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Public Engagement and Support for Probation

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The problem

- In the mainstream media, community sanctions and measures are represented **'mostly negatively'** (Fitzgibbon, 2013; Hayes, 2013; Carr and Maguire, 2013).
- Research on public attitudes reveals a mixed picture (which differs in different countries).
- There is some support but also a lot of ignorance, a lack of trust, 'top of the head' punitiveness (but some apparent shifts in attitude through deliberative processes) and some potential in 'redemption narratives'.
- Overall, **CSM suffer an an underlying (cognitive) legitimacy problem, and that matters because probation needs public support to function well.**
- But how exactly are mis/representations and il/legitimacy linked?

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Crime control vs due process

Public protection vs reparative justice

https://eprints.gla.ac.uk/43320/1/43320.pdf

Probation Journal

Article

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Probation, Credibility and Justice[1]

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Abstract This article explores the difficulties that arise for probation agencies or those that deliver community sanctions in developing and maintaining their credibility in prevailing 'late-modern' social conditions. It begins by questioning the limits of the pursuit and promise of 'public protection' as a source of credibility, and then proceeds to examine the emergence of an alternative strategy – based principally on reparation and 'payback' – in Scotland, arguing that these Scottish developments have much to say to the emerging debates in England and Wales (and elsewhere) about the 'rehabilitation revolution' and the proper use of imprisonment. The article provides a critical account of the development and meaning of the Scottish version of 'payback', linking it to some important philosophical and empirical studies that may help to steer the development of payback away from a 'merely punitive' drift. In the conclusion, I argue that probation agencies and services need to engage much more deeply and urgently with their roles as justice services, rather than as 'mere' crime reduction agencies.

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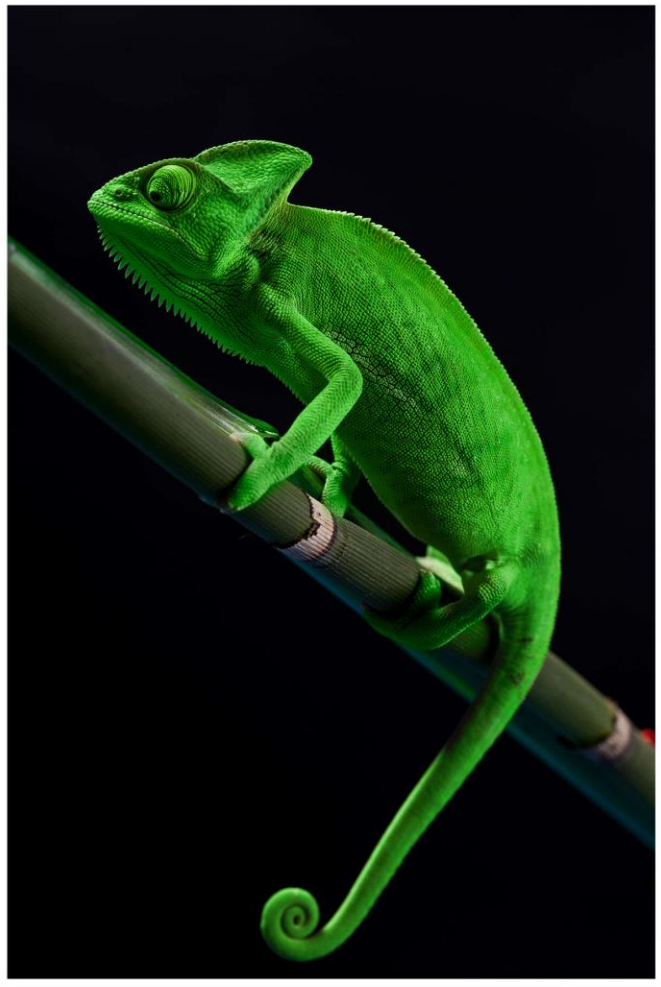
Part of the problem?

- For supervisees, CSM are often experienced as punitive, yet for onlookers they are not seen as punitive enough
- Suggests a problem of in/visibility and mis/representation
  - Do probation agencies hide?
  - Where they exploit probation's chameleon like qualities, do they clarify or conceal?
- What should be probation's consistent moral message?
  - Rehabilitativem, reparative, reintegrative censure (rather than merely punitive punishment)?



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Punishment, Legitimacy and Taste

- Until Happer et al (2018) there had been no serious examination of the role of the media in **shaping public understanding** and perceptions of community sanctions.
- That study aimed:
  - to examine existing knowledge and beliefs, media sources and assessments of credibility and trust of probation and community sanctions and,
  - to assess the impacts of new multi-media information offering different perspectives on the subject. We explored whether these new media led to any potential alterations in former attitudes.

https://eprints.gla.ac.uk/151318/7/151318.pdf


Article

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Punishment, legitimacy and taste: The role and limits of mainstream and social media in constructing attitudes towards community sanctions

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Method

- 4 focus groups with on average 7 participants from a total sample of 27 (15 men, 12 women)
  - Different demographic groups local to Glasgow: Cleaners, Janitors, Web-designers and Students
  - 'Naturally occurring' – groups who would normally gather and speak;
- Three stages
  - Examining the nature and sources of beliefs and opinions about crime, punishment and CSM.
  - Immersing participants in a constructed news environment to explore their engagement.
  - Assessing the impact of immersion and participants' reaction to stories about CSM.

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Main Findings

- '[M]oral censure remains a key feature of late modern penal tastes and community sanctions – even when cast in the language of 'payback' – do not seem to satisfy [these tastes]' (p16).
  - This finding was consistent across respondents with different media preferences and different forms of media engagement.
- 'Traditionalists' (who relied in newspapers and TV) rejected stories about community sanctions because of a perceived lack of censure and punishment.
- 'Convergers' (who also used social media) rejected the same stories because they seemed to lack critical distance; they were suspicious of being manipulated by 'humanising' stories about the recipients of community sanctions.
- Both groups therefore seemed to opt-in to familiar penal narratives and out of discomfiting ones, thus tending to reinforce their existing, settled penal tastes.

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Happer et al's conclusion

'To encourage a more informed dialogue about the legitimacy or illegitimacy of different forms of punishment (whether imprisonment or community sanctions) may require us to move beyond the top-down approaches of 'better' penal reform campaigns or 'better' public relations strategies for probation. Rather, **our findings suggest the need for a much deeper deliberative dialogue about punishment which has the potential to better *exercise* and *develop* our penal tastes; dialogue that allows us to recognise when satiating our appetites and indulging our tastes might in fact harm us and others (cf. Loader, 2009).** The echo chambers created by both traditionalists and convergers mean that the news media may not be the best arena in which to foster such dialogue.'

…there is something else (beyond dialogue) that alters attitudes and beliefs

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Distance vs proximity

- Media representations of CSM are not trusted. Audiences don't seem to buy into the 'spin'. Messaging is not enough.
- **Involvement** with justice-involved people *does* change attitudes (Chiu and Cheng, 2013; Kerr et al, 2018)
- The **contact hypothesis** (Allport et al, 1954) is often cited in studies of attitudes to people with convictions

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Creative engagements

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Conclusion

- Clarifying the moral message
  - Thinking about censure
  - Rehabilitation, reparation and reintegration
  - Not 'over-promising' on 'protection' (McNeill, 2011)
- Creating opportunities for involvement and engagement
- 'Credible messengers'
  - CJ-involved people with lived experience
  - Volunteers
  - Frontline practitioners
  - Academics