

Practitioner Perceptions on the Merits, Challenges and Ethical Dilemmas of LSI-R in Practice

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Summary: The Level of Service Inventory-Revised (LSI-R), a validated risk assessment instrument, was introduced into practice with adult offenders by the Irish Probation Service in 2004. This signalled the beginning of an unprecedented change process, which has since permeated every aspect of Irish probation work, including service delivery. Reflecting what is considered to be best practice in international probation policy and research, the Irish Probation Service has invested significant resources in introducing a new practice orientation and associated tools to ensure the delivery of high-quality assessment and supervision of offenders. A structured, standardised risk assessment and risk management approach has been adopted, which has required practitioners to shift their practice orientation from the traditional casework approach to an evidence-based one. This paper presents the findings from a study that examined practitioner perceptions of risk assessment/risk management orientation and its impact on probation practice with adult offenders. Providing an opportunity for reflection, it sought to elicit what practitioners consider to be the strengths of the new orientation as well as critical theoretical, ethical and training aspects that merit further deliberation. The study found that the transition from a model of care to one of control has raised dilemmas, tensions and conflicts for practitioners. As practice becomes more prescriptive and regulated, practitioners often find that they hold two incompatible beliefs at the same time; those from their professional social work training on one hand and those that underpin a more managerialist narrative on the other.

Keywords: Actuarial risk assessment instruments, LSI-R, the Probation Service, Probation Officer, practitioner perceptions, effectiveness, clinical judgement, quality control, training, ethical issues, audit.

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Introduction

In recent years, The Irish Probation Service, in its role as the lead agency with responsibility for the assessment and management of offenders in the community, has had to respond to a changing environment. Within a context of rapid economic, social and cultural transformation, demands on service provision grew, bringing greater challenges, the need for a new strategic response and a search for more effective and innovative ways to address and reduce offending behaviour.

During a period of unparalleled change within the Service, practitioners have been required to adopt a new practice orientation grounded in risk assessment and risk management. A risk/needs assessment instrument (LSI-R)¹ for assessing and managing offenders has been introduced into practice. In line with international research and practice, the Irish Probation Service has moved from the traditional approach, which relied solely on practitioner clinical judgement, to a more structured approach based on actuarial risk assessment.

It is envisaged that that this new orientation will enable practitioners to address the complexities of offending behaviour, encourage positive change in offenders, reduce reoffending and protect the public by helping break the cycle of crime and victimisation. The first structured assessment tool introduced into Irish Probation practice was the Level of Service Inventory–Revised (LSI-R) in 2004.

The use of the LSI-R with adult offenders and the later introduction of assessment tools in Young Persons Probation (YPP)² and in work with domestic violence and with sex offenders have now been integrated into practice. This process has been supported by the fundamental transformation of the Probation Service and its understanding of how offenders can be best supervised in the community. Building on the experiences of other jurisdictions – Canada, the UK and elsewhere in Europe – Ireland has adopted a structured, standardised risk assessment and risk management approach considered to be consistent with the latest in evidence-based practice.

The research on which this paper is based set out to explore practitioners' perceptions on the impact of this new practice orientation on Probation Service delivery with adult offenders in the Irish context.

¹The Level of Service Inventory–Revised™ (LSI-R™) was developed by Don Andrews and James Bonta (1995) and is published by MHS Inc. www.mhs.com

²YPP is a division of the Probation Service working with offenders under 18 years of age.

This exploration was informed and guided by a review of the vast body of international theory and research that forms the backdrop to modern probation practice.

Research

Original research was conducted for dissertation purposes motivated by the researcher's interest in day-to-day practice and the impact of new directions on service delivery. It was an exploratory study that aimed to elicit probation practitioner perspectives on a very significant directional change in practice orientation. Both qualitative and documentary research methods were used.

The qualitative research was carried out by conducting eight semi-structured interviews in one probation region which has a mix of both urban and rural practice. Interviews were conducted with eight probation practitioners, all frontline staff, from Probation Officer and Senior Probation Officer grades. The respondents were chosen randomly, with care taken to ensure that there was at least one respondent from each team within the region. The semi-structured interviews were recorded and transcribed by the researcher for analysis. The study was piloted, permissions were sought and the ethical requirements as set out by the university (UCD) and the Irish Probation Service were complied with.

In addition to the qualitative research, international and Irish literature relating to the risk paradigm and the trends in probation practice approaches over the past 10 years was reviewed. Papers relating to the risk paradigm were reviewed back to 1985 – the year Garland's (1985) research first noted a shift to a 'new' or 'postmodern' paradigm with risk management at its heart, which therefore could be considered the starting point for any study of this nature. The literature review relating to practice was confined to the period 2000–2011.

Limitations of the study

The study was for dissertation purposes and was limited in its scope. The findings relate to one Probation Service region and cannot be considered representative of the national service. It has, however, been interesting to compare the findings with two research articles relating to risk-based assessment and case management in the Irish context (Richardson, 2008; Bracken, 2010). Together these studies are beginning to shed some light

on the impact of actuarial risk assessment and management in Irish probation practice.

The risk discourse in international literature

Over the past two decades work with offenders has been shaped in large part by the discourse of risk characteristic of late modern penal systems. Debates in social, political and professional contexts reflect a significant shift in thinking or 'penal transformation' that has had significant implications for probation policy and practice. The sidelining of the 'penal welfarism' paradigm, with its emphasis on rehabilitation, in favour of a 'new penology' concerned with the management of crime and risk heavily influences the way we view and how we work with offenders (Feeley and Simon, 1994; Garland, 2001; McNeill, 2004).

Garland (1985) noted that by the mid-1980s probation in the UK was already moving towards a 'new' or 'postmodern' paradigm that had risk management at its core. By 1995 Garland believed this paradigm shift had become embedded in both State and non-State agencies charged with responding to deviance (Garland, 1995). Responding to the influence of the risk discourse in social theory, the focus of probation policy and practice shifted away from a rehabilitative model and its concern for individuals and made way for a model that had risk management at its heart and favoured categories or aggregates of potential or actual deviants (Giddens, 1990; Beck, 1992; Robinson, 2002).

Impact of the risk discourse on probation practice

Literature from Canada, the US, England, Wales and Scotland reflects a shift towards risk management to the extent that by the end of the 1990s the risk paradigm was impacting not only at policy but also at probation practice level. Risk assessment instruments were introduced into UK probation practice based on research in Canada by Andrews and Bonta (1995) and Home Office research (1996). Risk became 'the key classificatory mechanism for organising all probation work' (Kemshall, 1998, p. 80). A new discourse had evolved (Feeley and Simon, 1992). The discourse supporting the treatment and rehabilitation of individual offenders was displaced by a discourse focused on 'the rational and efficient management of the criminal justice system itself' (Bullock, 2011, p. 121).

Today clinical judgement and professional discretion have been replaced by actuarial, evidence-based risk assessments, highly structured instruments that include a comprehensive assessment of client characteristics that 'are attentive to responsivity, strengths, idiosyncratic risk factors and their integration into case management strategies' (Bonta and Wormith, 2007, p. 148). These assessments, strongly rooted in theory and evidence, and occupying an increasingly prominent position in probation practice, are designed to identify the risks (of reoffending and of harm) and criminogenic needs or dynamic risk factors of offenders. The idea is then to purposefully target those needs likely to contribute most to the risk of reoffending with interventions, usually involving cognitive behavioural methods, to change offenders' attitudes and behaviour.

Proponents of the risk paradigm approach advocate its effectiveness. According to Gelsthorpe, it has been packaged to the extent that it is now almost impossible to critique because the principles intrinsic in new public management 'promulgate responsibility, openness of enquiry, transparent decision making, efficiency and a whole host of other things that we might hold dear in the interests of development' (2007, p. 489).

However, new literature is emerging that questions and challenges the dominance of 'rational-technical' approaches and advocates the reinstatement of traditional probation/social work values that became submerged and sidelined in the discourse of new management (Ministry of Justice, 2011). There are now indications that consideration must be given to interventions that embody a more holistic approach to rehabilitation; one that sees the offender as an individual person. Critics of evidence-based practice argue for value-based objectives such as empowerment and social justice and individual objectives such as development of self-esteem which are not pursued because they are not amenable to measurement (Trotter, 2006, p. 10).

Risk discourse in Irish probation policy

Literature relating to Irish experience indicates that the impact of the risk orientation had not made any significant inroads into either policy or probation practice in the Irish context prior to 2005. The 'correctional' drift in probation policy did not manifest itself until much later than in the UK and was first noted by McNeill in 2004, when he found evidence reflected in the 'fore-fronting of the language of risk and public protection' (McNeill, 2004, p. 33).

O'Donnell and O'Sullivan (2001, 2003) are of the opinion that a combination of media interest, public reaction and the political response of 'zero tolerance' and 'war on crime' initially represented the new punitiveness in Ireland. Kilcommins noted that the 'absence of correctional criminological debate in Ireland for the greater part of the twentieth century, and Government apathy regarding the commission of research, stands in marked contrast to developments in other jurisdictions such as the US and England and Wales' (2005, p. 20). He pointed to a trend towards a 'crime control model of justice' beginning to emerge, with measures designed to maximise efficiency, enhance control and minimise risk (2005, p. 33). In 2008 Richardson found that 'concerns for accountability, value for money and management of those deemed "risky" has contributed to an ideological shift from rehabilitation and welfare to risk assessment and offender management' (Richardson, 2008, p. 5).

Contemporary international debates, but particularly those in England, Scotland and Wales, provoked much debate within the Irish Probation Service. This in turn influenced the search for the 'most appropriate organizational structures within which to deliver community based sanctions' (McNeill, 2004). The subsequent audits, restructuring of the Probation Service and the setting out of the Service's mission, strategic goals and objectives in strategy statements and work plans all reflect a correctional drift in Irish probation policy discourse.

It could be argued that with its emphasis on enhancing public safety and promoting the common good (Strategy Statement, 2006–2007), the Irish Probation Service moved away from being a primarily offender-oriented service to one in which the wider public became the intended beneficiary (McNeill, 2004). This drift is consistent with recent work by Kilcommins which states that Ireland's criminal justice system 'is showing signs of drifting in the direction of an "assembly-line" model of justice in which the State–individual balance is increasingly tipped in favour of the former' (2011, p. 69)

Impact of risk discourse on Irish probation policy

The consequences of this shift in thinking mean that over a short period of time a very significant change in perspective has occurred in Irish probation policy and practice and practitioners have had to adjust to an unprecedented shift in practice orientation. The service previously known as the Probation and Welfare Service is now known as the Probation

Service, the word 'welfare' having been dropped from the title in 2006. The discourse has also changed – 'clients' are now more often called 'offenders', 'social inquiry' or 'pre-sentence reports' are now 'risk assessments', 'supervision' of clients is now 'offender management' and terms such as 'risk category', 'criminogenic factors', 'effectiveness', 'enforcement', 'public safety', 'public protection' and 'value for money' have all entered the vernacular.

As public and political attitudes to crime and to the treatment of offenders changed, and as the restricted economic climate put more and more emphasis on increased effectiveness and value for money, Irish probation policy took on a managerial approach with target setting and monitoring together with effectiveness and efficiency as its core. In an effort to become more efficient and effective, risk assessment tools, national standards, templates, guidelines and procedures and various supporting policy documents have been introduced. These developments can be placed within the broader international trend referred to earlier as the 'new penology' of risk or actuarial justice (Feeley and Simon, 1992, 1994; Feeley, 2003; Kemshall and Wood, 2007).

What is known from research in the Irish context?

Research into risk assessment/risk management in Irish probation practice is limited. In the wider criminal justice context, research relating to the risk paradigm, how it developed and how it is shaping thinking in Irish criminal justice is found in the work of O'Donnell and O'Sullivan (2001, 2003), Kilcommins *et al.* (2005), Kilcommins (2005, 2011) and Kilcommins and Considine (2007). As outlined earlier, these authors are all of the opinion that while initially Ireland may have managed to avoid much of the rhetoric and punitive policy developments happening in the USA and in the UK, this situation has changed and the risk discourse is now firmly embedded in Irish penal policy.

Davies (2007) outlines the introduction of the LSI-R risk assessment tool into Irish probation practice. Ireland adopted the instrument later than other jurisdictions, most notably the UK.

Work by McNeill warns of what might be lost by making the transition from 'welfarist rehabilitation' to 'correctional treatment' (2004, p. 28). He argues that 'desistance research should provoke a reconsideration of the essential character of interventions with adults involved in offending behaviour' (2004, p. 28) and that there are 'aspects and forms of

rehabilitation that we should seek to defend and retain' (2009, p. 5). These sentiments are supported in Healy's research into desistance and rehabilitation in the Irish context, which suggests a more holistic approach to practice that 'recognises that informal sources of support and personal resources play a role in desistance alongside professional treatment' (2010, p. 181). Healy's research cautions against an overemphasis on offence-focused factors and argues that Probation Officers should 'also target desistance-related factors such as employment status and family ties' (2010, p. 181).

There are two research articles (Richardson, 2008; Bracken, 2010) relating to Irish probation practitioners' perceptions on the introduction and use of risk assessment instruments in practice. Bracken's work found concerns among practitioners around the issue of keeping a balance between community safety and addressing offender needs. There was also a desire to understand the relationship between risk assessment and case management, with a perception by some that community safety outweighed rehabilitative considerations (2010, p. 107).

Richardson's (2008) research, conducted two years after the introduction of the LSI-R risk assessment tool into Irish probation practice, investigated the attitudes of Probation Officers working with adult offenders in Dublin. It examined the complexities experienced by probation practitioners and identified key issues, positive and negative, in adopting risk assessment tools. Richardson found that, despite the introduction of the LSI-R, Probation Officers were likely to favour clinical judgement over actuarial assessment when making decisions relating to their practice with adult offenders.

The Probation Service has adopted the risk-based case management approach to practice. Research into the implications of this new direction on practice is still in its infancy, but initial indications are that the Service has, over a short period of time, caught up with its international neighbours in adopting an evidence-based approach to the assessment and management of offenders. Practice has moved away from a traditional welfare-oriented approach to a new managerialist approach that is concerned with risk management and control (Healy, 2010).

Research

The research was conducted over a three-week period during January and February 2012. It focused on practitioner perceptions relating to the

assimilation of actuarial risk assessments and risk management into Irish probation practice with adult offenders.

Seven of the eight respondents were working in the Probation Service for a number of years prior to the introduction of the LSI-R actuarial risk assessment tool in 2004. Therefore, they had considerable experience of working in the Service at a time when decisions relating to offenders rested solely on professional clinical judgement. All eight respondents had a social work background; five have a Masters qualification.

The interviews took a semi-structured approach based on a topic guide. The topic guide was determined by the themes and issues that emerged from the literature review, international and Irish, researched to contextualise the study.

The findings

The findings from my research are presented under five themes as set out in the topic guide.

Effectiveness of risk assessment tools

The majority of the respondents were of the opinion that the introduction of the LSI-R risk assessment tool was a positive development. The reasons given were that a structured assessment provided a 'framework' and a 'focus' identifying risk factors and levels of risk, 'setting the stage for future interventions'. The majority of respondents reported using the instrument to validate their own judgement or assessment and ensuring that 'important aspects did not get overlooked'. Practitioners reported that such assessments helped ensure that they did 'not take short cuts' or 'ignore things that might be important'.

The questions are focused on risk factors. That is a good thing. It helps keep focus on what is important. That is important in the initial assessment phase. It certainly sets the stage for any future interventions.

What is good about it is that it allows you raise issues with the client that might be awkward. The line of questioning is gradual, very specific and purposeful and draws the client in.

In relation to the LSI-R's ability to standardise practice, the majority of respondents felt that its use contributed to professionalism, particularly

in relation to court reports and our interactions in court and with other related professionals.

We are able to present it in our reports. It looks more professional. It is a researched tool so we are able to stand over it if we are questioned on it.

It allows us speak the language of risk with other professionals and stakeholders.

Practitioners felt they were 'more than just risk assessors' and that an individual client's circumstances should be looked at carefully. Most respondents believed that the LSI-R tool did not accurately assess some clients' level of risk as it is not sensitive to the variables specific to some groups, i.e. travellers, foreign nationals and women.

In the changing economic climate many felt that the questions relating to employment, place of residence and accommodation could now 'raise the risk level for some people' and could be considered 'judgemental'.

The questions are such that someone's employment, accommodation, education status, etc. could see their risk level rise. There is an inbuilt dynamic that doesn't allow for cultural differences relating to those items. We have to say to ourselves 'hang on a minute' and allow professional opinion or judgement override class and cultural imposed prejudice.

Respondents believed that now, more than ever, there is 'greater room for error' in assessing the risk level. Most respondents cautioned on the need for 'greater care' in completing assessments, to ensure they 'are not completed too quickly' as 'a client's future depends on it being accurate'.

Most respondents felt that the LSI-R, in its electronic form, is very useful to Service management.

Managers can now ask how many clients you have in a particular category and what you are doing and how you are managing and evaluate the intervention and level of supervision that is being applied with a client.

Managers can now say to an Officer well if an offender falls into a particular category there is a level of expectation that you will meet with this client on so many occasions and that you would do work to address these particular issues.

Actuarial risk assessments and clinical judgement

All respondents felt that the LSI-R is an assessment tool only. It does not outweigh or replace professional judgement. Most felt that actuarial assessments should not stand alone in determining risk, as this would render the assessment too narrow. A healthy relationship with the client that encompassed 'transparency' was considered to be the most vital aspect of the assessment process.

I believe the individual relationship between the practitioner and the client is much more important. Assessment might be a guide but I think getting a person to a better place has a lot more to it than just a good assessment. The assessment says there is a risk; it doesn't tell us how to get around the risk. That is the human side of our work. Sometimes the mistake practitioners make is to allow the assessment to be the be-all and end-all.

My concern is that literally the tool now seems to have taken over from the personal relationship and it all seems to be about the record keeping and the scores and the reapplication and the administrative side of it.

The use of LSI-R: Practice on the ground

All the practitioners interviewed reported using LSI-R at the initial assessment stage and believe that it is now routine practice. The majority of respondents felt that, while it took a few years for this approach to embed into practice, court reports and supervision practice are now more 'offence-focused'. All reported that they gather collateral information when completing the assessment in addition to the self-reported information gathered from the client. All respondents believed that this is important, even though in many cases there may not be much difference between the self-reported information from the client and the collateral gathered from other sources. Not all respondents manage to reapply the LSI-R at the six-monthly intervals, for a variety of reasons.

Most respondents felt that the Probation Service does not have adequate safeguards in place to ensure that this and other risk assessments are being used properly. Practitioners, they believe, received training but this is 'historic at this stage'. More than half of the respondents felt that because the LSI-R assessment has been in use for some years, practitioners are becoming 'complacent' and felt that 'there are some questions that could be answered wrongly'. Some felt that court reports have become too standardised as a result of the LSI-R and have lost a sense of the client as an individual.

Without safeguards the biggest danger is that it puts writing reports into a bit of a strait-jacket. It's timely that we review it. It has been there for some time now.

We have a professional responsibility to think about why we are asking the questions. Without proper safeguards there is a danger that it might become a tick-box exercise or used to get high-risk offenders into prison. We can become complacent. There should be a refresher, like an NCT, every two years for all risk assessment tools.

Risk assessment/risk management and social work

All respondents believed that the practice orientation within the Irish Probation Service is now similar to that in other jurisdictions internationally. In their view there has been a purposeful move towards a risk assessment/risk management model over recent years, and away from the more traditional 'welfarist' approach.

Many respondents expressed concerns relating to ethical and value issues within this approach and to the place of the client in the process, feeling that 'we can't lose sight of the client's vulnerability' or that 'we are dealing with a human being'. The ethical and value issues included the use of power, being judgemental, balancing care and control and categorising clients.

It could be seen as a harsh approach if not used properly. It could be seen to be very judgemental from the client's point of view. There is an issue of power. Probation Officers have a lot of power. If they are not aware of this the assessment tool might be used inappropriately. Practitioners need to be sensitive and respectful.

The thing about categorising them, I think, can be difficult ... as many of our clients are not familiar with the language of risk.

Sometimes it is not as easy as completing an assessment form and putting people into a certain bracket. You'll always have variations. We need to keep a balance between risk management and our clinical judgement on a case-by-case basis.

We are using this model and it is a model of control. We also need to be mindful of the model of care at all times. It is that balance.

All respondents understood that the level of risk determined by the assessment will influence the case management plan and the level of intervention or resources available to the client. Those clients deemed to be in medium- and high-risk categories will receive a greater resource allocation that includes practitioners' time and skills. While the majority of respondents felt that there might be some benefit in seeing those in lower risk categories less often, they also expressed some concern that this might not be right in every situation.

You don't want to be further criminalising somebody but you want to be offering support if support is what they need and linking them to appropriate services that they mightn't easily access themselves, so I guess we need to be open-minded and aware and careful when we are making decisions about levels of support.

Ethical dilemmas centred on the possibility of setting somebody up to fail, trying to hold onto values in a changing work environment and the view that practitioners are becoming 'case managers'.

I personally feel clients are more than a questionnaire, they are about having a vision, about having hope and if a questionnaire takes that hope away then we could be setting them up to fail. Do we set somebody up to fail by asking them to get a job? The danger is the assessment may force people to do things. There are some categories such as travellers who are prejudiced already. The LSI-R could in my view be a double prejudice, almost copper-fastening the original prejudice. This screams 'injustice' to me.

If they are met with uniform inflexibility and they don't tick the boxes it changes nothing, it just enforces their role as victims of the system. I think support and care for people gets them to change.

I suppose we are becoming case managers to a large degree, that we pass somebody over to another practitioner or to another agency and say now I don't have to worry about them again. It is not always effective.

Training needs/issues

All of the respondents had been trained to use the LSI-R assessment instrument when it was introduced in 2004. Some, but not all, had attended refresher training. Only one respondent had a clear under-

standing of the origins, theory and principles that underpin the risk/needs/responsivity model. Of the remainder there were varying levels of understanding, but in essence the learning was now considered 'historic' and much of the theory was forgotten. Some respondents expressed a concern that they might not be sure what to say if they were cross-examined about it in court. Others felt there should be some sort of mentoring group, and felt the loss of the 'super-user' group.³

I think we need to be checking in every two years or so. We could be questioned about it in court so we need to be aware of the specifics. I'm not confident that I would know all the answers if I were questioned on it.

I remember there were super-user groups but I wouldn't know now where to access a super user. It's nearly presumed we all know how to use the LSI-R but that's not always the case.

All respondents were of the view that there was a need for regular refresher and training opportunities and that it might now be timely to revisit the theory and principles, particularly in light of changing economic environments.

Like all models there might be a need for adaptation. Things change and evolve. Maybe there is now a need for additional research.

Training is no bad thing. The stumbling block is when we answer questions just for the sake of it. Unless there is training there is a danger that it will become a paper exercise. There is a danger that it could lose its value and if asked in court what it means could you answer? A client's life depends on it being accurate.

Discussion

From the findings it is accepted by the practitioners interviewed that the LSI-R assessment tool has been a helpful addition to probation practice, providing a structured, focused framework to guide assessment. It is

³ 'Super users' were a small number of staff with considerable knowledge of how the LSI-R instrument worked who offered support to their colleagues around issues or problems relating to their use of the instrument.

embedded into routine assessment practice and is credited with helping practitioners focus on offence-related matters rather than on other pieces of client narratives peripheral to the task in hand. Practitioners credited the LSI-R with increasing their professional competence and credibility both in practice within the Service and in their interactions with external professionals and stakeholders.

Professional judgement in risk assessment/risk management

Practitioners were cautious about the ability of LSI-R to assess risk levels accurately for some clients. This is consistent with the findings from international research (Kemshall, 1995b; Raynor and Vanstone, 2002; McNeill, 2004), which notes that risk assessment instruments based on risk factors from general populations can lead to miscalculations of risk for minority groups and females if used uncritically. In such situations practitioners were likely to use the override facility and call on their professional judgement when making decisions relating to their clients.

Practitioners experienced a tension between how they felt the LSI-R should be used and what they perceived to be the view of Service management. Practitioners view the LSI-R and other risk assessment tools only as aids in risk assessment. In the opinion of the respondents, professional and practice knowledge and judgement are equally or more important. Practitioners felt that, for Service management, the LSI-R, particularly since it became available online, drives and informs Service policy. It is perceived as a tool of control and surveillance with an ability to monitor practitioner practice. Many practitioners expressed concern about the LSI-R now having become the 'be-all and end-all' and that professional knowledge is sidelined to a secondary place.

These perceptions are not peculiar to Irish probation practice and are in keeping with international research exploring the role of technology in risk thinking (Ericson and Haggerty, 1997; Franko Aas, 2005). Computerised records generate an almost instant knowledge and, according to Franko Aas, 'the force of managerialism is deeply dependant on a structured and formatted view of reality' (2005, p. 153).

The perceptions of the respondents in this research appear to be indicative of the arrival of a managerial-surveillant discourse in Irish probation practice and of moving to a place where neoliberal values dominate (Nellis, 2005). In such a culture efficiency, particularly cost-efficiency, becomes important to the extent that it supersedes 'values that

have hitherto given purpose to the organisation and motivated its professional staff' (Nellis, 2005, p. 179). Practitioners reported that they regularly find themselves impacted by two often incompatible value systems: the official discourse that underpins actuarial practice, and the professional social work discourse that they draw on daily to deal with the relational aspects of practice. As a result they often have to draw on their experience as practitioners to decide what is best for their clients.

In 2008, Richardson found that practitioners were favouring clinical judgement over actuarial risk assessment when making decisions relating to risk. Today, four years later, while practitioners are routinely using the risk assessment tool and are able to identify many of its limitations, they continue to claim a place for professional clinical judgement in their everyday practice and to revert to this judgement when critical decisions have to be made.

Practitioner–probationer relationships in risk assessment/risk management

In addition to professional judgement, respondents were keen to assert the place of the practitioner–probationer relationship within the risk assessment/risk management approach to practice. They believe this to be a crucial factor facilitating change and desistance. Practitioner views relating to the place of the relationship are supported by research findings (Hubble *et al.*, 1999; Hopkinson and Rex, 2003; Burnett, 2004)

Safeguarding and training

All practitioners felt that there weren't adequate safeguards in place to ensure that risk assessment instruments were used properly, consistently and accurately. Among the concerns raised were complacency, loss of client individuality and identity in a tick-box culture, errors in determining risk level, over-calculating risk level, clients being placed in inappropriate categories and diversion of high-risk offenders to prison or to other services.

All respondents called for additional training. Most had forgotten the theory and principles that underpin the LSI-R assessment. This is cause for concern as it is probable that there are practitioners completing the assessment without fully understanding what they are doing. Given that a miscalculation of risk could have serious implications for a client, this could be considered unethical practice and needs to be addressed immediately. Some were of the view that it is time for a review of our practice, now that this risk assessment/risk management approach has

embedded into practice, and to look at the issues that are of concern to practitioners. One respondent summed up the sentiments by saying:

If you happened to be the individual client that was being assessed, wouldn't you like to make sure it was done accurately?

Value and ethical issues

International and Irish research findings presented earlier demonstrate an emerging trend that is beginning to question the impact of the evidence-based risk–need–responsivity model on the value base of probation practice. The works of Maruna *et al.* (2004), McNeill (2004), Smith (2005), Trotter (2006), Gelsthorpe (2007), Milner and Myers (2007), Ward and Moreton (2008), Birgden and Cucolo (2010), Healy (2010) and Ward and Salmon (2011) all advocate the right of clients to be treated as persons deserving of a humanistic care approach.

Many of the ethical issues raised in international research were echoed by respondents in this study. Complex human needs, imbalance of power, judgements, categorising and labelling, the care/control dilemma, balancing client and community needs, the fear of setting somebody up to fail, and holding onto professional values and beliefs in an ever-changing practice environment were some of the issues raised. These views are similar to the critical themes emerging from international research, relating to the impact of the risk–needs model on both clients and practitioners, where fragmentation, deprofessionalisation and depersonalisation were also found to be concerns. The dilemma for practitioners is in deciding which set of values to draw on to resolve everyday practice dilemmas. Most often that decision seems to be based on their professional judgement and values.

Gelsthorpe proposes that all new policies and practices should be subjected to a 'rights audit' (2007, p. 505), while Kemshall suggests that 'agency risk policies should be underpinned by a statement of values and principles to inform actions and choices of practitioners' (1995a, p. 11).

The experiences of Irish practitioners suggest that they are experiencing ethical and value conflicts. This research suggests that an ethical audit and time for critical reflection are needed in a practice environment that has changed significantly over a short period of time. Probation practice has a moral quality. There is a need for clarity. Critical reflective practice would help bring clarity to those situations in which there is obscurity, doubt and conflict (Dewey, 1933) better equipping

practitioners to deal with the complex demands of working with offenders in ways likely to promote more positive and emancipatory outcomes (Thompson and Thompson, 2008).

Conclusion

Practitioners acknowledge the need for greater competency in both the assessment and the supervision of offenders, and welcome and use the actuarial tools that help make this possible. They continue to call on their professional training, practice learning and clinical judgement when making critical decisions relating to their clients. Practitioners believe that traditional values are under threat, and experience increased uncertainty and anxiety when having to make complex ethical decisions.

The study concludes that, given the rapid pace of change over recent years, it is now time to appraise the value base of current Irish probation policy and practice. It is also time to take stock of quality control and training needs. Findings indicate a deep and resounding wish to keep professional clinical judgement and the practitioner–probationer relationship central to practice.

It appears from recent research that future best practice may need to be inclusive of such competencies in order to be effective. Perhaps in the light of this new research practitioners will see professional social work values reinforced in future practice, wherein assessment and supervision will be a more collaborative process for both practitioner and client. In the words of Gregory, a positive way forward might be to ‘look at how these deeply held values and well developed skills can be made use of in the challenge of working with offenders in ways that will facilitate lasting changes in their behaviour’ (2010, p. 2289).

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