative ways of working with West Indian youngsters. And why the hell, what is so special about us that the youngsters are putting themselves out to come and see us, to sit in here, to go through a dialogue of futile: 'Have you found work?', when we know bloody well that he isn't going to find work; 'Are you keeping out of trouble?', when you know bloody well that he is going to mix with his mates for the excitement, and the prospect is that he isn't going to get anywhere, is probably going to be using his wits out on the street. So, OK, let's get out there, let's get amongst them, try to influence them out there".

(Ex-industry type probation officer)

This officer felt that the Probation Service has grown remote from its clientele and their problems. Officers sit in their offices insisting that offenders must come in to see them, or travel from one home visit to another by car, and have become isolated from the community they serve. This is a danger for any public institution. It can become remote from the community it serves, and then feeds off itself and becomes self-perpetuating. It stops dealing with real issues and defines its own issues to suit itself. This process often takes the form of a group of policy makers, usually white, sitting around a table and taking decisions

about what the deprived black community needs. The community itself is not asked what its needs are, nor indeed is allowed to participate in efforts on the ground to meet its needs. Solomon (1976:260) made the point succinctly:

"....there is often conflict between the needs and demands of clients and those of the members of the organisation, and there is considerable question as to whether an organisation is really serving its clients or merely in the business of self-maintenance at the least possible level of service. Furthermore, as organisations have become more complex, there has been greater separation of the consumer and control functions traditionally held by the client group".

Solomon was writing nine years ago, but the same charge against organisations can be made today. This process may also be tied up with attempts by the professionals employed within the organisation to enhance their own status at the expense of meeting the needs of the community served.

One black senior probation officer who had been involved in the establishment of the special initiatives felt that they promote a better image of the Probation Service in the eyes of the black community. He believed that the improved image of the Service has also been to the advantage of the majority of officers still using more traditional practice. However, though there has been some movement by black people to co-operate with the Probation Service, he also felt that there has been little movement by the majority of officers:

"Certainly the clients' response to the initiatives is, in my view, far superior to their response to formal Probation supervision, traditional Probation supervision. Indeed I think that the response to traditional Probation supervision has been enhanced by the very fact of the existence of schemes like the Cultural Centre, and the Handsworth

Alternative Scheme. Because I think that black people say to themselves: 'Well, the Probation Service has done these things and has helped to get the money or whatever, and therefore it can't be as bad as it was'. But what does it do to change the way probation officers think? How many probation officers work regularly with the Cultural Centre or CHAS staff? It seems to me that black people are beginning to give up trying to change Probation Service attitudes and feel it to be a bit of a waste of time."

In contrast, a number of officers expressed unhappiness about the element of affirmative action involved in setting up initiatives solely for black people. Some felt that there should be equal treatment for all, regardless of skin-colour:

"I'm not really in favour of it. I believe each client has to be treated on their merits".

(Professional type probation officer)

"If I'm honest I think it is wrong because again I think this heightens the split between ethnic minorities and the community. But you hear it said now and without any basis, white clients are coming: 'Those black ones go down to DHSS and they get what they want, they get the colour televisions'. And these sort of myths that are about would be made reality in some ways. And the antagonism between certain sections of the white community and the blacks would increase, rather than decrease, is my feeling".

(Ex-industry type probation officer)

"I come back to what I said earlier on about making people different: if you start making people different, they behave differently".

(Ex-police type probation officer)

"I would like to think that I look upon all the people I deal with as sort of colourless, classless, I like to think; but obviously I can't, that is why I'm in the job that I am. There are one or two people with whom I work who I do describe as being quite bigoted about racial problems. I hope that I'm not like that. I know those thoughts have gone through my head but I hope they don't spill over to my work. I hope I'm far more tolerant of change. At the same time, I wouldn't want to bend back the other way and

positively discriminate, because I can't see that problems relating to ethnic minority West Indians in this town are greater in a sense than white people living down the back end of Scotland, having exactly the same problems. Perhaps they aren't so vocal, or they express it in a different way. I can't see that they are vastly different and I hope that I don't approach them in a different way".

(Ex-police type probation officer)

These officers felt that they were adopting a liberal and tolerant position by arguing for equal treatment for all. This is the integrationist culture of the Probation Service making its presence felt one more. Another officer stated baldly that she believed the objective should be to assimilate black people, and not to emphasise the differences:

"Partly a feeling that, yes, it is a form of discrimination in lots of ways, and is it really going to help them to adjust to living here by really going back even more on their own cultures, making them feel different, whereas they really need to feel the same, not different? Partly a feeling that some of the younger whites are going to be losing out, because they are going to be made to feel different, they are going to be discriminated against, feel that they are going to be discriminated against".

(Ex-police type probation officer)

The assimilationist or integrationist stance of their colleagues was criticised by black officers who felt such a stance denies that black people are different. The cultural traditions and philosophies of the white worker are then imposed on black clients in an effort to integrate or assimilate the minority:

"....you can't treat everybody the same, even in your own family you can't. You may have identical twins but you can't treat them the same. That is more or less denying of their individuality, and I think that's an injustice to people to say that everybody is the same. We are not all the same, and each person should be seen as an individual,

especially by those who are in a position of power".

(Black probation officer)

".....they're denying themselves that there are differences, and in so doing it is making their job easier. Because if they acknowledged that there are differences, it is going to be more taxing on them to actually meet these differences, identify differences and meeting the needs that these differences give rise to."

(Black probation officer)

Some white officers also criticised the special initiatives because they used unqualified staff, and were worried about confidential client information being shared with people outside the profession. However, those in favour of the initiatives felt the confidentiality argument was a strategy adopted by the same officers to promote professional exclusivity:

"Possibly because a probation officer has been to college and has got a piece of paper to say that I am qualified in such and such, makes them feel as though if another person is doing work similar to them without this piece of paper, they're not as qualified to approach for help. They'll ask another probation officer: 'But why the hell should I go and ask somebody up at CHAS for help when they're not even qualified?' Whereas, in fact, many of those people who do hold posts in CHAS are qualified. Not qualified as social workers, but they are qualified, so there's that".

(Black probation officer)

"And they are saying: 'What qualifications have you got?'; and 'What experience have you got?'; and 'Have you ever done the CQSW?'. And they are protecting their own professional patch, for they felt undermined. Or: 'You are saying you can do our job better, yet you haven't got a CQSW'. I think it is just a very selfish approach because, I mean politically and economically, the way things are, people can't afford to just protect their own little patch".

(Black worker from self-help project)

These interviews were confirming the view that CQSW training does not guarantee an awareness of race issues. This is apparent from the

comments, quoted earlier, made by officers about the training they had received.

From the interviews, it seemed that officers' opinions of the special initiatives were mixed. Officers from outside Birmingham knew little about them, though the need for changes in traditional practice was recognised by some. Attitudes towards projects specifically catering for young blacks were also mixed: a few white officers welcomed them, and believed that some advantage accrued to those still using more traditional methods from the improved image of the Service; however, the majority felt the initiatives were counter-productive, and preferred an assimilationist or integrationist approach. Such initiatives were seen as a threat to their professional status and they were afraid of their implications.

One black officer criticised the view of white colleagues that all offenders should be treated the same regardless of race. She felt such a view denies the individuality of the black client, and the difference between black and white life experiences, which necessitate changes in traditional forms of practice. Some of those in favour of the alternative approaches which have been developed believe the hostility of white officers towards the projects is due to their desire to protect their professional status. Yet the alternative approaches appear to their supporters to be more effective in dealing with young blacks: the projects have grown out of the awareness of a group of officers that the social context in Britain is oppressive towards black people, and that positive images need to be fed back to blacks to enable them to overcome the racist barriers placed in their path.

The advantage which alternative approaches like the Cultural Centre and the Alternative Scheme have is that they are in touch with the needs of the black community in a way that the traditional Probation Service is not. For example, the Cultural Centre has developed a practice philosophy which recognises the damaging effects of repeated attacks by the white majority on black people's identity, culture, and their right to live in Britain. In the work it does, the Cultural Centre seeks to redress the situation by "empowering" black people, as Solomon (1976) called it. It does this initially in the field of cultural activities, such as African dance or steel band; but the positive evaluations which derive from such activities help boost self-confidence and have implications for other areas of black people's lives. The ideology underlying the alternative approaches will be discussed more fully in the next chapter.

8.6 Some Final Reflections on the Interviews

In any large organisation, such as the Probation Service, the range of opinions held on a particular topic will be wide and varied, and it is impossible to present any one standpoint as the view of the Service. However, it is possible to trace some broad themes from these in-depth interviews.

Although the number of interviews is small, the attitudes expressed in the interviews are felt to be representative of attitudes in general within the Probation Service. White probation officers traditionally have been recruited from a limited number of sources, and so the comments

made by individual officers are generalisable to all those who are of the same type. Despite the introduction of the professional type probation officer, this has not assisted the development of a more relevant and effective service for black clients. My observations of the Service, in several locations over a period of nine years (1977-1986), support the view that most white officers are colour-blind, use individualised and integrationist methods in their work with clients, and see resistant black clients as a threat to their status. Some progress has been made during the nine years, largely due to initiatives taken by black officers and a few sympathetic whites. Such officers have pressed for the introduction of alternative approaches to traditional casework, and of racism-awareness training. Their arguments for change have gained credibility due to the various street disorders during the early 1980's. However, my observations suggest that such officers are in the minority, and that their efforts to produce change meet with considerable resistance from traditionally-minded white colleagues.

Hostility, refusal to keep appointments, membership of black peer groups, deviance in general, are patterns of behaviour which can easily be dismissed by white officers as the product of personal inadequacies in black people. Thus they apply explanations drawn from positivistic criminology, and do not place such behaviour in the social context of racial disadvantage. Consequently power as a factor in race relations is rarely considered. Problems between the races are generally seen as a black problem, rather than as an issue for white policy-makers, and white practitioners such as officers themselves.

Training seems to have done little so far to provide an alternative

perspective. Nor do some officers want race issues to be given further attention; they prefer to keep it at a distance alongside all the other social issues which training has to deal with.

There is a pressure group of officers which favours more training on race, and believes such training has to concentrate on racism and not issues of ethnicity. This group believes that the easier option of ethnicity, such as familiarising officers with the diverse cultures of different ethnic groups, has too often been preferred to the more contentious issues raised by an examination of unintentionally racist institutional practices.

Nevertheless, this group of officers believes that the focus of attention has to be the Probation Service, and not black people, even if the examination process proves a painful one. Many officers are aware of their power in the Court setting, but identify strongly with the Court over and above the interests of their black clients. Only an examination of institutional racism may rectify this.

Training is not seen as the full answer, however. Some officers feel that the Probation Service needs to change from its traditional approach in order to become more effective in its work with young blacks. If it is accepted that black people are an oppressed minority, then Probation practice needs to incorporate methods for redressing the powerlessness which black people suffer. It is unhelpful to involve black offenders in an authoritarian, bureaucratic Probation Service which only increases the feelings of powerlessness amongst this group of clients. Alternative approaches such as CHAS and the Cultural Centre

are strategies for dealing with racism by boosting the confidence of black people in an attempt to redress the balance of power.

Many probation officers are aware of their power in the Court setting, but still identify strongly with the Court over and above the interests of their black clients. Few see any dilemma in trying to serve both. Some white officers are able to discuss their fears and feelings of vulnerability when working with black offenders, and admit that sometimes they do not offer supervision as an alternative to custody because of these emotions. They are honest enough to admit that they prefer to preserve their credibility and status as "the expert" in the eyes of the Court, rather than to risk appearing unrealistic in their sentence recommendations.

A minority of officers feel that the Service is guilty of unintentionally racist practice. As was mentioned earlier, these officers advocate improved training opportunities such as anti-racism training courses; and an extension of the development and use of alternative approaches such as CHAS and the Cultural Centre.

In contrast to this, the integrationist culture of the Service causes doubts about affirmative action in the minds of most officers: they favour the liberal approach of treating everyone the same. Such liberal opinions are criticised by black officers who believe this is another way of saying that black people have to assimilate with white culture and lifestyles. They believe that the cultural traditions and philosophy of white officers are being imposed on their clients, and that

the effects of racism are ignored. Black officers favour more radical strategies which confront racism directly. A majority of officers are in harmony with the integrationist culture of the Service, and usually apply client-centred explanations for black deviance. A growing minority, however, are pressing for new approaches in training and in methods of social work intervention.

In the next chapter, two of the alternative approaches which have been developed (CHAS and the Cultural Centre) will be reviewed by the use of participant observation. It will be seen that the alternative approaches bring dilemmas of their own, and these will be discussed in some detail. However, it will be argued that despite these dilemmas, the alternative strategies developed by CHAS and the Cultural Centre are more effective methods of countering black people's feelings of powerlessness and hopelessness than traditional Probation practice.

ALTERNATIVE APPROACHES:

THE CITY AND HANDSWORTH ALTERNATIVE SCHEME

AND THE HANDSWORTH CULTURAL CENTRE

9.1 The Case for Alternative Approaches

The last five chapters have reviewed the Probation process, and in so doing have revealed the limitations and frequent irrelevance of traditional practice where black offenders are concerned. They have described the integrationist and individualised perspectives which predominate, highlighting the difficulties which follow from trying to treat everyone the same regardless of race; and from seeking for individual solutions based on pathology for black crime.

While social deprivation is common to many offenders, black and white, it is the double deprivation which black people suffer in a generalised racial way which makes them an underclass. When there is competition for scarce resources such as housing or employment, common class interests are ignored in favour of vying between rival interest groups; skin colour then becomes a symbol used by whites to stigmatise blacks and suggest that their entitlement to resources is less. Doubly deprived in areas such as housing, education, and employment because of their race, young blacks can become alienated from British society and see no escape from the vicious circle of deprivation except through crime.

The disadvantage suffered by sections of the white community is compounded for black people by racism within the social structure. Therefore, any attempts by welfare agencies to combat disadvantage need to take account of the social structure. Social work intervention which discounts the effects of racism ignores an important part of black people's life experience and the special needs which racism creates.

The evidence from the previous five chapters, however, is that the traditional Probation Service approach consistently ignores colour and treats all clients as white - except in recommendations for supervision. The failure of the Probation Service to amend its practices and make them relevant to the changed social context resulting from the arrival of black people in Britain is itself a perpetuation of racism - by default rather than intention.

One of the difficulties white probation officers have in recognising the need for alternative approaches is the powerful influence of the institutional culture within which they work. As illustrated in the last chapter by the interviews held with probation officers about their work with black offenders, liberal white officers can still feel the correct approach is to treat all offenders alike regardless of race; few are in favour of developing alternative approaches. Black workers, in contrast, are in favour of alternative approaches which recognise the different needs of black offenders. Given the powerful nature of institutional culture, the problem for the research was to try and imagine what alternative approaches to dealing with black deviance might look like. To achieve this, I turned to those black workers who were already involved in alternative approaches, at the City and Handsworth

Alternative Scheme and the Handsworth Cultural Centre. Besides interviewing the workers, both projects were visited for observation purposes, the Cultural Centre over a longer period than the Alternative Scheme. The period of observation spent at the Cultural Centre was neither easy nor comfortable: it was clear that as a white man I was the ethnic minority in that situation, and so the observation provided a useful experience of marginality which is an every day experience for blacks in Britain but not for whites. It also provided the alternative perspective on working with black offenders that was being sought.

The key distinction between these projects and the traditional Probation Service is that they are not colour-blind in their approach, but recognise the centrality of racism as a factor in black deviance. Accordingly they are positive initiatives to meet the special needs of black offenders; they start from a belief that black offenders are different. The intention of this chapter is to evaluate this difference of approach using the insight gained from observing as a white person in a black world. Some initial information is provided about the background to the projects, before going on to describe the period of observation at the Cultural Centre; the chapter concludes with the evaluation of the projects.

9.2 Historical Background To The Alternative Projects

9.2.1 The City and Handsworth Alternative Scheme:

CHAS was born out of a piece of research conducted by a white senior probation officer (Whitehouse 1983). The research suggested that black

offenders had less chance of being remanded for social enquiry reports than whites; less chance of being recommended for probation if they were remanded for reports; and half the likelihood of a recommendation for probation being accepted by the Court.

My own survey of a sample of juvenile reports in Wolverhampton, undertaken before the results of Whitehouse's study had been published, reached a similar conclusion about discrimination by probation officers against their black clients in sentence recommendations. The results of the Wolverhampton survey were set out in Chapter 5, and show that whereas supervision was recommended for 23% of indigenous males, it was only recommended for 5.9% of Afro-Caribbean male juveniles. This was despite the fact that the juveniles had committed broadly similar types of offences, and that probation officers felt the Afro-Caribbean juveniles were more at risk of recidivism.

The concern about the low number of probation orders made on black offenders raised by Whitehouse's research led the National Association for the Care and Resettlement of Offenders to initiate a black self-help project which was first known as the Handsworth Alternative Scheme. The project was established with the co-operation of the Probation Service and the help of a Home Office grant in 1980.

The aim of the project was to depart from traditional colour-blind Probation Service practice by focussing on the special needs of black offenders. Integrationism was to be replaced by affirmative action; the office was to be located within the black community, and to reflect the interests and aspirations of black people in its public image; project

workers were to be black and not required to have the CQSW qualification; and Court reports were to be prepared which placed black crime in the context of racial disadvantage, and did not blame blacks for their own deprivation.

Above all else, the intention was to alter sentencing patterns, offer the Courts alternatives to custodial sentences by harnessing community resources more effectively for the benefit of black offenders, and to increase the confidence of probation officers in working with deviant members of the black community. Project employees were to work alongside probation officers in providing back-up and support facilities for young black offenders on probation as an alternative to custody.

The grant from the Home Office was for an initial three years, and was subsequently continued under the terms of the Inner City Partnership Programme and is renewable annually. In fact, through the reluctance of probation officers to make referrals to CHAS, the project has tended to diverge from the Service and obtain its own referrals by locating its own worker within the Courts. This worker contacts young blacks at Court, usually as they are waiting to appear for the first time, and gives basic advice on Court procedures and the advantages of having a solicitor who is sensitive to the disadvantaged position of black people in the social structure. Hence CHAS tends to get involved at an earlier stage than the Probation Service, and often prepares Court reports on defendants on its own initiative.

At times this has led to conflicts with the Probation Service: concern has been expressed by some officers about confidential

information on offenders being passed to CHAS by the Probation Service, and some refuse to do so; there have also been complaints about "non-professionals" recommending probation orders when probation officers have the ultimate responsibility for carrying out the supervision - usually this arises when contradictory recommendations have been made in their respective reports by CHAS and a probation officer. CHAS workers are not required to have the CQSW, and this decision was taken deliberately. Possession of a CQSW does not guarantee that a worker will have sufficient awareness of race issues, as was demonstrated in Chapter 8. Though the situation has improved since the street disorders of the early 1980's, some courses of professional social work training still do not deal with race issues, and those which do, tend to leave the race input at the level of ethnicity. The workers in CHAS were recruited for their racism awareness, and not for their professional qualifications. However, some white officers object to this, masking their racism with a concern for professional standards.

CHAS is operated by black members of staff and is located on a main thoroughfare and shopping street in the heart of the black community (in contrast to the local probation office which is located on the edge of the black community served). The project's location is a deliberate attempt to get closer to the local community. It seeks to link its offenders with employment projects, courses, and accommodation facilities which have largely been developed by black people for the local black community. Most importantly, it employs workers who are sensitive to the implications of being black in a predominantly white society and can talk freely with offenders about the problems this causes.

9.2.2 The Handsworth Cultural Centre

Another imaginative initiative in the West Midlands is the Handsworth Cultural Centre. Sponsored in 1978 by the Probation Service, and funded by the ICPP (until 1985 when it became part of "mainstream" Probation Service funding), the Cultural Centre is a community centre attempting to meet some of the needs of the immediate black community. The Centre was the idea of a black probation officer: it started life based in a probation office and developed out of his desire to introduce more informal ways of working with young black offenders. As the idea progressed, it was clear that an office atmosphere was an inappropriate location for such a project and alternative premises were sought. The fact that funding was obtained initially through the ICPP is significant: at its inception there was no basic provision in the Probation Service budget for a long-term, community-based project of this kind; and it was only by changing the Probation Rules (via a statutory instrument in Parliament) that the project could eventually be incorporated into the Service's budget in 1985.

The Cultural Centre's objective is to use black dance, drumming, steel band and so forth to promote black culture in the community. Through cultural achievements, it seeks to inspire confidence within black people to mount the racist barriers placed in the way of their self-fulfilment and self-realisation. It seeks to link young blacks, many of whom have never seen the Caribbean or Africa, with their cultural roots. Some have visited the Caribbean on funds raised by the Cultural Centre; others have increased their knowledge through maps, pictures, music and diverse cultural activities; yet others have received council

grants to help them visit Africa to learn traditional dances (much to the annoyance of some white correspondents in the letters column of the local newspaper).

What is most striking when visiting the Centre (which again is located on principal bus routes in the heart of the black community) is the feeling that it is a centre for black people: pictures of dancers in tribal dress, maps of Africa and the Caribbean, and posters describing the lives of African kings abound on all the walls. Most of the staff and sessional workers, who as with CHAS are predominantly black, live locally and so often know the users of the Centre and the rest of their family socially.

The Cultural Centre has been very successful in providing a leisure facility within their own community which local people (both offenders and non-offenders, because the Centre has a preventative role) feel comfortable about using. It has the added qualities of promoting a positive image of black culture, which is often ignored by others; and using cultural activities as a strategy for increasing the self-confidence of black people to mount racist barriers placed in their path. However, at times it has been at the centre of controversy.

Some white probation officers have objected to the idea of a "black" community centre, suggesting that such a policy is segregationist; while others have claimed that this kind of community project bears no relation to the traditional task of the Probation Service and is an irrelevance, taking time, money and effort away from the mainstream of work. Meanwhile black officers and sympathetic whites objected to the

appointment of a white manager (after the initiator of the project moved on), alleging that such an appointment was insensitive to the objectives of the project. Nevertheless, the Cultural Centre remains operative, and continues as a positive attempt to provide an alternative strategy for undertaking Probation work in the black community.

9.3 The Handsworth Cultural Centre Observed

9.3.1 Setting-Up the Observation

As a Probation Service employee, I had no difficulty in gaining access to the Cultural Centre to carry out the observation since it was a Probation-sponsored project. However, it helped to smooth the way that I had also been a social work student on the same training course as the Centre manager. There was no discussion in advance about my role, something which in retrospect may have been a mistake: there may have been an over-identification with the manager, which could have prevented more informal conversations occurring with people around the Centre. However, as a white face in an almost one hundred per cent black community, it is unlikely that such an observer would have got close to potential informants even if he had gone in as the "complete participant", something which under the circumstances would have proved very difficult to achieve.

As it was, the role which developed was more that of the "participant as observer": I was introduced to people as a Probation Service colleague of the manager. Eight visits were made to the Centre, usually on Fridays. The day usually began by meeting the manager in his

office: he would have his programme for the day, and I would accompany him and other staff on that programme, though occasionally I was given jobs which separated me from him and allowed me to talk informally with others. At times I was the complete observer, at others the complete participant. I moved from role to role, often with only minutes separating one role from another, responding to situations as they developed.

The intention at the beginning was to make notes at the end of each day's observation. The intention was carried through initially, but the resolve to continue weakened as time went on: the days seemed to be full and exhausting, and there were other jobs at home once the day's observation was over. As a result, notes "en bloc" were made from memory at the end of the observation. This time gap between events and the recording of them could have led to distortions of memory; however, a formal taped interview with the Centre manager was conducted at the end of the observation and this captured once again many of the points made in informal conversations while observing at the Centre. Also, many return visits have been made to the Centre since the observation ended. This checking-back should have corrected some of the grosser distortions.

The account of the observation is written up impressionistically rather than chronologically, since it is felt to be more important to capture the impact on the feelings and senses of finding oneself as a white person in a black world rather than to convey a sense of time.

9.3.2 Setting the Scene

The Cultural Centre stands on the corner of Hamstead Road and Wellington Road in the Handsworth district of Birmingham. It comprises two large white Edwardian houses, which were the victims of planners "blight" until the Cultural Centre took them over: Wellington Road is part of Birmingham's outer ring road, and eventually the houses are expected to be demolished when the road is widened into a dual carriageway. Surrounding the Centre are large, detached houses from the days when servants' quarters were needed as well as rooms for the family they served. Most have now been converted to flats. About a quarter of a mile down the road is Handsworth Park - a sort of "green-belt" dividing Handsworth from Handsworth Wood, a more middle-class suburb. The park is formally laid out with rose beds, a lake complete with ducks and, beyond the lake, green grassland for games of football or cricket according to the season. On a sunny summer's day there will be found a fiercely contested game of cricket, the players usually black; or in a shaded corner, a group of bearded, white turbanned Sikhs who have pulled round a park bench to face one another and started a game of cards. Off the main Hamstead Road, behind and to the sides of the park, are found street after street of older-style terraced housing, the sort typically found in the inner-city, mainly black-inhabited suburbs of Liverpool, London or Wolverhampton.

9.3.3 First Impressions

If they did not know where the Centre was, prospective visitors might have difficulty in finding it: the only indication of its identity

is a small plaque by the door which reads simply, "Handsworth Cultural Centre". There is no indication that the Centre has anything to do with the Probation Service, unlike most probation offices which usually have a big sign by the door proclaiming "Probation Service". I had often thought about the stigma such signs must cause: visitors must be nervous of being seen to enter what is obviously a probation office, and some people must be inhibited to the extent of not walking in at all. The purpose of the Cultural Centre is discreet: if people standing in the bus queue immediately outside the Centre were asked, a few might know what sort of activities take place there, but probably wouldn't know it is anything to do with the Probation Service. No problem for someone to walk in here, I thought, - until I tried to walk in!

Behind the first door is a small porch, and then a second door which is locked. To get through the second door I had to announce myself via the intercom, after which there was a buzzing noise and the lock was released by the receptionist. This was like some kind of "speakeasy" in prohibition America: I began to feel ill-at-ease. When I got in, I had to sign-in in the visitors' book, which also recorded "time in" and "time out". It felt like getting into a prison: was it to keep people in or out? I later learned that these security measures are to prevent property "disappearing" from the Centre. They do not work: during the weeks I was at the Centre the video equipment disappeared, and someone walked out of the place in broad daylight with two cookers. The replacement cookers have since been bolted to the floor! When not in use, rooms and telephones are locked. All this was unsettling. Petty theft seemed to be a part of everyday life, a part of everyday survival: it was about "getting by". The manager laughed when he told me about the

cookers, because of the sheer cheek of the thieves; but there was anger also, because they were stealing from a Centre whose objective is to help the local community. Obviously some people had their own ideas about helping themselves.

9.3.4 The Reception Area

Once inside, I waited in the reception area. For something to do I picked up a newspaper to read: "West Indian World". I had never heard of it before: I was used to picking up old copies of Sunday supplements, County magazines, or "Reader's Digest" in dentists' waiting rooms and the like. This was all about black people, black music, black struggles with white authority. I looked around the walls: maps of Africa and the Caribbean; an article on how to start your own co-operative; pictures of African kings and brief descriptions of their lives (I recall looking closely at the picture of Hannibal: it had never occurred to me that he was black); a picture by a black artist, drawn in the pointilliste style, of a black woman and her son, the woman pointing at something (The artist later told me she was an African woman pointing out to her son where the white slavers had taken his father: "over there" was all she knew, as she pointed at the seemingly interminable ocean). As I sat in the reception area, I began to realise that I had entered another world, a world which was culturally unfamiliar, and which made me feel insecure. The usual cultural clues which constituted the world with which I was familiar were not present: I was an outsider, a minority. People came in and out of the reception area, chatting to the receptionist: they were all black, and I was the only white. I suddenly became conscious of this, as if my white skin were gleaming in some kind of invisible spotlight. As I

shifted uneasily in my chair, I was eyed up and down by the rest: who was I? What was I, a white man doing at the Cultural Centre? Maybe they thought I was a policeman: I suddenly had an urge to take off my jacket and tie. Why hadn't I come in jeans and an old sweater?

A young black man, about twenty-five, came into the reception area and asked whether he could do some painting and drawing at the Centre. It surprised me that a young black person should walk in voluntarily and ask for anything; it didn't seem to happen much at the probation office. Maybe it was that the cultural signs in the Centre, which made me feel out of place, made him feel at home and comfortable about walking in. Once he had gone the receptionist turned to chat with another girl: she showed her a birthday card she had bought and asked if she liked it. I caught a glimpse of the card and noticed the child on it had a black face. I had never seen that before: when I went into W. H. Smith's or Woolworth's in the city, people on the cards always had white faces. I wondered where she had got it from: clearly somebody, somewhere was printing "black" greetings cards. I was pleased to see the Centre manager when he walked into the reception to collect me: at last something, or rather someone, familiar to me.

9.3.5 In the Manager's Office: Cultural Pride

Once in the manager's office I was given a cup of tea, which I placed to cool on an odd-shaped coffee table. He told me it had been carved in the shape of Jamaica, and had been made by a co-operative producing furniture for the black community. It had been painted black, with bands of red, green and gold around the edges: black for the colour

of the Africans from whom most Jamaicans are descended; red for the blood of the martyrs who died resisting white domination in Jamaica; green for the green vegetation of the island; and gold from the Jamaican national flag. I had seen the colours before, often worn by Rastafarians, but had not realised their symbolic meaning. I admired the table, and the manager told me he had helped the co-operative to obtain a grant and establish themselves. They had a small workshop in the Handsworth area where they produced the furniture, and then mounted displays at local functions. It wasn't the kind of furniture typically seen in city centre department stores: it demonstrated, not for the last time, how culture and cultural symbols can be useful weapons in power struggles between groups.

I was to spend many hours talking with the manager in his office. Our discussions ranged over many issues, but all revolved around the key issue of racial deprivation. One morning I sat in with him on a discussion with a representative from the local Arts Theatre. The dance group in which the manager performed was to dance at the theatre. The representative had seen their performance the previous week, and there was earnest discussion between the two about the quality of the performance. A rival dance group was said to be better; the manager's group needed to sharpen up their performance. The sense of rivalry between the dance groups was keen, something which struck me as odd: rivalry between football teams or politicians was familiar, but not between dance groups. The manager's office was festooned with "action" photographs of the dancers in performance. Why choose dance at all, I asked? He talked initially about the expression of emotions such as anger and frustration, but quickly returned to his favourite theme of

pride through personal achievement i.e. personal growth and increased self-confidence through positive experiences. He described how on one occasion he had taken his dance group to London. After the performance, he thought he would like to go to a public house for a drink. However, the other dancers did not like the idea: they just wanted to get back to Handsworth where they felt secure. He explained that many young blacks have never been taken on trips as children by their parents. They have little experience of life outside their immediate community and are frightened by it; they have no experience of coping on their own. Yet still social workers and probation officers encourage them to leave home when disputes arise with their parents by providing hostel places. He felt it was a formula for disaster. Even small achievements are important for black people, and it is vital they are given a sense of their own identity and of pride in their culture which will add to their confidence in mounting the barriers of racism.

9.3.6 African Dance Class: Cultural Power

On one morning I sat in on an African dance class. The class was in a small room at the front of the Centre: besides the tutor herself, there were three other women all about twenty years old - beginners. Each movement was learned first without the taped drum beat and repeated several times before the tape was introduced. I sat at the side of the room, the complete observer, bewildered by the dance sequence and straining to hear the instructions given to the dancers in patois. Only when I enquired was I told that every movement had a meaning. The dancers listened especially to one particular drum which was leading the others, and this drum completed a particular sequence of beats to signal

the end of the dance. It occurred to me that all too often this kind of African dance is disregarded by white society, looked down upon as culturally inferior compared with ballet or Strauss waltzes. Yet it is equally intricate and steeped in tradition, not crude and basic as is often the image it is given by white culture. I recalled the stream of complaints that had been reported in the local evening paper when one of the dance groups at the Centre had received a Council grant to travel to Africa and learn a traditional rain dance. In contrast, a newly-discovered Tchaikovsky ballet or Strauss waltz would be greeted with applause. It is a question of cultural arrogance, and of having the power to promote one culture or race as superior to another. The dance tutor's speech was sharp and to the point with me, with no expansion on her brief explanation of the movements. Perhaps she suspected cultural arrogance in me. It was clear I was the outsider.

9.3.7 White Bureaucracy and Black Resistance

Besides the manager only one other member of staff, his secretary/receptionist was permanent. The rest were unqualified and employed on a temporary basis, either as sessional organisers or for one year on a Manpower Services Commission employment scheme. With so many well-qualified people (including graduates) out of work, I wondered why the Centre had not opted for qualified rather than unqualified staff. The manager saw the question as a typical Probation Service response, and mentioned that others in the Service had expressed similar surprise. He explained that professionally qualified people are not required at the Centre, but rather local people who are known and trusted by the community, and who can progress and develop themselves - with guidance -

while undertaking the job. His opinion was that the emphasis placed by the Probation Service on paper qualifications is part of its thirst for a professional image; however, like its bureaucracy, the professionalism of the Service distances it from offenders, especially when the "professionals" do not share the same ideology as the black offenders they serve.

It was becoming clearer to me that the respective ideologies of the Probation Service and of the Cultural Centre are fundamentally different: the Cultural Centre is a different world, a black world, from which a white probation officer feels alienated. It is the same feeling black offenders must experience each time they enter a white probation office. The difference in ideologies was further illustrated when the manager was visited by a black youth about nineteen years old. He wanted to get back his place as a drummer in the manager's dance group. He had lost it through failing to arrive for practice sessions. After much discussion it was agreed that he could have back his place in the group provided he arrived on time for practice. The manager told him the day and time of the next practice, and stressed that he meant "white man's time". The idea of a difference between black and white time intrigued me: many probation officers complain about the inability of their black clients to arrive on time for appointments, or even on the right day sometimes! It is mostly explained in terms of laziness, or the lifestyle of a different culture. Here was a difference between black and white confirmed, but what the difference meant was unclear. It seemed that some black people's attitude towards time is a form of resistance to white society's rules and regulations. They are not going to be bound by them and so arrive early or late, in their own time, to resist attempts

to impose a white lifestyle upon them. What the manager was pointing out was that the black youth had to work to the white man's idea of time, by arriving punctually, but for his own benefit, and not for the benefit of white society.

9.3.8 White Man in a Black World

As my time at the Cultural Centre came to an end, I reflected that my time there had not been an altogether comfortable experience. While I was made welcome by the manager, and while there was no open hostility from the others at the Centre, it was always in my mind that I was the outsider and in the minority. Informal conversations with staff or users of the Centre were often guarded, and eyes turned away when I walked into a room. The uncomfortable nature of my experience gave me insight into what it must feel like to be in a community where the prevailing values are decided by someone else. Yet this is precisely what black people in Britain experience all the time, especially when they become unwillingly involved with white institutions such as the Courts and the Probation Service. Little wonder that they are mistrustful and guarded: even the manager, though black himself, had experienced mistrust when working as a probation officer prior to going to the Cultural Centre. Black people on probation who chatted freely with him in the probation office would ignore him when he met them on the streets in Handsworth. His explanation was that once out of the probation office, as a black representative of white authority, he was on their territory then, on their streets, and they didn't want to acknowledge "white authority" when "at home". What my period of observation at the Cultural Centre suggested was that if the Probation Service is to work effectively with

black offenders, then it has to acknowledge that there is a black world, and that it is different, with different experiences and a different set of needs. The Probation Service has to develop alternative, relevant strategies which enable black people to have confidence in its services, instead of treating everyone the same, which in reality means expecting black people to adjust to white values and white institutional practices.

9.4 Evaluating the Alternatives

In trying to evaluate the work of the Cultural Centre and CHAS, it must be acknowledged that, however bold and imaginative they are as attempts to develop alternative strategies for intervening with black offenders, nevertheless they bring dilemmas of their own. Some of these dilemmas will be discussed next, not to devalue the positive efforts that are being made, but to highlight the complexity of the issues involved.

9.4.1 The "Affirmative Action Or Ghettoisation" Dilemma:

One of the major advances the projects have made compared with traditional Probation Service techniques is that their methods of working have developed out of a fundamental belief that black offenders are a special case with special needs. They do not set out to treat black and white the same because of a belief in some mythical, homogeneous society which it is thought is attainable. They aim to deal principally with black offenders, and to recognise their different needs and qualities:

"I'm not being anti-white: I'm just trying to assert that black people have other unique qualities that are different from white and should be also appreciated, but that has been largely ignored....."

This CHAS worker felt that many probation officers are floundering in their work with black people and would prefer to avoid them:

"I think the whole thing comes from understanding and knowing the people you are dealing with and knowing where they are coming from..... I don't think probation officers really know what to do at all, I think probation officers are still questioning. Many of them would just like to stay away from black people.....".

The Cultural Centre manager felt the answer was for probation officers to change the way they work with black people and do something more relevant:

"I wouldn't start saying to a black guy, like most probation officers do like robots: 'Well, have you got a job? How are things at home?', when you know from all our clients nothing has changed significantly since you last saw them. You know we have to come to the point with things that are exciting in their lives, like people come round here and they probably spend half their time talking about the Gregory Isaac concert, either the one they have been to or the one that is coming.....".

Of course it is just as irrelevant for probation officers to ask their white clients about jobs and home as it is black clients. Structural disadvantage is common to black and white offenders. Until probation officers take account of this in their practice, instead of regarding offending as the product of individual or family pathology, their work will continue to be irrelevant to black and white clients alike. However, structural disadvantage has been compounded for black people by racial disadvantage. Their shared position as an underclass in the social structure has given birth to a cohesion amongst many black youths which leads them to rebel as a group against the attempts of white authority to reintegrate them. Such a sense of cohesion generally is not

so advanced amongst white youths. For this reason, the revolt against traditional Probation practice is keener and more pressing amongst young black offenders than whites.

Projects like CHAS and the Cultural Centre are attempts to get closer to the black community by locating themselves within the community, and by creating an environment within the projects which is congenial to the black people they are trying to reach. By being closer to the community, the workers become even more aware than they were already of the need to project a different image from the traditional Probation Service:

"That's the beauty of community work. It has much more to offer, because if we traditionally are one-to-one, we sit in our wonderful little offices, the outside world is revolving and we're not. Whereas here, for a start I'm working with non-clients, so I pick up a lot of other information. If kids are dancing or drumming, I just go down; I don't know them, so there is nothing magical about me, but I see them quite often, so I get 'rapping' with them. Because of my community involvement I work in schools, so I meet kids who never offended at all but who have got pretty fixed ideas, believe you me, about the Probation Service or Social Services just the same, even though they have never had any contact. So I hear them say things, and that conditions as well the way I work".

(Cultural Centre Manager)

The Cultural Centre and CHAS have tried hard to develop working techniques which are effective and gain the trust of black people. By so doing, they hope to achieve a fairer deal for black offenders, compared with the traditional Probation Service which "... would just like to stay away from black people" as suggested by the CHAS worker.

However, there is a danger in separating black offenders out from white by creating projects like the Cultural Centre and CHAS: by taking them out of the system and directing them into specially created projects, nothing is done to change the system itself which is what really needs overhauling. In many ways, because the working practices of the Cultural Centre and CHAS have diverged from those of the traditional Probation Service, a ghetto has been created into which black offenders are channelled. The danger is that white probation officers will absolve themselves of any responsibility for increasing their level of racism awareness and leave the "problem" of black offenders to the specialist black projects. If the system itself is to be changed, then the Probation Service needs to link itself closely with the alternative approaches in order to adopt the different practice techniques which have proved helpful.

At present, by and large the Service has been little influenced by the projects, even though it played a key role in their initiation and development. Nevertheless, projects like CHAS and the Cultural Centre offer the hope of change in the Probation system: they have begun to develop an expertise in alternative ways of working with black offenders which is available to probation officers, if only officers will take advantage of it. The evidence so far is that many probation officers are choosing not to take advantage of this expertise. Heavily influenced by traditional Probation culture, and factors outside the Probation Service such as politicians and the media, many white officers are opposed to affirmative action. Racism, in the form of outright opposition to the development of alternative approaches, is often hidden behind a concern for professional standards.

9.4.2 The "Increasing Self-Confidence or Raising False Hopes" Dilemma:

Another major difference between the projects and the traditional Probation Service is that they reject the colour-blind approach of the Service whereby officers explain black crime in terms of individual or family pathology. CHAS and the Cultural Centre explain black crime by reference to racism, and their activities are designed to combat its effects.

CHAS concentrates on affirmative action to combat material disadvantage in areas such as jobs and housing. It refers its clients to other black self-help projects which offer facilities such as training for employment, or improved accommodation.

The Cultural Centre is more concerned with racial abuse and the effects this has on self image. The CHAS worker was clear in her own mind about the debilitating effects racism had had on her self-confidence as a child:

"....when you begin to go on about positive images, what you are trying to talk about is that you want to be confident in yourself as a person.... As a child I remember drawing pictures, like definitely my favourite pictures were what I called 'Cindy' pictures, kind of page-style blonde hair and blue eyes. And I was drawing what I saw a beautiful woman as - it was never black".

She felt the only way to counter the effects of racism was for black people to develop an inner self-confidence:

".....I think it has to come from black people, that

confidence has got to, it can't come from the outside, it has got to be self-perpetuating and come from the inside".

The Cultural Centre manager agreed, linking the work of the Centre with this development of self-confidence. He added that if black people do not develop self-confidence, the alternative is violence:

"The only reason blacks like myself survive in this society is because we are worth something....I don't want a violent society, so I'm hoping that the people we're working with, when somebody calls them a 'wog' or says 'You bloody nigger, go home!', instead of the automatic reaction of thumping them I want people to say: 'Well, yeah, I know I'm a wog: tell me something I don't know!'. That is the degree of self-confidence; if you haven't got self-confidence then you're dead. It doesn't matter how wonderful society is in terms of jobs or housing, we will always struggle as black groups. But we will struggle more and become more violent if we don't come to terms with our own selves in a white society".

The main strength of the Cultural Centre is to give blacks a sense of pride in being black. This may, as the manager suggested, enable them to shrug off racial abuse. In the long term it could also help to raise the image of black art in the white world.

However, despite all the efforts made by CHAS and the Cultural Centre, racism will remain a feature of black people's lives and they will have to battle constantly against its effects. There is, therefore, a danger of raising false hopes and developing a false confidence. Projects like CHAS and the Cultural Centre operate a fine distinction between increasing self-confidence and raising false hopes. For example, intervention by the Alternative Scheme or the Cultural Centre may give their black clients the confidence to undertake further education and obtain skills or qualifications. Despite obtaining qualifications, such clients may still be unable to secure employment because of subtly racist

recruitment procedures within private industry or public service agencies.

If CHAS and the Cultural Centre operate in isolation, or even in opposition, to the white establishment (particularly in this instance in isolation from the Probation Service), then the ghetto outcome is likely to become institutionalised.

9.4.3 The "Alternative Approaches or Integrationism in Disguise"

Dilemma:

A third dilemma is whether the Cultural Centre and CHAS really are offering a radical, alternative approach or whether they are just another version of Probation Service integrationism in disguise. The Cultural Centre manager was conscious of trying to do something different with black offenders from the early days of the Centre when he was still based in a Probation office:

"J** and I began to share: I moved in J**'s office, we moved a desk in, my office was left vacant and we developed that as a common room. I didn't want clients coming downstairs into the waiting room and sitting down there like they were in Winson Green Prison. 'Come upstairs, we've got a record-player, play it soft, there is a couch you can lie on!' J** and I brought furniture and bits of carpet from home for them.....".

His attempts to do something different brought him into conflict with the traditionalists within the Probation Service, especially when he received early promotion:

"Here was I, a young upstart, barely confirmed in post, appointed to senior, and I had colleagues in the staff room

who were saying 'Oh, we've been in the Service eight or nine years and you've just come in earning more money than we have'; I hadn't done my apprenticeship; I hadn't done this or that; it was only because I was black and happened to be at the right place at the right time. So I left with a history of bad vibes, you can say, that is the first thing; secondly, I worked in that building differently anyway, I used to have groups in and out all the time in the building, at weekends, and that isn't the done thing; thirdly, I didn't conform in my manner of dress, I work in jeans and a T-shirt.....Those were the sort of things that divorced me from Probation generally".

The major factor allowing the freedom to experiment and get away from traditional Probation Service working techniques was independent funding, largely from the Inner City Partnership Programme. Both CHAS and the Cultural Centre were eventually funded under the terms of the Programme, whereas the Probation Rules, at the time of the projects' inception, did not allow funding for such experimentation from the Probation Service budget. It was this independent funding which allowed CHAS and the Cultural Centre to be free of the institutional and bureaucratic structures of the traditional Probation Service. However, there are doubts about just how free to be radical they were in reality. Funding for projects under the terms of the Inner City Partnership Programme still comes mostly from central government and, no doubt, could be cut at short notice if special projects became too radical. There is a precedent for such action: in 1969 the then Labour government established a number of Community Development Projects in inner-city areas to sponsor radical innovation in social services provision; these CDP's were eventually cut by the Heath government because their ideology was becoming too radical, asserting that social problems could not be resolved within the normal capitalist system. An impartial observer is left wondering, therefore, whether special projects really have the financial freedom to be radical, or whether they are in fact allowed to

be innovative only insofar as their innovations do not threaten the status quo within the social structure.

A further problem for special projects initiated under the ICPP is that because their continued funding is not guaranteed in Law (in contrast with the Probation Service whose duties are incorporated in Acts of Parliament), there is an atmosphere of impermanence about their activities; in-service training opportunities for their mostly unqualified staff tend to be limited, staff move on quickly to other jobs where their employment is more secure, or to training courses which will allow them to obtain qualifications and command a higher salary. There is a risk, therefore, of developing a two-tier Probation system, with black offenders being channelled into special projects from which they receive a second-class service. The Cultural Centre manager was not naive enough to believe that incorporating the special projects into mainstream Probation budgeting would be the answer to these problems:

"Now it is alright when you can experiment with other people's money, it doesn't affect the Probation budget. At the end of the day I will see how, and most of us will see how, really interested the Probation Service is in developing alternative forms of work. Now if you're interested, let us say it is assumed by the Home Office: 'oh, you will see the damn changes....', Instead of when they absorb it they say: 'Right, you experimented with other people's money and you've done some good, let's follow you and all come out a little bit alongside you', that would be my desire; but I've been around a little while and I know what is going to happen. Instead of them coming out, mainstream, to meet me, they are going to pull me back".

In fact, since the interview with the manager, the Cultural Centre has been incorporated into mainstream budgeting, and he has moved on to another experimental project with the Service. It remains to be seen whether his forecast that the Cultural Centre would be forced back into

the institutional groove is correct. However, the comment made by Lord Scarman in his report into the Brixton disorders was ominous: whilst he recognised that projects such as the Cultural Centre helped the Probation Service to get closer to the local community by probation officers being seen in a more positive light rather than simply as agents of the Courts, nevertheless:

"....there were dangers in the Service undertaking such non-court work....."

Exactly what these dangers are was not specified in the report, but one can speculate that they are to do with the Service being seen as too radical and political. Meanwhile, the funding for CHAS has become renewable annually, and there have been persistent rumours about the eventual closure of the project.

Although independent funding does not necessarily provide the financial freedom to be radical as might be thought at first glance, no government funded social work agency has that freedom. Welfare of this kind always tends to be provided on the basis of integrating the social outcast or the deviant with the existing social structure. To be completely free to experiment, a project would have to be funded totally independently of government. At present, by and large the black community does not have the money to create its own independent welfare projects, and is forced to rely on funding at least to some degree from the white-dominated society which oppresses it. Even if the black community had the funds, independent projects bring their own dilemmas: they would take black people out of the main welfare system to achieve a fair deal for them, instead of overhauling the system created and

dominated by whites, which is what really needs to be changed.

Hence, projects like CHAS and the Cultural Centre have the freedom to experiment within certain limitations; they are also still close enough to the traditional Probation system to influence it if it wishes to learn from their experiences. Without funding from the ICPP for such initiatives, the Probation Service would not even have set a foot on the path towards change in its work with black offenders. At least while participating in projects like CHAS and the Cultural Centre, black offenders have the opportunity to build up their self-confidence which may then allow them to go on and tackle the wider issues of racism.

9.4.4 The "Reducing Crime or Promoting Community Health" Dilemma:

It has been argued by some, both within and outside the Probation Service, that the alternative approaches which have been developed are expensive luxuries irrelevant to the reduction of crime in the community. Critics of the projects often point to the low number of Probation Service statutory clients using the Cultural Centre; or suggest that the work undertaken by CHAS does not prevent its clients reoffending. The theft of video equipment and cookers from the Cultural Centre, which was mentioned earlier, would suggest that there is no really obvious behaviour change in Centre users.

However, this type of defence of an approach, which measures the success of a project in terms of whether or not its clients reoffend, is unhelpful. Although the justification of any approach to crime is nearly always framed in terms of reducing recidivism, no approach has yet been

devised which has achieved a consistent transformation of offender behaviour. This includes the traditional approach of the Probation Service, as well as newer strategies such as those developed by CHAS and the Cultural Centre.

There are more relevant criteria for measuring the success of an approach to crime, and these centre on attempts to promote the health of the entire community (which includes both offenders and non-offenders). Such criteria might include the introduction of schemes to divert those on the threshold of a deviant career out of the criminal justice system altogether in order to reduce the risk of deviance amplification; the establishment of projects to combat social problems such as racism, material deprivation, and unemployment in individual cases in the hope of reducing the need to commit crime; efforts to alert the community to factors which encourage crime, and to effect changes in social policy (both locally and nationally) to improve the quality of life generally; and the development of strategies to persuade the community to take responsibility for its deviant members (for example, by recruiting voluntary workers, setting up reparation and community service schemes, or providing leisure activities to be enjoyed by non-offenders side by side with offenders). Criteria like these do not isolate the offender from the mainstream in the positivistic tradition, but regard offending as the product of disruptions within the mainstream social system. They are therefore more in line with the structural perspective on crime developed during the course of the research.

Attempts to evaluate the success of CHAS and the Cultural Centre which are based on cutting down further offending are not considered

relevant, even though there is pressure from the Home Office and others to apply such criteria. It is more appropriate to enquire whether the alternative approaches are effective in promoting equal opportunities for black people, in reducing material disadvantage, and in combatting the damage to the self-image of blacks caused by racial abuse. If their methods are effective, the projects will have contributed to the health of the entire community, and the traditional Probation Service will have much to learn from them.

Based on these criteria, the evidence of the period of participant observation is that the alternative approaches offer one way forward for responding more effectively to the special needs of black offenders, but pose dilemmas of their own. It remains to be seen which set of criteria will be applied when the future of the projects is considered.

9.5 Summary

The observation and analysis of the work of CHAS and the Cultural Centre provided a great deal of insight into what alternative approaches to traditional Probation practice might look like. The Alternative Scheme seeks to reduce the incidence of black offenders being committed to custody by proposing strategies to Courts for supervision in the community. CHAS workers intervene alongside probation officers to combat the effects of racial disadvantage and thereby lessen the need for clients to commit further crime. The Cultural Centre concentrates on countering the effects of racial abuse by helping to improve black people's pride and self-confidence through the use of black culture and arts.

In their different ways, both projects develop a closeness to the black community and provide their service in an atmosphere which is congenial to black people; they recognise the different needs of young black offenders and do not set out to treat everyone the same; they do not seek individualised solutions based on pathology for black crime, but locate it within the structural framework of racial disadvantage; they seek to get their black clients to a position where they feel confident to mount the racist barriers raised by white society; above all, they are prepared to experiment and to think differently, and are not locked into the unintentionally racist institutional and bureaucratic structures of the Probation Service.

Alternative approaches bring dilemmas of their own, and are not free from criticism: they risk ghettoising black people and leaving the main system intact; they are in danger of raising false hopes, because black people will be disadvantaged solely on the basis of their skin colour; and they are allowed to experiment only in a limited way which does not threaten the status quo, and which risks the establishment of a second-class service for black offenders. Finally, their continued existence depends on the application of appropriate criteria for evaluating the success of their work.

Nevertheless, despite these dilemmas, the alternative approaches offer the hope of more relevant ways of working with black offenders, ways which are more in tune with the offenders' needs. New methods of working like these, if taken on board by probation officers, could result in more probation orders on black offenders; and also in less young black

people being committed to custodial institutions because probation officers are ignorant of ways to work more effectively with this client group.

In Chapter 10 the entire research endeavour will be reviewed, and some final conclusions will be drawn about its findings. An attempt will also be made to consider what implications the findings have for Probation policy and practice.

EXAMINATION AND THE BLACK OFFENDER:

EXCLUSIONS AND REFLECTIONS

Like other public organisations such as schools and local authority housing departments, the Probation Service has experienced a growth in the number of black people amongst its clients. This growth results from the influx of black labour from the Caribbean as part of the post-war reconstruction programme. Many of the young black offenders are the sons of immigrant parents. My experience as a probation officer suggested that the Service did not cope well with the supervision of young blacks.

SECTION V

SUMMARY AND CONCLUSIONS

My own officer colleagues concluded that young blacks constantly broke agreements, had little to say when they did come, and reoffended. The involvement of the Probation Service. My own experience was no better, and I felt ill-equipped to cope with this situation. My colleagues had begun to say that these young black offenders were "irretrievable" for supervision by the Probation Service, and suggested that supervision was not being recommended. The implications of not recommending supervision would be far-reaching: young blacks would be faced by the harsh letter of sentences at an earlier stage in their criminal careers, which as a consequence would lead to a disproportionate number entering custody. A criminal record involving custody would have a serious impact on the future life-chances of these offenders, particularly in the field of employment.

PROBATION AND THE BLACK OFFENDER:

CONCLUSIONS AND REFLECTIONS

Like other public organisations such as schools and local authority Housing Departments, the Probation Service has experienced a growth in the presence of black people amongst its clients. This growth results from the recruitment of black labour from the Caribbean as part of Britain's post-war reconstruction programme. Many of the young black clients have been born in Britain of immigrant parents. My experience as a probation officer suggested that the Service did not cope well with this emergence of young blacks amongst its offender clientele. A number of factors gave rise to this impression, stimulating me to undertake research which began in 1979.

Probation officer colleagues complained that young blacks constantly failed appointments, had little to say when they did come, and reoffended regardless of the involvement of the Probation Service. My own experiences were no better, and I felt ill-equipped to cope with this client group. Some colleagues had begun to say that these young black offenders were "unsuitable" for supervision by the Probation Service, and I suspected that supervision was not being recommended. The implications of such a withdrawal of supervision would be far-reaching: young blacks would be forced up the tariff ladder of sentences at an earlier stage in their deviant careers, which as a consequence would lead to a disproportionate number entering custody. A criminal record involving custody would have a serious impact on the future life-chances of these offenders, particularly in the field of employment.

Despite the assertions of some colleagues to the contrary, I suspected that the alleged "unsuitability" of young black offenders for supervision was more likely to be due to the inadequacies of Probation practice than the inadequacies of individual black people. Six years of research spent examining the Probation process has confirmed that this initial suspicion was well-founded. Regardless of its claim to treat all offenders alike, the evidence from my research is that the Probation Service, albeit unintentionally, discriminates against young blacks by a cumulative process of subtly-racist institutional practices. These practices derive from the Service's failure to depart from traditional, colour-blind approaches and develop alternative forms of working which are relevant to the situation of black people.

At the outset of the research, no evidence was available to support my hypothesis. Therefore my initial fieldwork was designed to test the contention that differential sentence recommendations were being made by probation officers in Court reports.

10.1 Background to the Research

As a preliminary to the fieldwork, a review of current thinking in theory and practice was undertaken in order to determine what knowledge was already available.

One of the points to emerge from this review was that very little had been written about the factors underlying the commission of crime in black communities within Britain. There are those researchers who work

on race, and those who study crime, but the two elements are rarely combined. This is still the case even six years later. There is a dearth of detailed studies of the factors underlying black crime. There appears to be a colour-blind approach to much research on deviance which ignores the arguments of Weberian researchers in the field of race who point to the differential position of blacks and whites within the social structure. Although powerlessness and disadvantage are common themes in structural explanations of deviance, writers on crime overlook the double disadvantage which accrues from membership of a racial minority. This should provide an additional dimension for consideration by those who wish to explain black crime. Because the racial dimension of crime is rarely considered by researchers, those like probation officers who deal with black deviance on a routine, daily basis have an inadequate fund of knowledge from which to develop effective practice.

Another point which emerged from the review of theory and practice is the failure of Probation practice to take on board the developments which have occurred in race/crime theory. Theories of race and crime have left behind their original concern with the individual for an examination of the influence of the social structure. No such development has occurred in Probation practice, which is still largely based on individual pathology. The literature survey suggested that this is probably due to the two principal historical influences on the Service which have prescribed its role: the development of social work in Britain; and the criminal justice system.

The lack of an adequate sociology of black crime, and the influence of its historical origins on the form of the Probation Service today,

provided some initial pointers to factors which might be interfering with the development of effective practice with black offenders.

However, at this stage it had still not been established at an objective level that discrimination was occurring. I had only the evidence of my subjective impressions. The next step, therefore, was to establish whether a problem actually existed.

10.2 Identifying the Research Problem

My personal experiences of working as a probation officer, and the review of developments in theory and practice, suggested that discrimination by the Probation Service against black offenders was likely. However, the existence of discrimination had to be tested against the reality of officers' daily work. In the first instance this was done by carrying out a quantitative survey of social enquiry reports.

This survey, reported in Chapter 5, indicated that probation officers were reluctant to recommend supervision for the black juvenile offenders in the sample. The exception to this was when supervision was accompanied by an order for intermediate treatment, which meant that the work could be delegated to another social work agency. Whereas 23% of the indigenous males in the sample were recommended for supervision, only 5.9% of Afro-Caribbean males received the same recommendation. This was despite the fact that probation officers felt the Afro-Caribbean males were more at risk of committing further offences. No major differences in the type of offence committed or in the background of the juveniles was discovered, save that the Afro-Caribbean families seemed to be in a

slightly worse class position in terms of parental occupation.

The quantitative survey of social enquiry reports indicated that a problem existed at an objective level. At the time the survey was conducted in 1979, this was the first piece of evidence available to support the existence of discrimination. Since then, other researchers have produced similar findings (Taylor 1981; Whitehouse 1983). However, neither Taylor nor Whitehouse offer convincing explanations of how it is that an agency like the Probation Service, whose work is based on strong professional principles, can discriminate against an entire category of clients in this way. Taylor offers a number of possible explanations, but comes down in favour of none in particular. Whitehouse argues that discrimination occurs because probation officers are unaware of the subtly racist assumptions which dominate their work, but restricts his analysis to one aspect of the work - social enquiry reports. Lawson (1984) in a brief article argues that young, black, male offenders do not fit into traditional models of Probation. He advocates a community-based approach using detached workers. However, his article is too brief to analyse in detail the shortcomings of the traditional model; his community-based approach is restricted to use by specialist officers; and his alternative approach seems to be a re-working of the traditional integrationist formula, rather than a genuine attempt to initiate something new in order to meet the special needs of black people.

The original contribution of my own research, therefore, has been to examine the routine practices which comprise the Probation process with a view to identifying how it is that indirect discrimination can occur within a caring organisation like the Probation Service. To reach some

conclusion which might inform practice, it quickly became apparent that no single research method exists which would be adequate at different levels to achieve this goal.

10.3 Methodological Pluralism

Researching the Probation Service as a member of the organisation has meant that access to data has posed few problems. However, one implication of being a probation officer is that I have been socialised into the profession's ideology. The challenge of the research throughout has been to achieve a balance between using my inside knowledge of the Service as data, and recognising institutionalised perceptions as such in order to re-examine them critically.

The use of multiple methods has considerably assisted this process. No single approach to social research can be exclusively relied upon, because all methods have their limitations. However, by employing multiple methods it is possible to compensate for the disadvantages of a particular method by maximising the strengths of another approach to re-examine the same material from a different perspective.

For example, the quantitative analysis of social enquiry reports in Chapter 5 is useful for providing evidence of discrimination at an objective level, but does not identify why this discrimination should occur. However, the subsequent qualitative analysis of the same reports in Chapter 6 begins the process of identifying a pattern of practice which continues to be uncovered using other methods in the chapters which follow.

The ideology which underpins routine practice is teased out further by introducing the case of Winston, which is used to highlight the key aspects of the probation officer/black offender encounter. This case study illustrates how the traditional Probation approach allows little common ground for dialogue between white officers and their black clients.

The case of Winston is based on a collage of real cases, in order to heighten certain features of the probation officer/black offender relationship. To try and get as close as possible to the reality of the encounter, taped interviews were conducted with black and white probation officers and others, and the results of these in-depth interviews are set out in Chapter 8. These accounts provide the opportunity to test emerging theories against probation officers' perceptions. The interviews are the kernel of the research and provide at first hand rich data on the attitudes and opinions of probation officers, and about how these perceptions are formed.

Once the existence of the discriminatory, traditional colour-blind approach had been established by the evidence, the next step was to consider what alternatives to the traditional approach might look like. It was at this point that the difficulties surrounding my position as a probation officer researching the Probation Service became particularly apparent. It was not easy to free myself from the influence of professional socialisation and imagine how Probation work with black offenders might be carried out differently and with more relevance.

The value of using multiple methods was proved again by the decision to observe two alternative, black self-help approaches: the City and Handsworth Alternative Scheme and the Cultural Centre. The observation provided valuable insights into the "black world" and gave a unique experience of marginality for a white man. It helped to identify the potential for change and what form this might take.

The use of multiple methods to try and understand how indirect discrimination occurs within the Probation Service proved more worthwhile than relying on a single research approach. The various research methods applied were a valuable aid to analysing the complexities of the Probation process, making best use of my inside knowledge of the organisation, whilst exercising caution to combat the effects of professional socialisation. The outcome provides an analysis of the discriminatory process, which raises the research findings above the level of opinion by supporting them with evidence which reflects subjective reality.

10.4 The Research Findings

As complex organisations develop, certain institutional processes and procedures also develop within them which become traditions and are handed down from one generation of employees to the next. Such traditions may be perpetuated over the decades despite the fact that the social context has changed and requires the development of new, more relevant procedures. The arrival of black people in Britain after the second world war produced a major change in the social context, yet organisations like the Probation Service have failed to acknowledge the

change. Such organisations may accurately be described as "colour-blind", because they have failed to develop new procedures to meet the special needs of black people. Even when there is no policy to discriminate directly, indirect discrimination occurs by default because established policies and practices have not been adapted to the new context. This omission compounds the disadvantage already experienced by blacks in other spheres. The reasons why a colour-blind approach has developed in the Probation Service are complex, but my research findings suggest that the causes may be found in the following elements: the historical role of the Probation Service; the body of knowledge which the Service relates to; recruitment and selection policies; training (professional and in-service); inter-subjectivity between white probation officers and their black clients; and the professionalisation of the Service. It is worth re-examining these elements, one-by-one, to identify the genesis of indirect discrimination within a complex organisation like the Probation Service.

10.4.1 The Historical Role of the Probation Service

The review of developments in theory and practice revealed that the evolution of the Probation Service has been heavily influenced by two factors: the development of social work in Britain; and the workings of the criminal justice system.

Social work in Britain, developing as it did out of the activities of the Charity Organisation Society, was never intended to deal with the major inequalities between groups of people in the social structure. The role allocated to social work was to maintain the value of the "gift

relationship" i.e. ensuring that help was given to deserving people, and helping such people to overcome their problems so that they could become useful members of society once more. The emphasis was on producing change in the individual, rather than changing society.

This is still so today, and the social work methods traditionally used by the Probation Service have as their objective the reintegration of offenders with mainstream society. The method most commonly used to achieve this objective in the Probation Service is the casework relationship. In this relationship the probation officer acts as a role model for offenders, advising and influencing them to abide by society's laws.

The second major influence on the Probation Service has been the criminal justice system itself, of which the Service is a part. The criminal justice system individualises offenders in a way that isolates their deviance from the social context in which it occurs. Unemployment, relative deprivation, poor quality housing, or racism may contribute to the commission of crime, but the system is such that individual offenders are ultimately blamed for their disadvantage and held responsible for their criminality.

Thanks to these two major historical influences, traditional Probation Service ideology is based on the individualisation and integration of offenders. This ideology inhibits effective work by the Service with any disadvantaged group because it ignores the influence of the social structure. It especially inhibits effective work with black offenders. This is because black people experience disadvantage

collectively as a racial group as well as individually. Many have no desire to integrate with a society in which positions of power are mostly held by whites, and in which blacks are stigmatised and treated as social outcasts. The historical role allocated to the Probation Service therefore places it in direct conflict with the aspirations of many of its black clientele who are not seeking integration but justice.

10.4.2 The Body of Knowledge which the Probation Service Relates to:

The historical role allocated to a profession often restricts the fund of knowledge on which the profession draws to practice its skills. The body of knowledge available to the Probation Service is based for the most part on pathological rather than structural explanations for deviance. This is because the fund of knowledge available in social work is the product of the specific historical, social and economic circumstances which gave rise to the creation of the discipline based on individual pathology. Radical structuralist theories of deviance have been developed, but such theories struggle to gain general acceptance in Probation circles because the historical role allocated to the Probation Service inhibits their use. Hence, the form of practice most commonly used by probation officers is that of casework.

Casework is a directive form of counselling, illustrated in the case study of Winston, conducted with individual offenders. It sees deviance as incompetence, the product of individual inadequacy. Offenders are divided into categories of need, and the efforts of the casework relationship are directed towards dealing with inadequacy by producing change within the individual. This approach is applied to all categories

of offender regardless of race. However, because casework disregards structural issues, it is largely irrelevant to the needs of black people, many of whom are structurally disadvantaged by virtue of the colour of their skin and not individual inadequacy. Unsurprisingly, the universal application of the casework approach meets with resistance from many black clients of the Service, as with Winston. They see attempts to change them as people rather than society as a perpetuation of racism.

10.4.3 Recruitment and Selection Policies:

A survey of the West Midlands Probation Service in 1979 revealed that while 13.3% of the County's caseload was of Afro-Caribbean or South Asian origin (26.5% in north Birmingham; 22% in Wolverhampton) only 9 out of 372 (2.4%) probation officers were from this minority groups. The position has not changed greatly during the past six years.

One reason for the failure of the Service to recruit more black people is that its traditional sources of recruitment were not the occupational groups in which black people were to be found, i.e. the colonial and armed services; the police; middle management in industry; and the established churches. This pattern of recruitment has changed since it became compulsory for all probation officers to hold a professional qualification (the CQSW). All recruits now enter the Service via a course of training at a polytechnic or university. However, the competition for places is such that the academic standard to be achieved before gaining a place on a CQSW course is high, and often excludes many black people who have not reached the required standard.

10.4.4 Training (Professional and In-Service)

Training for Probation work falls into two categories: professional CQSW training; and in-service training after taking up a post within the Probation Service. For a long time there was no training at all on race issues in either category. Home Office Circular 113/1977 drew attention to the race issue for the first time, and thereafter greater attention was paid to the subject. However, reflecting the underlying ideology of the Service and the fund of knowledge it relates to, much of the training has been based on issues of ethnicity rather than racism.

As was revealed by the interviews with officers in Chapter 8, many CQSW courses did not provide any tuition on race issues even after the issuing of the circular. Those that did often restricted teaching to inviting in representatives of Afro-Caribbean or South Asian communities. As pointed out by one black officer, these representatives are often articulate, middle-class members of their community who have succeeded in British society. They have little in common with the black offenders of the Probation Service who are often alienated, mistrustful and unmotivated. Another approach is to concentrate on issues of prejudice or inter-group relations. Neither the Home Office nor the Probation Service has tried to change these approaches since they are consistent with Service ideology.

A large number of probation officers are in post with scant knowledge of the issues involved in race relations. Of the fourteen officers interviewed during the research, for six their training had had no input at all on race. The rest had had some input, but its content

was limited. Though in-service training is available for officers who have had no earlier input, initially the training has concentrated on less contentious issues such as culture and prejudice. Only after pressure from mainly black officers has anti-racism training been introduced. They believe the central focus of race training should be white people, white attitudes, and white institutions. Only since the disorders of the early 1980's has this viewpoint gained general acceptance. Prior to this the emphasis was on understanding as a prelude to integration, rather than anti-racism training. Many white officers are still resistant to the change of emphasis: their integrationist ideology leads them to believe that highlighting race will increase divisions in society and create more resentment. They consider the conflict perspective too controversial and out of step with Service thinking.

10.4.5 Inter-Subjectivity:

The reliance of traditional Probation practice on casework has already been highlighted. Due to their lack of sensitivity to race issues, many white probation officers are ignorant of the experience of racism which can make black people suspicious of white authority figures. Instead of trying to move away from traditional casework practice, which isolates blacks and involves them in an unequal relationship that reinforces their powerlessness, probation officers label blacks as "difficult" and "unco-operative" when they reject this approach. These impressions then become generalised by officers in a racial way to all black clients who are seen as unsuitable for Probation supervision. Officers will then give up more easily with black clients

than with whites when they encounter resistance. Difficulties with white clients, who do not keep appointments or are unco-operative in other ways, do not lead to the same universal condemnation of all white offenders. Meanwhile many black offenders merely regard this labelling as further evidence that probation officers are agents of a society which seeks to oppress all black people.

This inter-subjectivity between white probation officers and their black clients is more damaging to the clients than the officers. It is the probation officers who hold the power: the direct consequence of their stigmatisation of black clients is that many black offenders are not recommended for community supervision and so are committed to custody by Courts. Since white officers hold the power, it is therefore for the probation officers to rectify this situation by developing alternative forms of supervision which take account of the race dimension. Techniques are required which bridge the credibility gap between officers and offenders, but this implies the abandonment of colour-blindness and the adoption of affirmative action. Within an integrationist organisation like the Probation Service this is extremely controversial, as was also illustrated by the interviews with white officers in Chapter 8.

10.4.6 Professionalisation:

The desire to professionalise the Probation Service is laudable as an attempt to increase its influence for the benefit of offenders. However, there is evidence that probation officers feel their position in the new middle class is threatened by the behaviour of their black

clients. This client group rejects traditional approaches and probation officers see this as a challenge to their expertise and status. As a defensive strategy, officers then protect their position by blaming black offenders for the failure of the encounter. Officers are able to do this because of their powerful position within the Court setting. Hence, professionalisation is a double-edged sword: it can be used to benefit the professional's clients by providing a better standard of service; but it can also be used as a device to legitimate the exceptional position of power that professionals have managed to conquer for themselves. At present, probation officers often seem to be using their professional status to resist the need for changes in traditional forms of practice.

These are the elements which the research identified as contributing to the Probation Service's colour-blind organisational response to deviance. It is this colour-blind response which underpins the discriminatory practices employed against black offenders. Given the complexity and inter-relatedness of the elements, one is left wondering whether the Probation Service can ever respond effectively to the special needs of its black clients. However, within the alternative approaches evidence was found that it can.

10.5 The Alternative Approaches

The period of observation at CHAS and the Cultural Centre provided invaluable insight into what alternative approaches to dealing with black offenders might look like. They offered reassurance that effective work by the Probation Service with its black clientele is possible, given the right ideology.

The central difference between the traditional Probation approach, and CHAS and the Cultural Centre, is that the special initiatives have established an alternative to the colour-blind organisational response of Probation. CHAS and the Cultural Centre possess an awareness of the impact of racism on the lives of black people which compels their projects to offer a different kind of service to meet the needs of black offenders. Efforts to combat the effects of racism are the cornerstone of their work: CHAS seeks to reduce the material disadvantage suffered by blacks in areas such as housing, employment, education, and welfare rights; the Cultural Centre aims to counter the effects of racial abuse by increasing black pride, and in the process to promote the integrity of black culture in a predominantly white society.

Both projects recognise the special needs of black people, and therefore are not interested in treating all offenders the same. As black self-help projects they are examples of affirmative action designed to assist black people. Hence they are located in predominantly black communities, and their decor and public image generally reflect the culture and aspirations of black people.

Neither CHAS nor the Cultural Centre is interested in integrating black people with a society intent on restricting ethnic minorities to the status of a powerless underclass. The work these projects do is designed to improve the confidence of blacks in their ability to mount the racist barriers placed in their path. Thus they do not blame black offenders for their disadvantage, nor seek to explain black deviance in terms of individual inadequacy. They regard black disadvantage and

deviance as products of the position of black people in the social structure.

Most of the people recruited to work on the projects are black and, when the second manager appointed to direct the work of the Cultural Centre was white, the appointment raised a storm of protest. However, what is important for the projects is not so much the colour of the workers' skin (though this acts as a powerful symbol), but the presence of racism awareness in the perceptions of those appointed. This is regarded as more important than the possession of a professional qualification such as the CQSW. Professional qualifications are not a pre-requisite for working at the projects, and so black staff can be appointed in numbers which do not occur in the Probation Service.

Neither project is particularly interested in ethnicity issues. The Cultural Centre promotes black culture, but not primarily to overcome problems in communication between black and white communities. Black culture is used as a strategy to increase the pride of black people in their own culture, which will in turn give them confidence to deal with racism in other areas of their lives. In the process, a greater appreciation of black culture by the white community may occur, but this is not the primary objective of the Centre's work.

The kind of inter-subjectivity between black and white which occurs in the Probation Service is not present when blacks visit the special projects. Because they have an understanding of the effects of racism, and how it alienates young blacks from society, workers at the projects do not label this client group as "difficult" or "unco-operative" in the

same way as white probation officers. CHAS and the Cultural Centre acknowledge that the experience of racism can make young blacks suspicious of authority figures and reluctant to reveal information about themselves. The ways in which they work are designed to reassure young blacks that staff at the projects appreciate the effects of racial disadvantage and wish to assist their clients to combat them. In this way they steadily gain the confidence of black people.

Finally, at CHAS and the Cultural Centre staff are opposed to the professionalisation of their work. They are critical of probation officers who are reluctant to work alongside them, make referrals, or share information. They believe that probation officers frequently mask their racism with a concern for professional standards. They are also astute enough to realise that the possession of a CQSW does not guarantee the degree of racism awareness that is necessary to work effectively with black people.

The differences between CHAS and the Cultural Centre, and traditional Probation practice, amount to a "colour-conscious" as opposed to a "colour-blind" approach. The alternative approaches of CHAS and the Cultural Centre therefore offer one way forward. However, they bring dilemmas of their own which make them useful adjuncts rather than a complete alternative to the work of the Probation Service.

The major dilemma is that they take black people out of the system in order to achieve a fair deal for them, but leave the system itself intact. It is the Probation Service itself which needs overhauling where its service provision to black offenders is concerned: yet most officers

remain untouched by the new practices developed by the special initiatives. There are also doubts about the quality of service which can be given when ICPP funding is for a limited period: it may be that black offenders are receiving a second-class service, albeit one which is more in tune with their needs. The ghettoisation of black offenders by the creation of self-help projects is a risk that is run. However, such a period of segregation is probably a necessary forerunner to the time when black workers will have gained the necessary self-confidence to rejoin and challenge the main system. They will then be strong enough to resist attempts to absorb them back into the status quo and insist that the Probation Service takes on board the lessons that have been learned about service delivery to black offenders.

Other dilemmas are that black self-help projects may raise false hopes, given that black people continue to be discriminated against on the basis of their skin colour; and that such projects cannot combat racism at the level of the social structure while they are state funded. Indeed they could become integrationism in disguise. These dilemmas exist, but at the same time CHAS and the Cultural Centre offer the hope of something new and allow for experimentation, however limited that may be. State-funded welfare schemes, whether statutory or voluntary, have never been meant to deal with structural issues: when they have threatened to become too radical in the past, like the Community Development Programmes, they have been closed down. The only way to guarantee complete freedom of operation would be for the black community to establish its own organisations totally independent of state funding. However, few such organisations exist, and those that do still have to struggle with the ghettoisation dilemma.

Therefore, the implication of all this is that the Probation Service itself needs to restructure its own institutional practices and procedures so that it is no longer necessary to divert black offenders into special initiatives away from the mainstream. What this means for Probation policy will be outlined next.

10.6 Implications for Probation Policy

The research findings have certain implications for Probation Service policy in the second half of the 1980's. These implications will be dealt with individually under the same headings used to identify the elements which comprise the Service's current colour-blind organisational response to deviance.

10.6.1 The Historical Role of the Probation Service

What has contributed in the past to the evolution of the Probation Service cannot be changed. However, it is possible to some extent to influence the way the Service evolves in the future. White-run state organisations like the Probation Service are capable of only limited change. If they assert that fundamental changes are needed in the social structure to eradicate racism they will be seen as too radical. The Probation Service would then lose the confidence of the Courts and the state, whose class interests require the maintenance of the status quo. If this occurred the Service's funding by the state would be threatened. The Probation Service therefore has to choose a course of gradual change. It has to develop forms of intervention which increase

the self-confidence of its black clientele so that they are better equipped to mount the racist barriers in society for themselves. In short, it has an enabling role, in the tradition of social work, rather than a revolutionary one.

The Probation Service needs to abandon its policy of treating everyone the same, and respond to the special needs of black offenders. Probation officers should ideally be located close to the black community they serve and create a welcoming environment congenial to black people. The decor, reading material, and reception area of Probation premises should reflect the culture and aspirations of black people as well as of whites.

10.6.2 The Body of Knowledge which the Probation Service Relates to:

The fund of knowledge from which the Probation Service draws to explain deviance needs to include structural as well as pathological theories. The Service's preference for individualised solutions to crime based on pathology (such as an aggressive personality, inadequate socialisation, or peer group influence) alienates it from its white clients as much as from blacks. As some probation officers suggested during the taped interviews, asking offenders whether they have got a job, or how they are getting on at home, is irrelevant to the experiences of the Service's clients in the present economic climate.

Underlying the material and social disadvantage experienced by black and white clients alike, however, is the racial disadvantage which is a unique experience for blacks. Racism is experienced collectively by

black people, and has produced amongst many in the client group a collective sense of alienation and grievance. Together many are rejecting the traditional Probation approach which white clients have yet to do. This response by black offenders makes it imperative for the Probation Service not to continue blaming black people, but to have due regard to the social structure. It may also need to deal with them in groups as well as individually.

10.6.3 Recruitment Policies:

The Probation Service needs to recruit more black probation officers as a matter of urgency. A universal system of recruitment for CQSW courses fails to recognise the disadvantaged position of some black candidates when in competition with whites. Access courses for unqualified candidates should be developed, in co-operation with polytechnics and universities, to help more black people train for the CQSW. The recruitment of more black probation officers in itself will not produce change if the Service leaves them to deal with its black clients. However, there is ample evidence from initiatives like CHAS and the Cultural Centre that the presence of black people will stimulate improvements in the way the Service interacts with its black clientele.

10.6.4 Training (Professional and In-Service)

The debate in race relations theory has shifted from issues of ethnicity and social difference to institutional and structural racism. This needs to be reflected in the type of training offered to probation officers (both professional and in-service) on race issues. Courses

dealing with the structural causes of racism, and anti-racism training, should be organised to complement discussion of ethnicity issues and prejudice. Professional training courses should be obliged to include appropriate training in race issues as part of the curriculum, or risk the withdrawal of Home Office funding and the refusal of senior Probation managers to employ inadequately trained staff.

10.6.5 Inter-Subjectivity

The introduction of anti-racism training should increase the awareness of probation officers and act as a counter to the labelling of black offenders as unsuitable for Probation. Officers need to develop a variety of methods for communicating with black people and not rely solely on the casework relationship, which is often inappropriate. By using different methods, such as those developed by CHAS and the Cultural Centre, the chances of overcoming the suspicions and mistrust of black people are increased. However, it is important that the alternative strategies are a genuine attempt to help black people, and not an exercise to improve the public image of the Service which masks the existence of institutional racism.

10.6.6 Professionalisation:

The Probation Service needs to challenge those in its ranks who use their professional status to place the blame on black offenders for the ineffectiveness of Probation intervention, and to deny the need for change in themselves. The Service should encourage experimentation of the kind initiated by CHAS and the Cultural Centre, and be prepared to

take on board the lessons learned from these alternative approaches. It should absorb the initiatives into mainstream funding once they have proved their worth. However, the Service must also resist the temptation to absorb them in such a way that the lessons learned from the experimental projects are lost; it needs to be prepared to change itself and move closer to proven experimental methods so that they are no longer experimental but standard. A concern for professional standards should not be allowed to conceal racist attitudes and impede this process.

In the quantitative survey of social enquiry reports undertaken in the early stages of the research, few juveniles from the Asian community were coming to the attention of the Courts. For that reason this research has concentrated on young black offenders of Afro-Caribbean origin. However, a recent analysis by another researcher, as yet incomplete, suggests that the picture is changing: an increasing number of juveniles of Asian origin are experiencing alienation from their families, getting involved in solvent abuse, and being suspended from school. This pattern has already been seen in the Afro-Caribbean community and, as with that group, will almost certainly lead to more young Asians appearing before Courts in the future. Urgent action is required now from the Probation Service to develop a relevant service for all black offenders, whether of Afro-Caribbean or South Asian origin. Otherwise a pattern of disproportionate numbers of young British-born Asians entering custody will follow on from that of young British-born Caribbeans. There are positive steps which the Probation Service can take to prevent this happening by developing a policy orientation on black deviance for the future. It is becoming increasingly important

that it does so.

10.7 The Direction of Future Research

The thesis has shown that despite its claims to treat all offenders alike, the Probation Service is discriminating against young black offenders. This is due to the colour-blind organisational response to deviance developed by the Service. The traditional Probation approach relies on pathological explanations for deviance which ignore the influence of the social structure. Consequently, attempts to reintegrate black offenders with mainstream society are doomed to failure because they ignore racial disadvantage as a factor in black crime. However, alternative approaches such as those developed by CHAS and the Cultural Centre offer one way forward. Despite the dilemmas which these special initiatives bring in their wake, they point the way for the Probation Service to overhaul its structural practices and procedures so that it can respond more effectively to the special needs of the black offenders amongst its clientele.

The research has concentrated heavily on the Probation Service and the perceptions of probation officers. However, there is a need for further research. The next step is to examine how black people see the Probation Service, and what kind of approach black offenders themselves feel would be relevant to their needs. Because of their powerless position in the social structure, black people rarely achieve a position which allows them to speak for themselves and decide on the kind of provision they consider they need. Policy decisions which affect black communities are usually taken by powerful whites who decide what is

POSTSCRIPT:

THE 1985 "RIOTS"

Since the main body of the research was concluded and written up, renewed street disturbances have occurred in the Autumn of 1985 in the Handsworth/Lozells district of Birmingham and in other inner-city areas. These disturbances have re-emphasised the need for the Probation Service to review its practice in order to ensure it makes a relevant contribution to reducing the problems of such communities.

My initial feelings, as a senior probation officer working in the Handsworth/Lozells district, were a sense of deep shock at the scale of the devastation on the Lozells Road, and of awe at the powerful statement that had been made by the community about its frustration and anger. There had been no prior warning that street disorder was imminent. It is true that tension in the area between blacks and the police had increased in the preceding weeks: first, a local free newspaper had written a front page expose about drugs being openly peddled in a local cafe and public house. This may possibly have forced the police to act in response to the article or risk being criticised for failing to enforce the law. Second, a local, mostly white residents association had threatened at a public meeting to establish vigilante groups to stop drug-peddling; and to burn down a bingo hall which was to be converted into an amusement arcade that these residents feared might become a centre for drug dealing. This development also could have influenced policing policy in the local community.

However, tension between the police and black people has always existed in the area. Many young blacks are unemployed, reliant on social security, and see crime as the only way out for them. Policing such a community poses tremendous difficulties. The police have to deal with the consequences of racial deprivation when these involve criminality, yet have little influence on the social policies and institutional practices which produce and compound such deprivation. In such a community every arrest is a potential flashpoint.

In the aftermath of the disturbances, the initial feeling of shock amongst colleague probation officers working in the area, as well as myself, has developed into a sense of tremendous anger at media attempts to explain the disturbances by reference to hooliganism and dealing in hard drugs. This is seen as a further attempt to dismiss the anger and alientation of young blacks (and also some young whites and Asians) by reference to individual inadequacy or dishonesty. Explanations such as mindless hooliganism, greed and drug addiction are rife. Letters to local newspapers decry efforts to stress the impact on the community of unemployment, relative deprivation, and feelings of hopelessness, all of which affect black people disproportionately. A survey of Probation Service caseloads (involving some 600 cases in all) held at the time of the disturbances by officers working in the area revealed that drug-related offences numbered only 3% of the total, whereas the incidence of client unemployment was 93%. Moreover, experience of working in the area suggests that very few black offenders are addicted to hard drugs, but restrict their drug usage to cannabis. Most clients known to the Probation Service for drug-related offences have been convicted of the illegal importation, supplying, or possession of cannabis rather than

hard drugs. It is not possible to say whether the absence of offences involving hard drugs is due to police ineffectiveness in apprehending such crimes, or to the absence of hard drug dealing and abuse in the area. These statistics and impressions conflict with the arguments of those who blame the disturbance on drugs.

The renewed disturbances of 1985 have resurrected the discussions which occurred within the Probation Service after the disorders of 1980/81 about the relevance of routine practice for black people. The 1985 disorders therefore offer an opportunity to implement policy changes, and the chance to compare the initial responses of the Probation Service to the situation with its reaction to the disorders of 1981. This may reveal what progress, if any, has been made to change institutional perceptions. One major difference is that as a senior probation officer working in the area, reaching the end of a substantial piece of research into the Service's work with black people, I have been in a position to have some influence on the Probation Service response.

11.1 The Probation Service Response

At the time of writing this postscript, the West Midlands Probation Service response to the 1985 disturbances in Handsworth/Lozells is still emerging. However, it is possible to compare initial reactions with those in 1981.

Chapter 1 described how, in 1981, probation officers in Wolverhampton were left sitting on the sidelines in the aftermath of that disturbance. Courts made no use of the Service, preferring to remove the

"rioters" from the streets, dispense rapid justice, and restore order in the community. In 1985 a similar pattern began to emerge. One sixteen year old juvenile was sentenced to 28 days at a Detention Centre for a public order offence. He had a "duty solicitor" appointed at Court, to whom he spoke for only two minutes prior to the Court hearing. The solicitor's request for an adjournment was refused by the Magistrates. They also refused a request to adjourn for a social enquiry report. The sentence of Detention Centre training was passed despite the fact that the sixteen year old had no previous convictions and was employed on a Youth Training Scheme.

Recognising this pattern of behaviour, the Probation Service has acted by using its influence with the Courts to try and prevent a recurrence. At the request of the Service, meetings have been held between officers, Magistrates, and Court Clerks. It has been agreed that those arrested during the disturbances should be dealt with by the criminal justice system according to normal procedures where at all possible: no special Courts should be held; there should be no rapid justice, without reference to the alternatives to custody which the Probation Service can offer; and a direct line of communication should be established between the Probation Service and Court Clerks which the Service can use to draw attention to individual cases where it feels there is a risk of injustice.

A second initiative taken by the Service in the aftermath of the disturbances has been to use its contacts with the local community to attune its thinking to the mood of local black people. Officers in the field are being encouraged to discuss the disturbances with their clients

and seek their views on what happened; contact has been established with a local defence campaign which is obtaining the services of solicitors sympathetic to the disadvantaged position of young blacks; some officers have attended a public meeting called by the defence campaign; and the Service itself has initiated a meeting of local social and community workers, including the employees of special initiatives such as CHAS and the Cultural Centre, to consider a possible joint response. One outcome of the meeting of the local social and community workers has been a written statement refuting attempts to blame the disturbances on hooliganism and drug abuse. Reference is made in the statement to structural factors such as unemployment and institutional racism.

Finally, it is a sad but apparently inevitable fact that it requires a "riot", of the kind seen in Handsworth/Lozells, for the voice of a powerless minority to be heard. It is likely that more public money eventually will be made available to the inner cities to prevent a recurrence. The Probation Service therefore has established a working party to examine what further initiatives might be taken in the area, and in what form they might be.

It is an extremely important development that a majority of black people are sitting on the working party. Much has been said in the media about the amount of government money that has been spent in the Handsworth/Lozells area in the past. However, black people sitting on the working party feel that decisions about how this has been spent have been taken largely by white people. Black people themselves, who live in the community, have had little control over the spending of the money, and so have seen little benefit directly. Workers who have found

employment through inner-city public spending are often white and from outside the community.

The working party has a majority of black members, and includes representatives from black self-help organisations in the community such as CHAS, accommodation and education projects, a pentecostal church, as well as black probation officers. Due to its black majority, the working party has a level of awareness which has helped it to decide to receive administrative and financial support from the Probation Service, but to prepare a report independent of the Service. This independence will allow the freedom to make radical proposals, and address structural issues, which may be sensitive areas for a state-funded organisation such as the Probation Service.

One proposal which has already been mentioned within the working party is the establishment of a black trust: this trust would receive funds from the State to finance black self-help projects in the local community. Leading black members of the local community would act as trustees, but the self-help projects would have complete freedom to develop their initiatives as they wish. It remains to be seen whether the proposal is considered viable and, if so, whether the State is prepared to take the risk and ride the storm of protest which would inevitably follow the establishment of such a black trust. The recent announcement of a government scheme to help initiate black business has already caused some controversy, and has led to one Member of Parliament referring to blacks as lazy and undeserving of such State assistance.

The response of the Probation Service to the 1985 disturbances is

still formulating. So far it appears to be more positive than in 1981, and more sensitive to the perceptions of blacks and their disadvantaged position within the social structure. However, much of the Probation Service outside the immediate Handsworth/Lozells area still remains unaffected by these developments.

11.2 The Need for Change

The renewed disturbances of 1985 have re-emphasised the need for a reconsideration of the routine practices and procedures of the Probation Service. Traditional casework is still the approach used most frequently by mainstream probation officers. Alternative approaches based on affirmative action have had little impact on officers. The primary concern must still be to challenge the colour-blind ideology of the Service.

Voluntary anti-racism training is being introduced in the West Midlands for all probation officers, but there is resistance to the inclusion of a requirement for such training in contracts of employment. Various arguments are being used to oppose such a move. Some claim that the time spent on race issues has developed out of proportion to the importance of the subject. Others argue that the inclusion of a training requirement will set a precedent for other requirements to be included in contracts. This argument ignores the fact that such requirements cannot be included without the agreement of employees. It is an example of the articulate manner in which middle-class professionals may mask subtle forms of racism by the use of what appear to be logical arguments.

Unless the general level of racism awareness in the Service can be raised, the positive steps forward taken by a few in the aftermath of the 1980/81 and 1985 disturbances will still leave the mainstream of the Probation Service unchanged. Colour-blind organisational responses to deviance will continue to predominate, and black offenders will continue to reject probation officers' traditional methods. Unless officers cooperate with efforts to change traditional practice, they have little hope of working effectively with black people and of gaining their trust. The way forward is clear, provided the Service wishes to take it.

APPENDIX

APPENDIX I

This paper was prepared as a contribution to a forthcoming publication ("Probation in the Community" by J. Harding Ed., Tavistock, London) and is based on the research for the thesis.

RACISM AND THE OFFENDER: A PREVENTIVE RESPONSE

"I would like to think that I look upon all the people I deal with as sort of colourless, classless....."

(White probation officer talking about his work with black offenders)

APPENDICES

Introduction

Working as a probation officer and subsequently senior probation officer in the West Midlands for the past eight years has provided a number of challenging experiences. The most recent is the case of a young black juvenile (the term 'black' will be used here to denote people of Afro-Caribbean origin rather than in the wider political sense) who had been released on licence from Detention Centre. At first he came in weekly. He tended to arrive late and clearly was coming in under protest. He would sit with head bowed, staring at the floor, making the occasional monosyllabic reply to questions or sighing deeply. I tried desperately to induce some communication between us using what skills and knowledge were available to me, but never with any real success. When I called at his home invariably he was out. His parents complained bitterly about his truancy from school, refusal to attend church, and

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Introduction

Working as a probation officer and subsequently senior probation officer in the West Midlands for the past eight years has provided a number of challenging experiences. One amongst them is the case of a young black juvenile (the term 'black' will be used here to denote people of Afro-Caribbean origin rather than in the wider political sense) who had been released on Licence from Detention Centre. At first he came in weekly. He tended to arrive late and clearly was coming in under protest. He would sit with head bowed, staring at the floor, making the occasional monosyllabic reply to questions or sighing deeply. I tried desperately to induce some communication between us using what skills and knowledge were available to me, but never with any real success. When I called at his home invariably he was out. His parents complained bitterly about his truancy from school, refusal to attend church, and

staying out until the early hours of the morning. Eventually he stopped coming into the probation office altogether and, shortly afterwards, got into trouble again and was sent to Borstal. I recall feeling completely frustrated and totally helpless to influence him. Colleagues talked of similar experiences and the same feelings of frustration and helplessness.

Cases like this eventually crystallised my feelings that the Probation Service was uncertain about how to deal with such young black offenders. The usual approaches were unsuccessful and it seemed that a new response was needed, though what kind of response was unclear. To give the matter more consideration I decided to make a study of the Probation Service's work with young black offenders under the guidance of Aston University. For the past six years this has involved a survey of literature on race and deviance; a detailed analysis of 138 court reports on juveniles; close observation from inside of the Probation Service's work with young black offenders; observation of the Handsworth Cultural Centre and the City and Handsworth Alternative Scheme; and in-depth interviews about race with fourteen probation officers and other colleagues in the field of deviance. The emphasis of the research was initially on the young black offenders, but eventually shifted onto the Probation Service itself. It had led me to the conclusion that it is the Probation Service which is making black people a problem instead of dealing with the problems of black people.

Institutional Racism and Colour-Blindness in the Probation Service:

In 1979, as part of the research, a survey was made of social enquiry reports prepared on juveniles in Wolverhampton. It showed that in only 6% of black male juvenile cases was supervision by a probation officer recommended; the equivalent figures for indigenous male cases was 23%. It also revealed 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 give an opinion they felt it was more likely than with young whites. Despite this feeling that the risk was greater, fewer recommendations for the long-term involvement of a probation officer with young blacks were made. The net effect was that young blacks were generally higher up the tariff ladder of sentences than similar whites at the same point in their deviant career; they were also more at risk of attracting a custodial sentence because of this.

Other researchers have reported the disproportionate number of young blacks in custodial institutions (Taylor, 1981; Guest, 1984). Taylor offered a number of possible explanations for why this was, but came down in favour of none in particular; Guest concluded that the disproportionate number of blacks in the youth custody system was due to the acute social disadvantage they suffered which made them more prone to commit crime. My own conclusion is that part of the reason lies in the failure of the Probation Service to divert black youngsters from custody because of the irrelevance of what it currently has to offer them. With the best of intentions, for a long time it has looked upon black and white deviants as the same; the effect, however, has been to ignore racism as a contributory factor in black deviance and thereby to

disadvantage black offenders instead of helping them.

One of the difficulties with larger institutions like the Probation Service is that they develop a culture of their own into which their employees are socialised. It then becomes extremely difficult to isolate practices which are making the organisation dysfunctional because they have become so much a part of the daily routine. This process occurs more usually by default than deliberately, as Husband (1980) pointed out. However, in matters of racism it is not the good intention which counts, but the actual effect such policies and practices have on the black people these organisations are supposed to serve. It is not necessarily that probation officers who fail to recommend supervision for black juveniles are racists; the problem is that the ideology and practices of the Probation Service, into which they have been socialised, lead officers to conclude that black clients are unsuitable for supervision.

One aspect of this process of socialisation is the failure of officers to acknowledge the different influences bearing on black and white crime. Researchers on race do not tend to work on crime and so no adequate theory of black crime has ever been available to officers. Criminology tends to be 'colour-blind', and so probation officers apply the same criminological theories to black offenders as to white. Regardless of race, offending behaviour tends to be attributed to pathological factors such as family disruptions, lack of effort at school resulting in unemployment and boredom, or an aggressive personality. However, this kind of colour-blind approach fails to recognise that the black life experience is fundamentally different from white experience in

our society, and that the difference is due to racism. Structural theories about racial disadvantage have begun to emerge. Marxist authors such as Solomos et al. (1982) use a class analysis to identify the way in which race has been used as a scapegoat to divert attention from what they see as the organic crisis of British capitalism. Rex and Tomlinson (1979) on the other hand adopt a Weberian perspective to identify black Britons as an 'underclass', a separate status group inferior to the white working class which constantly loses out in the perpetual jockeying between groups for power and access to public resources. These structural theories have begun to influence some writers in the field of deviance; Joshua and Wallace (1983:5) concluded that the street disturbances in Bristol in 1980 were not meaningless, inexplicable violence, which was the view promoted by the Government; but rather '...a reactive attempt to gain access to state power, and to change the stance and role of the state on race'. However, to date such theories have had little impact on the work of the Probation Service in its daily dealings with black deviance. Racism is hardly ever taken into account by probation officers when writing Court reports on black offenders. It was often hard to distinguish from the content of those social enquiry reports surveyed during the research whether the offender was black or white, save for the occasional reference to parental origins or by the offender's name. Many liberal probation officers, like the one quoted at the beginning of this chapter, are eager not to differentiate and deliberately set out to treat everyone the same. Yet the way in which black people are reacted to, and the way they themselves act, is all mediated through the colour of their skin. No attempt by a probation officer to explain black crime will be adequate unless it takes racial disadvantage into account rather than simple social disadvantage.

If the situation is to change, the Probation Service has to reconsider its established practices and routines in the light of institutional racism and colour-blindness. There are a number of aspects which lend themselves to criticism, but the research highlighted five in particular: recruitment; training; professionalisation; individualisation and integration.

(i) Recruitment:

A Survey conducted in the West Midlands Probation Service in 1979 showed that while 13.3% of the County's caseload was of Afro-Caribbean or South Asian origin (26.5% in north Birmingham; 22% in Wolverhampton) only nine out of 372 (2.4%) probation officers were from these minority groups. Though there has been a slight improvement, these groups remain unrepresented in the Service. However, increasing their number to 13.3% would not resolve the issue; that would only load the responsibility onto their shoulders and allow white officers to believe they can place the issue to one side. Nevertheless, black officers can make a significant contribution. With many white officers race as an issue is peripheral to their lives which, as the interviews with them showed, leads them to believe that the problems are minor and will pass:

"....most of the people I've spoken to about some of the race problems that exist seem to think that it is the minority, and most of the West Indian lads aren't that interested anyway, and in the main they get on really well and are doing OK".

(White West Midlands probation officer)

"It is a similar sort of thing to a persistent offender; usually by the time he is twenty-four or twenty-five he

meets a girl, tends to sort of calm down, and I've got a feeling that it is going to be multi-racial, far more acceptable in a generation's time here, and I don't think that these problems are going to be quite so important".

(White West Midlands probation officer)

The attitude of these officers seemed to be that, if ignored, the whole problem would go away. However, such an attitude denies colour as a factor in the black offender's development and sense of personal identity. This is not a mistake which black probation officers would make. Those interviewed clearly remembered incidents when they have been the victims of racist attitudes, their strength of feeling showing through:

"....as a young kid when I came to England, I had never cried so much in my life in terms of prejudice: you sit on a bus and people get up next to you; or you offer somebody your seat and, particularly old women, who will say to me that they don't take seats from wogs, and words I've never heard before in my life".

(Black West Midlands senior probation officer)

For black people racism is a permanent and often central feature of their lives, not fleeting and peripheral as with white officers. Black officers are therefore more likely to identify racist practices and seek to change them. This process has begun in the West Midlands where a 'Race Forum' has been created to act as a pressure group.

There is no shortage of black people wanting to become probation officers. The barrier to their recruitment is the Certificate of Qualification in Social Work. The requirement for the CQSW is a prime example of institutional racism and colour-blindness: the intention to recruit better qualified people as probation officers is laudable; the

effect, however, is to exclude a number of black candidates. Because of poor experiences in schools and pressures of racism generally, fewer black candidates achieve the necessary academic qualifications which would enable them to qualify for a place on a course of professional training, especially when in fierce competition with whites who may have degrees or GCE passes. Having a universal method of entry fails to recognise the racial disadvantage suffered by black people: it purports to treat black and white the same, but in fact is colour-blind and so actually puts black people at a disadvantage. One answer might be for the Probation Service or the Home Office to establish access courses for unqualified candidates, which could be of great benefit in helping more black people to take up places on CQSW courses.

(ii) Training

Once recruited into the Probation Service, the next step is to train candidates. Training on race relations issues is crucial if the Probation Service is to work effectively with black offenders. At one time professional training courses ignored race issues completely. Of those interviewed during the research who had undergone training, six had experienced no input at all on race. The rest had had some input but said it was limited in content and tended to deal with ethnicity issues.

Some courses are now attempting to address racism more directly. However, the lack of teaching on race by professional training courses in the past means that there are a number of practising probation officers whose knowledge of race issues is inadequate. Though in-service training on race is available, for a long time this also concentrated on the less

contentious issue of ethnicity. One white senior probation officer interviewed who was involved in the organisation of in-service training on race mentioned the need to "...approach this with a great deal of sensitivity and care, or the defences go up and you have done an injustice to people so that they go away more entrenched than when they arrived". Her desire to deal with the issue sensitively was meant to be helpful in that beneath it lay the wish for white officers to have a positive experience about race. However, in reality such an approach would allow officers to end the course without having considered institutional racism at all. They could go away content with their knowledge on race when in fact there was an entire area which had been ignored. Black probation officers, in contrast, said they believed that institutional racism had to be examined on such training courses however painful the process was. They felt that issues of conflict, such as the problems of black officers working within a predominantly white organisation, or the responses of offenders to black people in authority, had to be tackled. They were in favour of courses which heightened probation officers' awareness that the Probation Service as an organisation could be a part of the problem, instead of black offenders being labelled as the problem and the race issue left at that.

(iii) Professionalisation:

Improved training is an illustration of the Probation Service's desire to be seen as a professional organisation. The Probation Service does not have an easy task in arguing for the rehabilitation of offenders, particularly at a time when there are popular fears about the increase in the crime rate and calls for harsher sentencing. As an

attempt to counter such calls, as well as out of self-interest, the Probation Service is eager to improve its professional image. The additional prestige it gains from professionalisation enables the Service to exert more influence within the criminal justice system to the benefit of the offender. However, professionalisation is a double-edged sword in that the greater prestige which is brought can be used to hinder and retard change as well as to promote it. There was evidence from the research that a number of probation officers clearly felt threatened by their inability to relate to young blacks. Their lack of response was seen as a challenge to officers' professional competence. One senior probation officer argued that young black people made probation officers feel unsuccessful:

"... I think probation officers do find it difficult and would rather not engage therefore with young black people because it makes them feel unsuccessful, and anything that does that to us, we would rather work in an area where we could be regarded as successful and not the opposite".

(White West Midlands senior probation officer)

Perhaps it is a natural reaction that officers should want to work with those clients where they feel there is a reasonable chance of success. However, it could equally be argued that out of a desire to appear competent and successful, they avoid risk-taking and holding out for non-custodial sentences when faced with a doubting Court. The end result of what began as an attempt to increase prestige to assist offenders could be that young blacks are disadvantaged by not being offered supervision. There was evidence of this in the content of the reports examined, particularly in the concluding paragraph which usually contained a recommendation as to sentence:

"It is now some 2½ years since Leroy last appeared in Court. He lives in an area of high delinquency where the opportunity to commit this sort of offence is frequent. It is perhaps to his credit that he has managed not to reoffend for 4 years. However, if the Court is prepared to view this offence as a minor setback, it may consider that Leroy is able to pay an appropriate monetary penalty from his not inconsiderable weekly pocket money".

(Report on black fifteen year old)

"It is my opinion that he is in need of some structured training which at this stage might not necessarily have to be in a closed environment. The desired result may be achieved by making him the subject of an Attendance Centre Order".

(Report on black fifteen year old)

"...while it is freely admitted that he has problems with his home, he must learn that the commission of anti-social acts is not an appropriate way of dealing with them. Hence, while it may seem harsh to him, it is felt that a short period at a Detention Centre at this stage could cause him to reconsider his attitudes and behaviour at an age when there is still time to make something of his life".

(Report on black sixteen year old)

Their probation officers seemed to be blaming these young black offenders for their behaviour with little reference to the social context. One officer refers to the offender living in a delinquent area, but any thoughts on why the area might have become delinquent, or why his family found itself living there are missing from the report. Paradoxically, officers seemed to use the delinquency of their black clients as a reason for not getting involved by offering supervision; the challenge to their professionalism offered by such clients seemed a likely explanation for this withdrawal of service. Professionalisation could help black people, but only if the Probation Service uses its prestige to place black crime in its social context and argue the case against racism. The evidence from the research was that at present it is

doing exactly the opposite.

(iv) Individualisation:

One of the problems the Probation Service has in arguing the case against racism is that the criminal justice system deals with the offender individually. Courts do not encourage a more global perspective which views offending within a wider social context. When this has been done it has been queried by a doubting Judiciary (Mathieson 1982). By definition racism operates at the level of groups: a whole section of the community is discriminated against on the grounds of its colour, cultural behaviour, or whatever. If racism is to be properly understood it has to be understood at a global level. The Probation Service, however, adheres to all kinds of social work values which talk about the need to treat clients as individuals; to adopt a non-judgmental attitude and accept the individual whatever his or her deviations; and to pay attention to the individual's needs and rights. Unfortunately this ideology, laudable in itself, hinders a proper understanding of the significance of racism as a factor in deviance because probation officers are trained into an occupational perspective which makes it difficult for them to rise above individual cases.

The origins of social work culture also lie in a view of the world seen in terms of psychodynamics and psychological explanations for behaviour. These marry well with the offender-centred approach of the Criminal Justice System. However, probation officers regularly meet examples of racial disadvantage which ought not properly to lend themselves to offender-centred explanations. Nevertheless, their

socialisation into Probation Service culture leads them to conclusions drawn from family or individual pathology.

The kinds of explanations for black deviance advanced by probation officers in the reports examined during the research referred to factors such as mental illness; disruptions in the black family leading to inadequate socialisation; peer group influence; and an anti-authority attitude. Few reports tried to place the offending within the social context of racism; most tended to blame black offenders for their own disadvantage. Such colour-blind explanations run the risk of seeing deviant acts committed by black people as incompetent acts, and are unlikely to make for effective work with such offenders. Probation officers need to consider the global perspective, even if they must be cautious when preparing reports for certain Judges.

(v) Integration:

One reason why a more global perspective is discouraged may be that public welfare organisations do not exist solely for the benefit of their clientele. As has been suggested elsewhere (Bailey and Brake 1972:2), state welfare schemes are only seen in their true perspective when it is realised that they exist not to bring about social justice but to sustain the established situation. Probation officers stand at the intersection between the powerful and powerless; only if they can convince courts that individual deviants pose no threat to society will they be allowed to claim them as their clients. When offenders are allowed to remain in the community, the task then assigned to probation officers is to seek their clients' rehabilitation by getting them to conform to the standards of

mainstream society. The question of obtaining social justice does not arise. This 'integrationist' ideology is particularly problematic when dealing with black people because of their position as an underclass in the social structure. To try and reintegrate black offenders with society as it is currently structured is to try and persuade them to accept a position of disadvantage on the basis of their ethnicity. In such circumstances, as Rex and Tomlinson (1979: 242) observed of social workers in the Handsworth district of Birmingham, the socialisation of the black client seems less relevant than fighting with him against society for a better deal. Herein lies the dilemma for the Probation Service: in work with black offenders racism is a key issue and necessitates facing up to the issues raised by their position as an underclass; yet the Service's roots and traditions lie in an integrationist ideology and in treating everyone the same rather than in fighting for social justice. Because the influence of the Service's roots and traditions is still strong, most of the officers interviewed during the research took the view that the appropriate response is equal treatment for all. Few white officers were in favour of special initiatives to try and deal with the additional disadvantages suffered by black offenders. They believed that such initiatives would fuel myths about black people getting preferential treatment. One white officer stated baldly that she believed the objective should be to assimilate black people so that they would become like whites, and not to emphasise the differences. By contrast, black workers favoured special initiatives and were often involved in promoting them. One officer criticised the integrationist stance taken by some white officers:

"...they're denying themselves that there are differences and in so doing it is making their job easier. Because if they acknowledged that there are differences, it is going to be more taxing on them to actually meet these differences, identify differences and meeting the needs that these differences give rise to".

(Black West Midlands probation officer)

She felt such officers are denying that black people are different, which leads to the cultural traditions and philosophies of the white probation officer being imposed, by design or default, on the black client.

The integrationist traditions of the Probation Service are praiseworthy insofar as they seek a more tolerant response from society towards the social outcast. However, when probation officers are dealing with racial disadvantage, such traditions generate colour-blind practices within the Service which inhibit effective work with black offenders. If probation officers do not fight against the racial disadvantage experienced by their black clients then they can never hope to gain the confidence of the black community.

Producing change within an organisation like the Probation Service is no easy task. Even the most caring of people can be socialised into the normal practices and daily routines fostered by its ideology without realising their racist implications. It then becomes hard to believe that racist practices exist and that a new response is required; all kinds of defence mechanisms operate to draw a veil over the issue. However, new responses from the Probation Service are required: they must leave behind colour-blind approaches and recognise the centrality of racial disadvantage to black deviance. In the next section two responses made in the West Midlands will be reviewed.

A New Response

Until recently Probation practice has been developed largely by whites and so based on their norms. Black people, however, belong to a socially stigmatised category, and their experience of racism produces different attitudes and responses within them as a group. This in turn requires a different response from the Probation Service. Attempts have been made in the West Midlands to provide this new response in the form of projects funded under the terms of the Inner City Partnership Scheme. The difference between these projects and traditional Probation practice is that they attempt to get away from the traditional colour-blind approaches which have predominated.

One of the most imaginative initiatives in the West Midlands has been the Handsworth Cultural Centre. The Cultural Centre deals with black people as a group. It operates as a community centre using black dance, drumming, steel band and so forth to promote black culture in the community and, through cultural achievements, to inspire confidence within individuals to deal better with all aspects of their lives. It also seeks to link young blacks, many of whom have never seen the Caribbean or Africa, with their cultural roots. Some have visited the Caribbean thanks to funds raised by the Cultural Centre; others have increased their knowledge through maps, pictures and music; yet others have visited Africa to learn traditional dances. What is most striking when visiting the Centre is the feeling that it is a Centre for black people: pictures of dancers in traditional dress, maps of Africa and the Caribbean, and posters describing the lives of African Kings abound on

the walls. Another feature is that the staff are predominantly black, starting with the first person seen on entering - the receptionist. Most of the staff and sessional workers live locally and so know the users of the Centre and the rest of their family socially. The Cultural Centre has been very successful in providing a leisure facility within their own community which local black people feel comfortable about using. It has the added qualities of promoting a positive image of black culture (often berated by others); and using cultural activities as a device to raise the awareness of young blacks about their cultural origins and make them proud of them.

The City and Handsworth Alternative Scheme, sponsored by the National Association for the Care and Resettlement of Offenders, is another project developed initially in the Handsworth area. It originated from a white senior probation officer's concern at the large number of young blacks from the local community who were being sent into custody. It aimed to prevent this by assisting probation officers to provide the Court with the most positive image possible of such offenders. In this way it hoped to secure alternative sentences, primarily probation orders. In fact, through the reluctance of probation officers to make referrals to the project, it has tended to diverge from the Service and obtain its own referrals by locating a worker within the Courts. This worker contacts young blacks at Court, usually as they are waiting to appear for the first time, and gives basic advice on Court procedures and the advantages of having a sympathetic solicitor. Hence, CHAS tends to get involved at an earlier stage than the Probation Service, and often prepares Court reports on defendants on its own initiative. It seeks to link its offenders with employment projects,

courses, and accommodation facilities which have largely been developed by black people for the local black community. The advantage of such a project is that it starts by recognising racial disadvantage as a major contributory factor in black crime. It employs workers who are sensitive to the implications of being black in a predominantly white society and can talk freely with offenders about these problems. Like the Cultural Centre it mostly employs black workers, and is located close to the community it serves.

Projects such as the Cultural Centre and CHAS are bold initiatives founded on the belief that black offenders are different. They reject the traditional colour-blind approaches of the Probation Service and place efforts to redress racial disadvantages at the centre of what they are attempting to achieve. As might be expected, their new approach has not always been welcomed by probation officers. Officers who felt threatened by the challenges of their black clients have felt even more threatened by these projects. They argue that providing extra facilities for black people increases the resentment felt amongst whites and will only worsen race relations; that all offenders should be treated alike; that such projects do not employ professional social work staff; and that too much money and effort is being put into such projects at the expense of traditional Probation Service work.

Imaginative and inspired as they are, such projects do bring dilemmas of their own. One of the most difficult is that they ghettoise black people, diverting them into projects primarily designed for a single racial category. This kind of differentiation adds legitimacy to the use of skin colour to separate out one group of people from

another. Taken to an extreme it could lead to systems of apartheid similar to those found in South Africa. Another dilemma is that there is a risk of developing a two-tier Probation system, with black people receiving a second class service. Projects funded by the Inner City Partnership have a limited life, and tend to employ staff without social work qualifications. It could be argued that the 'street knowledge' which black staff have is more relevant; nevertheless, the short-life nature of these projects means that the best of their recruits move on to more secure employment, or to obtain qualifications which will enable them to command a higher salary. Whatever is the case, their black clients are in danger of losing out through the lack of stability and permanency in the projects. A third area of concern is the danger of the Cultural Centre and CHAS raising the expectations of the black people they serve with little hope of their expectations being fulfilled. The Cultural Centre could produce people who are experts in African dance or steel band, and take pride in their culture and in doing something well; equally, CHAS could improve the quality of their clients' lives by keeping them out of custody, improving their accommodation, and getting them a place on a government employment scheme. However, despite all this, racism will remain a feature of their lives and they will have to battle constantly against its effects. It may be that an expert in African dance or someone who has been on a course still cannot obtain employment and feels the only effective way of combatting racial disadvantage is by offending. Such dilemmas as these place question marks against the validity of the projects and are not easily resolved.

Conclusion

The central argument of this chapter has been that black offenders are different, and that it is racial disadvantage which makes them so. A different response is called for from the Probation Service, which needs to take a step back from its daily routines and practices to look at itself afresh in the context of institutional racism. In particular, it needs to rid itself of its traditional colour-blind approach to black deviance. The Cultural Centre and CHAS are attempts to do this, and have provided positive alternative responses which firmly locate black crime in its social context. Nevertheless, they have created dilemmas of their own which as yet remain unresolved.

NAME		
NAME	CHAS	probation officer
NAME	Blackburn	Regional Prison Worker
NAME	Richard WARD (1)	living with Mrs Jean
NAME	Patricia WARD (2)	living with Mrs Jean
NAME	Washington WARD (3)	with custody cases
NAME	Urgt WARD (4)	living with sister Patricia
NAME	Josephine WARD (5)	Millaton Comprehensive School
NAME	Sylvester WARD (6)	Millaton Comprehensive School
NAME	Anthony WARD (7)	Millaton Comprehensive School
NAME	Carl WARD (8)	Millaton Comprehensive School

All names, dates and places in this social enquiry report are false in order to protect the identity of this offender and his family. All other information is as far as possible as presented to the Court.

<u>VARIABLE</u>	<u>DESCRIPTION</u>	<u>CATS</u>	<u>CODES</u>
<u>000</u>	<u>Respondent's Identification number</u>	1	1,2,3,4,5
<u>001</u>	<u>Gender of Respondent</u>	1	6
	Code: Male = 1		
	Female = 2		
<u>002</u>	<u>Age of Respondent</u>	1	7,8
	Code: Straight numeric to		

APPENDIX III

CODING MANUAL

N.S. PROBATION SERVICE JUVENILE REFERRALS

<u>003</u>	<u>Ethnicity of Respondent</u>	1	9,10
	Code:		
	Asian = 01		
	Asian born in UK = 02		
	Asian born in E. Africa = 03		
	Afro-Caribbean = 04		
	Afro-Caribbean born in UK = 05		
	African = 06		
	African born in UK = 07		
	European = 08		
	European born in UK = 09		
	Indigenous = 10		
	Mixed = 11		
	Other = 12		

<u>VARIABLE</u> <u>NUMBER</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
00D	<u>Respondent's Identification number</u>	1	1,2,3,4,5
001	<u>Gender of Respondent</u> Code : Male = 1 Female = 2	1	6
002	<u>Age of Respondent at time of offence</u> Code: Straight numeric to nearest year N.B. If no information, leave blank	1	7,8
003	<u>Ethnicity of Respondent</u> Code: Asian = 01 Asian born in UK = 02 Asian born in E. Africa = 03 Afro-Caribbean = 04 Afro-Caribbean born in UK = 05 African = 06 African born in UK = 07 European = 08 European born in UK = 09 Indigenous = 10 Mixed = 11 Other = 12	1	9,10

<u>VARIABLE</u> <u>NUMBER</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
004	<u>Offence</u>	1, 14	11, 12
	Code:		
	Other	= 01	
	Criminal damage	= 02	
	Other theft and handling stolen goods	= 03	
	Unauthorised taking or theft of motor vehicle	= 04	
	Drugs offences	= 05	
	Fraud and forgery	= 06	
	Burglary	= 07	
	Robbery	= 08	
	Causing death or injury by dangerous driving	= 09	
	Sexual offences	= 10	
	Murder, manslaughter and other offences of violence against the person	= 11	15, 16

N.B. Where there is more than one offence, list the one which can incur the greater punishment in Law

<u>VARIABLE</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
<u>NUMBER</u>			

005	<u>Month Offence Committed</u>	1	13,14
	Code:		
	Jan = 01		
	Feb = 02		
	March = 03		
	April = 04		
	May = 05		
	June = 06		
	July = 07		
	Aug = 08		
	Sept = 09		
	Oct = 10		
	Nov = 11		
	Dec = 12		

Where no information leave blank.

006	<u>Year Offence Committed</u>	1,	15,16
	Code: Straight numeric using		
	last two numerals		

Where no information leave blank.

007	<u>How Many Previous Convictions does the Respondent Have?</u>	1	17
	Code: Straight numeric		

<u>VARIABLE</u> <u>NUMBER</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
008	<u>Has the Respondent received a</u> <u>previous custodial sentence?</u> Code: NO = 0 YES = 1 No information = Code 9	1	18
009	<u>Has the Respondent previously been</u> <u>subject to supervision for a</u> <u>criminal offence?</u> Code: No = 0 Yes = 1 No information = Code 9	1	19
010	<u>Has the Respondent been fined</u> <u>previously?</u> Code: As for variable 009	1	20
011	<u>Has the Respondent been discharged</u> <u>previously? (either conditionally</u> <u>or absolutely)</u> Code: As for variable 009	1	21

<u>VARIABLE</u> <u>NUMBER</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
012	<u>Has the Respondent been made the</u> <u>subject of an Attendance Centre</u> <u>Order previously?</u> Code: As for variable 009	1	22
013	<u>Has the Respondent been Bound Over</u> <u>previously?</u> Code: As for variable 009	1	23
014	<u>Has the Respondent been sentenced to</u> <u>Supervision and Intermediate</u> <u>Treatment previously?</u> Code: As for variable 009	1	24
015	<u>Has the Respondent been the subject</u> <u>of a Care Order for a criminal</u> <u>offence in the past?</u> Code: As for variable 009	1	25
016	<u>Status</u> Code: Bail = 1 Care of L.A. = 2 Remand Centre = 3 Other Institution = 4	1	26

<u>VARIABLE</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
<u>NUMBER</u>			
017	<u>Where living at time of offence</u> <u>(by electoral ward)?</u>	1	27, 28
	Code:		
	Tettenhall Wightwick = 01		
	Tettenhall Regis = 02		
	Tettenhall Penn = 03		
	Tettenhall Park = 04		
	Spring Vale = 05		
	Wednesfield South = 06		
	Wednesfield North = 07		
	Wednesfield Heath = 08		
	Ettingshall = 09		
	Oxley = 10		
	Merry Hill = 11		
	Bilston East = 12		
	Bilston North = 13		
	Bushbury = 14		
	Parkfield = 15		
	Graisley = 16		
	Eastfield = 17		
	St. Peter's = 18		
	Blakenhall = 19		
	Low Hill = 20		
	Outside Wolverhampton = 00		
	Homeless = -1		

<u>VARIABLE</u> <u>NUMBER</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
018	<u>Respondent's Accommodation (Tenure)</u> Code: Sharing = 1 Lodger = 2 Tenant (Council) = 3 Tenant (Private Rent) = 4 Owner/Occupier = 5	1	29
019	<u>Respondent's Accommodation (Age)</u> Code: Pre 1919 = 1 1919-39 = 2 1945-date = 3	1	30
020	<u>Respondent's Accommodation (Type)</u> Code: Terraced House = 1 High rise flat Over 4 floors = 2 Low rise flat Under 4 floors = 3 Semi-detached House = 4 Detached House = 5	1	31

<u>VARIABLE</u> <u>NUMBER</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
021	<u>Respondent's Siblings</u> Code: Straight numeric	1	32, 33
022	<u>Position of Respondent in Family</u> Code: Only child = 1 Middle child = 2 One of oldest two children = 3 One of youngest two children = 4	1	34
023	<u>Respondent's Parents</u> Code: Other = 1 Parent and co-habitee = 2 Near relative = 3 Parent and step-parent = 4 Father only = 5 Mother only = 6 Both parents = 7	1	35
024	<u>Has one or both parents been previously married?</u> Code: No = 0 Yes = 1 No information = 9	1	36

<u>VARIABLE</u> <u>NUMBER</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
025	<u>Has the Respondent's mother been convicted of a criminal offence?</u> Code: No = 0 Yes = 1 No information = 9	1	37
026	<u>If yes, how many previous convictions are there?</u> Code: straight numeric N.B. No information, Code: -1	1	38, 39
027	<u>Has the Respondent's father been convicted of a criminal offence?</u> Code: As for variable 025	1	40
028	<u>If yes, how many previous convictions are there?</u> Code: As for variable 026	1	41, 42
029	<u>Have any of the Respondent's siblings been convicted of a criminal offence?</u> Code: As for variable 025	1	43

<u>VARIABLE</u> <u>NUMBER</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
030	<u>If yes, how many of siblings?</u> Code: As for variable 026	1	44, 45
031	<u>Father's occupation</u> Code: Professional = 01 Intermediate = 02 Skilled:non-manual = 03 Skilled>manual = 04 Partly skilled = 05 Unskilled = 06 Unemployed (under 1 year) = 07 Unemployed (over 1 year) = 08 Permanently disabled = 09 N.B. If deceased or not known, leave blank. If retired, code job previous to retirement, if known.	1	46, 47
032	<u>Mother's Occupation</u> Code: As for variable 031 plus Housewife = 10	1	48, 49

<u>VARIABLE</u> <u>NUMBER</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
033	<u>Respondent's behaviour at home</u> (as described by parent) Code: Compliant = 1 Rebellious = 2 No Information = Blank.	1	50
034	<u>Has the Respondent suffered maternal</u> <u>deprivation for a period</u> <u>exceeding 12 months?</u> Code: No = 0 Yes = 1 No information = 9	1	51
035	<u>Has the Respondent suffered paternal</u> <u>deprivation for a period</u> <u>exceeding 12 months?</u> Code: As for variable 034	1	52
036	<u>Attitude of family to Respondent's</u> <u>Offence</u> Code: Supportive = 1 Worried = 2 Unconcerned = 3 Angry = 4 Rejecting = 5 No information = Blank	1	53

<u>VARIABLE</u> <u>NUMBER</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
037	<u>Respondent's Occupation</u> Code: Unemployed = 1 Govt. Training Scheme = 2 Employed = 3 College of F. Education = 4 School = 5	1	54
038	<u>School Truancy</u> Code: None = 1 Rare = 2 Some = 3 Regular = 4 NB. If Respondent has already left school, code for when at school. No information = Blank.	1	55
039	<u>School Attended</u> Code: Other = 01 Wards Bridge = 02 St. Peters = 03 Pendeford = 04 Wednesfield High = 05 Aldersley = 06 Regis = 07	1	56, 57

<u>VARIABLE</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
<u>NUMBER</u>			
	Heath Park	= 08	
	St. Edmunds	= 09	
	Deansfield	= 10	
	Parkfield	= 11	
	Nordley	= 12	
	Smestow	= 13	
	Highfields	= 14	
	Colton Hills	= 15	
	Westcroft Special	= 16	
	Molineux Special	= 17	
	Ryton Hall	= 18	
	Northicote	= 19	
	Moreton	= 20	
	No information	= Blank	
040	<u>Respondent's ability as exhibited</u> <u>in school work</u>	1	58
	Code:		
	Above average	= 1	
	Average	= 2	
	Below average	= 3	
	No information	= Blank	
	N.B. If Respondent has already left school, code for when at school.		

<u>VARIABLE</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
<u>NUMBER</u>			

041	<u>Respondent's conduct in School</u>	1	59
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Code: Respondent's explanation for offence 1 60, 61

Code: Good conduct = 1

Code: Satisfactory = 2

Code: Disruptive = 3

Code: No information = Blank

042	<u>Respondent's attitude to teaching</u>	1	60
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Staff 1 60

Code: Positive = 1

Code: Negative = 2

Code: No opinion = 3

Code: No information = Blank

043	<u>Respondent's attitude to offence</u>	1	61
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Code: Worried = 1

Code: Regretful = 2

Code: Unconcerned = 3

Code: Resentful = 4

Code: No information = Blank

Code: By girlfriend = 2

Code: Own family = 3

Code: Friends from school = 4

Code: Friends from work = 5

Code: Friends met through social activities = 6

<u>VARIABLE</u> <u>NUMBER</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
044	<u>Respondent's explanation for offence</u> <u>(motivational account)</u> Code: Personal gain/temptation = 01 Spur of moment/unintentional = 02 To assist another = 03 Boredom = 04 Injured Party deserved it = 05 Prank/a bit of 'fun' = 06 Personal deprivation/need = 07 Offence suggested by another/ going along with the crowd = 08 Respondent unable to say why = 09 No account included by P.O. = -1	1	62, 63
045	<u>With whom is Respondent's leisure</u> <u>time spent?</u> Code: Alone = 1 Boy/girlfriend = 2 Own family = 3 Friends from school = 4 Friends from work = 5 Friends met through social activities = 6	1	64

<u>VARIABLE</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
<u>NUMBER</u>			
	Friends from area lived in (not met exclusively at work or school) = 7 No information = Blank.		
046	<u>How does Respondent spend his/her leisure time?</u> Code: Scouts/cadets = 01 Organised sports (participant) = 02 Youth Club = 03 Cycling = 04 Practical/Artistic (playing instrument, woodwork, drawing) = 05 Intermediate Treatment Centre = 06 Keeping pets = 07 Commercially organised leisure (disco, bowling alley, swimming) = 08 Spectator sports (passive) = 09 Visiting friends = 10 Boy/girlfriend = 11 Passive activity (TV, reading) = 12 Hanging around street = 13 None = 14 No information = Blank	1	65, 66

<u>VARIABLE</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
<u>NUMBER</u>			

047	<u>Probation Officer preparing</u>	1	67
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Respondent's S.E.R. (Age + Sex)

Code:

Male 20-35	= 1
Male 36-49	= 2
Male 50+	= 3
Female 20-35	= 4
Female 36-49	= 5
Female 50+	= 6

048	<u>Probation Officer preparing</u>	1	68
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Respondent's S.E.R. (Qualifications)

Code:

Graduate with professional social work qualification	= 1
Non-graduate with professional social work qualification	= 2
Graduate without professional social work qualification	= 3
Non-graduate without professional social work qualification	= 4
Trainee Probation Officer	= 5

<u>VARIABLE</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
<u>NUMBER</u>			

049	<u>Sentence recommended by Probation Officer</u>	1	69
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Officer

Code:

No recommendation = 0

Bind Over = 1

Absolute/Conditional

Discharge = 2

Fine = 3

Attendance Centre = 4

Supervision = 5

Supervision +

Intermediate Treatment = 6

Care Order = 7

Custodial = 8

N.B. Where there is more than one offence, list for offence which attracts the greater punishment in Law.

050	<u>Sentence imposed by Court</u>	1	70
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Code: Same as for variable 049

APPENDIX IV
INTERVIEW FORMS LIST

<u>VARIABLE</u> <u>NUMBER</u>	<u>DESCRIPTION</u>	<u>CARD</u>	<u>COLS</u>
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051 Were any of the offences committed 1 71
singly?

Code: No = 0
Yes = 1
No information = 9

052 Were any of the offences committed 1 72
jointly with one other?

Code: As for variable 051

053 Were any of the offences committed 1 73
jointly with more than one other?

Code: As for variable 051

054 Probation Officer's opinion of 1 74
risks of recidivism

Code: Low = 1
High = 2
No opinion = 9

APPENDIX IV

INTERVIEW PROMPT SHEET

Introduction

Thank you for agreeing to be interviewed.

As you probably know, I am doing some research into the Probation Service's work with black offenders. However, I think there is a great danger of me thinking I'm the expert. It may be that other officers' experiences are different from mine, and so I feel it is important to talk to some colleagues and see what their views are. I am particularly interested to hear about your work with West Indians. If you could mention any specific examples or experiences you've had in your work, that would be especially helpful.

But before that, could you tell me something about yourself and what you did before joining the Probation Service? Did you grow up around here? Do you remember black people first coming to the area?

Section I - Numbers and Problems

1. Since you became a probation officer, have you always worked in this office?
2. Have you had much experience with black clients?
3. From memory, about how many black clients (from all races) do you have on your caseload at the moment? Are they mainly Asian or West Indian? Is this fairly typical?
4. What type of cases are they e.g. Probation, licence?
5. In general terms, how do you feel about the work you do with

black clients?

6. Do you have any particular concerns about this work?

Section II - Awareness

1. What sort of problems do your black clients have?
2. Where do you see any real differences in the problems of black and white clients?
3. Many of the social enquiry reports prepared in this area are on black people (juveniles and adults). Have you any thoughts about why so many black people become clients of the Probation Service?
4. Do you think this is peculiar to this area?

Section III - Case Histories

1. I think it would help me a lot if you could take one particular black client and tell me about him or her. One you think is fairly typical and that you dealt with recently.

Tell me:

- (a) How old was (s)he?
- (b) What had (s)he done?
- (c) Had (s)he been in trouble before?
- (d) How did (s)he react to you as a probation officer?
- (e) Was this a typical response for a black client?
- (f) Why do you think this client got into trouble?
- (g) What particular problems did (s)he have?
- (h) What sentence did you recommend in your report, if any?

- (i) What made you make this particular recommendation?
- (j) What did the Court do?
- (k) Do you find black clients often get supervision from the Courts?

Section IV - Perceptions of Role and Service to Black Clients

1. I would now like to ask you a little about the job itself rather than the client. This might sound funny, but what do you think is the main purpose when we write a social enquiry report? How would you explain its purpose to a layman?
2. People sometimes say to me: Does the Court take any notice of what we say in social enquiry reports? What do you feel? Do you think we have any power or influence in the Court?
3. There is some evidence to suggest that black offenders are less often put on supervision by Courts. I wondered if you, yourself, had ever had reservations about recommending supervision?

Section V - Training

1. On the basis of your experience, have you found one way better than another for working with black clients?
2. Do you think that as probation officers we ought to be given special training for our dealings with black clients? How do you feel training would help us? What would you be looking for?
3. Have you ever had any training in race, either during your CQSW training or on in-service courses?

Section VI - Positive Action

1. There are a few ideas flying around in the Probation Service about how we should be working with black clients. Have you heard of any? What do you think of them?
2. What do you think of the City and Handsworth Alternative Scheme and the Handsworth Cultural Centre?
3. Do you believe in positive action?

Section VII - Race Issues and the Service

1. Of course, race issues have come to the fore with the recent street disturbances. Why do you think we have these problems?
2. Have any of your clients talked with you about these developments?
If Yes (a) What have they said?
If No (b) Do you feel in general black clients won't open up? How do you feel about this clamming up?
3. We have talked a lot about black clients. Do you think they are a special problem in our day-to-day work as probation officers?
If Yes (a) Do you think there is any truth in the claim black clients make that they don't get a fair deal from the Probation Service?
If No (b) So really you don't think there is any need for the Probation Service to change?

Section VIII - Conclusion

1. I have found all that you have said very interesting and helpful. We have talked over a whole range of subjects. I wondered if there is anything you feel we should have talked about and haven't.

Thank you very much for sparing me some of your time.

Table 6: NUMBER OF PREVIOUS CONVICTIONS BY ETHNICITY

Number of Previous Convictions	Afro-Caribbean (Males)	Indigenous (Males)
0	27 (79.4%)	53 (81.5%)
1	5 (14.7%)	8 (12.3%)
2	-	3 (4.6%)
3	-	1 (1.5%)
4	2 (5.8%)	-
TOTAL	34 (100%)	65 (100%)

APPENDIX V

Table 7: TYPE OF OFFENSE BY ETHNICITY

Offense Type	Afro-Caribbean (Males)	Indigenous (Males)
Theft/Handling Stolen Goods	14 (41.2%)	25 (38.5%)
Unauthorized Driving or Theft of Motor Vehicle	2 (5.9%)	9 (13.8%)
Burglary	8 (23.5%)	13 (20%)
Murder, Manslaughter, + Violence against the person	9 (26.5%)	13 (20%)
Other	1 (2.9%)	5 (7.7%)
TOTAL	34 (100%)	65 (100%)

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TOTAL	34 (100%)	65 (100%)

Table 8: PARENTS BY ETHNICITY

Parents	Afro-Caribbean (Males)	Indigenous (Males)
Parent + Step-parent	1 (2.9%)	6 (9.2%)
Parent + Step-parent	1 (2.9%)	3 (4.6%)
Father only	3 (8.8%)	8 (12.3%)
Mother only	3 (8.8%)	8 (12.3%)
Both parents	25 (73.5%)	39 (60%)
Other	1 (2.9%)	1 (1.5%)
TOTAL	34 (100%)	65 (100%)

Table 9: PARENTAL DEPRIVATION BY ETHNICITY

Parental Deprivation (exceeding 12 months)	Afro-Caribbean (Males)	Indigenous (Males)
Mother	6 (17.6%)	13 (20%)
Father	6 (17.6%)	17 (26.6%)
TOTAL	12 (35.2%)	30 (46.2%)

Table 10: NUMBER OF SIBLINGS BY ETHNICITY

Number of Siblings	Afro-Caribbean (Males)	Indigenous (Males)
Only child	1 (2.9%)	1 (1.5%)
1 other	2 (5.9%)	10 (15.4%)
More than 1	31 (91.1%)	54 (83%)
More than 4	17 (50%)	20 (30.7%)
TOTAL	34 (100%)	65 (100%)

Table 11: ACCOMMODATION TENURE BY ETHNICITY

Tenure	Afro-Caribbean (Male)	Indigenous (Male)
Lodger	-	1 (1.5%)
Council Tenant	26 (76.5%)	52 (80%)
Owner/Occupier	8 (23.5%)	11 (16.9%)
No Information	-	1 (1.5%)
TOTAL	34 (100%)	65 (100%)

Table 12: AGE OF ACCOMMODATION BY ETHNICITY

Accommodation Age	Afro-Caribbean (Males)	Indigenous (Males)
Pre 1919	7 (20.6%)	6 (9.2%)
1919-1939	20 (58.8%)	50 (76.9%)
1945 - Date	5 (14.7%)	8 (12.3%)
No Information	2 (5.9%)	1 (1.5%)
TOTAL	34 (100%)	65 (100%)

Table 13: FATHER'S OCCUPATION BY ETHNICITY

Paternal Occupation	Afro-Caribbean (Males)	Indigenous (Males)
Skilled + Semi-Skilled	6 (17.6%)	21 (32.3%)
Unskilled	19 (55.9%)	12 (18.5%)
Unemployed	2 (5.9%)	7 (10.8%)
Disabled	-	5 (7.7%)
No Information	7 (20.6%)	20 (30.8%)
TOTAL	34 (100%)	65 (100%)

Table 14: MOTHER'S OCCUPATION BY ETHNICITY

Maternal Occupation	Afro-Caribbean (Males)	Indigenous (Males)
Professional	-	2 (3.1%)
Intermediate	-	2 (3.1%)
Skilled + Semi-Skilled	1 (2.9%)	3 (4.6%)
Unskilled	19 (55.9%)	23 (35.4%)
Housewife	4 (11.8%)	20 (30.8%)
Unemployed	2 (5.9%)	1 (1.5%)
No Information	8 (23.5%)	14 (21.5%)
TOTAL	34 (100%)	65 (100%)

Table 15: ABILITY AS EXHIBITED IN SCHOOL WORK BY ETHNICITY

Ability	Afro-Caribbean (Males)	Indigenous (Males)
Above Average	3 (8.8%)	3 (4.6%)
Average	10 (29.5%)	16 (24.6%)
Below Average	18 (52.9%)	39 (60%)
No Information	3 (8.8%)	7 (10.8%)
TOTAL	34 (100%)	65 (100%)

Table 16: SCHOOL TRUANCY BY ETHNICITY

School Truancy	Afro-Caribbean (Males)	Indigenous (Males)
None	24 (70.6%)	33 (50.8%)
Rare	1 (2.9%)	2 (3.1%)
Some	3 (8.8%)	10 (15.4%)
Regular	2 (5.9%)	12 (18.5%)
No Information	4 (11.8%)	8 (12.3%)
TOTAL	34 (100%)	65 (100%)

Table 17: SCHOOL CONDUCT (AS PERCEIVED BY SCHOOL STAFF) BY ETHNICITY

School Conduct	Afro-Caribbean (Males)	Indigenous (Males)
Good	3 (8.8%)	14 (21.5%)
Satisfactory	14 (41.2%)	21 (32.3%)
Disruptive	16 (47.1%)	25 (38.5%)
No Information	1 (2.9%)	5 (7.7%)
TOTAL	34 (100%)	65 (100%)

Table 18: ATTITUDE TO SCHOOL STAFF BY ETHNICITY

Attitude	Afro-Caribbean (Males)	Indigenous (Males)
Positive	14 (41.2%)	31 (47.7%)
Negative	16 (47.1%)	28 (43.1%)
No Opinion	4 (11.7%)	6 (9.2%)
TOTAL	34 (100%)	65 (100%)

Table 19: WHERE LIVING AT TIME OF OFFENCE (BY ELECTORAL WARD) BY ETHNICITY

Electoral Ward	Afro-Caribbean (Males)	Indigenous (Males)
Tettenhall Wightwick	-	2 (3.1%)
Tettenhall Regis	-	3 (4.6%)
Park	3 (8.8%)	2 (3.1%)
Wednesfield Heath	2 (5.9%)	7 (10.8%)
Ettingshall	-	1 (1.5%)
Oxley	2 (5.9%)	3 (4.6%)
Merry Hill	2 (5.9%)	1 (1.5%)
Bushbury	7 (20.6%)	4 (6.2%)
Parkfield	3 (8.8%)	2 (3.1%)
Graisley	3 (8.8%)	-
Eastfield	-	10 (15.4%)
St. Peters	1 (2.9%)	2 (3.1%)
Blakenhall	1 (2.9%)	1 (1.5%)
Low Hill	9 (26.5%)	26 (40%)
Outside Wolverhampton	1 (2.9%)	-
Homeless	-	1 (1.5%)
TOTAL	34 (100%)	65 (100%)

Table 20: INVOLVEMENT OF CO-ACCUSED BY ETHNICITY

Co-Accused	Afro-Caribbean (Males)	Indigenous (Males)
None	5 (14.7%)	10 (15.4%)
1 Other	6 (17.6%)	21 (32.3%)
Several Others	23 (67.6%)	34 (52.3%)
TOTAL	34 (100%)	65 (100%)

Table 21: OFFENDER'S MOTIVATIONAL ACCOUNT BY ETHNICITY

Motivational Account	Afro-Caribbean (Males)	Indigenous (Males)
Personal Gain/ Temptation	5 (14.7%)	8 (12.3%)
Spur of Moment/ Unintentional	5 (14.7%)	9 (13.8%)
To Assist Another	-	3 (4.6%)
Boredom	-	2 (3.1%)
Injured Party Deserved it	3 (8.8%)	5 (7.7%)
Prank/ "A Bit of Fun"	1 (2.9%)	5 (7.7%)
Personal Deprivation/ Need	2 (5.9%)	5 (7.7%)
Suggested by Another/ Going Along with the Crowd	8 (23.5%)	12 (18.5%)
Offender Not Able to Say Why	4 (11.8%)	4 (6.2%)
No Account Included by Probation Officer	6 (17.6%)	12 (18.4%)
TOTAL	34 (100%)	65 (100%)

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