The Educative Role of Social Reintegration Programs on Desistance from Crime

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Abstract
Social reintegration programs carried out within probation services are an important factor contributing to desistance from crime. A large number of people in the records of these services have the obligation to participate in at least one such program. It is known that the programs carried out by the probation officers have a significant educational component on the supervised persons, as they include many of the elements of an effective correctional treatment. It was also observed that delinquents participating in these programs develop thinking techniques that help them carefully evaluate the consequences of their own decisions and actions.

The topic of this paper represents a real interest for probation practitioners, since the development of the supervision process, the preparation of educational reintegration programs in the activity of assistance and counselling, require interactions with the beneficiaries of the Probation Services. Therefore, the emergence of some situations may inherently present professional ethical dilemmas. This paper highlights the need to explore and analyse the nature of these dilemmas, their frequency, the way counsellors manifest themselves in the face of an ethical ambiguity, the highlighting of optimal answers and reactions from a deontological and ethical point of view, and finally, the creation of some good practices.

Although the chosen subject is an extremely challenging one, in this paper I will focus on the counsellor-beneficiary relationship, being aware of the multitude of issues that can be discussed with colleagues from different services. I will mention general aspects related to the notions of
ethics, morals, and deontology in educational reintegration programs. I will also highlight certain relevant aspects in the Romanian legislation and in the European recommendations in the matter of probation.

The present study was carried out at the national level, namely at the level of the Probation Services between 15.10.2022 and 14.11.2022. The research was built on the basis of the sociological survey method and as an investigation tool we used questionnaires. Which included both closed and open questions. Also, to obtain information, I used other techniques, such as the study of documents (probation files) and open-ended discussions. The data were collected by completing the questionnaires to the probation counsellors through remote communication means, and personally by colleagues from the Bistrița-Năsăud Probation Service. Thus, a number of 50 colleagues from most services in the country agreed to complete the questionnaire.

In the last part of the paper, as a result of the research undertaken, I aimed to present the way in which we analyse and manage a variety of professional ethical dilemmas encountered in everyday practice. In addition, the relevant legislative benchmarks are discussed, optimized response strategies are presented, and finally the conclusions represent an opportunity for reflection and learning that can provide professionals with greater self-confidence, and a sense of safety and control over these situations.

**Keywords:** educational activities, educational reintegration programs, case management, desistance, risk of recidivism, social reintegration.

**JEL Classification:** I24, I28, I30, J70, K40, O31.

1. Introduction

Probation officers play an integral role in encouraging the social integration and desistance of the offenders they work with. There are many definitions for the term *desistance*, but the most representative is the one given by Maruna and Mann (2019). The author defines *desistance* as “the process of abstaining from crime by those with a previous pattern of offending.”

Probation officers play an integral role in encouraging the social integration and desistance of the offenders they work with. The activities carried out by professionals in the field of probation
include: face-to-face meetings with clients, assessment, assistance, support, and counselling. All these activities are included in the educational reintegration programs carried out by either counsellors or other specialists who possess specific knowledge in behavioural change techniques. In most cases, participation in educational reintegration programs is imposed by the court at the time of conviction, taking place during the execution of the sentence. The activity of assistance and counselling is the one that responds to the needs of the offender, therefore helping their social integration process.

The supervisee's perception of the reintegration program is related to the attitudes they associate with the case manager. For this perception to be formed, it is necessary for the case manager to explain to their client what actions are necessary and why, and the consequences following their lack of cooperation. Research shows that the professional relationship between probation counsellors and supervisees is usually shaped within the first meetings. (Dumitrașcu, Schianu, 2017). Therefore, an empathetic, open, client-centred way of communicating can strengthen the client's willingness to cooperate and is an essential contributing factor in the establishment of a positive professional relationship within educational reintegration programs.

2. Education and counselling programs within probation services

An important consideration is that beneficiaries of probation services do not choose freely to participate in the intervention proposed by the probation counsellor, generally speaking, the beneficiaries do not ask to be included in the intervention process/program, nor can they decide when to end the collaboration with the manager of their case, as this decision is dependent on the criminal sentence that brought them before the probation officer. This aspect causes certain difficulties and barriers in terms of the assistance and counselling relationship.

The counsellor must be aware that change cannot be implemented unless the client wants it, because change requires the counselee's intrinsic motivation. Similarly, the counsellor must know that change is a difficult process, which encompasses many failures and relapses.

The work of N. Carr (2022) shows that effective reintegration programs focus on change at the individual level. In contrast, ineffective programs frequently emphasize opportunities for development. For example, cognitive skills programs emphasize individual-level changes in thinking and problem solving. On the other hand, educational programs, often focus on providing
opportunities for offenders to integrate in the community. Based on these factors, I share belief that the programs with positive results in desistance from crime are the ones that focus on facilitating the connection between the individual and the environment. In order to build and engage in positive family relationships, to keep a job, to form positive links with the institutions in their community, the supervised person must change their way of thinking and the way they relate to social norms.

A characteristic of reintegration programs is the validation that the path of change correlates with the amplification of the opposition to change. The more pressure the counsellor puts on the person they are working with to change, the more that person will deny the need to change their behaviour. Consequently, an approach that places responsibility on the beneficiary and highlights that deciding on what aspects in their lives need to be changed belongs to them, will be more successful than an approach that puts pressure on the client. This will enable the client to think about the costs and the advantages of the conduct he has in the present and realize the opportunities for creating a different lifestyle (Teasdale, 2017).

The review of findings from the studies of B. Coufalová (2018), shows that educational reintegration programs carried out within Romanian probation services are similar to those carried out within Czech and Hungarian probation services. They both use “One to One” and “Stop! Think and change” counselling programs. “One to One” and “Stop! Think and change” are based on the proven premise that the most effective interventions are those that reduce the chance that a probation client will re-offend, which leads to greater public safety.

Studies show some support for the effectiveness of training probation workers with cognitive and behavioural skills in order to be able to organize these programs, which help offenders to develop social networks, gain employment and get access to counselling. The likelihood of reoffending was demonstrably lower for offenders who had been exposed to these types of programs (Henley, 2022).

3. The educational specifications of the programs used in probation

Probation services also have an educational function. In this sense, a series of individual and group programs have been developed and implemented in order to motivate supervised persons
for behavioural change. These programs are provided by probation officers, once or twice a year, depending on the needs of the beneficiaries.

The “One to One Program” is mainly used in probation services. This program is based on the idea that change in desistance starts with openness. The offenders are guided to realize that desistance first happens at the level of thoughts, followed by the way of acting. The purpose of the “One to One” counselling program is to educate the supervised person, with an emphasis on how this can lead to his social reintegration (Mihăilă, 2017).

Another example of a program used in probation services is “Stop! Think and change”. This program is based on the principles of systemic approach. Participants in this educational program are helped to understand the errors of thought and action that have fostered non-compliance with the law and are supported to capitalise the available resources in order to lead a crime-free life. By using these resources, beneficiaries can compare the pros and cons of a conventional versus an unconventional lifestyle and take informed decisions that can promote positive change. The aim of the program “Stop! Think and change” is to analyse the impact of the beneficiary's family relationships on his behaviour. Considering this aspect, the counsellor will use the client's connections for his reintegration (Badea, Nicolae, 2017). The theory underlying this educational program is the cognitive-behavioural theory, according to which the behaviour of delinquents is characterized by the existence of dysfunctions that are reflected in their social behaviour. For example, such dysfunction is represented by the thought “no one will hire me if I have a criminal record”, the consequence being represented by a state of passivity in relation to finding a job. Through the program, the person can learn that, acting on these cognitive distortions can lead to developing their resolution capacity, which can be used later to correct the associated behaviour, the result being the reduction of the risk of relapse. Therefore, the program proposes helping criminals develop the skills they need in solving the problems that they face. This means supporting them to establish objectives, while developing their ability to analyse in advance the consequences of the actions in which they are involved. (Apostu et al, 2017).

The “One to One” probationary program is built on the principles of the resolution model and aims to improve decision-making skills. The program can help participants understand the impediments that prevent them from abandoning harmful behaviours (Mihăilă, Vlad, 2017). The professional will discuss with his clients their existing skills and will teach them how to
implement these in order to reach their targets while maintaining the imposed legal boundaries. For example, if a person knows how to open the doors of houses without having a key, the counsellor can suggest participation in a professional locksmith course to develop and use those skills with a positive impact.

According to Dominey and Canton (2022), the probation activity involves case managers/counsellors working directly with the beneficiary, in order to ensure close supervision of them respecting their criminal sentence. Counsellors help offenders to experience the rewards of pro-social behaviours as they come to understand the root causes of their misconduct. Treatment-oriented intervention will prepare offenders for reintegration into the community through contact with families, schools, and other systems surrounding them.

### 4. Research methodology

In the important context that professional deontology represents in the activity of educational reintegration programs carried out within probation services, in the present research I tried to follow how probation counsellors relate to the existing principles in the normative documents in force, especially in the Code of Ethics in the face of problematic situations that can be generated during the term of supervision. Moreover, I explore and analyse the nature of these dilemmas, their frequency, the manner of manifestation of counsellors in the face of an ethical ambiguity. Next, I discuss the highlighting of optimal responses and reactions from a deontological and ethical point of view, and finally the creation of good practices encountered in Probation Services. The main objective of this research is to explore dilemmatic situations that can be generated during the term of educational reintegration programs.

The assumptions from which the study starts are that:

1. Relationship between the counsellor and the beneficiary is a valuable predictor of success in the reintegration process.
2. An effective professional relationship, based on trust, respect, sincerity and empathy can increase the motivation of the individual towards changing harmful behaviours into prosocial behaviours.
Opportunities to explore dilemmatic situations, sometimes extremely sensitive, appeared naturally, benefiting my continuously developing experience, but this exploration was also stimulated by relevant discussions, analyses, and the encouragement of my colleagues.

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Additionally, discussions and opinions from the online, informal environment, revealed a multitude of dilemmatic situations, but also relevant expressed opinions, which were not considered in the questionnaire answers, but which sometimes complemented the conclusions obtained in following the action taken.

5. Results and discussion

In organizing educational reintegration programs, counsellors frequently face ethical dilemmas. These situations are not isolated, but specific and inherent to the activity, which leads to the need for a clear code of conduct that regulates individual responses to these specific situations, so that the counsellors' experience in current practice can be best utilized. As regarding the inappropriate conduct that the supervised person may have during the program, the results obtained from the discussions with the probation counsellors show as follows: the situations and behaviours presented by the research participants are described as disciplinary violations (in the case of verbal or physical aggression), indecent proposals or abusive behaviour.

The unavoidable question is: How should we react in these cases? On one hand, we must respect the dignity of the person (Article 7 of the Code of Ethics) and apply the sanctions provided by the legislation in force (warnings, report). On the other hand, we must prevent the repetition of inappropriate behaviour, by continuing the counselling of the supervised person while aiming towards the completion of the supervision process in good conditions.
I calmly reminded him of the work procedure, I reminded him of the conduct he must demonstrate, I established a clear limit on what is ethical and what constitutes misconduct. – one respondent stated in an extremely professional manner.

But what happens if the warning was not sufficient? If the violation was serious and a warning was insufficient, a report follows as a measure to refer the judge and eventually sanctioning the behaviour. In extreme situations of physical or verbal aggression, when the attempts to establish positive communications failed, participants stated that they called the police to provide protection. What happens if the harassment is consisted in indecent proposals? In cases where the harassment consisted in indecent proposals, a preventive solution implemented by participants was to transfer the case to another colleague alongside a written explanation of this action. The common denominator of all approaches is the warning of the supervised person regarding the rules of conduct, reflected in his attire while accessing the educational programs carried out within probation service, followed by rescheduling or continuing the meeting, depending on each specific situation. My belief is that we cannot neglect the educational component of meetings. Often, attitudes that seem disrespectful are due to lack of basic education. To this end, one participant stated that:

I thought about the causes, also referring to other data I had about the person in question, such as health problems, education, age, etc., and I approached this topic only if it was necessary. If I concluded that that person was indecently dressed because that was his way of dressing in the warm season, under the conditions in which he lived, I did not consider it appropriate to draw attention to his style of dress. (Dan, 38 years old, probation officer).

The solution adopted to such a dilemmatic situation must be referred to Art. 7, paragraph 1, respectively 11, of the Code of Ethics, by finding a balanced option that respects the dignity of the person along with the necessary decency during the performance of specific activities. Another problematic situation is the one in which the supervisees want to offer gifts or money to the case manager. Regarding the question: “Have you ever been offered a bribe?”, the refusal of professionals to comply with such behaviour is remarkable and highlighted in the answers received. An example of one such elegant response is observed, in which the counsellor informs him that it is a possible crime and what the consequences of such a gesture can be.
The solution to such a dilemma, is in accordance with Art. 5, respectively Art. 18, paragraph 1 of the Code of Ethics, which underlines the total refusal of any goods, even if their values are symbolic, must be accompanied by a manifestation of respect and a rigorous, elegant explanation that highlights the appreciation of good intentions, but also of the possible criminal valences of such a gesture, which can generate unpleasant consequences. The advice is also reiterated in the Romanian documents regarding the ethical requirements in the relationship with accused persons “Under no circumstances should staff accept bribes” (cited from Article 9 of the Code of Ethics). Such positive practice was observed in the Bistrița-Năsăud Probation Service where participants who had been handed flowers refused politely, expressed their appreciation for the good intention and instructed the supervised person to hand the bouquet to their wife, girlfriend, or a relevant person from their life, while assuring them that this will not impact the supervision process or their relationship.

The relationship between the counsellor and the beneficiary is a valuable predictor of success in the reintegration process. Consequently, ethical dilemmas must be handled with caution not to endanger the relationship.

6. Conclusions
Regardless of the form of crime that the person committed, it is important that the offender receives individualized educational support, in order to be able to desist from crime. In terms of techniques and educational reintegration programs, case managers most often use motivational interviewing and prosocial modelling. Research on educational reintegration programs has acknowledged the importance of pro-social modelling in people under supervision achieving positive outcomes. However, it must be emphasized that an effective professional relationship, based on trust, respect, sincerity and empathy can increase the motivation of the individual towards changing harmful behaviours into prosocial behaviours. (Călin et al., 2017).

The differentiation of authority structure is another challenge in the activities undertaken by the case manager, as some beneficiaries tend to perceive the case manager as an opponent rather than a collaborator. Precisely for this reason, the case manager must be careful about how he is perceived by the person he works with. In terms of working with offenders, it is recommended that the case manager use an open, flexible, but at the same time firm and authoritative
communication style. But in the end, building a safe and trustful relationship with the offender leads to positive behavioural changes and, overall, a successful intervention. (Zakri et al., 2020). The staff is the most important resource of a system. Therefore, they must be aware of the importance of personal interaction, building in an environment supportive of analysing life problems in an open, honest, and careful way. However, probation staff must be truthful with the people they interact with about the limits of the relationship and confidentiality. (Zaharia et al., 2017). During the present study, I observed that a large number of counsellors are faced with dilemmas of this kind and that the responses to such situations are different. As a result, it would be useful to develop programs of training aimed at developing this skill. The limits of this research consist in the relatively small number of participants and the online interaction with the group of respondents. The issues raised in the research need to be studied later, continuing the research on this subject.

Even if the case managers in the probation system possess a wide range of skills and professional knowledge, the ability to find the best solution to such situations does not come naturally to everyone, especially considering the specifics of the activity and the particularities of the beneficiaries. This is the case of probation counsellors at the beginning of their career, who are not familiar with the specifics of interaction with supervised persons and its challenges. Good training in the field can provide a greater degree of confidence, safety, and control over these situations to turn them into learning opportunities that do not have a negative impact on the established relationship.

References


**Legislation**

Ordinul Ministrului Justiției nr. 3.172/C/26.11.2004 de aprobare a *Codului deontologic al personalului de reîntegrare socială și supraveghere*.