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Experiences of Probationers with the Dutch Probation Services: a quickscan

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Introduction

This quick scan studies the experiences of Dutch probationers and their relatives with probation supervision. The *effects* of probation supervision were not the focus in this study. The quick scan merely focused on the experiences of probationers (and their relatives) with the different varieties in which probation sentences may be imposed, for example electronic supervision, regular probation supervision, trainings that are meant to support probationers after being released, and community services. We also studied the variables that possibly *explain* probationers' experiences with probation supervision.

Method

The databases of the University of Amsterdam, the Dutch scientific research centre "WODC", the Dutch inspection for sanction appliance "IST", the Dutch probation service and Google Scholar were explored. Additionally, the annual reports of the complaints committee of the Dutch probation services from 2005-2011 were studied for information about probationers experiences. Finally, a scan of nonscientific literature was done in Google's regular search engine. At first, publications since the year 2000 were searched for. Because we did not find a lot of relevant publications, we then searched for publications before the year 2000.

The search terms used were:

- Experience / opinion / feeling / frustration / consequences

Combined with

- (Ex-)delinquents / (ex-) criminals / (ex-) prisoners / / convicts / probationers / probation clients / offenders

Combined with

- Probation / supervision / aftercare / community service / electronic supervision / detention / assistance

We also send an (informal) request through email to specific contacts in relevant organisations (the 3 probation services, the prison service (juvenile and adult sections), Exodus, the Universities of Maastricht, Rotterdam, Utrecht and the Free University Amsterdam, the Inspection of Sanctions, the Child Welfare organization, Halt, the Accreditation Panels of the ministry of Justice and of the ministry of Welfare, the ministry of Justice, the Public Prosecution, an ambulant treatment centre of offenders, the Board of Sanctions & Justice, the CEP). Eight persons responded. Five of them send us publications or advised us to turn to other experts and we used these suggestions. Three of these contacts replied they did not know of relevant publications on experiences of offenders or forwarded our email request to colleagues.

Results

Introduction

The quick scan showed that there is not a lot of scientific research done on experiences of offenders in the Netherlands. In total, we found 30 relevant publications. This may sound quite a lot, but that is not the case. In fact, often only a single paragraph in a large study focused on the experiences of offenders. Also, the number of offenders interviewed in these studies, is most of the times very, very low (often only 5 or 10 offenders). It is important to keep this in mind when interpreting the results. From the last few years, in 2010, 2011, 2012, we found a few more publications, suggesting that researchers and policy makers perhaps become a little more interested in what offenders think and feel. In the conclusion section we will get back to this.

It is important to explain that Dutch probation has 3 different organizations: Probation Service Netherlands ("Reclassering Nederland"), Probation Service for addicted offenders ("SVG/Verslavingsreclassering") and Salvation Army Probation Service (Leger des Heils reclassering). They also work together. If relevant we mention the different organizations.

Below we will describe the publications found. We will start with the experiences of supervision, electronic supervision, family experiences, interventions, community services, and housing. Then, we will focus on explanations of the different findings and finally we will present our conclusions.

Experience of Delinquents with Different Varieties of Probation Supervision

Probation supervision

Abraham, van Dijk and Zwaan (2007) interviewed twelve probationers as part of a study of the Dutch Probation Services' supervision. They found that most of these interviewees were not satisfied with probation. A few said probation had not met the expectations of the probationers and did not offer practical support. Promises were either not kept or conflicted with the conditions that were set by supervision. Probationers also criticized the expertise and the degree of experience of probation officers. An important success factor of probation was having a personal connection with the probation officer. Probationers did not perceive probation as very strict and as a result they felt the controlling function of probation was not met. One probationer said: "They're so lenient, I'm not attending appointments. They're scared of me." Probationers also criticized the lack of information about probation. The probation should, in their opinion, be more clear about what information is being shared with whom.

As part of a study on supervision on sexual offenders by police and probation, Van de Bunt, Holvast and Plaisier (2011) interviewed a therapy group of five Dutch sex offenders. They found that these offenders perceived the support of probation as good. "According to these five interviewees, honesty towards probation is promoted by the feeling of being safe, a feeling that is largely influenced by the fact that no negative consequences are attached to honesty: offenders can show their imperfections and are helped in preventing recurrence. "What is striking is the fear in some interviewees, that neighbors will become aware of their offence. They fear a biased attitude from the police and state that they dislike visits from police officers in uniform."

Electronic supervision

Electronic supervision is often preferred over imprisonment, but is nevertheless experienced as an actual sanction; Spaans and Verwers concluded so from a study of 48 convicts and 21 of their housemates: "The convicts and their housemates found the restricted use of telephones the most troublesome result of the electronic supervision equipment. Electronic surveillance sometimes creates tension at home, especially in the beginning of an electronic monitoring period. This has to do with settling down after moving back in together, but also with the fact that the convicts often have little activities to keep themselves occupied. As a result, convicts and roommates get the feeling of being stuck together. Electronic supervision imposes some restrictions on housemates too: because the convict is forced to stay in, housemates feel burdened to leave the house themselves, or to invite friends into the house."

One probationer interviewed by Abraham, van Dijk and Zwaan (2007), noted that "it's better to be in prison, than to be on the street, under electronic supervision, with no money in your pocket and no roof over your head."

Family Experiences

Van der Knaap and Weijters (2007) explored probationers' problems in family relations. Out of 2797 probationers, 56 percent experienced problems in this area. Vogelvang (2011) states that a key role could be played by family members in probationers' "desistance" (refraining from delinquent behavior) because of probationers' fear of reputation loss. Family members are however put under considerable pressure by judicial interference, which possibly sharpens family relations.

Interventions

The trainings (interventions) offered to offenders by the Probation Service, are not reviewed as entirely positive by the offenders. A process evaluation of the CoVa-2 training of cognitive skills, outlines the following picture: 83% of the 52 respondents indicated they had learned something from the training and 23% of the participants had enjoyed the training (Van Poppel, Tackoen, and Moors, 2005). A process evaluation of the "Short Lifestyle Training for Addicted People" showed that the majority of the 576 surveyed participants did not know what the training was about (Schoenmakers, Van Leyden, Bremmer and Ferwerda, 2012). Both participants and trainers indicated that this had to do with insufficient briefing of participants prior to training. This led this one participant to the following misconception: "I expected that it would be about my live". Abraham, van Dijk and Zwaan (2007) found that out of twelve interviewed probationers, a few said they benefitted from the training that the probations had offered (Budgettraining, CoVa-training, Lifestyle training, Assertivenesstraining and coping with ADHD training). They had however, trouble designating *what* benefit they had had from these trainings. The Brains4U and Tools4U training for juvenile offenders are currently evaluated for the Dutch Centre for Scientific Research of the ministry of Justice (WODC). No research has yet been found on the perception of probationers on the other trainings that the Dutch Probation Services offer.

Community service

Studies of the experience of probationers with community service show a similar picture as the one on Trainings: More than 40% out of 198 participating working convicts find community service educational, 56% find community service even useful. Still, almost 80% of the working convicts, experience community service as a true punishment. The majority explains this experience by the lack of payment. Remarkably enough, half of the convicts indicate that they experienced the community service as a warning rather than a punishment. Only 55% of the convicts perceived the community service as justified, given their offense. Half of the working convicts said they found the work boring, one third found the work dirty and only a quarter enjoyed the work (Van den Dorpel, Kamp and Van der Laan,2010).

Housing projects

Out of 212 residents who were placed in Exodus Utrecht Probation Housing program, between 2001 and 2005, 54 ended the program successfully (Huisman and Aanen, 2006). Interviews with eighteen former inhabitants (13,64% of all former inhabitants) outline a distinction that is likely to be made: inhabitants who terminated their residence prematurely and inhabitants who left Exodus after finishing the full project. The two groups differ strikingly *little*. For instance, success in the four key areas "Housing", "Finance", "Employment" and "Relationships" is equally high in both groups. Former residents state that they are motivated to make a new start, to minimize the risk of relapse. Rules and tasks within the Exodus program are looked upon with considerable

resistance, but are at the same time acknowledged as helpful in taking responsibility, finding structure and maintaining an independent household.

In another study of Exodus, sixty residents were interviewed about their experience with Exodus (Moerings, Van Wingerden and Vijfhuizen, 2006). The idea prevailed among these residents, that probation officers would share confidential information among other staff members. Another finding was that some residents found the possibility to visit family and friends limited. For financial reasons, but also as a result of the full day program of Exodus. Nevertheless, many (former) residents did state that Exodus has been helpful in establishing new and rebuilding old relationships. They stated they found Exodus helpful in clarifying personal motives and making important life-decisions. Furthermore, Exodus had contributed to their resocialisation after detention. One resident says: "I don't always show it, but inside I know: I've got my life back on track, thanks to myself, but also thanks to Exodus."

Residents considered Exodus important with regard to housing, rather than to establishing and rebuilding relations *(*Emmelot, Grandia, De Jong, Kraaijenbrink, More and Rijken, under supervision of Moerings, 2006). Although support of probationers in this area is highly valued by probation officers, they find there is just not enough time to provide this kind of support. Residents themselves state they do not need counseling in this area. Residents consider the area meaning/interpretation as not determinative for reaching its goal: gaining mental peace and future prospects. Surprisingly enough, those gains are in fact present, but due to having accommodation and work rather than as a consequence of Exodus' theme-nights and counseling.

A case study described by Jansen (1993), illustrates the difficulty that is associated with the role of family. A probationer, Peter, has successfully fulfilled his probation at Exodus and found a job as well as independent housing. After considering the disapproving reaction of his parents ("A job like that is not something for our kind of people") his situation goes downhill. He feels torn between the past with his family and the future Exodus created for him. Exodus meanwhile started involving family members in the process of probation (Jansen, 1993).

Explaining Variables of Probationers Experience with Probation Supervision

Lünnemann, Beijers and Wentink (2005) distinguish between intrinsic and extrinsic motivation in probationers who are imposed with community service. In the first case, the probationer agrees with the sentence imposed. He carries out community service because he considers the sentence justified. In the case of extrinsic motivation the probationer believes the penalty is not justified, but carries it out anyway, out of fear for the negative consequences of resistance. Lünneman et al. also attribute a role to the other probationers the group: "If there is a positive attitude in the group that tells the probationers to "just finish your work, so you'll stay out of trouble", it is more likely that the community service is successfully finished."

Menger (2008) highlights the universality (regardless of social status, education, gender or culture) of resistance to imposed community services. After all, community service is a restriction of freedom. "This is a source of ambivalence: whether or not to cooperate with a diagnosis, whether or not to cooperate with reporting, whether or not to participate in making a plan, whether or not to cooperate with supervision, whether or not to reoffend? These ambivalences are amplified during community service." According to Menger, this ambivalence is in fact a source for behavioral change, due to the cognitive dissonance that it raises.

In an large-scale evaluation among 112 probationers in 15 different probation offices, the Dutch Inspection of Sanction Appliance (ISt) questions the small amount of complaints that is yearly filed at the complaints committee of the Dutch probation services (Meurs, 2006). The ISt concludes in this 2006 inspection rapport that the procedure for complaints in the Dutch probation services is insufficiently accessible. Better briefing of probationers is recommended on how and where to file complaints and on the personal rights of the probationer. Firstly, complaints must be attempted to be resolved internally, before presenting them to the probation's complaints committee. The ISt furthermore recommends a behavioral code on how probation officers are expected to treat probationers.

Although convicts can see how they could benefit from probation, many of them have trouble with the forced nature of it (Kelk, 1998). As long as there is trust, convicts cooperate with and benefit from probation. An evaluation of the Exodus Foundation for reintegration, shows that participants of these reintegration programs are insufficiently informed about the opportunities Exodus has to offer. They seem to benefit from guidance regarding the rebuilding of relationships, but experienced the help in finding independent housing insufficient (Pont, Van der Woude and Moerings, 2005).

The importance of trust in the probation service is demonstrated by the problems that can arise when trust is lost. As is confirmed by the annual reports of the Complaints Committee of the Probation Services from 2005 until 2011, complaints often seem to concern the violation of the trust of the client, unprofessional treatment of a probation employee and alleged inaccurate reporting in the probation report of the complainant. Finally, the visibility of the logo on the probation service was named in a complaint.

This visibility factor is also the main complaint of minor probationers. In a survey of 30 minor ex-detainees working in 7 different projects Nabben and Korf (2010) found that these children often see the positive aspects of their punishment, but have great difficulty with the shame of working in distinctive jackets, especially when they are in their own neighborhood. The guidance by experienced craftsmen is usually evaluated by the youth as very positive: They find the craftsmen nice and strict at the same time.

Two case studies of Spoor and Kemp (2004) show the course of the so-called Family Project, in which recurrent juvenile offenders and their families are supervised over a long period of time. Despite some initial resistance, the two juvenile delinquents and their families gradually gained confidence in the proposed approach as they saw improvements occur. Once there was a relapse, confidence decreased again, but after lengthy counseling the Family Project nevertheless led to satisfaction of all parties.

General conclusions

Literature on the experiences of (ex-) prisoners with probation and aftercare is not there for taking. The above findings are often found in a single paragraph in studies that count dozens of pages. The experiences of the probationer does not seem to be a priority, the effectiveness of sanctions in social terms (employment, housing, identification, social network) is clearly on the forefront. In their inspection reports of the different Dutch probation offices, the ISt designates the lack of evaluation that is done on the experiences of the probationer. They stress the importance of a structural policy on such evaluation, rather than the improvised evaluation that a few of the probation offices carry out after supervision.[1]

Confidence and information seem to be key words. This is consistent with literature on behavior (Van der Pligt, Koomen and van Harreveld, 2007, in: Plaisier and van Ditzhuijzen, 2009)). Confidence is important because prisoners themselves often find that they could benefit from probation. But they do not experience this support as positive until they feel they can trust the organization:

> "*When I used to go to the probation service, I drank for Dutch courage. Now I have Roel. The threshold for contact is very low and he doesn't condemn my behavior. Even if I do things that he is doesn't particularly support.* "(Help On Ex-Detainees Shoot Deficit. Care and Welfare Magazine, # 3, March 2009.)
>
> *"The Salvation Army (the favorite probation service of minors) focuses much more on helping young people, and less on controlling them, like the Probation Service does."* (Salvation Army understands offenders, scienceguide.nl, May 2, 2012.)
>
> Forum visitor "Kwinten Tarantino" asks other visitors on Public Internet Forum "Fok" - Topic "Probation Supervision" to advice him on whether or not he should cooperate with probation supervision:
>
> "*Oh, I guess I'll just go (to my first appointment with the probation services). Just read that they sometimes prematurely terminate probation if someone does well. I must admit that I could use some help in some areas. And a baffle like this does not sound bad ... I hope the officer is someone like Charlie from Flodder. I would feel comfortable with that. And that he arranges housing for me at Zonnedael* ... (...)

[1] Inspectie voor de Sanctietoepassing, Ministerie van Veiligheid en Justitie:
Reclassering Nederland Roermond Inspectierapport – Doorlichting (2008).
Iriszorg Reclasering Inspectierapport – Doorlichting (2009).
Reclassering Nederland Regio Den Haag Inspectierapport – Doorlichting (2009).
Reclassering Nederland Unit Arnhem-Nijmegen Inspectierapport – Doorlichting (2012).
Reclassering Nederland Unit Middelburg Inspectierapport – Doorlichting (2012).
Emergis Reclassering Inspectierapport - Doorlichting (2012).

Well, I went. A nice woman, I gotta say. It was a different woman from before. Apparently, one department makes the report and another department does surveillance. We've been talking about the offense and had I had to read and sign for some rules. The woman said that if I wouldn't attend, I would get a warning and if I still would not come, then they would send it back to the judge and I'd have to go to jail. In my case that would be for 2 weeks. I'm not going to let that happen.

Kind of beautiful work, it seems to me, this probation thing. "

Information is important, because a negative experience with the probation often has its origin in poor information provision for convicts prior to the start of probation. This appeared from the process evaluation of the CoVa-2, but also from the problems with expectations on housing, that Exodus found itself confronted with.

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