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## **PERCEPTIONS AND PRACTICES OF ‘REHABILITATION’ IN A COMMUNITY REHABILITATION COMPANY: DISCONNECTS BETWEEN THEORY AND PRACTICE**

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### ***Abstract***

Much academic writing has been published about the then government’s disastrous Transforming Rehabilitation agenda and the subsequent impact of this on the part privatisation of the probation service: particularly about the failure of the newly formed Community Rehabilitation Companies (CRC) to meet targets (National Audit Office, 2019; Roberts, 2018; Tidmarsh, 2020). Much less has been published about practitioners’ views on working in a CRC. This article presents findings from interviews with such practitioners. Whilst the wrap around community response provided to offenders is worthwhile in principle, in practice the funding structures of CRCs hinder rehabilitative work and the reintegration of offenders into the community.

### ***Keywords***

Rehabilitation, reintegration, Community Rehabilitation Company, hub-working, private sector, funding.

## **Introduction**

From 2015, 21 CRCs supervised low and medium risk offenders who had been sentenced by the courts on community orders, suspended sentence orders or who were released from prison on licence. Since then, academic, official and media sources have criticised the practices of these companies for their capacity to reduce reoffending. This article is based on empirical research of interviews with long standing probation practitioners in the probation service, who subsequently found themselves working in a CRC. We explore their perceptions of rehabilitation and practices of working with offenders in their new organisation. Before we do this, it is important to conceptualise rehabilitation, from academic and practitioner viewpoints, and outline its trajectory in the probation service. This also involves reviewing the risk and Transforming Rehabilitation agendas, and the existing research that has been carried out on practitioners working in the CRCs. This provides us with the analytical tools to explore practitioners' perceptions and practices of rehabilitation, which we write about in the methods, after which we present the findings and a discussion of these, concluding with areas for further research and the limitations of our research.

## **The Driving Ethos of 'Rehabilitation' in the Probation Service**

Rehabilitation has been the central ethos of the probation service (Canton, 2018), since its inception (Raynor and Robinson, 2009). Broadly, rehabilitation focuses on offender change and on societal change (Maruna, 2011). The theoretical roots of rehabilitation stem from positivistic notions of the causes of crime, which are deemed to reside within an offender's biology, psychology, and/or social environment. Under this paradigm, offenders are thought to be determined to commit crime because they cannot control the causes of crime. As such, offenders are thought to be fundamentally different to non-offenders because of their pathology. To change an offender to non-offender status, what Canton (2017:113) refers to as 'a previously settled state', offenders are in need of treatment, help, care and welfare to address the causes of their crimes. These causes, or often termed criminogenic needs, can include mental disorder, substance use, and lack of education/skills. Such a focus on changing or reforming the individual offender is what McNeill (2012:14) refers to as 'psychological' rehabilitation. He also argues for 'legal or judicial' rehabilitation, which is about addressing the barriers for offenders reintegrating into their communities (ibid:14). If rehabilitative attempts at changing the individual are to be successful, then the ramifications of conviction, for example, a criminal record, must be addressed and alleviated (Maruna, 2011). Canton (2017:113) similarly argues that a community must support offenders to change by respecting an offenders' 'liberties'. Liberties are offenders' right to be treated fairly and without discrimination, despite a criminal record. In legal/judicial rehabilitation then, it is important to address offenders' non-criminogenic needs, factors which may not be explicitly related to their offending behaviours, such as lack of accommodation, finances, and supportive social networks, but they could be implicitly essential to their rehabilitation because addressing these factors enables them to reintegrate into the community.

Therefore, it is often difficult to separate out criminogenic from non-criminogenic needs because they are often related to one another (Canton and Dominey, 2018). Yet McNeill (2012:15) argues that psychological and legal/judicial rehabilitation focuses on the

individual offender, and as such, 'moral' rehabilitation is also needed because it focuses on the wider victim and community, by the offender providing redress and reparation to them. This will help the process of reintegrating the offender into the community (see also Robinson and Crowe, 2009) and their restoration to 'a previously settled state' (Canton, 2017:113). Key to this settled state, is 'social' rehabilitation where society must recognise and accept the reformed offender (McNeill, 2012:15; Robinson and Crowe, 2009). Canton (2017:113) argues that a community must be prepared to accept offenders, by respecting offenders' 'claims': the right to access resources, fairly and when required. So, McNeill (2012) argues that four forms of 'offender' rehabilitation – psychological, legal/judicial, moral and social – are inextricably linked, and as such, rehabilitation involves reforming the offender, removing barriers to reintegration, the offender providing reparation to the victim/community, and society accepting the reformed offender, respectively.

Consequently, despite debates about whether offenders are determined to commit crime because of pathology and thus are without agency/choice in the commission of their crimes (see Canton, 2018; Matza, 1964), many would agree that service users of probation have fundamental psychological and sociological problems of the same ilk that mark them out as a population in need of certain resources to help them desist from or reduce their offending behaviours (see Canton, 2018). In Deering and Fielzer's (2015:16) survey of probation staff, respondents believed that offenders experienced 'multiple disadvantage that has resulted in them making "bad choices" leading to offending'. The authors argue that staff recognised the role of disadvantage and social structure as well as individual agency in making offending more likely, although choices offenders make are limited due to their experience and personal history. The majority of the 942 probation staff in Deering and Fielzer's (2015) study, frequently cited why they came to work for the probation service was to work with offenders to help them because they believed that offenders could change. They thus implicitly believed in psychological rehabilitation. For example, Deering and Fielzer (2015:26) argue that the values of the probation service, for most respondents, were 'underpinned by a fundamental humanistic approach that values each person as an individual human being of intrinsic worth'. Hall (2015:323) argues that this belief is indicative of a 'strong culture of shared values', which symbolises the spirit of probation. Although in more recent years, a commitment to the rights and protection of victims and the wider public has become an overriding aim for probation practices (Burke and Collett, 2015; Garland, 2001; McNeill, 2012; Robinson, 2008). Canton (2020:37) argues that it is 'morally questionable' to attempt to change offenders for the good of wider society with a disregard for the individual's own desires. This is because offenders become instrumental 'passive objects of intervention' (Raynor and Robinson, 2009:10), rather than the central focus of (psychological) rehabilitation being on addressing the individual offender's care and welfare to reduce offending (Robinson, 2008). In other words, offenders are being dealt with on utilitarian grounds of the intended social effect rather than the offender's goals. In doing so, this confirms the stance that offenders have no choice or agency in their destiny (Raynor and Robinson, 2009), despite arguments to the contrary. Yet moral arguments for the rights of individual offenders to be the focus of rehabilitation are particularly convincing if the premise of the causes of crime are found within social structure and circumstance (Raynor and Robinson, 2009): this includes strategies to encompass legal/judicial rehabilitation that negate the impact of conviction by removing barriers to reintegration as well as social rehabilitation where society accepts the reformed offender (McNeill, 2012;

Maruna, 2011). The state then has 'a duty to ensure that people's basic needs are met' if they are to not offend (Raynor and Robinson, 2009:12). As Rotman (1990 cited in Raynor and Robinson, 2009:12) argues: '...rehabilitation becomes a right of offenders to certain minimum services from the correctional services. The purpose of such a right is to offer each offender an opportunity to reintegrate into society as a useful human being'. This is important because when offenders think that their rights are upheld, when they feel they are being treated with dignity, when they know they are being listened to, they are more likely to comply with the sentence of the court (Irwin-Rogers, 2016; McNeill, 2013; Raynor and Robinson, 2009). Compliance is important because it provides the space and time for work to be carried out with offenders to 'build motivation for change' (Dominey, 2016:138), by building positive relationships with probation practitioners (Canton, 2012; Dominey, 2016; Irwin-Rogers, 2016). This is ultimately important because offenders who have engaged in some form of supervision are thought to have lower rates of reoffending (Smith et al., 2018). Since the 1990s, running parallel with this driving ethos of 'rehabilitation' in the probation service has been the risk management approach (Robinson, 1999). This approach, influenced by political, economic and academic factors, has altered many facets of probation practice (see Roberts, 2018). The next section reviews this and the Transforming Rehabilitation agenda.

### **Risk and the Transforming Rehabilitation agendas**

Robinson (1999) argues that, on the one hand, risk management and rehabilitation can be viewed as complimentary approaches because, drawing on the 'what works' guidelines, those offenders who are assessed as the riskiest and with the most criminogenic needs, are afforded the most resources to reduce their offending. But on the other hand, she argues that risk management and rehabilitation are competing approaches because criminogenic needs are targeted for intervention because of their links to the risk of re-offending, and as such, 'the discourse around the practices associated with rehabilitation has largely been bled dry of former associations with notions of welfare and care' (Robinson, 2008:436). Instead, rehabilitation is 'increasingly inscribed in a framework of risk' (Garland, 2001:176). As such, changing the offender to non-offender status and to 'a previously settled state' (Canton, 2017:113), is not the focus of risk discourse. Rather, community sentences act as mechanisms of control to manage offenders: the riskier the offender the more control (surveillance) needed (Feeley and Simon, 2013). As McNeill (2012) warns unless rehabilitation encompasses legal, moral and social forms, psychological rehabilitation will serve as a risk management strategy for public protection. This is similar to what probation practitioners in Deering and Fielzer's (2016) research were saying about the decline in rehabilitative values in the probation service because of the competing agenda of risk management. Practitioners believed this decline in rehabilitative values was made worse by the government's Transforming Rehabilitation agenda.

In 2013, Nick Clegg announced that 'the coalition government is driving a rehabilitation revolution' to 'transform the way offenders are dealt with once they leave prison and address persistent reoffending' (Clegg, 2013:unpaginated). The speech was informed by evidence that shows offenders serving short-term prison sentences, of less than 12 months, were almost twice as likely (59.7%) to reoffend once released from custody compared to offenders serving prison sentences of 12 months or more (33.6%) (Ministry of Justice, 2016). The reasons were because short-term prisoners had 'received almost no rehabilitation, or

support' during their time in prison and post-release (Clegg, 2013:unpaginated). Realising that short-term prisoners were in as much need of support as other offenders who were released from prison, to reduce reoffending, the government's 'rehabilitation revolution' sought to provide rehabilitative resources for offenders released from prison, after serving short custodial sentences (Ministry of Justice, 2013:3). Subsequently, the Offender Rehabilitation Act 2014 was implemented to provide statutory supervision post-release from prison for any adult offender serving more than 1 day in prison. The purpose of the supervision 'is the rehabilitation of the offender' (legislation.gov.uk, 2014:unpaginated). Central to the government's 'rehabilitation revolution' was privatising probation (Teague, 2013) because it was anticipated that this would enhance innovation in service provision to offenders to reduce their reoffending (Ministry of Justice, 2010). As such, Nick Clegg (2013:unpaginated) announced 'a few weeks before he leaves [prison], he will start working with a new provider organisation to organise and plan for his resettlement beyond the prison gates'. These new providers consist of 21 CRCs in England and Wales. They were owned by eight 'profit-driven organisations' (McDermott, 2016:194) but some of these organisations have since become insolvent (Tidmarsh, 2020). As of 1st February 2015 (Strickland, 2016), the CRCs supervise low and medium risk offenders sentenced to either a community order, suspended sentence order or on licence from prison. CRCs receive a fee for services, for example, delivering the sentence of the court. The funds depend on the number of offenders they supervise. They can also receive 'additional income' (HM Inspectorate of Probation, 2016:12) if they achieve statistically significant reductions in reoffending: known as 'payment by results [PbR]' (Strickland, 2016:3). Chris Grayling, as the then Justice Secretary, pushed for PbR in probation (Teague, 2013) to motivate service providers to enhance service provision to reduce reoffending (Walters and Owen, 2012:unpaginated). The next section reviews the existing research carried out on practitioners working in the CRCs.

### **Working in the CRCs**

In Kirton and Guillaume's (2015) research with probation practitioners, they found a high level of dissatisfaction amongst survey respondents to working in the CRCs. The process of working out who would work where - it was estimated that 54% of probation staff would be transferred to the CRCs (National Audit Office, 2014) - began the negative experiences staff had with Transforming Rehabilitation (Kirton and Guillaume, 2015). In Tidmarsh's (2019:1) more recent ethnographic study of a CRC, he argues that under Transforming Rehabilitation, probation practice 'can be situated along a managerial continuum', rather than a focus on rehabilitative work with offenders. As such, 'opportunities to build and maintain relationships with offenders' have diminished (ibid:15; see also Dominey, 2016), and due to the funding structure of CRCs, the focus is on measuring the organisation's performance (Tidmarsh, 2020). For example, in Roberts' (2018) analysis of government inspections of ten CRCs, she found that most of them were not meeting targets for reducing reoffending because they were short on one key resource: people. Under resourcing of staff meant that little time was spent with offenders to address their offending behaviour (see also Kirton and Guillaume, 2015).

Conversely, in Kirton and Guillaume's (2015) research with probation practitioners, they also found that staff generally supported organisational change if it led to innovation in

probation practices for the benefit of offenders. For example, in Robinson et al.'s. (2016) ethnographic study of the formation of one CRC, whilst they found many pitfalls of Transforming Rehabilitation and the impact of these on probation practitioners working in the CRC, they also found the potential that innovation, which was part of the rhetoric of Transforming Rehabilitation, played in forming new ways of working with offenders. This included more rehabilitative 'hands-on' work (ibid:172). This innovation with 'more freedom to practice creatively' was inspirational for some practitioners to work in the CRC (ibid:172), despite arguments that PbR stifled innovation (Tidmarsh, 2020). For example, Burke et al. (2017:198) applied Waring and Bishop's (2011) thematic identities of staff (pioneers, guardians, marooned) who were adapting to a new organisation, to their study of staff transitioning into working in a CRC. The 'marooned' were finding it difficult to adapt to working in the new organisation.

Conversely, the 'pioneers' saw the move to the CRC as an opportunity to provide more efficient and invigorated practices to offenders. In a similar vein, the 'guardians' saw the move to the CRC as an opportunity to develop a new culture of working with offenders, but that remained authentic to the values of the service, particularly in prioritising the needs of offenders. The guardians and pioneers were thus viewed as 'resourceful pragmatists', who in the CRC area, innovated practices by building new models of working with offenders and referred them to multi-agency providers (Waring and Bishop, 2011 cited in Burke et al., 2017:198). Dominey (2018; see also HM Inspectorate of Probation, 2019a), for example, examined the use of community hubs in CRCs. 'Community hubs are places where agencies [...] share premises and other facilities, pooling resources to offer a holistic service' (ibid:3). Key agencies represented in the hubs include drug, alcohol, housing and employment agencies. In this multi-agency one-stop-shop approach, offenders' needs can be addressed at the same time as offenders are meeting the reporting requirements of their licence or court order. Using data from three community hubs, the study found positive feedback from offenders. There were good relationships between offenders and probation practitioners because offenders felt that staff in the hubs listened to their problems and helped them practically (ibid). In other research on hub-working, the informal and relaxed nature of the hubs were similarly seen to enhance relationships between practitioners and offenders (Ellis, 2017; Phillips et al., 2020), which in turn, helped offenders to comply with their court order/licence conditions. As offenders are supported by key practitioners and organisations in the hubs, this enhances their reintegration in the community (Dominey, 2016, 2018; Ellis, 2017; Phillips et al., 2020).

Therefore, hubs can be viewed as providing psychological, legal/judicial and social forms of rehabilitation (see McNeill, 2012). In Dominey's (2018) research, the community hubs enhanced offenders' awareness of the work of key agencies, which offenders may need to access to help them with their problems (psychological rehabilitation). The use of hubs also speeds up the process by which offenders are seen, due to the absence, usually, of a referral process. In other research on hub-working, a probation officer described the work with community agencies and probation in the hub as providing 'a team around a person' (cited in Ellis, 2017:152). Similarly, in Dominey's (2019:283) other related work on models of supervision, she differentiates between 'thin' and 'thick' supervision. Thin supervision is 'office-based and poorly linked to the resources of the wider community', whereas thick supervision 'is embedded in the community' (ibid:291-293). Supervision of offenders that

resides within a community approach has more potential to reduce reoffending (ibid). This is because drawing on the strengths of offenders' communities in this way, to offer material and tailored support to offenders' needs is based upon a desistance model of working with offenders, to help them desist from offending (Phelps, 2018; Phillips et al., 2020) by alleviating the ramifications of conviction (legal/judicial rehabilitation) (Maruna, 2011) to reintegrate them into the community (social rehabilitation) (McNeill, 2012). That said, there have been some negative findings about working in hubs. Practitioners have noted that it can impact upon carrying out one-to-one work with offenders (Ellis, 2017). Additionally, a practitioner in Dominey's (2018) research believed that offenders thought drugs would be available at a hub. Some offenders also alluded to the problem of 'the wrong type of crowds' at a hub because 'you got all the druggies there [...]' (ibid:20). This stereotype of the hub impacted upon offenders attending the hub because, as one offender said, 'It's not nice to see' (ibid:20). Moreover, CRCs have experienced financial difficulties because the actual cases they are supervising were lower than anticipated and there are a different mix of cases. This results in them delivering the service, rather than partnering with voluntary sector organisations (VSOs), particularly the smaller organisations, to deliver the service (House of Commons Committee of Public Accounts, 2019). Ellis' (2017) research also found that funding cuts to VSOs meant they also had to be strategic in who they partnered with to meet their own targets (see also Fitzgibbon and Lea, 2014; Maguire et al., 2019).

With this in mind, we wanted to ask practitioners about their perceptions and practices of rehabilitation in a Community Rehabilitation Company. Little research had considered practitioners' views about working in the CRCs, and we wanted to explore their conceptions of 'rehabilitation' particularly how much they draw on the community to achieve 'offender' rehabilitation.

## **Methods**

To address the research question of 'what are practitioners' perceptions and practices of rehabilitation in a Community Rehabilitation Company', semi-structured interviews were carried out with 5 practitioners. Interviews offer the ability to obtain in-depth information about thoughts, feelings and values, including sensitive information that is told in the respondent's own words (Byrne, 2018). There is some probing from the interviewer because there is 'a need to understand the context of the project to aid in identification of significant themes' (Noaks and Wincup, 2004:80). A semi-structured interview schedule was designed with 14 open ended questions that asked practitioners about their experiences of rehabilitating offenders in a CRC. Through this vehicle, we can learn about individual's social worlds as probation practitioners and also how they make sense of these transitory worlds (see Miller and Glassner, 2016), from working in the probation service to a CRC. As such, interview data were analysed as both a 'resource' of data about probation practitioners' values and experiences of working in a newly formed CRC and also analysed as a 'topic' about how they told their experiences (Byrne, 2018:223). In their telling of their experiences, we make sense of how they use 'discursive repertoires' (Byrne, 2018:222) to comply and resist the dominant discourses (drawn out in the literature review) that enshroud their world of probation practice. In doing so, we believe we gain material access to their social worlds as probation practitioners. To help us do this, all interviews were recorded, fully transcribed and transcripts were uploaded to NVivo, a qualitative data analysis software, that allowed us to code and categorise the data thematically where



commonalities and differences are pooled together and relationships within the data identified (Gibson and Brown, 2009). Using thematic analysis, we found ‘meaningful patterns’ (Seal, 2016:451) in the data that highlighted what was important about practitioners’ perceptions and practices of rehabilitation in a CRC. These patterns, or rather themes, structure our findings. Whilst repetition of themes in the data was a key feature of discovering themes, understanding the meaning behind what individuals say, was also integral to the thematic data analysis. The meaning behind what individuals say was critically explored in relation to the research question being asked. As such, thematic analysis allowed us to critically analyse our data (ibid).

Access was granted to one CRC to interview 5 ‘responsible officers’ in 2018. All practitioners had been employed prior to Transforming Rehabilitation so they were able to situate their new experiences of working in a CRC with their old experiences of working for the probation service. An effort was made to include probation officers and probation service officers, full-time and part-time, who supervised low and medium risk offenders to gain a wide range of experiences. As such, sampling was non-probability and purposive (see Seale, 2018), given the small number of published studies about practitioners’ experiences of working in the CRCs, our research was exploratory rather than representative (see Seale, 2018) of all CRC practitioners. Participants were aged between 35 and 70 years. The length of their careers in probation ranged from 10 to 25 years. Given the potentially sensitive nature of the data gathered and its impact upon practitioners and the organisation, the university Research Ethics Group approved the research. For these reasons too, practitioners’ names are substituted with pseudonyms and the organisation is not named.

## **Findings**

### Rehabilitating Offenders: Tackling criminogenic and non-criminogenic needs

All practitioners were asked what effective rehabilitation meant to them. Accounts show that they thought of it as process, which is person-centred because it involves offenders having a relationship with their responsible officer. Practitioners’ accounts represent psychological rehabilitation because they are referring to working with the individual offender, as the following excerpts show:

[...] it has got to be related to, to people, to the person and to the offence that they committed, otherwise it’s not going to have any impact at all. [...] (Claire).

Getting people to engage with you, um, getting people on your side [...] (Paul).

The following account similarly shows working with the individual offender as in psychological rehabilitation but to address their social needs, possibly their non-criminogenic needs, which seems more synonymous with judicial/legal rehabilitation (McNeill, 2012), because attempts are made at negating the wider impact of conviction, such as stigmatisation, which may create barriers to community reintegration (Maruna, 2011).

It means to me, the right sentence plans and plans that fit the person, so tailoring to their needs, their social needs rather than criminogenic because

that works better, a holistic approach (Helen).

The next account shows why judicial/legal rehabilitative work needs to be carried out to facilitate the resettlement of the offender in the community, which is a fundamental right of offenders' (Rotman, 1990 cited in Raynor and Robinson, 2009:12):

Effective rehabilitation is when somebody is able to live in the community and play a full part within that community (Joanne).

To facilitate resettlement of the offender, they need access to resources, such as housing, finances, positive social networks, without discrimination and prejudice (Canton, 2017). To achieve this, judicial/legal rehabilitation is key (Maruna, 2011) but social rehabilitation is ultimate because society must accept and support the reformed offender (Canton, 2017; McNeill, 2012; Robinson and Crowe, 2009). If this is 'effective rehabilitation', then working with the offender in isolation of the community is futile: work needs to be done with the offender and the community. Claire explains further:

[...] if you don't look at those [social] needs, if all you're doing is to do with tunnel vision and Joe Bloggs comes in and he's got a problem with accommodation, but you go "oh no actually we're going to do a bit of work today", he's not going to concentrate on that until you've sorted that problem out, so that problem has to be done first doesn't it? [...]

It is important then to address offenders' non-criminogenic needs, often 'basic needs' (Raynor and Robinson, 2009:12), as the above excerpt indicates, at the same time as addressing offenders' criminogenic needs to reduce reoffending. Sarah explains this:

To me, it means that, um, the person I'm working with doesn't re-offend, um, leaves at the end of their order with um, some kind of accommodation, possibly with employment, um, with a reduction in their alcohol and drugs misuse, if that's been their criminogenic need.

In practitioners' accounts about effective rehabilitation, addressing offenders' criminogenic needs such as alcohol and drug misuse, and non-criminogenic needs such as accommodation, psychological, judicial/legal and social rehabilitation are important in the resettlement of offenders in the community. Consequently, a wider community response beyond the responsible officer is necessary to rehabilitate and reintegrate offenders into the community. The next theme considers this.

### **Meeting Offenders' Needs: The community response of hub-working**

All practitioners were asked about the usefulness of the hubs in rehabilitating offenders: all agreed they had benefits. The HM Inspectorate of Probation (2019a) inspection of CRCs found the use of community hubs as a commitment from CRCs to working in partnership with organisations to address offenders' needs. Helen explains:

[...] we see people in their local community, we have more space and more

provisions on tap than we ever did really, [...]. We work a lot more in partnership with other agencies, the hubs are designed to be a one-stop-shop in terms of meeting the majority of needs, which tend to, although sentence plans are very much individual, it tends to be a common theme around substance misuse, homelessness and mental health problems, and those provisions are provided in the hub, so there's no long waiting list, they can have immediate face-to-face contact and direct referrals.

Hubs speeded up the process of offenders being seen (see also Dominey, 2018). This psychological, judicial/legal and social rehabilitative work (McNeill, 2012) that addresses offenders' criminogenic and non-criminogenic needs, negates the negative impact of conviction upon offenders by removing barriers to reintegration (Maruna, 2011) to ultimately enhance community acceptance of the reformed offender (McNeill, 2012), and thus, may help offenders desist from offending (Phelps, 2018; Phillips et al., 2020). Paul elaborates further:

I think the benefits are, um, we can reward people, if that's the right word, by using the hub, uh by saying we'll take you off weekly appointments, we'll put you on fortnightly or monthly or whatever the case may be, however if you reoffend we'll increase those appointments back, so in the hub situation, we've got people like employment, housing, that type of thing, we can say to them well you needn't see me [responsible officer], just drop in and see housing [in the hub], have a word with employment [in the hub], that's your appointment, so we can loosen up the appointment, [...] they can bring their families, their girlfriends or their wives, you know, there's a cup of tea waiting for them, some see that as a positive side, and I can see the positive side of it.

The informal nature of hubs facilitates positive supervisory relationships (Ellis, 2017; Phillips et al., 2020), which enhances offenders' compliance, and ultimately, their reintegration into the community (Dominey, 2016, 2018; Ellis, 2017; Phillips et al., 2020). However, Paul explains the unintended effects of hub-working:

[...] in the hub situation, you've got people sitting about, um it's a bit of a gang culture some of the hubs, because they've got their mates in, hanging about outside and in little groups and all that, and you lose that authority and control of an office based situation [...]. [...] it's a ready-made market for a drug user, a drug dealer, because they've got that people who are like minded there with you, so we've got to be pretty careful.

Hub-working appeared to create criminogenic spaces (see also Dominey, 2018). Some practitioners felt that working in hubs impacted upon their ability to carry out one-to-one work with offenders (see also Ellis, 2017), as Joanne explains:

I would like to go back to having proper probation offices, instead of having like a day and a half working in the hub, we had five days a week from an office so you've got much more flexibility about when you see people, and

about the length of time you have to spend with those people, that the nature of the hub-working means that everybody's in for five or ten minutes, and it's really difficult to do anything meaningful with them.

Interviewer: [...] so do you feel like the new system, or layout of the hubs compared to how it was before, affects the way you deliver rehabilitation?

Absolutely, it really has, it wasn't unusual for me to spend an hour with somebody before to do meaningful work with them, now I rarely get to spend more than ten minutes with someone.

While it is unclear what type of one-to-one work is being carried-out with offenders, Smith et al. (2018:407), in their Rapid Evidence Assessment, which largely focused upon assessing studies premised upon psychological rehabilitation, 'found that the likelihood of reoffending was shown to be lower for offenders who had been exposed to some type of supervision'. The next theme explores the provision of organisations in the hub setting.

### **Offering Services to Offenders: The competitive private sector**

While the addition of hub-working in the CRC provides an informal space facilitating offenders' rehabilitation, the structural set up of working with other agencies in the voluntary sector, which the probation service has done since the 1990s (Dominey, 2012), occurs in much more formal ways, as Joanne explains:

[...]. The things we haven't got now is that we've lost a lot of the contacts that we used to have with other voluntary sector organisations, and we tend to have more formal arrangements now than we used to have, so it's not as good.

The implications of the formality of partnership working is a loss of contacts. Joanne also alludes to why this has happened, loosely pointing to the funding structures of a private company:

I think it's too much to do with contracts and money, we didn't used to have to pay people to do things, we just used agencies and charities, and now everything's done on a much more formal basis, so it's actually, rather than widening the scope of the other partnership agencies we can work with, it's narrowed that.

VSOs are more formalised and they are shrinking (Ellis, 2017; Fitzgibbon & Lea, 2014; Maguire et al., 2019). Paul adds to Joanne's account about working for a private company to supervise offenders in the community:

I think we can do a lot to help ourselves, by getting the right hub in the right place at the right times. I think since we've gone from the NPS [National Probation Service] and now we're a private company, I think there's far too much looking into, we've got to save a few pounds here and there, so we'll have one hub this week instead of two, and because it went from two down

to one, I think we're looking less at what we need, to what money are we going to get, and for me over the last two or three years, it's gone that way, everyone's gone expenses.

The competitive nature of the CRCs as private companies to use resources, such as hubs, economically to maximise profits, is clear in Paul's account. CRCs provide services to offenders. They are paid according to the numbers of offenders they supervise (HM Inspectorate of Probation, 2016) and from the additional income of PbR: statistically significant reductions in reoffending (Strickland, 2016). The ramifications of this are apparent in Joanne's account:

[...] but recently, I've noticed something that I think is connected to payment by results, and that is that I'm finding it increasingly difficult to transfer cases into other areas. I've got quite a complex caseload, so most of my cases are unlikely to trigger a payment by results. Because at some point they've failed during that order, and when I'm trying, because they've moved to a different area, to get a different CRC to accept that case, they won't take the case, so I'm starting to see, and I think this is a new phenomenon that's just starting, is that if we're trying to transfer to a completely separate company, they are refusing to take cases who are going to impact their payment by results, so that means I've got cases who are one-hundred to one-hundred and fifty miles away, sitting in my name, but the other company won't accept the case, because it's going to negatively impact on them. And I think that is going to start to increase, and I think that we're only just starting to see that.

As Burke and Collette (2015) suggest service providers may be rewarded by working with offenders who are assessed as being at low-risk of reoffending, hence why a CRC in another region may not want to take an offender assessed at a medium-risk of reoffending. While this explicit impact of PbR can be seen in Joanne's account above, many of the practitioners felt only the implicit effects of it, as Sarah explains:

I don't think I've felt it at all [PbR], I know it's there, but I've not had anybody on my shoulder saying you've got to do that or we won't get paid, it's always there in the background but it's not something I've taken a lot of notice of to be honest, there's no extra pressure.

On the contrary, the financial structures of the private CRC were thought of as a driver to do well in the job, for some practitioners, as Claire states:

[...] so you know, you've got to have a certain percentage of your people not offending to be able to get this money in, or whatever, so I think long-term, it'll make people very much more, I hate to say on the ball but do you know what I mean, you will actually think more about what you're doing cos you're thinking, my job, and it's not personal to you, but if everybody doesn't do that, then the jobs are all going to go aren't they, so it does become like a different ball game, it's certainly a different environment being in the private world than it was working for the *National Probation Service*.

While Claire frames PbR positively as a driver to do well in the job, there is a connection here to its negative impacts. Kirton and Guillaume (2015) found staff reporting high levels of dissatisfaction to working in the CRCs. Some staff reported experiencing stress, high workloads, with unrealistic targets. The impact of individuals driving themselves to do well in their job, so they keep their job, led to some of their dissatisfaction.

## **Discussion**

Practitioners' perceptions and practices of rehabilitation are synonymous with three forms of McNeill's (2012) 'offender' rehabilitation: psychological, judicial/legal, social. Psychological rehabilitation in terms of one-to-one work with offenders to reform them could be negatively impacted by hub-working and the creation of criminogenic spaces in such a model of working. Both of which could adversely affect the positive supervisory relationship between practitioners and offenders, which is thought crucial in the rehabilitation of offenders (Canton, 2012; Dominey, 2016; Irwin-Rogers, 2016). Conversely, hub-working has been found to facilitate positive relationships between practitioners and offenders (Dominey, 2016, 2018; Ellis, 2017; Phillips et al., 2020). Moreover, hub-working extended rehabilitative work beyond psychological rehabilitation to incorporate judicial/legal, and social forms because offenders had access to resources and thus a right to 'claims', which is symbolic of a community prepared to accept and to support the reformed offender (Canton, 2017:113). Practitioners alluded to the causes of crime residing within social circumstance and a response that alleviates adverse social circumstances for offenders is necessary. Hence, why practitioners talked about the importance of addressing offenders' criminogenic and non-criminogenic needs to help offenders reintegrate into the community. Practitioners were thus more akin to 'guardians' (Waring and Bishop, 2011 cited in Burke et al., 2017:198) because they remained authentic to the values of the probation service, prioritising the needs of offenders, whilst adapting to a new model of working with them (Burke et al., 2017), in hubs. Supervision by practitioners in this research can then be best described as 'thick' because it is 'embedded in the community' (Dominey, 2019:291-293). This support is likely to continue beyond offenders' period of supervision. Consequently, it has the potential to reduce reoffending (ibid) and help offenders desist from offending (Phillips et al., 2020). Moreover, a focus on these broader forms of offender rehabilitation beyond psychological rehabilitation ensures that rehabilitation will not serve solely as a risk management strategy for public protection (McNeill, 2012). The CRC then, in this research, adopts an inclusive approach to offender supervision by bringing the community to the offender to provide a wrap-around response so that offenders' needs are holistically addressed to reduce reoffending, rehabilitate, resettle and reintegrate the offender into the community.

There are some disconnects with these theoretical conceptions of 'offender' rehabilitation and practice. Firstly, McNeill's (2012) form of 'offender' rehabilitation of moral rehabilitation, about the offender providing redress and reparation to the victim and wider community, was not particularly mentioned by practitioners. Consequently, the omission of this form of 'offender' rehabilitation may impact upon offender's reintegration into the community and their desistance from offending. Secondly, there is evidence in this research that not all offenders have a right to 'liberties' (Canton, 2017:113): they are discriminated against because cases are difficult to transfer to other CRCs. The structural arrangement of how CRCs are paid fosters them to be more cautious about the offenders they supervise

because it may affect their income, particularly the additional income that PbR brings. As Denney (2016) argues given the fragmented service provision that part-privatising probation engenders, the bureaucratic procedures reflect the interests of agencies rather than the interests of offenders. These arrangements, he argues, could also create communication difficulties between agencies and foster discretionary decisions by CRCs, such as refusing to supervise offenders who will jeopardise PbR. For example, HM Inspectorate of Probation (2019b:4) inspection of a CRC found inadequate risk assessments and stated that 'immutable lines crossed because of business imperatives'. Risk and rehabilitation can be complimentary concepts because assessment of the former can guide where scant resources are most needed, to facilitate the latter (Robinson, 1999). Without adequate risk assessments and contact with offenders, the ability to develop positive supervisory relationships between practitioners and offenders diminishes, and managing offender risk and rehabilitating offenders, are seriously comprised (Canton, 2012; Dominey, 2016; Irwin-Rogers, 2016; Smith et al., 2018). Thirdly, the voluntary sector is more formalised and shrinking (Fitzgibbon and Lea, 2014; Maguire et al., 2019): smaller VSOs have had their funding cut (Ellis, 2017). Rather than innovate service provision in the CRCs (Ministry of Justice, 2010), the loss of informal contacts in the voluntary sector, may impact the scope of service provision to offenders in the community hubs. Fourthly, the economic use of hubs to maximise profits may also impact the availability of service provision to offenders in the community.

Ultimately, the problem here is largely that private companies are seen to be protecting their profits. In doing so, they may discriminate offenders (void their right to 'liberties') and exclude them from access to resources (void their right to 'claims') (see Canton, 2017:113) because it is questionable how offenders who are supervised by a CRC many miles from where they reside, can readily access resources in their community. McNeill (2013) alludes to the crux of the problem being that the private sector is not the best place to rehabilitate offenders because offenders become goods in a market place rather than the community being overly concerned with supporting and accepting the reformed offender, which is crucial to their reintegration into the community (Canton, 2017), and the basis for judicial/legal and social rehabilitation, respectively (McNeill, 2012). Commercial companies (like CRCs), Canton (2016) argues, are not likely to be driven by what is in the public's best interest. Nor are such private companies necessarily interested in what is best for service users (Denney, 2016). If best interest for service users and the public is thought of as engaging offenders and the community in four forms of 'offender' rehabilitation (McNeill, 2012), then there is an unintended disconnect between aspirations of practitioners working in the CRC, who prioritise psychological, legal/judicial, and social forms of rehabilitation, but the practical outcome for some offenders in the CRC, because of the 'undesirable result of market forces' (Denney, 2016:136), is at best, psychological rehabilitation.

## **Conclusion**

This article presented data about practitioners' perceptions and practices of rehabilitation in a CRC. Important to practitioners in the rehabilitation of offenders is addressing both criminogenic and non-criminogenic needs to facilitate offenders' reintegration into the community. The practice of hub-working in the CRC was met with much praise because it provides opportunities for offenders to have their needs met in an inclusive way. Thus, 'offender' rehabilitation can be thought of as incorporating psychological, judicial/legal, and

social forms (McNeill, 2012). However, the unintended effects of hub-working were noted as fostering criminogenic spaces and reducing the time for one-to-one work with offenders: potentially adversely affecting positive supervisory relationships between practitioners and offenders crucial in the (psychological) rehabilitation of offenders (Canton, 2012; Dominey, 2016; Irwin-Rogers, 2016). These unintended effects of hub-working can be overcome. Further research is needed to shine a light on how best to proceed with hub-working to ensure psychological, legal/judicial and social forms of 'offender' rehabilitation, are practised (McNeill, 2012), and for these forms of 'offender' rehabilitation to be provided, via service provision, beyond an offender's period of supervision to help them desist from offending (Dominey, 2019; Phillips et al., 2020). Some thought is needed to show how such a model of working can incorporate moral rehabilitation where offenders can provide redress and reparation to the victim and community to enable a more holistic model of 'offender' rehabilitation (McNeill, 2012 see also Robinson and Crowe, 2009).

That said, the current context in which offender rehabilitation is delivered is concerning because the exclusionary effect of privatising the supervision of offenders in the community has been noted here upon the provision of legal/judicial and social forms of 'offender' rehabilitation. The particular outcomes of this were noted as using hubs economically to maximise profits, loss of informal contacts with VSOs, and the difficulties of transferring cases to another CRC: all have the potential to adversely impact upon offenders' rehabilitation and reintegration into the community, despite practitioners' aspirations of these forms of 'offender' rehabilitation. Therefore, the private sector is not the best place to rehabilitate offenders (McNeill, 2013) because it hampers practitioners in their rehabilitation of offenders. But bringing the community to the offender by hub-working is worthy of consideration in the renationalisation programme (see also Phillips et al., 2020) because it extends 'offender' rehabilitation beyond a focus on the individual (psychological), to a focus on the community (judicial/legal, social), so that theory and practice have the chance to connect.

## **Limitations**

The study analysed interview data from 5 practitioners working in one CRC. Their experiences are not representative of all practitioners in their organisation nor are they representative of other practitioners in CRCs. The study was exploratory in nature, seeking to add to the small number of studies published of practitioners' experiences of working in a CRC. The study was undertaken before announcements were made about renationalising the probation service (see BBC, 2019). Current CRC contracts will end in June 2021 and the NPS will manage all sentenced offenders in the community. 'Specialist providers' (HM Prison and Probation Service, 2020:2), such as VSOs, will be drawn upon to provide rehabilitative and resettlement services to offenders (HM Inspectorate of Probation, 2020) as 'contracted out' services (HM Prison and Probation Service, 2019:16). This research could add to the discussions about the renationalisation programme and how the NPS will harness these specialist providers to rehabilitate and resettle offenders.

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