

1. Firstly (first slide)

Good morning, ladies and gentlemen, In this small presentation I'll tell you about our ongoing quality assessment study and the challenges our criminal sanctions practices face in this respect. To support my presentation, I'm going to show you some power point slides including the central points of my presentation.

To start with, I'll describe first the criminal policy context for our study, then I'll describe shortly how we conducted the study until now and what kind of problems we have encountered. After that I'll summarize the precursory results we have received and discuss then what the possible implications could be for the practice development in the future.

2. Criminal policy context (slide 2)

We start by taking a look at the criminal policy credentials behind the quality thinking. Why do we need quality assessment? The reasons are the same as in many other European jurisdictions. Over the past two decades we have had to meet growing expectations for efficiency, which are mainly targeted at the ability of the system to produce criminal sanctions that are credible in punitive sense and effective in rehabilitative sense. The emphasis, as it is stated in criminal policy rhetoric, lies now in practices which support the life without crime. Commitment to this value statement requires that the enforcement is carried out so that it supports the sentenced persons' individual growth as well as their intention to lead non-offending life-style. In practice this means that all the elements, both punitive, rehab. as well as managerialistic, should be in balance. The enforcement should be carried out so that it complies the following criminal sanctions values;

- the human rights and liberties are respected, the treatment is humane, appropriate and equal and all the activities are lawful comply with justice and fairness.

The problem is how to operationalize the above mentioned values so that it could be said there is some kind of practice-value correspondence. In order to fill gaps in our knowledge in this regard we started our quality assessment research project in

2011 with a pilot study in 4 regional prison in Finland based on Alison Liebling and Co famous quality study “ The Prisons and their moral performance, which she conducted in England.

Our pilot survey revealed the same quality factors that were also considered important in the surveys carried out in England and in the Nordic countries. These surveys showed that there were differences between prisons in regard to how big or hierarchic they were and how formal or distant the relationships between the management, the staff and the prisoners were. They affected how the punitive and rehabilitative elements of imprisonment took shape in different prisons.

Those factors also came up in the pilot survey as key quality factors influencing imprisonment. The questionnaire and interview material showed that the traditional supervision-centred work culture and the organisation and management model supporting it still dominated in Finnish prisons. However, new occupational groups as well as work cultures are also springing up alongside it. The prisons differed in how strongly the traditional work culture influenced the everyday life of the prisons as well as the relationships between the prisoners, the management and the staff.

3. Carrying out the study (slides 3 and 4)

We wanted to study the quality factors highlighted in the pilot survey by using more extensive material. In particular, we wanted to find out whether the hard-to-measure factors connected to the work culture and social intercourse in the prisons would also come up in the community sanctions offices. Therefore, in 2012 the Criminal Sanctions Agency started to prepare based on the dimensions of Liebling’s et co questionnaire (and a qualitative research supplementing it), which were directed at the whole staff of the Criminal Sanctions Agency as well as the prisoners and the community sanction clients.

The questionnaire was conducted in January 2013. The material consisted of prisoners (n=3 215) and community sanction clients (n=3 114) who were in the registers on 16 January as well as the staff members (n=2 566) employed at the time of the survey. All in all, 71 per cent (n=2 100) of the prisoners and 44 per cent (n=1 359) of the community sanction clients answered the questionnaire. The response rate of the staff was 67 per cent (n=1 726).

4. Results; Quality overview based on survey (slides 5 and 6)

The preliminary, descriptive results of the questionnaire were published in June 2013. The preliminary results showed that the staff as well as the prisoners and the community sanction clients thought that the quality of the Criminal Sanctions Agency was quite good in most dimensions. At the same time, the results also showed that the experienced level of quality varied both between different units and different sanction forms. The differences were, however, most obvious between the prisons and the community sanctions offices.

The responses to the questionnaire showed that the staff in prisons had more negative attitude to the questions measured by the dimensions than the staff in the community sanctions offices. Such questions concerned, for example, supporting the prisoners or focusing on and caring about the prisoners' affairs. The responses of the staff of the community sanctions offices reflected, on the other hand, mainly a positive attitude to the matters measured by the dimensions.

The responses of the prisoners and the community sanction clients were even more clearly divided. The prisoners and the community sanction clients considered it important that the staff focused on their affairs and helped them to solve the problems related to their personal life situation. In addition, they valued the empathy, objectivity, fairness and flexibility of the staff. The aforesaid factors were assessed in a clearly more negative sense in the responses of the prisoners than in the responses of the community sanction clients. It was especially evident in the open-ended responses of the questionnaire, which showed in a concrete manner that many prisoners thought that the prison was above all a punitive rather than a rehabilitative place supporting the life change. The responses of the community sanction clients, on the other hand, underlined that the nature of the community sanctions offices was before anything to support the change and not so much to emphasise the punitive sense of the sanction. In the open-ended responses, the clients described in various ways how they thought that the community sanctions offices first and foremost helped and supported rather than restricted and punished the clients.

The results from the questionnaire shall be analysed with multivariate regression models. The precursory results (measured by the standardized coefficients i.e. beta values) show that variations in such dimensions as treatment, relationships with staff as well well-being can explain variations in how the quality is experienced.

5. Results; based on qualitative material (slide7)

In order to clarify the differences between the community sanctions offices, we collected qualitative interview material in three community sanctions offices at the beginning of 2014. In each of the community sanctions office, we selected eight staff members and eight community sanction clients for the interviews. Thus, we interviewed in total 48 people representing the main staff categories and the main sanction forms. The interviews were carried out in focus groups and they were supplemented with individual interviews. The themes were connected with the dimensions of the questionnaire. In addition, we collected video material of the client situations.

The hypothesis of the qualitative research was that, just as the prisons, also the community sanctions offices would have both connective as well as distinctive work cultures, which were moulded by the influence of both the office-based and higher ideological factors. Together these factors affect how the community sanction work is shaped as a penal practice in relation to its key characteristics.

Already at this stage, the material confirms the existence of a work culture typical of community sanctions in the same way as in other international studies on community sanctions both in positive and negative sense. International research has shown that community sanctions have been developed through similar cultural mechanism as imprisonment. In the community sanctions offices, reforms are adopted within the framework of prevailing professional orientation, which is still mostly based on social work and its professional ethics. Like imprisonment, this affects how the community sanction practices are formed and how well or equally they implement the official criminal policy so that the work can be considered being in balance with regard to its different elements. According to research, the community sanction practices can differ based on how much time different offices spend on, for instance, supportive work at the expense of managerial efficiency or how flexibly and understandingly the rules and conditions are interpreted in the name of punitive credibility.

This kind of mechanisms that are related to the work cultures of the community sanctions offices also came up in the interview material. Despite the duty or hierarchic status, the participants of the staff focus group interviews declared that

the basic principle guiding all work was the consideration and understanding of the client's situation as far as it was possible within the rules. The staff members' professional orientation was quite uniform in the same way as in the prisons of the pilot survey with the difference that, in the community sanctions offices, the dominating work culture was based on social work and related individuality and flexibility. This notion was shared by both the management and the officials working with the clients. The legislation and the organisational practices created a firm basis for the community sanction work as it was quite uniformly described in the focus group interviews:

In my opinion, the community sanction work is enforcement carried out in freedom. They don't rule each other out. (An assistant director of a community sanctions office)

The balancing of support and control work depended, however, on the nature of the client relationship, which were individually different. Common to nearly all the interviewed clients was the demanding nature of their criminal history and social situation, which in all cases would in principle have called for more different forms of supportive and rehabilitative work than usually in addition to the formal control. This would have required a confidential and close client relationship, which usually takes a long time to form. According to the staff, there were clients with whom it was not possible to create that kind of relationship for a number of reasons despite the fact that their situation would have required some kind of intervention. In the case of such clients, the community sanction work could at worst mean just the implementation of the judicial and administrative duties connected to the enforcement with a mere goal to complete the community sanction.

A larger group, however, consisted of those clients with whom the interaction was profounder. The work with these kinds of clients might be quite intensive with a clear emphasis on support and rehabilitation. Matching them with the duties related to the formal enforcement varied depending on the individual official as well as the sanction form. The individual nature of the community sanction work came up, in fact, in the officials' freedom to emphasise the content of their own work as long as it stayed within the agreed norms and workloads. Nevertheless, it was not always successful. In some cases, there might be too much emphasis on the supportive work in a way that influenced the formal enforcement and the equality of the work. Setting boundaries to how much flexibility there could be in regard to rehabilitative

and supportive elements as well as the requirements of formal enforcement was difficult and depended also on the sanction form. For instance, in the case of young offenders, extended flexibility might prove to be efficient in situations where the clients' true motivation was roused. Usually in such cases, the client also committed himself or herself to the goals of the community sanction work and started to strive for a life change.

As an example of such a case, there was a young offender with a serious substance abuse problem who was conditionally released and ordered to supervision. He was highly suspicious of authorities and was motivated to come to a supervision meeting for two months without resorting to additional sanctions or the executive assistance from the police. Nevertheless, the first supervision meeting started a successful client relationship as a result of which the client took part in substance abuse rehabilitation of his own free will and was also motivated to desist from criminality.

Usually, the community sanction work is flexible to a certain limit, which depends also on the type of the sanction. For instance, there might be very little flexibility and individual discretion in electronically supervised monitoring sentence or community service compared with other sanctions. One client serving a monitoring sentence was, in fact, given a caution for coming one hour too early to the agreed interview concerning the quality survey. In that case, the conditions of the monitoring sentence were interpreted purely based on control. However, the client did not consider the treatment unfair or inappropriate and, despite the caution, he was willing to participate in the interview. A partial reason for that was that he had a functional relationship with the official working with him and he did not want to jeopardise it.

The aforementioned reflects the feelings of the clients also more universally. In the interviews with the clients, the community sanctions offices were mainly described as service-oriented and helpful. Most clients thought that the officials genuinely cared for their problems and focused on their affairs in a different way than in the prisons. Especially those clients who had experience of prisons emphasised that the community sanction work positively supported and encouraged the change of life.

The qualitative material confirms already at this stage that measuring the quality of the community sanction work is similarly difficult as measuring the quality of imprisonment. Just as imprisonment, the community sanction work has been

developed into a functional practice in a way specific to it, which highlights the client orientation as the basic principle guiding all activities, which is also reflected in the dimensions measuring the quality. However, new practices that demand a different approach and know-how are springing up alongside that tradition. A good example of this is the electronic monitoring sentence, which required stricter enforcement skills than what was accustomed to. The interview material showed that the community sanctions offices were only just seeking a suitable balance in adapting that work form as part of their operation in a uniform manner.

From the viewpoint of the quality assessment of the community sanction work, it might be problematic to determine what the basis for measuring the quality is and how the work should be emphasised. Developing the work only from the viewpoint of client work without linking it clearly to the defined managerial and punitive goals may increase the demand for standardising the work based on grounds foreign to it. That might weaken those features of the community sanction work, which, if utilised more systematically, could enhance the know-how on motivational work that is important in the criminal sanctions field as well as other skills that could be used to make the clients adjust to the goals of the criminal sanction work from also other than the punitive basis.

So this all I can say at this stage. The first draft is expected to be released to comments and review in December 2014. The final report should be released in 2015.

May I thank you all for being such an attentive audience. Thank you for your attention

Now I'll try to answer any questions you may have.