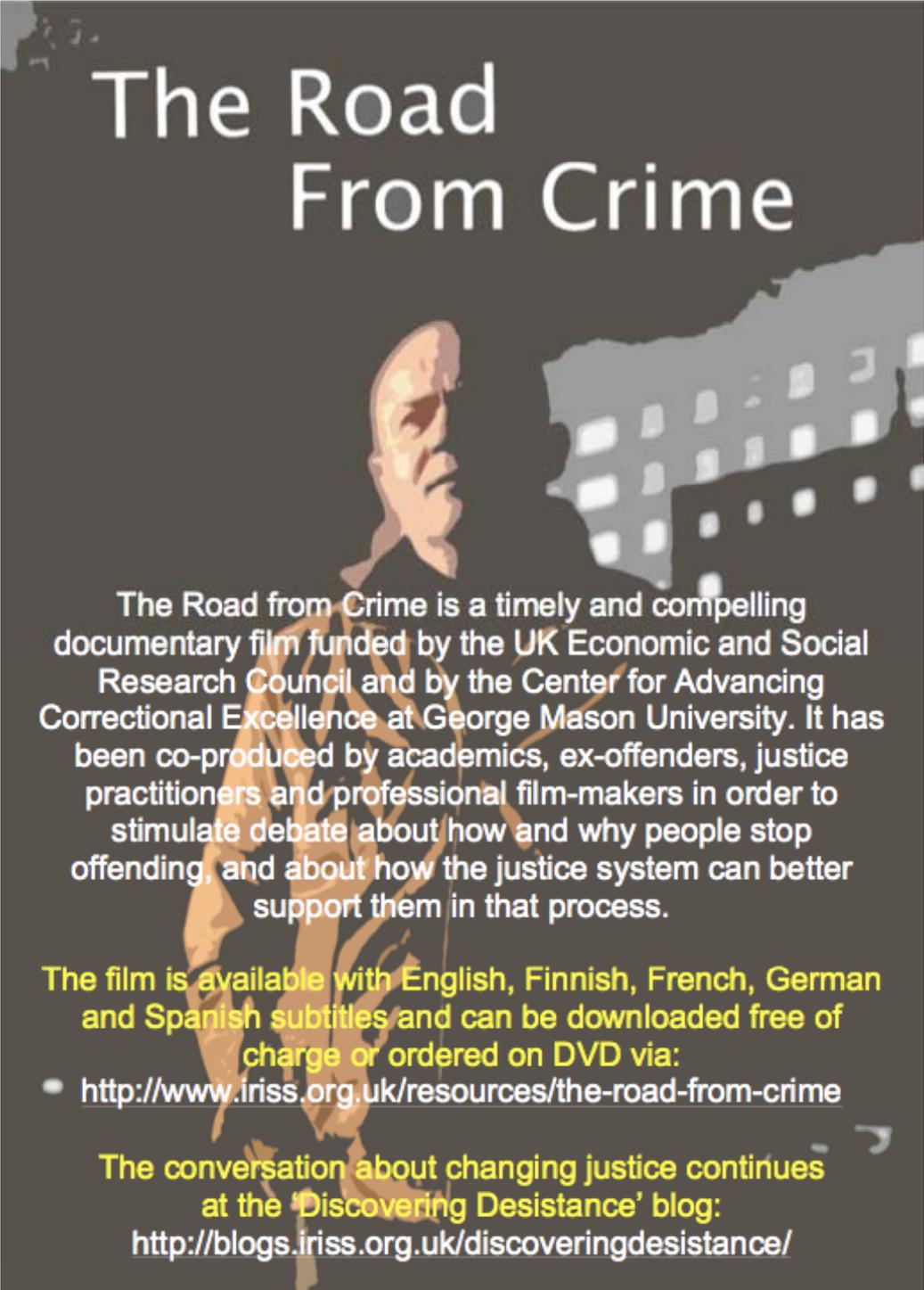


Desistance and criminal justice

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The Road From Crime



The Road from Crime is a timely and compelling documentary film funded by the UK Economic and Social Research Council and by the Center for Advancing Correctional Excellence at George Mason University. It has been co-produced by academics, ex-offenders, justice practitioners and professional film-makers in order to stimulate debate about how and why people stop offending, and about how the justice system can better support them in that process.

The film is available with English, Finnish, French, German and Spanish subtitles and can be downloaded free of charge or ordered on DVD via:

- <http://www.iriss.org.uk/resources/the-road-from-crime>

The conversation about changing justice continues at the 'Discovering Desistance' blog:

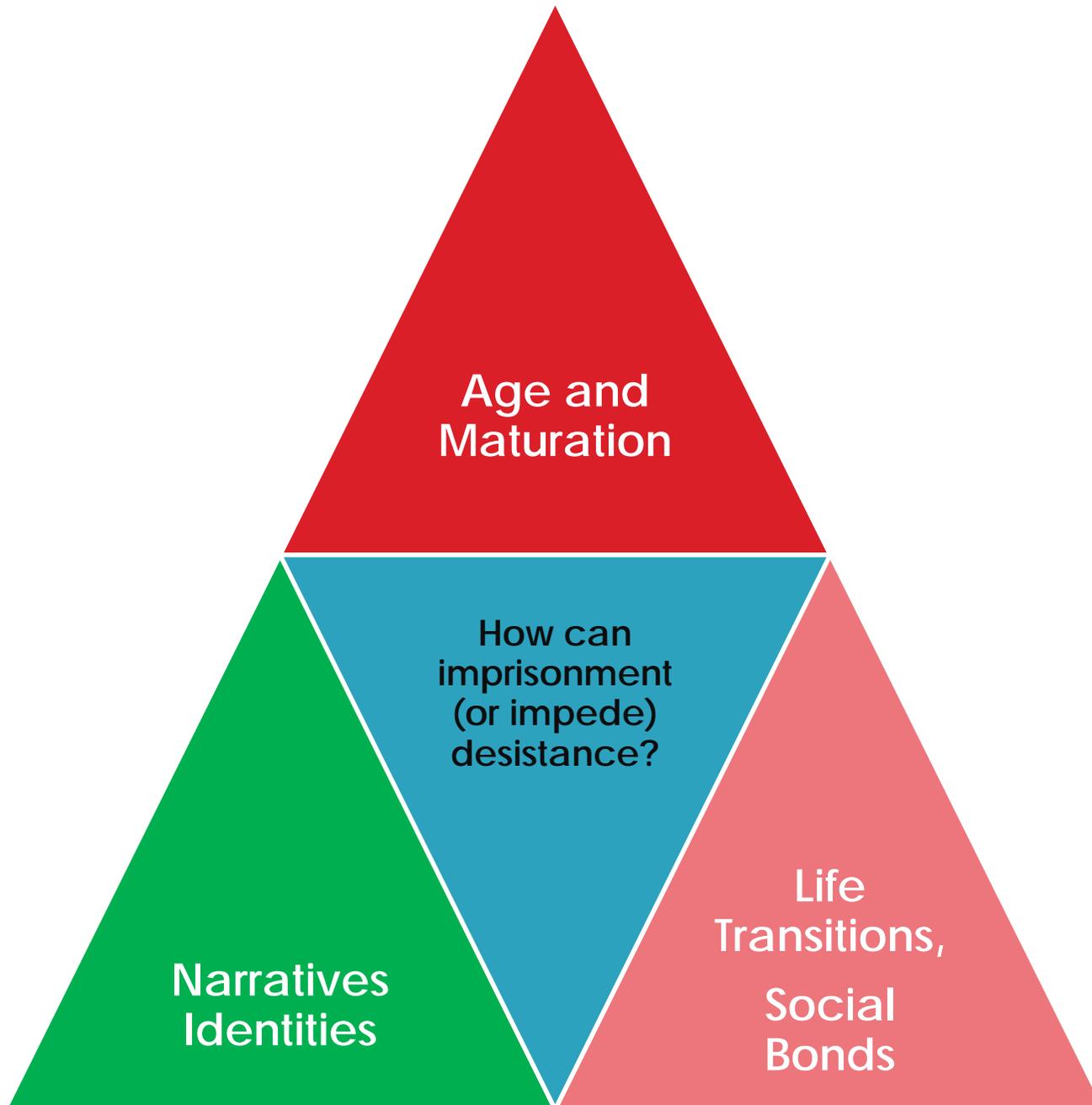
<http://blogs.iriss.org.uk/discoveringdesistance/>

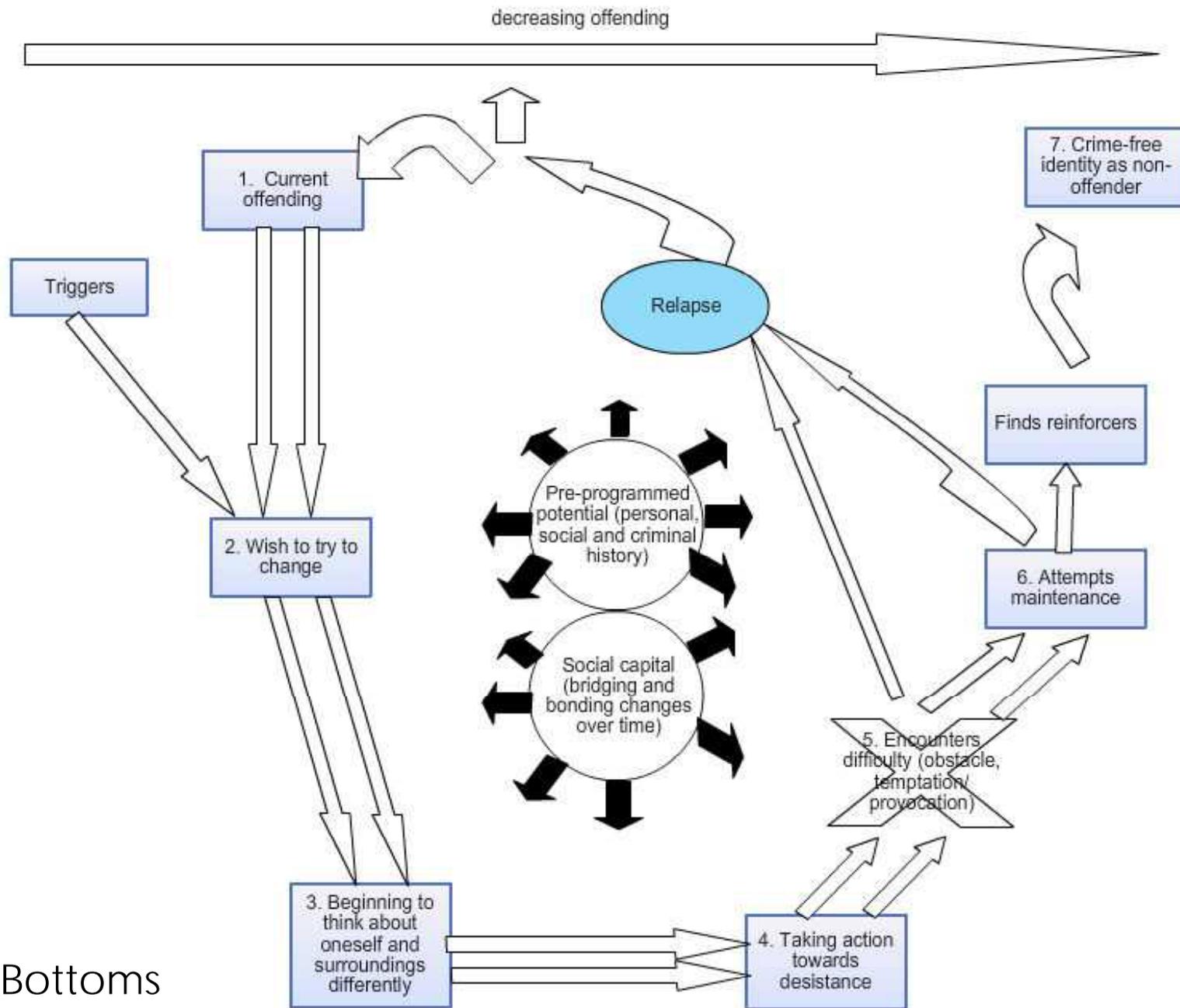
Why desistance matters?

- ▣ Studying desistance forces us away from static models of people as 'offenders', 'criminals' or 'prisoners' and encourages an understanding of change(s) in personal identities
- ▣ If we aim to reduce reoffending and to promote successful reintegration, then desistance theory and research can and should inform the redesign of our systems and practices, at least where they aim to reduce reoffending
- ▣ Desistance research does not provide a program, a product or a solution; it is a body of evidence in which practices and services should be embedded
 - ▣ A bit like the way in which educational approaches need to be embedded in an understanding of child development.

Definitions

- ▣ Desistance is a **process** not an event
 - ▣ Dieting, exercise, smoking cessation, drugs/alcohol recovery, etc.
- ▣ 'Natural' versus 'assisted' desistance (rehabilitation)
 - ▣ Aging out
 - ▣ Helping out
- ▣ Primary and secondary desistance
 - ▣ Behaviour
 - ▣ Identity
 - ▣ Human development [and belonging]





From Bottoms
and Shapland
(2011: 70)

Controversies (Cid and Martí)

- ▣ Starting out: Structural or subjective factors
 - ▣ Desistance by default or by (re)cognition?
- ▣ Maintaining desistance
 - ▣ Social control/bonds, social support or identity change?
- ▣ The role of the individual
 - ▣ Agent/author of change or beneficiary of events?
- ▣ Arrested development
 - ▣ Sustaining desistance without achieving adult status

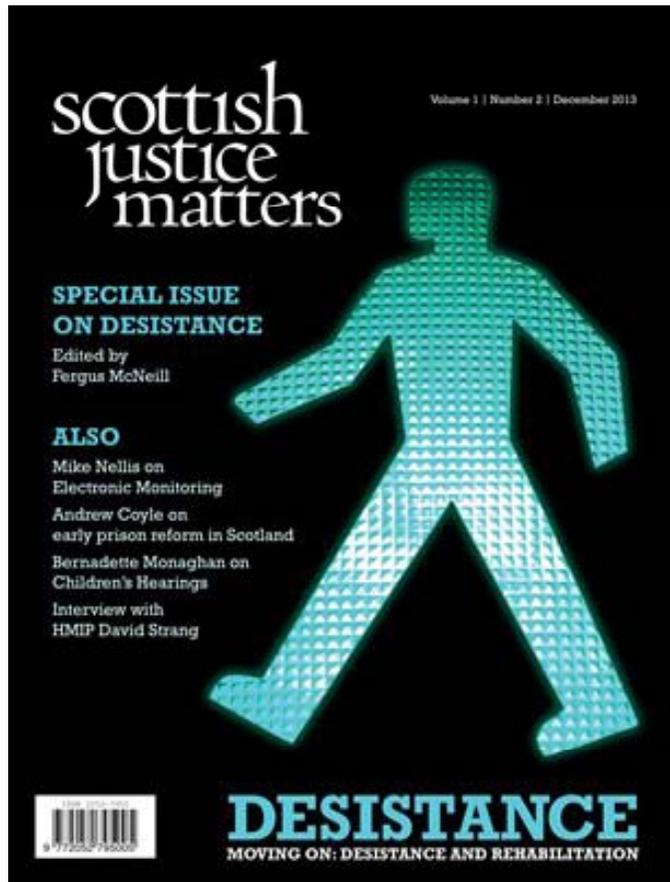
The role of social relations... and their qualities (Weaver 2013)

- ▣ “Those social relations [intimate relationships and family, friendship, faith or work groups] which were most causally influential in the desistance process were characterised by... **solidarity** and **subsidiarity**, or on other words, a sense of ‘we-ness’. Put simply, subsidiarity is a way to support and help another person without making him or her passive or dependent. It allows and assists the other to do what they need to do for themselves to realise their ultimate concerns, goals or aspirations. Subsidiarity cannot work without solidarity (which means sharing a responsibility through reciprocity and which implies interdependence). These principles confer mutual responsibilities on each person for supporting change and in taking responsibility for personal change” (p13).

Key lessons about [some] desistance processes

- ▣ They are complex **zig-zag processes**, not events
- ▣ They involve **re-biography** (at the time or post hoc) ; changing identities (stories); more than learning new cognitive skills
- ▣ Prompted by life events, depending on the **meaning** of those events for the person; hence individualised, **sensitive to difference/diversity**
- ▣ Solicited or sustained by someone 'believing in' the person (or prevented by someone giving up on him/her?)... **Hope**
- ▣ Active processes in which a sense of **agency** is discovered and exercised
- ▣ Require **social capital** (opportunities) as well as human capital (capacities/skills) –alters the context of (terrain for) the journey
- ▣ Certified through '**redemption**' or restoration (de-labelling); finding purpose in **giving back** and making good

Implications?



<http://www.magcloud.com/browse/issue/676065>

- McNeill, F., Farrall, S., Lightowler, C., and Maruna, S. (2012) **Reexamining “Evidence-Based Practice” in Community Corrections: Beyond “a Confined View” of What Works**, *Justice Research and Policy* 14(1): 35-60
- McNeill, F., Farrall, S., Lightowler, C and Maruna, S. (2013) **‘Desistance as a Framework for Supervision’** in Bruinsma, G. and Weisburd, D. (eds.) *The Springer Encyclopedia of Criminology and Criminal Justice*. Springer.

Both available online at:

www.blogs.iriss.org.uk/discoveringdesistance/

Implications

1. Desistance, for *people who have been involved in persistent offending*, is a difficult and complex process, and one that is likely to involve lapses and relapses. **Criminal justice supervision must be realistic** about these difficulties and find ways to manage setbacks and difficulties constructively.
2. Since desistance is an inherently individualised and subjective process, approaches to supervision must accommodate and exploit issues of **identity and diversity**.
3. The development and maintenance of **motivation and hope** become key tasks for supervisors.
4. Desistance can only be understood within the context of **human relationships**; not just relationships between supervisors and supervisees (though these matter a great deal) but also between supervisees and those who matter to them.

Implications

5. Although the focus is often on people's risks and needs, they also have **strengths and resources** that they can use to overcome obstacles to desistance – both personal strengths and resources, and strengths and resources in their social networks. Supporting and developing these capacities can be a useful dimension of supervision.
6. Since desistance is in part about discovering self-efficacy or agency, interventions are most likely to be effective where they **encourage and respect self-determination**; this means working *with* people not *on* them.
7. Interventions based only on developing the capacities and skills of people (human capital) will not be enough. Supervision also needs to **work on developing social capital**, opportunities to apply these skills, or to practice newly forming identities (such as 'worker' or 'father').
8. **The language of practice** should strive to more clearly recognise positive potential and development, and should seek to avoid identifying people with the behaviours we want them to leave behind.

A paradigm shift?

(McNeill, 2006)

	<i>A 'What Works' paradigm</i>	<i>A desistance paradigm</i>
<i>Orientation</i>	Intervention required to reduce reoffending and protect the public	Help in navigating towards desistance to reduce harm and make good
<i>Assessment</i>	'Professional' assessment of risk and need governed by structured instruments	Explicit dialogue and negotiation assessing risks, needs and strengths and identifying opportunities to make good
<i>Intervention</i>	Compulsory engagement in structured programmes and processes as required elements of legal orders imposed irrespective of consent	Collaboratively defined tasks which tackle risks, needs and obstacles to desistance by using and developing human and social capital
<i>Goals</i>	<i>Reduced reoffending</i> <i>Public protection</i>	<i>Desistance and social integration</i>

DesKE Propositions

1. Make greater use of reformed offenders
2. Reduce the reliance on imprisonment
3. Re-orientate the philosophy of probation
4. Reconnect probation to local communities
5. Mobilise wider support networks
6. Focus on the positive, not the negative or risks
7. Challenge inequalities; promote fairness
8. Redraft the [UK] Rehabilitation of Offenders Act
9. Educate the general public about the processes of desistance
10. Give people hope; show them they have a future

The future: After desistance?

Personal Rehabilitation

- The re-development of the self
- Capacity
- Motivation

Social Reintegration

- The re-development of social identity
- Informal de-labeling
- Barriers vs. opportunities

'Natural' Rehabilitation (Desistance)

Judicial Rehabilitation

- Formal de-labeling
- Re-qualification
- Barriers vs. opportunities

Moral Rehabilitation

- Provision of redress/reparation
- The restoration of good character
- The restoration of reciprocity

Based on McNeill and Maruna (2010); McNeill (2012)

A model from migration studies?

A Conceptual Framework Defining Core Domains of Integration



From Ager and Strang (2008)

Future directions?

- Might a clearer and more critical account of (re-) integration (distinct from re-assimilation or resocialisation?) help us move beyond the preoccupation with reoffending... and even with desistance?
- Might it edge us towards a more positive criminal justice practice that examines, articulates and advances the social goods that justice exists to promote?
- What would it mean for how we construct notions of 'evidence-based practice'?