

## Probation, Rehabilitation and Reparation\*

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**Summary:** Both in Scotland and in England and Wales, recent reports and policy documents have sought to recast community penalties as ‘payback’. Though the precise meanings of this term and the practices associated with it differ quite significantly in the two jurisdictions, it can be argued in both contexts that the concept of reparation may be supplanting rehabilitation as the dominant penal rationale within probation work. This paper seeks to place these current developments in historical context by exploring how rehabilitation has been understood, practised, celebrated and criticised over the course of probation’s history. It goes on to examine what aspects and forms of rehabilitation we should seek to defend and retain, and what forms of reparation are most consistent with probation’s traditions and values and most likely to be effective in delivering justice and reducing crime.

**Keywords:** Probation, punishment, rehabilitation, reparation, payback.