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Instead of Prison: A study of the Rehabilitation of Offenders in Non-institutional Sanctions, Sweden

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ABSTRACT

Title: Instead of Prison – A study of Rehabilitation of Offenders in Non-institutional Sanction, Sweden

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This study investigated the rehabilitation of offenders in non-institutional sanctions from the perspectives of the probation officers in Sweden. Hereby, the study uses the concept of probation officers as professional social workers. While non-institutional or community based sanctions can be examined its effectiveness through programmes and clients' point of views, in this study more focus was put on the reflections of professional social workers upon the whole process of offenders' rehabilitation. However the study was specifically based on probation officers' working experiences with the organization i.e probation service, treatment programmes as well as offenders, all towards the main goal of reducing crime and increasing safety in society.

In general the study surveyed the correctional services in Swedish criminal justice system through non-institutional sanctions, which are favoured sentences in Sweden. Furthermore, it reviewed the rehabilitation process in non-institutional treatments and how probation officers view the process in relation to their experiences. It was conducted through in-depth interviews with five probation officers at probation service (Frivården) West Region – Gothenburg, Sweden. Moreover, the use of documentation method of collecting data was necessary in conducting this research.

The study revealed that probation officers are pleased with the rehabilitation process in non-institutional sanctions despite the shortcomings highlighted in performing their duties. The emphasis is put on treating offenders in more human way and to involve mutual trust so as to build a good working relationship for a successful rehabilitation process. This situation is difficult to achieve when they work in coercive kind of institution.

KEY WORDS:

- Probation officers
- Offenders
- Non-institutional sanctions
- Rehabilitation

CHAPTER ONE

1.0 INTRODUCTION

“No national characteristics, no political regime, no system of law, police punishment, treatment, or even terror has rendered a country exempt from crime”. Radzinowicz and King (1977, p3-5)

Crime is one of the social problems existing in the world today, which is dealt by different ways of controlling and prevention it. In crime and punishment discourse, there are different sanctions according to penal code of a particular country, in which are categorized into institutional and non-institutional sanctions. These sanctions are fines, imprisonment, probation, conditional sentences, close juvenile care as well as death penalty in some countries.

1.1 HISTORICAL BACKGROUND

This part provides the development of non-institutional treatments at national and international descriptions and also historical picture of probation officers. The problem of crime is as old as the history of mankind as it was treated by different penal and treatment measures that relate to legal system. As the main goal of criminal policy is the reduction of crime, these punitive measures differ from country to country due to differences in traditions, availability of knowledge as well as nature of social, economic, and political situation.

In European countries, corporal punishment and death penalty were used as criminal sanctions for adults. In the year 1855, imprisonment was officially introduced as an alternative punishment in Sweden. As 50 years later, the first alternatives sanctions to imprisonment were introduced such as suspended sentence in 1907 and probationary sentences in 1919 (Hanns Von Hofer, 2006).

Since the beginning of the 1960s, the number of crime reported to police has risen in Nordic countries which whereby fines and other forms of sanctions are used while prison sentences are employed less frequently. This is due to the fact that most offenses which lead to convictions are less or moderately serious hence prison sentence should be reserved for more serious offenses (Hanns Von Hofer, 2006).

All these sanctions, except imprisonment have been known as probation as separate sanctions which refer to non-institutional treatments in the community (Bondeson U, 1989 p13). The emerge of such penal measures as non-institutional sanctions has its way back as part of general efforts in modern societies in changing the goal of criminal policy into rehabilitation of offenders. Some American criminologists claim that probation with supervision, originated in Massachusetts in the 1840 while earlier in 1820 it was practiced in England specifically to young offenders. In its early stage, supervision

which was based on helping, guiding and moralizing was done by families and policemen as later it was undertaken by the service of volunteers or charity organization (Bondeson U, 1994: p 18).

The volunteer laymen were started to be substituted in 1880 by salaried probation officers who had no special training on probation until the beginning of twentieth century where there was training movement with social work as a result the New York School of Philanthropy was founded (Bondeson U, 1994: p 19). During the World War I with the contribution of Mary Richmond's work 'Social Diagnosis', the philosophy and techniques of social work were introduced. The situation emphasized the importance of social inquiry into client's personal life than criminal life so that to involve family in treatment of the particular offender (Bondeson U, 1994: p19). From that time, the supervision role started to become profession, as social workers are responsible as how we call them today probation officers.

The Swedish Case:

Since the end of 1980, the Swedish penal system has been believing that people (offenders) ought not to be locked up hence treating them in the community has been considered as the best way of letting offenders live crime-free lives. Thus more alternative sanctions to imprisonment have been imposed in Sweden since then like civil commitment in 1988, community service in 1990 and electronic monitoring in 1994 (Hanns Von Hofer, 2006).

Furthermore, the development of non-institutional treatments or sanctions into practice gave its pace slowly as in 1991 about 16,000 persons were sentenced to imprisonment comparing to 6,500 persons who were put on probation (Swedish Institute, 1991). The situation has changed in prison and probation service today as many offenders are serving their sentences in the community (probation and conditional sentence) 'about 13,000 a day as compared with just over 5,000 prison inmates per day' (www.kvv.se). This fact implies the extent to which Swedish State considers non-institutional treatments of offenders over institutional one (imprisonment) in criminal justice system.

"Keeping people locked up is expensive for society and hard on the individual. That is why we strive to see that as many as possible can serve their sentences outside of prison. Today we have come so far that we have more clients on probation than in our prisons" Kriminalvården, The way back-a presentation of the Swedish Prison and Probation Service (leaflet)

1.2 AIMS OF THE STUDY

The scope of this study is, therefore, to investigate the role of rehabilitating offenders in non-institutional sanctions done by skilled social workers as professional probation officers, with the focus of their working experience. From this argument, the aims/objectives of this study are:-

- To describe the non-institutional sanctions and probation service organization.
- To examine the probation service organization from actors' point of views.
- To investigate on how do probation officers perform in rehabilitation of offenders.
- To find out what 'works' for probation officers in the process of offenders' rehabilitation.

1.3 STATEMENT OF THE RESEARCH TOPIC

Due to the deliberate efforts made by the State, many offenders are serving their sentences on non-institutional treatments. As it is stipulated in Criminal Code that *"In all cases the court is required to give notice to any circumstance or circumstances suggesting the imposition of a sentence milder than imprisonment"*, made it 12,583 offenders were sentenced to probation in the year 2005 among them 4,930 were conditionally released from prisons (Kriminalvården, Basic Facts about Prison and Probation Service in Sweden 2006). Table 1 below clearly illustrates the fact.

Table 1: Number of offenders sentenced to non-institutional sanctions in 2005

Sentence	Number of offenders
Probation sentences	7,266
Thereof Contract Treatment	1,268
Thereof Community Service	1,179
Conditional Release	4,930
Intensive Supervision	313
Intensive Supervision early release	74
Total	12,583

Source: Kriminalvården (2006 p14), Basic Facts about Prison and Probation Service in Sweden

Crime being a social problem, its intervention involves many professionals among them are social workers. As the intervention is seen as the process of rehabilitating offenders who have been convicted by court of law, supervision is the main role played by probation officers in Sweden. This argument manifests itself as 41 percent of the probationers have volunteer/layman supervisors while the rest,

which is 59 percent of the offenders have professional probation officers (Kriminalvården, Basic Facts about Prison and Probation Service in Sweden 2006).

1.4 RESEARCH QUESTIONS

- What are the technology and structure of probation service organization provided in rehabilitation of offenders?
 - Clients processing
 - Rules and regulations
 - Education in specific field (probation)
 - Programmes
 - Sorting out (units)
- What are working experiences of probation officers?
 - Duties
 - Case load
 - Application of theories and methods
 - Constrains or problems
- What do probation officers believe in to be successful rehabilitation of offenders?
 - What works for them
 - What more should be done

1.5 CHOICE AND SIGNIFICANCE OF THE STUDY

It has been proven that placing offenders in non-institutional sanctions (probation) is more humane approach. The subject came into my interest since I as a professional social worker have been working in the same area at administrative level. Tanzania being one of the developing countries needs to learn from experiences of developed countries, especially Sweden which is considered to be a developed welfare state. My country can implement the modern model despite the fact that it is poor in technology and resources as the current situation of correctional system is quite contrary to the Swedish one.

The study will hopefully provide additional knowledge that will serve as new information to different actors such as professionals, academicians, policy makers and human rights organizations when designing social policies and programmes concerning criminal justice in Sweden as well as in Tanzania. This will therefore improve the situation of rehabilitating offenders in the community based sentences

1.6 LAYOUT OF THE REPORT

This research report is organized in series of six chapters. Chapter one carries introduction of the study which consists of historical background information, aims of the study, statement of the problem, research questions as well as choice and significance of the study.

Chapter two is about the literature review, which provides detailed description of probation service and non-institutional sanctions exist in Sweden. Moreover the chapter presents what has been written so far concerning the subject in earlier research part as the researcher also analyzed what is missing and definitions of key concepts used in the study are offered.

Theoretical framework is discussed in chapter three while in chapter four, the researcher presents the methods used in collection and analysis of study findings, with critical discussion of their strengths and weaknesses. It also discussed the validity, reliability and generalizability of the study as well as ethical issues consideration.

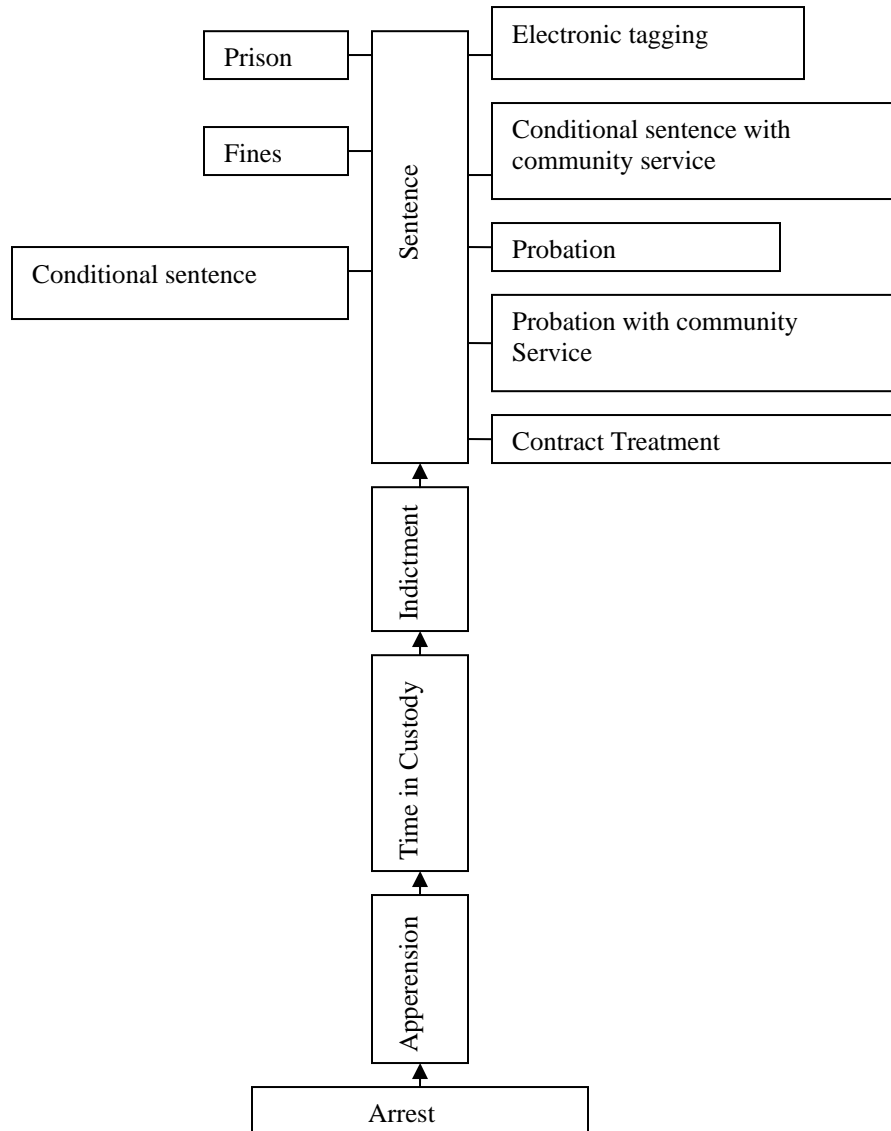
Chapter five covers presentation and analysis of research findings as results from the study are analyzed in relation to themes. Summary, discussion of the findings, conclusion as well as recommendations and questions for future researches are documented in chapter six. The study findings are reviewed in the light of the study's theoretical framework in answering the research questions, bearing in mind the research methods' strengths and weaknesses.

CHAPTER TWO

2.0 LITERATURE REVIEW

This chapter attempts to present the information and statistics about Swedish non-institutional sanctions, definition of key concepts as well as what has been written so far about the study topic (early research), as what is missing and the intentions of this study.

Figure 1: The journey through Swedish justice system



Source: Kriminalvården, The way back-A presentation of the Swedish Prison and Probation Service (leaflet)

2.1 NON-INSTITUTIONAL SANCTIONS IN SWEDEN

This part is of my pre-understanding about the non-institutional sanctions in Sweden which are commonly known as non-institutional care. It also fulfills the first aim of the study, which was “to describe the non-institutional sanctions and probation service organization”. Non-institutional sanctions are administered and implemented by the Probation Service, which is under the Swedish Prison and Probation Administration and the local supervision boards as the national and the local boards are directly accountable to the Ministry of Justice (Bondeson Ulla, 1994: p25). There are total number of 35 probation offices in six regions of Härnösand, Stockholm Örebro, Linköping, Göteborg and Malmö, which are headed by the office in Norrköping (Kriminalvården, The Prison and Probation Service in Sweden-leaflet).

The Swedish probation service (Frivården) is responsible for supervision of non-institutional sanctions according to penal code which are Intensive supervision with electronic monitoring, Probation, Community Service, Conditional Sentence, Contract Treatment as well as young offenders under SIS. Moreover, it is also responsible for carrying out pre-sentence (social) investigations in criminal cases as well as working with prisons and remand prisons in planning and preparing for prisoners’ conditional release.

The non-institutional sanctions are referred as probation in general whereby offenders serve their sentences in the community as ordered by court. In some cases, the probation order is conditional that the offender is subjected to psychiatric counseling or attending AA/NA meetings (Kriminalvården, The Swedish System of Sanctions-leaflet). There are different programmes for offenders, some of which focus on drug and alcohol addiction while others focus on discussions about crime and violence. Some sentences are accompanied by the specific programmes according to the court order

The Swedish sanction system consists of sanctions in penal code (Brottsbalk), which are fines, imprisonment, conditional sentences, probation, being placed in special care and close juvenile care. However there are other sanctions outside the penal code (Kriminalvården, The Swedish System of Sanctions-leaflet). In this study, therefore, probation service (Frivården) is referred as an organization which implements the following non-institutional sanctions that exist in Sweden at a time.

2.1.1 Intensive Supervision with Electronic monitoring (Tagging)

This is a form of sanctions which is equivalent to prison sentence of six months at maximum, to which the offender applies for. The sentence is served in homes instead of in prisons, with close supervision of electronic tag (at ankle or wrist) which is connected to household's telephone line as it captures transmitted signals and send them to probation office. This is for checking whether the planned activities are carried out as scheduled. The supervised offender is only allowed to leave the house for pre-planned activities be it work, study, attending programmes at probation office in which matters relating to criminality are discussed.

Moreover, other conditions that the supervised offender has to obey include not to use alcohol or drugs while serving the sentence and to undergo tests for checking when necessary. The offenders must receive home visits by the probation service as they also must pay a fee of 50 Swedish crowns per day which is sent to the Crime Victim Compensation and Support Authority (Kriminalvården, An alternative to prison-Intensive supervision wit electronic monitoring-leaflet)

2.1.2 Conditional sentence

This sanction is primarily considered when a person commits a one-off crime, as there is no fear that he/she will commit further offenses in the future and also in cases that fines are insufficient. These offenders are not put under supervision unless the sentence is combined with community service. The conditional sentence may also be combined with fine sometimes; it depends on the circumstances (Kriminalvården, The Swedish System of Sanctions-leaflet).

2.1.3 Probation

Probation, being it a sentence by itself, can be applied to crimes for which fines are considered insufficient. The period of supervision under probation is normally one year while there is a trial period of three years. However the supervision period of one year can be extended in cases where offenders misbehave during serving of the sentence (Kriminalvården, Basic Facts about Prison and Probation Service in Sweden 2006). The supervision is also entitled to offenders who have served one third of their sentences in prison.

2.1.4 Community Service

Community service as a sentence is served whether with probation or a conditional sentence, whereby the offender is instructed to carry out unpaid work. It is served for at least 40 hours and at most 240 hours, in which it requires the offender's consent. The work performed under this sanction is of non-

profit making nature, such as charitable organizations, religious groups, churches, and volunteer social clubs during the offender's spare time (evening hours and weekends). As under community service the offender is supervised for at least a year (The National Prison and Probation Administration – Information, 1999).

2.1.5 Contract Treatment

Contract Treatment is a sanction mainly for long-term substance abusers, whereby it is served up to about two years. The core concern of this sentence is the link between the abuse and the crime committed. This contract is made between the Court and the convicted person that he/she is abided to whether an institutional care, home or open clinic for treatment (Kriminalvården, Basic Facts about Prison and Probation Service in Sweden 2006).

2.1.6 Committal for Special Care

This sanction is meant for specific group of people who are young offenders aged 15 to 21 years and persons suffering from serious psychiatric disturbances. Committal for Special Care is normally applied in different circumstances according to Social Service Act (1980:621) concerning Special Rules for Care of the Young as well as Forensic Psychiatric Care (LFPC) (Kriminalvården, The Swedish System of Sanctions-leaflet).

Comments

From the above description of alternative sentences to imprisonment, the researcher observes the Swedish Government efforts in working with non-institutional treatments in criminal justice system. The system presents the way it differentiate offenders among many sentence options, the situation that implies the element of treatment rather than punishment. However, it was decided to retain the term punishment in penal code (Brottsbalk) to represent fines and imprisonment (Bondeson Ulla, 2002: p29). In fact, this situation is more on effectiveness of the rehabilitation process at the same time in social control assurance. As reported earlier, the Government intention is to treat many offenders outside prisons; therefore it strives to create many non-institutional sanctions for convicted to fit in.

2.2 PROBATION SERVICE STATISTICS

These part efforts to provide understanding on the type of crimes those offenders under non-institutional sanctions commit, basing on the offense and gender categories. The presentation of Table 2 below shows the number of offenders sentenced to probation and conditional release in 2001:

Table 2: Number of clients in supervision by offense type commencing 2001

Offense	Probation	Conditional Release	Total clients	Percentage (%)
Violent crimes	1,374	1,047	2,421	20.27
Sexual offenses	67	133	200	1.7
Crime against property	1,892	1,484	3,326	27.8
Robbery, also aggravated robbery	145	293	438	3.7
Fraud, embezzlement, credit offenses	429	407	836	7.0
Offenses against Society and State	558	416	974	8.1
Traffic offenses, not drinking-driving	132	222	354	3.0
Drinking driving also aggravated	1,367	272	1,639	13.7
Narcotics offenses/smuggling	682	838	1,520	12.7
Offenses against the law on military service	1	-	1	0.0
Other	141	123	264	2.2
Total	6,738	5,235	11,973	100

Source: The Swedish Prison and Probation Service, 2002

As seen on the table 2 above, most sentenced crimes to non-institutional sanctions are the crimes against property that constitutes 27.8% of total sentenced offenders. This is followed by violent crimes with a distribution of 20.2% of the total crimes while drinking-driving, also aggravated is in third place as

13.7% of the total sentences. The less often crimes during the year 2001 were offenses against the law on military service.

Basing on gender distribution, most often criminals sentenced to conditional sentence with community service in 2001 was drinking driving, also aggravated. It was followed by violent crimes while the less sentenced was also the offenses against the law on military service. In general few numbers of female offenders are sentenced for these crimes comparing to male offenders. Table 3 below illustrates the statistics of conditional sentences with community service by offence and gender by 2001.

Table 3: Number of offenders sentenced to conditional sentences with community service by offense and gender commencing in 2001

Offense	Men	Women	Total	Percentage
Violent crimes	971	42	1,013	34.2
Sexual offenses	17	1	18	0.6
Crime against property	86	4	90	3.0
Robbery, also aggravated robbery	6	1	7	0.2
Fraud, embezzlement, credit offenses	106	14	120	4.1
Offenses against Society and State	227	25	252	8.5
Traffic offenses, not drinking-driving	9	-	9	0.3
Drinking driving also aggravated	992	113	1,105	37.3
Narcotics offenses/smuggling	121	20	141	4.8
Offenses against the law on military service	3	-	3	0.1
Other	190	12	202	6.8
Total	2728	232	2,960	100

Source: The Swedish Prison and Probation Service, 2002

2.3 DEFINITION OF KEY CONCEPTS

Probation officers are officials of the court who charged with investigation of defenders who have not yet been sentenced and supervision of those who are convicted and sentenced not to a term of incarceration. In this study, probation officers are professional social workers who are assigned with, among other duties, supervision of offenders under non-institutional sanctions. In order to investigate the experience and views of probation officers in the process of rehabilitating offenders in probation, the study has focused on individual perspective.

Offenders are persons who have committed crimes and been convicted by the court of law. They can either be sentenced to institutional (prison) or non-institutional sanctions according to penal code of the particular country. This study has focused more to those offenders who are serving their sentences in the community based sentences, which in Sweden are famously known as non-institutional treatments.

Rehabilitation means to restore to useful life as through treatment or education (wikipedia). It is therefore to reinstate criminals to a good condition, capacity of operation that contribute to themselves and society since rehabilitation assume that people are not natively criminals. Rehabilitation focuses more on treatment through counseling or education rather than punishment so that to bring offenders into an attitude that would be supportive to society rather than be destructive to society.

Non-institutional sanctions refer to those alternative sentences to imprisonment, which in this regard is institutional one. They are in other term known as non-custodian sentences that convicted offenders are sentenced directly to serve their sentences in the community (probation) and others are conditionally released from prison after serving part of their sentences in prison.

2.4 EARLIER RESEARCH

Despite the fact that much has been written so far about non-institutional treatment of offenders, it is only a portion of these are based on empirical investigation. According to Bondeson Ulla (1994 p2) there was little research that had been conducted on probation before the beginning of the 1960s. The studies that have undertaken concerning non-institutional treatments have been focused much on preferences and effectiveness of these sanctions versus imprisonment. As Bondeson Ulla (1994) supports this argument as the relatively few studies conducted in this correctional treatment concern its outcome and not what goes on inside institutions. She has also pointed that researches on imprisonment have been more comprehensive, particularly internationally than researches on non-institutional sanctions.

Furthermore, some researchers have specifically studied the work of probation officers on special group of clients such as young offenders, girls, drug or alcohol addicts, prostitutes etc. As Mini, A and Borowski, A (2005) assessed the probation officers' perspectives on the impacts of public defenders on Israel's juvenile courts. The findings were interesting as the study revealed that probation officers supported the introduction of public defenders in principle but not in practice (Qualitative Social Work, 2005). However, Sin Timothy (2003) analyzed the dilemma of probation officers' between care and control in the study "Care or Control: The struggles of Probation Officers in working with Young Probationers who abused psychotropic drugs in Hong Kong". The study came up with suggestions to probation officers so as to achieve more effective planning and interventions in working with young offenders who abuse psychotropic drugs (Hong Kong Journal of Social Work, 2003).

In Sweden particularly much could be empirically studied about rehabilitation of offenders in non-institutional treatments but the language (Swedish) is the obstacle for me as a researcher to understand. However, Svensson Kerstin (2003) has made a very analytical study on what she called ambiguous exercise of caring and power in criminal justice system. She revealed the critics faced by professional social workers in practicing their profession in coercive institutions such as criminal justice. The author also revealed the social workers struggle in working with offenders that idea of normality as probation officers therefore prefer helping and supportive relationships with their clients instead of power and control which surrounding correctional system.

The focus of this study was on the professionalism of social work in working in coercive environment, as a challenge to probation officers. However the author concluded by saying that probation officers struggle to make congruent relationships to the offenders so that to keep the positive structure of caring power, which is supportive and caring aspects. This assumption was derived from the fact that social workers strive towards normalization of their clients, as the result they do prefer help, support and care rather than power and control.

Nevertheless the work of Bondeson Ulla (1994) 'Alternatives to Imprisonment: Intentions and Reality' has made great contribution to this report. The author studied, among other issues, the supervision role as it examined the aims of supervision of offenders in non-institutional treatment, supervisors' social background, education and experiences as well as their views of the probation services and crime prevention in Sweden. However, the study's target was voluntary supervisors (laymen) who are not

necessarily professional social workers but police officers, officials employed in State or municipal administration, teachers, craftsmen, salesmen, housewives. The researcher, therefore, concluded that the effect of supervision varies in accordance with the degree of control or support which is influenced by supervisor's behaviour and client type (Bondeson U, 1994: p 157)

In general these studies had focused on effects of penal measures by examining offenders' experiences inside and outside the system, the effectiveness of alternatives to imprisonment as well as probation officers working with specific group of people. This study intends to investigate on what is missing, which is probation officers' perspectives towards their 1) organization, 2) work and their 3) beliefs on the successful offenders' rehabilitation in non-institutions treatments. The research has focused on providing perspectives and analysis of professional probation officers from their working experiences. It is more of reflections based on empirical study that analyzed their everyday work and their contributions to correctional system in the country, which is useful to the organization as well as to social work profession.

CHAPTER THREE

3.0 THEORETICAL FRAMEWORK

A theory, according to Clive Seale (2005: p52) is used to define and explain some phenomenon. He emphasizes that without a theory there is nothing to research, therefore theories provide momentum for research. The changing of offenders from 'criminals' to 'normal' human beings has been the main role of non-institutional treatments. This process is commonly known as rehabilitation, which can be studied and understood through different theories, perspective and concepts. So, the researcher has selected the symbolic interactionism theory, the rational-legal perspective, caring power perspective, motivation as well as relationship in understanding rehabilitation of offenders in non-institutional treatment.

3.1 SYMBOLIC INTERACTIONISM

This theory is mainly based on the work of George Herbert Mead (1863-1931) about pragmatism. The pragmatism argues that actors never see reality, as it is rather they see and define objects or situations in their environment according to the use they have for those objects or situations. Therefore, symbolic interactionism theory explains that a human being is understood through focusing on action. According to Charon (2001: p39) there are five ideas which are central to the whole theory; firstly, society is made up of interacting individuals (social interaction) who constantly undergo changes as well as the society in general. Secondly, human action is not only the product of interaction between individuals but also of interaction within the individual. This idea argues that we human beings act according to how we are thinking in a particular situation.

Moreover, we people act according to our definitions of the environment that we are in. This third idea emphasizes on definitions that may be influenced by our interaction as well as our thinking. The fourth idea explains that people's actions are caused by the present situation which constitutes of the present interaction, thinking and definition. However, Charon (2001) argued that our past influences our actions today. Lastly, symbolic interactionism sees people as very active rather than passive ones. This implies that an actor interacts, thinks, defines, applies his or her past and acts (makes decisions) in the present. In general therefore people are seen as dynamic and active rather than as static and passive.

In this case of rehabilitation process of offenders in non-institutional sanctions, symbolic interactionism is based on offender's acts rather than his/her personality. Non-institutional treatments concentrate on individual ways of thinking by imposing different programmes based on a cognitive perspective that influence the offenders' ways of thinking. Symbolic interactionism views probation service organization as a society that consists of individuals who interact, i.e probation officers and probationers/offenders.

The interaction is manifested by role taking, communication, interpreting one another, adjusting their acts to one another, directing and controlling self as well as sharing perspectives, therefore it promotes the rehabilitation process. Furthermore, the focus of the rehabilitation process is based on prevention of offenders' criminal acts by changing their ways of thinking and defining the situation or the environment around them.

3.2 THE RATIONAL-LEGAL THEORY

The Swedish Probation Service is one of the Human Service Organizations that can be viewed as an object of the 'caring' society, manifestation of the societal responsibility to the welfare and well-being of its citizens as well as wasteful, fostering dependency, prominent and controlling (Hasenfeld Y (1992: p3). Moreover the workers of these organizations are expected to represent the values of caring, commitment to human welfare, trust and responsiveness to human needs. According to Hasenfeld Y (1992: p4), human service workers view their organization as a reflection of their own commitment and dedication to improve the quality of life of people in need, and a place where they are offered the opportunity to practice their professional and occupational skills. Due to the facts above, Swedish probation service can be analyzed as human service organization.

Being it a human services organization, probation service can be understood by the rational-legal theoretical perspective. According to Hasenfeld Y (1992: p25) human service organizations are assumed to have clear and specific goals and that the internal structure and processes to achieve them are designed rationally. The author argues that these organizations are rationally designed in the sense that their internal division of labour, the definitions of role position and distribution of authority are highly formalized and hierarchical to be efficient and effective to attain the organization's goals. The model is legal since all the assignments of workers, the distribution of authority as well as the rights and duties of each employee are based on impersonal rules that are applied universally (Hansenfeld Y, 1992: p25).

Offenders' rehabilitation is one of the specific goals of probation service organizations, since it assumes treatment of offenders' criminal behaviours to become acceptable by the society. As a process, it involves organizational technology processes that include process of diagnosis, classification of clients and their problems, as well as structure in the organization. These inputs facilitate the rehabilitation process as Hansenfeld (1992) emphasizes on structure, technology and professional work in human service organizations.

3.3 CARING POWER

Caring power is an idea of exercising power through kindness which can be traced way back to nineteenth century. The bourgeoisie's philanthropic aid was interested in organizing the helping processes that we today call it social work (Svensson K, 2003: p87). Their interest was to engage people (good citizens) in helping offenders who were seen as deviants to find work. Later on by the help of The Quaker Elisabeth Fry about prisoners being ruled by kindness as chains are unnecessary, the base of caring power perspective was formed, which was ruling by kindness (Svensson K, 2003: p87). It then came the idea of categorizing prisoners in defining the persons who should be helped that is where the non-institutional sanctions as alternative to imprisonment came into picture as they are seen as means of rehabilitation rather than punishment. In Sweden, the idea of helping the prisoners to a better life came up in the mid-nineteenth century through prison reform. With the effects of building a welfare state in 1930's, Swedish criminal policy became a part of social policy that offenders should be reformed into well behaved citizens (Svensson K, 2003).

According to Bondeson Ulla (1994: p104) the supervision of offenders consists of two elements, which are control and assistance whereby control part requires the probation officer to make sure that the offender perform his responsibilities according to the law while support and assistance is provided so that to rehabilitate the offender in the society. She referred these elements as the aims of supervision in rehabilitation of offenders in non-institutional treatments.

Caring power perspective is therefore based on the idea of therapeutic treatment to change the offender's behaviour through motivation in a coercive environment, which has been viewed as ambiguous practice to social workers in criminal justice system. Therefore, the rehabilitation can be explained by this perspective as a process of supporting and controlling offenders, through interaction between the social worker and the client. However, the caring power idea is reflected on the helping relationship between the probation officer and the offender; that if it is based on mutual understanding, the support/caring aspect takes place but if it is opposite, the control and power is revealed.

3.4 RELATIONSHIP

In all social work practice, the process of relationship building is of basic foundation, especially in direct work with individual service users (case work) as it is in community and policy work (O'Connor, 2006: p107). In probation service where supervision is the main activity, relationship between the probation officer and the offender is very important for the purpose. Michael A and Karen M (2004: p22) emphasize on relationship between client and practitioner in human service professions as a medium of

change. The rehabilitation process is determined by the helping relationship, in which probation officers strive to achieve the positive one. However, the relationship between the worker and client is uneven since social workers work from a position that holds legal and professional influence, authority and power (Colleen, 2004: p114).

3.5 MOTIVATION

Number of motivation theories has been applied in education and trainings to produce individuals and groups that are capable, willing and able to perform complex tasks under a wide range of conditions (Harold F & Michael D, 1994: p4). In changing offender's behaviour from of criminal to the acceptable one in the society, probation officers work with cognitive theory as based on learning which rely much on motivation state of the offender. Therefore learning is permanent structural change in the individual while motivation is generally regarded to be shifting dynamic activity within the individual. According to Beck R (1978), the behaviour of an individual reflects learning and motivation rather than one is isolation from the other. The rehabilitation of offenders therefore is surrounded by this concept of motivation, which is believed to work in achieving desired results.

CHAPTER FOUR

4.0 METHODOLOGY

This chapter attempts to discuss the approach i.e methods and procedures used to study this research topic. The chapter consists of six parts as the first one presents research method while the second part is about sampling and case study. The third part reveals the source and types of data as well as data collection method while the discussion about the method of data analysis is on part four, fifth part presents the validity, reliability and generalizability of the study while sixth one deals with ethical consideration issues.

4.1 RESEARCH METHOD

In choosing the research method whether qualitative, quantitative or both, the researcher has to consider the topic, time and available financial resources (Gilbert N, 1993: p96). With this consideration and being it one of the social science studies, the researcher has chosen qualitative method to undertake this study. As I mentioned in the previous chapter that the aim of this study is to explore the views of probation officers on supervising of offenders in non-institutional treatment, the qualitative research method has proven to be the best approach since it involve in-depth interviews. Contrary to quantitative research, qualitative study obtains rich data by using the words of interviewee and gives the researcher opportunity to observe as well as to clarify the questions. Clive Seal (2005: p14) supports this argument by saying that qualitative research method is favoured in social science since it gives the researcher the access to people's subjective meaning by their words than statistical trends.

However, the qualitative research has its own disadvantages as bias of the researcher being the main one, which can influence the study from the design, data collection and analysis of observation. According to Kvale Steinar (1996) these bias in qualitative research are due to human interaction inherited in the interview situation. As a researcher, I was aware of this situation since the beginning of the study and I tried hard to maintain as objective as I could (discussed in interview method part).

4.2 SAMPLING AND CASE STUDY

A sample refers to a special subset of population observed for the purpose of making inferences about the nature of total population itself (Babbie E, 1989: p.206). Moreover, Clive Seal (2005: p.173) emphasizes on the need for social researchers to sample since they do not have the time or the resources to carry out research on the whole population that could be potentially included in a study. Since the focus of this study is professional actors' performance in non-institutional treatments, my study population is therefore defined as probation officers/inspectors at Probation Service (Frivården) in West

Region – Gothenburg. Similarly, five probation officers participated in the study, the selection of them based on their working experiences as well as their willingness to participate.

This study is enriched by the help of non-probability sampling technique that refers to a technique of choosing a small number of people but enough to be truly representative of the population from which they are selected. I have applied the deliberately/purposive sampling method which is much used in selecting particular units of the universe for constituting a sample because they have specific found of knowledge (Kothari C.R, 1990: p.19). So, I have purposively chosen the probation officers whose contacts I got from my research supervisor and my field practice supervisor who has happened to be a prison officer.

4.3 DATA COLLECTION

Given the nature of this research topic, interview method of collecting data has been applied. It has been strongly argued that it is an advantage to use a combination of data collection techniques since no single technique is necessary superior to the other. In this regard, I have employed two methods of collecting data which are interview and documentation.

4.3.1 Interview

Interview is a method of collecting primary data from the actual field of the research, which involves presentation of oral-verbal stimuli and reply in terms of oral-verbal response (Kothari C.R, 1990: p.120). Furthermore, qualitative research interview endeavors to understand the world from the subject's point of view and to clarify the meaning of people's experience (Kvale Steinar, 1996: p1). This method has been chosen by the researcher in relation to the study since it has intended to explore probation officers' perceptions and experiences in rehabilitation process of offenders in non-institutional sanctions. I therefore conducted in-depth interviews with probation officers, which were semi-structured with follow-up questions.

The interviews took place at the end of March and in the beginning of April 2007, whereby the themes were sent to respondents more or less five days before the day of interview by e-mail contacts. All interviews were in form of conversations (face-to-face) which were recorded as per interviewees wish. Each interview session took more than one hour since interviewees were free to express their opinions. Later on, the researcher bearing in mind the confidentiality aspect transcribed the recorded interviews as preparation for the analysis.

4.3.2 Documentation

Documentation can be referred to a method of data gathering by using existing written materials as source of information. In this study, the method has been used to collect secondary data about the subject which have facilitated in the definition of the research topic. It has also contributed in researcher's pre-understanding about the topic as well as earlier researches and theoretical framework part of this report. Therefore, the sources of information that have been deliberated include published reports, documents, journals, leaflets and internet browsing.

4.4 ANALYSIS

Analysis of data in a general way involves a number of closely related operations, which are performed with the purpose of summarizing the collected data and organizing them in such a manner that they answer the research question(s). In this study, the qualitative data obtained have been analyzed by the application of Meaning condensation analysis method. As Kvale Steinar (1996: p196) says this analysis approach is used to express the situation from the subject's point of view. Moreover, it develops the meanings of the interviews, provides emphasis on the respondents understanding and the researcher's own perception. Therefore on this regard, the researcher has applied this approach to analyze the data collected from the interviews, though there have been presentation of other data collected through documentation.

4.5 VALIDITY, RELIABILITY AND GENERALIZABILITY

Validity refers to a quality of the research as whether it has measured what it was supposed to measure. According to Kvale Steinar (1996) validity of the research has its way long through all seven stages i.e thematizing, designing, interviewing, transcribing, analyzing, validating and reporting. The researcher has been so aware of this during all these stages, so that to maintain the reliability and validity of the study.

Reliability can be referred as to how consistent the results of the study are in relation to research methods used (Kvale Steinar, 1996: p88). In order to keep the reliability of this study high, the researcher has considered the measure instrument in the right way, as the interviews were openly interactive. The interviewees were asked to talk freely about their experiences and opinions as the researcher avoided leading questions. Furthermore, the interview environment was conducive and familiar for the interviewees as it was conducted in their offices and some in meeting rooms with those who share their offices. As Kvale Steinar (1996) said the role of the interviewer is to create a positive interview situation that facilitates the respondents to be relaxed, able to express their views without

interruption. The use of English language also manifests this, as the language is well mastered by the researcher and interviewees who are professional workers. In addition, some of them had worked in England as well. Due to the argument, it is in the researcher's opinion that validity and reliability of this study is of satisfying level.

Generalizability is defined as the degree to which the findings can be generalized from the study sample of the entire population (Polit & Hungler, 1991: p645). The sample size of this study is relatively small which was derived from probation officers in Gothenburg city, whose number is about 120. Therefore five (5) respondents constitute only four percent, a situation that threatening the generalizability of the study. On the other hand, the researcher argues that the study reflects the general facts and truth about the population as it answers the research questions. Moreover the qualitative researchers have been criticized on the issues of generalizability and objectivity but according to Myers M (2000) the knowledge generated by qualitative research is significant in its own right. Therefore it has been advised that the researcher has to bear in mind the aims of the study when evaluating the quality of the report. Basing on this fact, this study has presented the entire population since the goal of the study was focused, as the result it potentially contributes valuable knowledge to community.

4.6 ETHICAL CONSIDERATION

According to Clive Seal (2005: p116) ethical consideration may be closely associated with both moral and political consideration in social research work. Since the study is within the social science area, the researcher has taken into the consideration the issue of ethics. The personal interaction during the study and the knowledge produce affect the respondents and the researcher's understanding, thus it needs reflection of informed consent, confidentiality and consequences. Informed consent was very much emphasized from the beginning as respondents were clearly informed the purpose and the use of the research so that they participated voluntarily. Moreover, each participant was sent the official letter attached with interview themes as well as contacts of the researcher and her research supervisor in case of making references if they needed. The ethical issue of confidentiality has also been retained in this study as no participant can be identified in this report and the respondents were assured about this since it is their right. In this report, the researcher has not used respondents' names rather than their titles i.e probation officers (PO1, PO2 etc). As any research study has to consider the consequences ethical issue, this study offers benefits to probation officers as well as to the community in general. This is manifested by the fact that probation officers' experiences and opinions are heard as they will influence some changes in rehabilitation of offenders in non-institutional treatments

CHAPTER FIVE

5.0 DATA PRESENTATION AND ANALYSIS OF THE FINDINGS

This chapter deals with the presentation and analysis of data collected through in-depth interviews and documentation, it is done with the support of quotation from the interviews. It is divided into three sections/themes which are probation service organization, working experiences of probation officers and reality and ideal in successful rehabilitation.

5.1 PROBATION SERVICE ORGANIZATION

This first section presents the technology and structure of the organization as well as probation officers' views towards them. Any organization needs core technology of raw materials, knowledge, skills, techniques and hardware. In human service organizations, core technology is considered to be the problem, clients, intervention applied, the skills and equipments used in intervention (Hasenfeld, 1992: p.186). Therefore, the researcher chose to study probation service organization's technology including clients processing, trainings for probation officers, rules and regulations, units and programmes. This part is guided by the second research objectives, which was "to examine the probation service organization from actors' point of views".

5.1.1 Client Processing Stages

In the first place, the researcher through documentation sought out the process in which offenders become the clients of probation service organization. According to Hasenfeld (1992), this process is referred to diagnosis; specifically profession's diagnostic classification system is applicable in this case. The process involves the stages through police, prosecutor, courts as well as probation officers. It starts with police whose preliminary investigation determines the basis of the prosecutor's decision whether or not to prosecute the suspect. The case being presented to court, probation office comes to the picture by being ordered by the court to prepare Social Inquiry Report/Pre-sentence report (Kriminalvården, The way back-a presentation of the Swedish Prison and Probation Service, 2006). In this stage, the court has already identified those non-serious cases that someone can be placed to non-institutional sanctions. Probation officers in pre-sentence report, recommend the applicable sanction that the suspect should be sentenced if he/she is convicted as the decision remains of the court.

In client processing, probation service organization's work is to prepare the pre-sentence reports which will be presented to court for sentencing. Preparation of these reports is done by professional probation officers, where it involves direct contact with the suspects, as meetings and home visits in some cases. This working situation engages conversations, which accompanied by the need of suspect to be open

about his life circumstances. Being asked to describe the procedures by their own words, respondents responded as follows:

The case real starts when the client is sued to court that he the court asks us for pre-sentence report. At that stage, I would write him a letter (I say him because it is mainly men) that I need to see him and assess him and I propose a meeting. In the first meeting, we go through his personal circumstances...where he lives, where he works, whether he got family. I then assess the possibilities to give him the certain sentence, so we go through different sentencing options like community service, supervision. I would normally see an offender twice to assess him so in the second meeting, I propose the most suitable sentence. After getting information from the court, I write him another letter and propose the date for the meeting. In this first meeting we upload in briefly what will happen during the sentence period. I then book appointment every second week, in most cases when warrant is issued we try to have volunteer to work with him (PO1)

First of all, if someone commits crime police is engaged to investigate, they might apprehend a person or they might not. The matter goes to court and the court asks for pre-sentence report, that's where we come in the picture. We provide a report that goes to the local court and they use the report when they pass a sentence as we recommend a sentence openly to the court. It is often they listen to that recommendation but we don't decide what dispose...the court decides. Then the court can pass a custodian sentence or a non-custodian, which off course is community service, probation, probation with contract to those with alcohol or drug problems. Then the responsibilities are ours to carry out what the court has said, we carry out the sentence in the community. If it is prison sentence, convicted go to prison, serve their sentences then they come back here because we supervise them for a year after being left the prison (PO2)

As a probation officer, usually the first meeting is on preparation of pre-sentence report; I interview a client and write the report. If the client is sentenced, for example to supervision, normally that client becomes my case. So that's usually how we get first contact with the client, sometimes we can actually get clients who are already sentenced to prison. It is usually our manager who asks us to take the case (PO3)

Probation officer 4 and 5 described the same procedures while one of them sees the process as contradicting with suspect conviction since there is a discussion of the sentences option before the 'client' being convicted:

In Sweden, suspects do not pledge guilty or not...it's court to decide. This makes some of the clients to hide useful information. They are not really open during the interviews but some are, especially those in custody. I think they see it as like confessing to me that he has committed the crime (PO4)

The above argument provides the clear picture on how 'clients' become clients of probation service as deliberate efforts are undertaken by probation officers in preparation of the social investigation report. Their recommendations to court about the suitable sentence are normally considered as seen in the interviews above. Probation service also receives clients direct from prison who have served two third of the imprisonment sentence.

Comments:

The researcher sees the process as very interesting one as it transforms 'ordinary people' to offenders through different stages where in each stage, there is some sort of 'examination' to qualify for the next one. However, a person can brake through the process at earlier stages before the case taken into court. On the stage where probation service organization gets involved, the 'client' remains with no choice other than to cooperate. In the preparation of pre-sentence report, probation officers interview and in some cases they do home visits to investigate the accused, the situation that they expect to start 'good' relationship with the 'client'. In additional, preparation of pre-sentence reports involves discussion of different sentence options with the accused as it becomes obvious the so called 'clients' will become the real clients of probation service organization.

5.1.2 Training in special field (Probation)

Since knowledge and skills are components of core technology in human service organizations (Hasenfeld, 1992: p.185), the study also sought to find out the training/education that probation service provides for its employees i.e probation officers in facilitating their work. On responding to the question about the special training in the field of probation, the respondents said:

In school, we don't study the probation specifically. I think we had couple of sessions discussing probation work. My education in this field, I got from courses arranged by probation, so I have learnt from courses run by probation itself. When I first started working, it was eight weeks course...that everyone in criminal justice system had to take this course. Then, I have been to different courses just for one day, such as motivation interview for example (PO1)

Well, I have been in a lot of courses I can't remember them all but every year there is some sort of continuous education in various field with sexual offenders, with anger management, in most areas there is some sort of continuous education that service provides (PO2)

In the probation service, we get ground course, it should be on the time we start working. Unfortunately it is not always the case, but I went through this ground course for eight weeks (PO3)

I have attended several courses organized by this probation office; the first one I remember was of eight weeks. I can't remember all of them, but I have enough knowledge in community service sentence which I am now working with (PO4)

I have been attending some training since I was employed here, I can't remember all of them but they were in probation service. There is one basic course for everyone which is of eight weeks, but I also attend others concerning electric tagging or you can call it electric supervision (PO5)

Comments:

The study, therefore, revealed that probation service provides training for its employees as being witnessed by the respondents that almost all attended the basic course of eight-weeks. There are other continuous short courses on treatment programmes such as Anger Management, Aggression Replacement Training and many more as they will presented later on programmes part. This implies that despite of their professional skills, probation officers are equipped with more knowledge on their field that is rehabilitation of offenders in non-institutional treatments even though it not always the case as presented by one probation officer.

5.1.3 Rules and Regulations

It was also of logical interest in this study to scan the general information about rules and regulations that guide probation officers in their work of offenders' rehabilitation. According to the interviewed probation officers, the rules and regulation are in Swedish which stipulate, among other things, how often the probation officer has to meet the client.

Probation officers' reflection/response:

We have a very big book of laws, different laws. They are all in Swedish language. There are also regulations stipulate like which criteria qualify someone to electronic supervision and how many times we should meet and visit clients (PO5)

...a lot of regulations actually they are not real in details, so it's up to probation officer to decide how often is necessary to see the offender and also what to work towards. So the regulations are really giving us some guidelines, and then it's up to probation officer to make decisions about how many times to meet the client...so it's complicated! (PO3)

Well like meetings, initially there should be perhaps at least one contact with client every three weeks, but I personally meet the client once a week in the beginning and then after three months perhaps every three weeks and after six month, perhaps once a month. It depends on the work with the client and we have volunteer supervisors. We can ask them to do specific things with the client, to work with specific issues. So it is very fairly fluent really, we don't have strictly adhered to these regulations that they are there as framework within which we can work. (PO2)

Probation officer 1 and 4 presented the same reflection as the others. Therefore the findings revealed that rules and regulations are there but they are not that firm for the probation officers to follow. This view is even shared in details by one respondent while comparing Swedish probation service with one of England in relation to rules and regulations for probation officers, as the respondent said:

...probation in England has regulations which are much more structured than it is here in Sweden. The regulations were clear that the probation officer has to meet the client every week for 12 weeks, and after that every second week for 2 months. So if an offender starts to argue on appointments, I could just show the regulations that he has to keep the appointments [it's not my decisions, it is regulations] (PO1)

Comments:

These findings concerning rules and regulations reveal the satisfaction of probation officer in practicing their profession. The situation provides probation officers with room to maneuver in their organization settings as they work in bargaining way, which is contrary to organization coercion nature.

5.1.4 Units

In examining the working facilitation by probation service, the researcher finds it important to study the working structure of the organization. Therefore, the study revealed that probation service is divided into different units such as sexual and domestic violence; young offenders; women offenders; community service and electronic tagging; and substance abuse and mental problems (Information derived from the study). This implies that probation officers have specialized in one of these units dealing with

clients/offenders of the same characteristics, type of criminality. In fact, the respondents of this study are working in different units within the probation service organization.

5.1.5 Treatment programmes

The researcher was interested to know about the treatment programmes exist in probation service, as its main goal is to rehabilitate offenders. Therefore the study find out there are number of programmes in relation to general offending, violence, substance abuse, sexual offending as well as motivation programmes. These programmes are breaking with crime, Enhanced Thinking Skills (ETS), Aggression Replacement Training (ART), Integrated Domestic Abuse (IDA), Relapse prevention, Relations and Companionship (ROS) (Kriminalvården, treatment programmes - www.kvv.se). As indicated earlier, probation officers are trained with these programmes according to their working units which relates to the kind of offenders they work with.

The above data is presentation of organizational technology process in rehabilitation of offenders in non-institutional treatments. However, the use of computers with internet access, telephones and fax machines facilitate the work of probation officers in offenders' rehabilitation process.

5.2 PROBATION OFFICERS' WORKING EXPERIENCE

The second section deals with examination of working process of probation officers and their experiences as being guided by the third research aim 'to investigate on how do probation officers perform in rehabilitation of offenders'.

5.2.1 Duties and Case load

Supervision being their main role, probation officers are responsible for administrative work, case work and counseling, investigation as well as law enforcement tasks. In general their duties include to investigate the accused; pre-sentence reports writings; visits clients/offenders to their homes, work place, therapy centers and prisons; monitoring location and movements of offenders under electronic tagging. Furthermore, probation officers' duties embrace making of sentencing plan, conducting counseling, monitoring the work of volunteer/layman supervisors as well as cooperating with other service providers such as social services, mental health care (The prison and probation service website, www.kvv.se)

Being asked on the basis of daily duties and their case load, respondents exposed that they are not accountable for any specific task on daily basis. They work according to their schedule and case load, which in average every probation officer has 35 to 40 clients under his or her responsibility. This argument is witnessed by the following quotations from the interviews:

I have 30 clients on probation and 15 clients in prison, which makes total of 45 clients to supervise. I only work with people on probation orders. There are other orders that people spend more time in rehab centers, if they are, I would try to visit them but it depends on how far they are from Gothenburg. And I also go and see people in prison, to talk with them and prepare them for their release (PO1)

Well, there are no daily duties as such. I have a case load of about 45 clients, 30 in probation and 15 in prison so I have to manage that case load and to develop the strategy to each case I have. Like somebody is sentenced to probation, I will meet with him with a volunteer supervisor and we discuss what issues we are to address during this time he is placed on probation. It could be perhaps his violence, well we address that and we discuss how we do that. Then we have to make a supervision plan that we have done that, we sort of ticking off that we have finished this now we start with something else. So it is planned work during that year that the client is on probation order. So there is no specific task we have to do on daily basis as such because each probation officer manages his or her own case load in a way she or he sees fit based on sort of theories that are current in the service (PO2)

That the number of clients I am responsible for, but myself I supervise perhaps 7 clients, I couldn't cope with more because we have to provide volunteer supervisors and it's a lot of work getting a volunteer to work with the client. We have to guide, support and encourage the volunteer we work with and that is as much work as working with offenders (PO3)

Different activities in general I would say, like preparing social report, make contacts to find working placements, supervise those that their sentenced is with supervision. In case the client doesn't come to appointments or to work place, the case has to go back to court. It is me to bleach, so that is one of my duties and many more (PO4)

We currently have 45 people under electronic tagging, which is the best way I think. After someone applying for this method, we visit his home and his family if he has one. Then if he qualifies, we place this machine inside the house which has the schedule. So if he goes against the schedule the alarm will let us know about that, we have people controlling the machines from

here in the office 24 hours a day. After that we visit once a week, it depends on the client. During this tagging period, we have the programme 'out of trouble' that they have to attend, we also have motivation interview. We don't have clear duties real; it depends on the number of clients you have in a moment. I go through the applications, I do investigation to see whether the client qualify for the tag and I also supervise the clients by visiting their homes (PO5)

The above facts about the duties and the caseload imply the heavy workload of the probation officers since some of the offenders supervised are in prisons. This being the case, probation officers rely much on volunteer/layman supervisors who also played the role in rehabilitation of offenders in non-institutional sanctions. According to Svensson K (2001: p274), the layman supervisor is a tool in the supervision that is used by either the client or probation officer in strengthening his task.

5.2.2 Application of theories and methods

According to probation officers, most of their work is based on psychodynamic and mainly cognitive theories. This has been visible in treatment programmes as they are all based on a learning perspective. The focus is more on the client's way of thinking as they believe that people act according to their perception. Therefore, to influence changes on offenders' criminal actions, it is best to work with their thinking as well as their definitions. The following quotations emphasizes on the argument above:

Well, there are so many theories but now the current theory is cognitive theory but off course psychodynamic at one time was theory used. It's very eclectic I would say, sort of theories around, I can't say we stick on any specific theory but there is cognitive approach that we use in the service now (PO2)

When it comes to programmes, that is more less the base but as probation officer working with offenders we apply many theories such as psychodynamic as well as cognitive theories. That's the combination between the two theories, getting to describe the client through psychodynamic and we use cognitive theory to change the client. As we work with prisoners as well, we use motivation interview which is way of looking at client in humanistic way that based on the clients have free will in decision making and capacity to change their situations. It's all about attitude towards the client; we use it as the technique I would say (PO5)

Other respondents (PO1, PO3 and PO4) conversed on the same theories that are the mainly used in their work.

5.2.3 Constraints/Problems

To evaluate probation officers' perspectives toward offenders' rehabilitation in non-institutional sanctions, the researcher found it important to ask them about constraints they face in undertaking their duties. The researcher therefore separated these problems into different levels as general/society, organizational and client level as presented by the respondents.

In general, some people in the community have failed to understand the treatment of offenders in non-institutional sanctions. It has been seen dangerous in the society to rehabilitate offenders in community based sanctions, especially when violent cases involved the offenders under probation. In addition, probation is viewed by public as less punitive sentence since it provides offenders with kind of freedom being staying at their homes while serving the sentence. In fact, the argument is based on comparison between imprisonment and non-institutional sentences.

At general, I would say that news papers for example sometime say that probation is soft option. I also hear that when I discuss with my friends, they say that they should lock up the criminals instead of letting them out (PO4).

At organizational level, probation officers expressed administrative tasks as the problem to them to work direct with offenders. The imposition of new policies has also been uttered to affect the probation officers' work. It implies that probation officers work with offenders indirect as using volunteer supervisors due to administrative work load that involved planning and reporting. The following testimonials from the field articulate the above analysis on problems that probation officers face at organization level:

The criminal justice system in Sweden is such huge organization and every change they make will come from above. So politicians make up new laws for us to implement [they tell my manager that now you have to change this and my manager will let me know that I have to change that]. It just takes so long time to make changes and the politicians don't communicate with probation officers so they make up new laws and tell us how it should work but sometime it doesn't work. So that's really a problem I would say (PO3)

Well, I think the service has become very bureaucratic we have to have treatment plans, we have meetings, various groups and a lot of the work we do has nothing to do with the client. There are so many administrative tasks; I don't know if the doctor has as many restrains as working in the hospital but I can't imagine he has. We do so many other things and that is restrain on work we are supposed to do I think (PO2).

Well it has been many changes in a time and sometimes one change needs to set before the next change comes. I think probation officers are expected to do more work; they want to measure something which is difficult to measure because we are working with people. For example sentence plan is more administrative that we write a lot and I think many people here would like to spend more time (face-to-face) with clients than writing (PO5).

At client's level, the issue of drop-outs was presented as most of the clients with drugs and alcohol problems do not effectively complete the rehabilitation process. According to probation officers this problem is caused by lack of motivation that the offender does not cooperate with the system:

When you meet someone before they go to court, the motivation is mostly very high that they are willing to change that they are going to stop using drugs. But after they get the order they very often use drugs again (PO1)

Comments:

The motivation is considered as foundation for the success rehabilitation process. However, there is a need for probation officers to influence the motivation since rehabilitation is not of voluntary base. The offender is on rehabilitation out of his/her willing since the law is involved. In dealing with this type of difficult clients, probation officers breach to court where warnings and in the serious case imprisonment can be applied. At this stage, the element of force in rehabilitation process is experienced.

5.3 SUCCESSFUL REHABILITATION: REALITY AND IDEAL

The third section of this chapter constitutes the probation officers' beliefs on what works for successful rehabilitation as well as their advice or comments on what should be done in successful rehabilitation of offenders in non-institutional sanctions. This part is revolved around the study objective "to find out what works for probation officers in the whole process of offenders' rehabilitation"

5.3.1 What works?

For the success offenders' rehabilitation, probation officers believe in motivation, networking and relationship building. They believe that a high level of motivation makes clients adapt easily to treatment programmes rather than the use of force. This state is derived from the realization of one's own problem and the need to change. This analysis is witnessed by the following quotations:

I believe that change takes time, that's what I am trying to think as well. It normally takes several years for the offender to become the person he is when I see him, so to change him takes time also. I believe in motivation interviewing, the client needs to be motivated to change and if

he is not motivated, he won't change. I also work with whole network, not just with the offender but also to see him in his place, society, with other professionals, with his family, to understand where he comes from, what his background like. I also believe in good relationship with the offender to trust me so we can work together and not to force change, it has to be the offender that wants to change (PO1)

Well I think first of all you have to establish relationship that is important, if you haven't got the relationship then you can't exert any influence on anyone. He has to believe on you, you have to believe on him and you have to believe that you can work together and you have to set up goals that you can reach. You know you can't set up goals up in the sky that you never reach, but you can set little goals and focus on that and that's how I work with my clients. Because human beings are so different, so you can't have goals for everyone (PO2)

I must say that motivation interview (MI) works for me, to acknowledge change takes time because it does and to meet client where they are. It an honour to be part of client's change, as you make the clients reflect their own lives and actually express the need of change themselves, it is much effective than me telling on what to do. So to have more motivation interview approach has been very positive to me and has helped a lot in change process (PO3)

Making someone work for free is punishment but I real don't see how we help client to change. But those who are placed to community service are seen as those who don't have big problems. Those in community service with supervision, or some also have to attend Programme in case they have drug problems. I believe that if client believes that he has a problem, it is easy to change than those who think they have no problems (PO4)

I think it is the network that client has, that's why now we have been working closely with the network. The family members have to know that one of them is in tagging to facilitate the process. Even in prison, it is new strategy to involve other people like family, friends and other relatives who are close to client to make him change. This is not easy especially on those who don't have good relation with their family. It works on young offenders of 17 to 24 years of age that the parents get involved at least (PO5)

Comments:

The rehabilitation process is also facilitated by the help of other formal organizations and informal such as family members, friends and colleagues. Probation officers refer to them as networks. Moreover, the relationship determines the rehabilitation process as for probation officers believe in good relationship with the offender that based on mutual trust. The instruments of rehabilitation process, in fact, based on constructive mutual understanding and relationship. This is the reality part of what probation officer do consider in successful rehabilitation.

5.3.2 What more should be done?

In presentation of shortcomings experiences, is wise to suggest on better/positive ways to deal with the situation. To successful rehabilitation of offenders, probation officers propose to have fewer clients to supervise; more and enough time to work face-to-face with offenders; to increase the cooperation with social service organizations and to work more on specific treatment programmes as well as preventive programmes:

We should work more with other organizations that provide different services to people so that our clients would benefit from that. We now work closely with social services, but still it is becoming no ones business. I think we should work more with clients though it is very difficult in terms of resources, I mean money and time also as I said we have many clients here (PO1).

There could be cooperation between the different systems, the court system, the probation service and the prison system. For example if I do a report, it might even take two years until the person is actually sentenced and that doesn't make sense from point of rehabilitative view. Someone commits the offense, two years later is sentenced for that offense but two years is very long time, I mean that person who commits crime should feel the consequences of that straight away. But I know that is impossible, it doesn't work like that but I wish it would work. In this country we work with volunteers off course these are people that are not trained in any way, they are ordinary citizens that do the job and they get certain financial remuneration for that. So we have to train them. I also think we should have more administrative support, a lot of the work we do are real administrative tasks and that limits the time we can spend with clients (PO2)

I wish to have fewer clients, so being able to have sentence plan, work intensively with the client and the network (PO3).

I think we should work more with programmes, to have more specific programmes and we should work more with other professions like social services, mental health services. I think that would be much better, today we work close to police and court system. I would prefer to work close to other social workers and even more with volunteers to help clients to adopt the private network (PO4)

Many cases are drugs related, so I think more efforts should be done to prevent the problem before coming to us. But the cases are coming to us when they are already problems so I don't see that big impact though I believe we do something (PO5)

Comments:

From the above presentation, more emphasis is put on working closely, face to face with clients and other professionals such as social workers, psychologists, psychiatrists than it is now as the probation officers work more with police and court officers. The intentions are to find suitable services for the clients so as to meet their multiple needs in change process. Moreover, probation officers would like to have few clients and more programmes especially preventive ones. This perspective presents the ideal successful rehabilitation of offenders in non-institutional treatments.

CHAPTER SIX

6.0 SUMMARY AND DISCUSSION OF THE FINDINGS

This chapter contains the summary of the results, discussion of the findings, conclusion of the report, recommendations as well as questions for further research. Thus the study was conducted to investigate non-institutional sanctions and the probation officers' perspectives towards their work. The two purposes of study were to describe probation service in Sweden and explore the probation officers' views and opinion on effective rehabilitation of offenders in non-institutional treatments. As indicated in previous chapter, the study topic was based on three main areas that were probation service organizational, probation officers' working experience, what works for them as well as their suggestions on what should be done to improve the situation.

The data collected to answer the above study areas were mainly obtained through the use of in-depth interviews and documentation approaches with due respect to their weaknesses. Furthermore, the discussion of these findings proceeds to analyze the findings in the light of theoretical framework of the study that the different explanations which helps in understanding rehabilitation process in non-institutional sanctions.

6.1 SUMMARY OF THE FINDINGS

The rehabilitation of offenders in non-institutional sanctions in Sweden is working well according to probation officers despite the some shortcomings they have stipulated. This fact has been derived from their general analysis of Swedish probation service. The organization is well structured with different units within the organization, in which the probation officers are pleased of. The probation officers are also trained to assume their responsibilities, as a result assures good service to their recipients. This is not the case, as probation officers complain on burden of administration work which hinders their concentration on client's progress (face-to-face). The argument implies the friction on time limitation to pursue administrative at the same time spend enough time with the offender to affects the change process as far as relationship is concerned.

At organizational level, probation officers also perceive the time-to-time changes from high level as the interference of their work since they are not involved in the formulation of those changes. Being required to implement the policies that affect their work routine, probation officers find it undesirable as they advice on being involved so that they can contribute their experiences. Cooperation with other human service organization has been viewed as not of satisfactory state. They emphasized on working

more with these different organization so as to help offenders with obstacles to achieve life without crime.

6.2 DISCUSSION

The idea of this study's theories and that of the respondents about rehabilitation agree to a high degree. They believe that by involving offenders in the programmes, they would have learned how to adjust and act properly like members of the particular culture and society. As symbolic interactionists emphasize on offenders being able to act since they have agreed to the meanings they attach to the relevant objects in their environment. Basing on this assumption, rehabilitation process provides the interaction between probation officers and offenders through counseling and treatment programmes that influencing client's definition of his criminal life so that to change. Furthermore the focus is based on their criminal acts, by working on offenders' way of thinking, definitions as a result their actions towards the situation or environment will change.

As Probation services is characterized by specific set of goals that is rehabilitation of offenders on non-institutional sanctions, sorting out of offenders in different structures (units) within, treatment programmes, specific rules and regulations that probation officers have to obey. Moreover, the organization contained with elaborated manual of procedures that detailed the role of probation officers, development of management information system so that controls clients and accountability of workers (Hasenfeld, 1992)

According to rational-legal model of human service organizations, probation service has developed the flowchart of how clients should be processed through the system. This is what affects the probation service as it faces the external pressure in which Hasenfeld (1992) referred them as political pressure that these organizations can not handle. These are what probation officers called changes from upper level that force probation officers to contract out the case management as a result making the delivery of service cumbersome.

In general picture, probation officers desire more time to work face-to-face with their clients so that to influence client's motivational level. The situation that leads to good relationship with clients as the result it influences social change. To smooth the process, probation officers suggest on working more closely with other service providers especially for special cases such as mental disturbances, substance abuse.

The interaction leads to relationship in which is the main emphasis of probation officers in success rehabilitation of offenders in non-institutional treatments. This relation between the probation officer

and the offender creates support – control as explained by caring power perspective. The determination of the relationship between probation officer and the client in rehabilitation process depends much on the offender's level of motivation to change his life.

6.3 CONCLUSION

So far already we have established enough practical information about how probation officers perform in offenders' rehabilitation in non-institutional treatments. Moreover, the study has provided probation officers' perspectives towards the organization, their work as well as the client in general. Therefore, in order to have effective rehabilitation process of offenders there must be deliberate efforts to work on probation officers' suggestions as to have enough time with the client (offender) and access to cooperate with other professionals.

Although experience shows that non-institutional sanctions are seen as soft punitive option since its establishment, the researcher is of strong opinion that the offenders' rehabilitation in Swedish non-institutional treatments can be significantly effective and meaningful measure to attain safety in the society.

6.4 RECOMMENDATION

In accordance with the above study findings, the researcher proposes on how to improve the rehabilitation of offenders in non-institutional sanctions in Sweden. Therefore, on researcher's point of view which is based on her experience in this study, she recommends on the following efforts/measures to be undertaken by responsible bodies.

a) To the Government (State)

- Enough manpower is needed by employing and involving different professionals in rehabilitation process so that to achieve effective outcomes. This requires cooperation from the professionals such as social workers, psychologists, psychiatrists, educationists who are concerned with welfare of offenders.
- The government must also prepare conducive environment for policies implementations in correctional system. For instance the issue of imposing new laws and policies for probation service, the government then should involve practitioners (probation officers) in formulation stage so that to easy its implementations.

b) Probation service organization

- The Swedish probation service should create and enforce more preventive programmes as crime prevention strategy.
- The organization should try to provide probation officers with wider room for maneuver so that to be able to practice their profession.
- The organization should also conduct education and sensitization programmes for the public to understand, value and cooperate with the rehabilitation process in non-institutional sanctions.

6.5 FURTHER RESEARCH

As already documented on this report, the study has successful come up with the findings that implementation of non-institutional sanctions in Sweden is well organized despite the few problems as according to probation officers' perspectives. It has also revealed the problems faced by probation officers in performing their duties. Moreover, they advised on working more closely to offenders and other professionals to affect social change in offender's life.

Thus, we have enough information that presents rehabilitation of offenders' situation in non-institutional sanctions and probation officers' suggestions on ways to improve it. However, there are many areas in this topic of offenders' rehabilitation that still need further investigation.

This being the case, therefore, the researcher is proposing the following questions for further study:

- What facilitate and hinder the successful process of rehabilitating offenders in non-institutional treatments? From professionals' and clients' point of views.
- What is the extent and effectiveness of rehabilitative programmes in non-institutional sanctions to offender's life? A follow-up study.
- What are uses and contributions of layman supervision in offenders' rehabilitation especially in non-custodian treatments?

Appendix 1

FIGURE AND TABLES

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INFORMED CONSENT

UNIVERSITY OF GÖTEBORG
Department of Social Work

International Master of Science in Social Work
Spring 2007

Instead of Prison: A study of Rehabilitation of Offenders in Non-institutional Sanctions, Sweden

This research project is one of the requirements of International Master of Science in Social Work at Gothenburg University. The purpose of this particular study is to research on non-institutional treatments of offenders as one of social work areas.

The information collected will be used for education purposes and will be handled in very confidential way so that unauthorized person can not access it.

The research study is on voluntarily basis, so you have the right to decide whether to participate or not, even after the interview being conducted.

The interview will be recorded as this makes easier for me (the researcher) to document what is said during the interview and also helps me in the continuing work with the research. In the analysis, some data will be changed so that no interviewee will be recognized. After the completion of the project, the data will be destroyed, as the data collected will be only used in this research project.

You have the right to refuse answering any questions, or terminate the interview without giving an explanation.

You are welcome to contact me or my supervisor in case you have any questions (e-mail addresses below)

Student's name: Agnes Makiya

E-mail: aglema2000@yahoo.com

Supervisor's name: Bengt Carlsson

E-mail: Bengt_E.Carlsson@socwork.gu.se

Thank you!
Agnes Makiya

INTERVIEW GUIDE

1. Personal particulars
 - Age
 - Sex
 - Education level
 - Position held
 - Work experience (in terms of years)

2. Describe on your own words:
 - Education in special field
 - Procedures
 - Specific programmes
 - Techniques/theories
 - Laws and regulations connected with your work

3. Job description (duties): your daily responsibilities

4. Achievements
 - How many clients
 - What crimes
 - Methods applied

5. Constraints/problems you face in performing your duties
 - At general (society) level
 - At your organization level
 - At the case level
 - At client level

6. In your daily activities, have you faced any difficult clients?
 - Yes
 - No

7. If YES, how do you deal with them? Describe your analysis of these problems

8. What works for you: your own perspective, way of thinking and diagnosis on the whole process of rehabilitating clients in probation?

9. On your own analysis, how do you analyze the probation services here in Sweden?

10. Advise on what more should be done concerning probation services in Sweden

RESPONDENTS GALLERY

1. Probation Officer 1 (PO1)

Age: 32 yrs old
Sex: Female
Education level: Bachelor Degree (31/2 yrs) in Social Work & Started
Master's Degree (not completed yet)
Position hold: Probation Officer
Working experience: 7 years

2. Probation Officer 2 (PO2)

Age: 62 yrs old
Sex: Male
Education level: BA in Philosophy (London University) & MA in Social
Work
Position hold: Probation Officer
Working experience: 32 years

3. Probation Officer 3 (PO3)

Age: 33 yrs old
Sex: Female
Education level: Bachelor Degree in Social Science
Position hold: Probation Officer (Master Trainer)
Working experience: 8 years

4. Probation Officer 4 (PO4)

Age: 43 yrs old
Sex: Female
Education level: Bachelor Degree in Social work
Position hold: Probation Officer
Working experience: 17 years

5. Probation Officer 5 (PO5)

Age: 47 yrs old
Sex: Male
Education level: Bachelor Degree in Social work, Master Degree in Social
Work
Position hold: Probation Officer
Working experience: 19 years