

# Restoring the “jewel in the crown” of the Probation service

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The last ten years have been bumpy for people delivering unpaid work. In the early 2010s, unpaid work was privatised in London, an experiment which - by all accounts - [left almost no one happy](#). Then it was part of the probation service cleaved off into the twenty-one privately run community rehabilitation companies in 2014, and [when that did not work](#), it was brought back into the new, national, public Probation Service. Then, as Unpaid Work provision came back into public ownership in 2020, COVID19 hit, [tripling an already growing backlog of unworked hours](#). This confluence of events led us to look at probation's delivery of unpaid work afresh, in our new report, [The Future of Unpaid Work: Payback with a purpose](#).



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## Probation unification

In recent [research on professional identity, culture, and practice in probation](#) since the collapse of Transforming Rehabilitation Tidmarsh has found that staff who worked in the private probation companies feel like they are viewed as 'second class'. Many participants in his study commented on how unification has restored a sense of professional identity, as 'we're all one service now'.

The unification of probation was a dominant backdrop to the research we conducted at the Centre for Justice Innovation during which we were lucky enough to interview unpaid work staff in all the regions of England and Wales. Teams were enthusiastic about the [injection of additional funds and new national and regional contracts to deliver more unpaid work hours](#), which should enable probation to make real strides in delivering unpaid work.

But we also found frustrations, one of which was increased bureaucratic barriers that stopped them operating nimbly. For example, we found that many of those we interviewed who had been employed as part of a Community Rehabilitation Company were accustomed to ordering equipment for unpaid work jobs which would

arrive in days. They now experienced significant delay as a result of an overly centralised, slow and bureaucratic procurement process. One interviewee stated it bluntly: *"We wait ages to get equipment we used to get the next day."* As Tidmarsh has found, *"many legacy CRC staff argued that they missed the 'flexibility' and 'dynamism' of working in the private sector."* Further, he notes that *"since unification, a grey, faceless 'Civil Service bureaucracy'"* has replaced Chris Grayling as the bogeyman of probation.

## Cultural divide

Disappointingly, we also found that unpaid work supervisors feel their work is under-appreciated by both fellow probation staff (especially qualified probation officers) and 'the centre'. This lack of recognition was perceived as a long standing cultural issue rather than the product of transforming rehabilitation. It is more reflective of a divide between 'professional', qualified probation officers and those who were not. We found this particularly distressing because there is clear evidence that purposeful unpaid work can only be achieved when skilled unpaid work supervisors help people on unpaid work to change their lives.

## COVID19 and unpaid work

Another, obvious, dominant backdrop to our research was the pandemic and subsequent recovery. We found an understandable sense of pride among those we interviewed in relation to the resilience of probation to meet the challenges of COVID19 that impacted on the ability of unpaid work to deliver in particular. Between March 2020 and March 2022, there was approximately eight months when it had not been possible for probation services to deliver on-site community payback projects. Moreover, probation managers, nationally and regionally, have had to deliver unpaid work within restrictions even when it did resume. Our interviews found that covid-related restrictions severely limited the use of minibuses to collect people on probation and deliver them to site. Our interviews suggest that, due to this, requirements for people on probation to "report to site" became more frequent, replacing the former practice of transporting people to projects in minibuses. Practitioners interviewed across the regions suggested that this lack of use of minibuses led to a higher number of breaches as people on probation failed to report to site, or, having done so, simply walked off site. Other consequences of the pandemic were higher staff attrition, lower staff morale, and higher staff sickness amongst those delivering unpaid work. Singleton placements were particularly badly affected as many charities closed premises. This adversely affected women on probation, who tend to be placed in charity shops.

## Future demand

At a more structural level, we found other challenges for probation in delivering unpaid work. It is likely probation will have to deliver more unpaid work in the future due to the rise in police officers. The impact of plans to recruit 20,000 new police officers on the criminal justice system suggest that this could lead to a rise in the number of community sentences, and, consequently, in a 17% rise in the number of community sentences with an unpaid work requirement when compared to the pre-pandemic baseline.

Second, as with all people serving community sentences generally, the cohort of people required to perform unpaid work is slowly getting older, a trend which is likely to continue. We estimate that 25% of the unpaid work population in 2024 will be over 40, compared to 21% in 2016. This has a direct consequence for the type of placements sourced.

Third, there is circumstantial and qualitative evidence that suggests that the cohort of people on unpaid work are now more likely to have complex needs than they previously did. A number of people interviewed felt that 'stand-alone' unpaid work is increasingly being given to more complex individuals who, in the past, would have received multiple requirements. We have also seen rises in the complexity of needs in other justice involved cohorts, including people in contact with the police and in the prison population.<sup>1</sup>

<sup>1</sup> See, for example: Justice Select Committee. (2019) Prison population 2022: planning for the future. Available at: <https://publications.parliament.uk/pa/cm201719/cmselect/cmjust/483/full-report.html>; Youth Justice Board/Ministry of Justice (2021). Assessing the needs of sentenced children in the Youth Justice System 2019/20 England and Wales: Experimental Statistics bulletin. Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/968700/experimental-statistics-assessing-needs-sentenced-children-youth-justice-system-2019-20.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/968700/experimental-statistics-assessing-needs-sentenced-children-youth-justice-system-2019-20.pdf); Police Foundation. (2022). Strategic Review of Policing in England and Wales. Available at: <https://www.policingreview.org.uk/>

It is unclear whether these rises represent actual rises in complexity or whether they show that we, as a society, are becoming better at self-reporting and independently identifying them. In any case, this rise in the number of complex needs faced by people on unpaid work will be reflected in the unpaid work cohort as it increases over time.

Yet, as the [Chief Inspector of Probation has recently stated](#), chronic staff shortages and high workloads in probation are putting the recovery from the pandemic at risk and are likely to undermine efforts to build new capacity to address future increases in demand.

### A hopeful future?

Perhaps most excitingly our research gave us the opportunity to help probation colleagues step back from the pressing demands of the backlog to think about where unpaid work should be in the medium term. There was a heartening consistency across regions about what unpaid work ought to be: purposeful, visible, and vibrant. These values (luckily or by design) accorded very closely with what the admittedly patchy academic evidence says about effective unpaid work: that good unpaid work can give people on probation skills and involving them in restoring places results in wider benefits to the community.

Away from the political debate about unpaid work (with its myopic focus on sounding tough: “[fluorescent-jacketed chain gangs](#)”), there was a widespread interest in unleashing the value of unpaid work as a means to engage local communities in public safety. We heard time and again this cannot be done from the national HQ, nor even from the regional headquarters. Rather, it requires the devolution of decision making and investment at a ‘hyper-local’ level. It’s why we

recommend in our report that HMPPS does two things simultaneously, as part of its medium-term strategy:

1. Devolve decision-making for the delivery of unpaid work to the regions
2. Invest in community involvement.

Some of functions of probation can be administered centrally, but the unique and community focused nature of unpaid work demands a more local solution. We repeatedly heard pleas from staff to be empowered to deliver purposeful unpaid work tailored to their communities. We recommend a number of steps to devolve decision making to the regions, including providing them with more powers over procurement and reviewing a number of the centrally administered shared services.

We also argue that HMPPS should develop new hyper-local partnerships with groups and organisations in communities especially affected by crime. Using the principles of community involvement, these hyper-local partnerships would seek to engage and involve community groups in identifying work that needs to be done locally, and in promoting the work carried out to visibly demonstrate that the justice system pays back. We suggest that, alongside national and existing local projects, HMPPS should work toward ensuring 10% of placements are sourced from new hyper-local partnerships by January 2024.

A former head of the National Probation Service once described unpaid work as the “*jewel in the crown*” of the probation service. We hope our report, and the plan for payback with a purpose it advances, will go some way to making that jewel sparkle again.