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A potential for democratic emancipation?

BOGANMELDELSE

Policy and discretionary practices in probation service.

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This book is an in-depth study of practice within the Danish Probation Service and as such provides a unique and valuable insight into an aspect of the criminal justice system that is too often overlooked in penological scholarship (Robinson, 2016). Located within the broader Scandinavian context, it explores changes to penal practices and policies over time, as well as their enactment in practice. This careful empirical work challenges overly simplified analyses of Scandinavian 'penal exceptionalism' (Pratt, 2008). The book is based on a mixed-methods study, which involved two elements. Firstly, a documentary analysis of key publicly available policies and strategies relevant to the Danish, Swedish and Norwegian Prison and Probation Services and an ethnographic study involving field work in two local probation offices in Denmark. This included observations of meetings between probation officers and clients; observations of probation team meetings; participation in probation officer team exercises, and semi-structured interviews with probation staff and probation clients in the two sites given the pseudonyms of *East Ville* and *West Bridge*.

The careful analysis of the policy documents demonstrates some of the iterative shifts that provide substance to the idea of the move towards a managerial turn. Some examples include analysis of Danish Prison and Probation Services' strategy briefs between the years 2017-2021, which identifies changes in emphases from the execution of sanctions – in language which foregrounds close cooperation with the outside world, security, safety, and decency for the individual citizen (explicitly including the clients) towards a focus on punitive sanctions being executed in a way in which the physical and mental well-being of staff is not endangered.

Further examples are provided to show that this 'managerial turn' has been accompanied by a 'punitive turn'. Focussing specifically on Denmark this is evidenced by the changed emphasis encapsulated by *Code of Principles* (1998) which provides a description of how the Danish Prison and Probation Service aims to fulfil its tasks based on principles of *normalization*, to later strategy documents published from 2018 onwards, in which this *Code of Principles* is no longer explicitly referenced and 'harsher and more rapid consequences

**BOGANMELDELSE**

for prisoners is one of the main tenets' (p.139). This careful reading serves to illuminate how within these documents the discursive space for rehabilitation becomes smaller and how efforts towards rehabilitation become linked to notions of 'deservedness'.

The ethnographic study next brings us into the probation office. The physical structure of the two sites (East Ville and West Bridge) are vividly described. Issues including the accessibility and visibility of the buildings, and what this conveys are brought to the fore. Entry into East Ville is like gaining access to a labyrinth (and could be confused with entry into a neighbouring gym), entry into West Bridge is more straightforward, and this office is more functional. Here the division between the staff and probation clients is more clearly demarcated – 'everyone's social affiliation is constituted by the logic of the physical threshold that segregates the office space' (p.186). Identities are formed and shaped by these social spaces.

Since 2013 the Danish Prison and Probation Service has sought to implement evidence-based approaches to rehabilitation drawing on Risk-Need-Responsivity (RNR) principles. This has included the introduction of a standardised assessment tool and a manualised approach to offender rehabilitation – MOSAIK. The application of the MOSAIK tool involves a proscriptive approach, which has the overall effect of streamlining probation officers' practice. Indeed, this is part of its intention. The application of the model involves the probation officer and client checking in (using a traffic light system) – green is good, yellow not so good, and red is not feeling great (and not in a head space to do the proscribed activities) and the use of a metaphorical parking lot (i.e., where any problems are parked so that the activities focussed on the individual and their mindset can take place).

The analysis of the application of these tools (which are broadly positively received by probation staff) provide evidence of the manner in which the locus of responsibility for rehabilitation has shifted onto the individual, drawing on Foucault's concept of governmentality this shift is traced and linked to the advent of managerialism. While probation staff may not necessarily be intimately aware of the broader strategic service plans, the wider trends towards managerialism are instantiated in these tools. However, where do the life worlds, the aspirations of the client fit within these frameworks? How are their needs met when they do not conform to this programmatic?

While recognising and demonstrating that such responsabilisation of clients does exist, a core contribution of this book is its focus on alternative practices described as practices promoting 'democratic emancipation'. This is defined as: '...acts that relinquish civil disenfranchisement and reaffirm citizenship. (38) A focus on this topic in relation to probation clients recognises that involvement in the criminal justice system, and the legacy of this involvement can cause people to experience a form of 'civil death' – a form of substantial and permanent change in legal status of people that is operationalised through a



range of collateral consequences (the impact of acquiring a criminal record, and what flows from this is one example). **BOGANMELDELSE**

Using Erving Goffman's dramaturgical analogy of performance and scripts, and through the careful presentation of fieldwork data we see that the practice of probation officers and clients (like in many social situations) conforms to a performance. People play their assigned roles. The question is posed however, as regards what happens when people break from these performances, when they don't conform?

The support provided by the MOSAIK program can be categorized as managerial in nature. Emphasizing of the clients' responsibility for performing the work themselves implicitly suggests that the client is the source of the problem. This Storgaard argues is a form of symbolic violence. In practical terms this implies that the client must adopt the language and the mindset of the program, succumb to the definition of the situation and thus, in this particular case, appropriate the agenda of responsabilizing themselves. However, instances of 'professional disobedience' such as when staff go off script or 'break character' or go above and beyond what is required, Storgaard argues, provides evidence of emancipatory potential' and:

In these situations, the client and the probation officer together imply changes on the part of the system, the definition of the situation, the doxa, the team, etc. It could be argued that such situation or experience may constitute a special potential for the client. (p.282)

These prospects for democratic emancipation constitute acts on the part of the probation officers that radically transgress the managerially inclined rehabilitative paradigm of the offices and the official programs by deploying an open-ended and unconditioned care for the client. This emancipation arguably involves a reorientation of the intentional gaze away from the person to the person's problems.

This book therefore provides a unique insight into probation practice. In so doing it challenges broad brush penal narratives, and addresses what has elsewhere been described as a 'governmentality gap' (McNeill et al, 2009) – that is the gap between analysis of techniques of government and their enactment. It is a compelling and important read.

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