# DO IT JUSTICE

# INTRODUCING DESISTANCE:
## A GUIDE FOR VOLUNTARY, COMMUNITY AND SOCIAL ENTERPRISE (VCSE) SECTOR ORGANISATIONS

# CLINKS

# J DO IT JUSTICE

## THE CRIMINAL JUSTICE SYSTEM EXPLAINED

**This resource is one of a series called Do It Justice, designed to provide easily accessible information on key aspects of the Criminal Justice System (CJS).**

**CLiNKS**

# INTRODUCTION

Desistance theory emphasises the need for a holistic, flexible and person-centred approach to supporting people who have offended and who wish to stop; an approach the Voluntary, Community and Social Enterprise (VCSE) Sector has successfully developed and promoted.

Academic researchers have developed thinking around desistance theory in recent years, culminating in a wealth of resources on the subject (see, for example, the Discovering Desistance blog listed below, under 'Further Information'). The usefulness of desistance for describing the process of change in a person's life is recognised by the Government and has featured in recent publications including the National Offender Management Service (NOMS) Commissioning Intentions 2013/14[1] document and the Ministry of Justice response to the Transforming Rehabilitation consultation, A Strategy for Reform.[2]

This Clinks guide aims to provide an accessible summary of some of the key themes in the desistance literature and explore the factors that can support desistance. It focuses on how the VCSE Sector can use the theory to demonstrate the success of their work supporting desistance to policy-makers, funders, commissioners, other partners and perhaps also prime providers.

[1.] National Offender Management Service (2012) NOMS Commissioning Intentions for 2013-14: Negotiation Document. Online: www.justice.gov.uk/downloads/about/noms/commissioning-intentions-2013-14.pdf [last accessed 22.05.2013]

[2.] Ministry of Justice (2013) Transforming Rehabilitation: A strategy for reform: Online: https://consult.justice.gov.uk/digital-communications/transforming-rehabilitation [last accessed 22.05.2013]
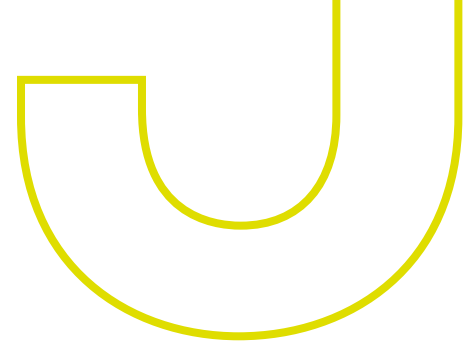
# WHAT IS DESISTANCE?

Though definitions and understandings of desistance remain contested, most researchers now think of desistance more as a process than as an event. It involves 'both ceasing and refraining' from offending.[3]

**Primary desistance** refers to the absence of offending behaviour, and any lull or gap in a person's offending can be considered desistance in this sense. However, this is distinct from **secondary desistance**, which refers to a much more deep-seated change in the person, reflected in their developing an identity and perception of themselves as a non-offender.[4]

Researchers are increasingly interested in this distinction, with some suggesting that the more secure, settled or long-term change reflected in secondary desistance is more important both to understand and to support.

## WHY IS DESISTANCE AN IMPORTANT CONCEPT?

As a central aim of the CJS and the work of many VCSE Sector organisations is to reduce crime and reoffending, it is essential to understand why and how people stop offending and use this knowledge to inform policy and improve practice.

Desistance theory also encourages awareness that an individual's identity is fluid and changeable. Desistance tells us that if someone has committed a crime and as a result found themselves labelled as an 'offender', it is possible for them to subsequently view themselves differently, reintegrate back into society and shed the 'offender' label.[5]

Desistance theory resonates strongly with the successful work of many VCSE Sector organisations and the Sector has historically developed and advocated for an approach to rehabilitation that is consistent in many respects with desistance-based perspectives. However, it can be challenging to know how to use the theory as a framework for developing practice and articulating the impact of VCSE Sector organisations in supporting an individual to desist from crime.

3. McNeill, F. and Weaver, B. (2010) Changing lives? Desistance Research and Offender Management. p53. Online: www.cepprobation. org/uploaded_files/ SCCJRReport_2010_03_ Changing_Lives.pdf [last accessed 28.03.2013].

5. McNeill, F., Farrall, S., Lightowler, C. and Maruna, S. (2012) How and why people stop offending: discovering desistance. Online: www. iriss.org.uk/sites/default/ files/iriss-insight-15.pdf [last accessed 29.04.2013]
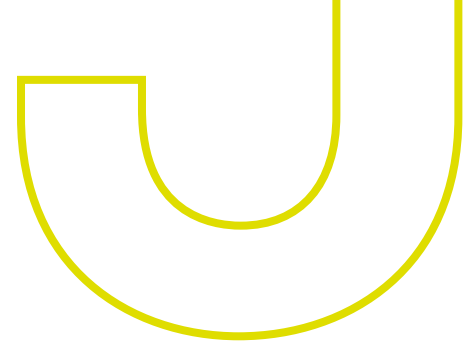
# WHAT FACTORS CAN INFLUENCE **DESISTANCE** FROM CRIME?

The desistance process is experienced differently by different people and relies on the service user navigating multiple external and internal factors. This is recognised by the NOMS Commissioning Intentions 2013/14 document which outlines that as crime has multiple causes, it follows that an individual achieves secondary desistance 'not through just one activity but through a combination of activities, services and social circumstances'.[6]

The following provides a summary of some of the key factors that research informs us are critical to supporting an individual to achieve secondary desistance.[7]

## LIFE COURSE
Many researchers recognising the role of maturation and ageing within the desistance process suggest that people often 'grow out' of crime naturally during their life. For example, research suggests that for most individuals, participation in street crime (such as burglary, robbery and drug sales) often begins when they are in their early teens and peaks when they reach late adolescence or early adulthood.[8]

By the time the majority of these individuals have reached their thirties, they have stopped committing crime and have achieved secondary desistance. The Transition to Adulthood Alliance (T2A) highlights that young adults, those who are aged 16-24, constitute less than 10% of the population but are hugely over-represented in criminal justice services. This group accounts for more than a third of those sentenced to prison each year and a third of the probation service's caseloads. T2A state that this age group is most likely to desist and 'grow out of crime' yet this is heavily dependent on the young adult receiving the right intervention that recognises and responds to their distinct needs; receiving the wrong intervention can slow the desistance process and extend the period during which the young adult is involved in the CJS.[9]

## RELATIONSHIPS
Much evidence suggests that forming (or renewing) strong and supportive bonds with family, a partner or a positive peer group can assist with the desistance process. Developing such relationships can provide sources of emotional and practical support for a person on their journey to non-offending and help them to find anchors of meaning or purpose, to maintain motivation to move away from crime.[10]

Forming a positive relationship with workers can also be an important part of a service user's desistance process. In her study of 60 probationers, Rex found that those who attributed changes in their behaviour to probation supervision felt their desistance was supported through the professional and personal commitment shown to them by their probation officer. Where the probation officer was perceived by the service user as reasonable, fair and encouraging, they were more able to 'engender a sense of personal loyalty and accountability' that aided with supporting the service user to achieve desistance.[11]

6. Refer to footnote 1.

7. For a more in-depth discussion, please see McNeill, F. and Weaver, B. (2010). Refer to Footnote 3.

8. Maruna, S. and LeBel, T. (2010) 'The desistance paradigm in correctional practice: from programmes to lives' in F. McNeill, P.Raynor and C, Trotter (eds) Offender Supervision: New Directions in Theory, Research and Practice. Online: http://blogs.iriss.org.uk/discoveringdesistance/useful-resources [last accessed 28.03.2013].

9. Transition to Adulthood Alliance website: www.t2a.org.uk

10. McNeill, F. and Weaver, B. (2010) Refer to Footnote 3.p.55.

11. Rex (1999) 'Desistance from Offending: Experiences of Probation' cited in McNeill, F. and Weaver, B. (2010). Refer to Footnote 3.
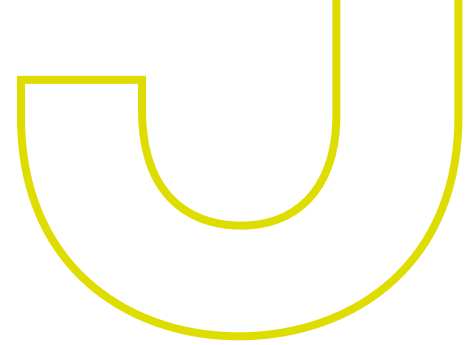
## EMPLOYMENT

There is much evidence that gaining employment is likely to help with the desistance process where it gives individuals a sense of achievement and purpose. There is however disagreement amongst academics as to how employment does this, highlighting the importance of determining what the factors supporting desistance mean to service users taking part in the desistance process.[12]

## FAITH

Adopting religion and becoming part of a religious community can also act as a 'catalyst for change' and help support individuals on their journey to desistance. For some, a similar sense of meaning and purpose might come from other forms of commitment (whether civic or political). Unless the faith or commitment resonates fully with the individual, however, it is unlikely to encourage them to stop committing crime.

## IDENTITY AND SELF-BELIEF

Labelling theory suggests that an individual's identity and perception of themselves are heavily influenced by the positive and negative labels that are applied to them by the rest of society. Overcoming the negative label 'offender' and achieving secondary desistance is a challenging process, particularly if the individual is continually referred to or defined by others as an 'offender' even after they have stopped committing crime.

Maruna argues that developing a positive self-identity and cultivating self-belief is a central part of the desistance process.

He states that those who successfully achieve secondary desistance, have a clear sense of meaning in their lives and feel they are in control of their future. Former offenders interviewed by Maruna had adopted various strategies for making sense of their past offending and were often keen to put their experiences to good use; for example, through supporting young people facing similar situations.[13]

Arts-based interventions can also support the desistance process as they can help an individual to recognise their strengths and can build self-esteem and self-confidence. McNeill et al found that prisoners involved in arts-based interventions in Scotland who took part in public performances or exhibitions before their significant others, were able to develop a new personal and social identity (as an artist or performer).[14] This helped to confirm for the individual that they could positively change their identity or character and achieve secondary desistance.

12. McNeill, F. and Weaver, B. (2010). Refer to Footnote 3.

13. Maruna, S. (2001) Making Good: How ex-convicts reform and rebuild their lives, American Psychological Association: Washington.

14. McNeill, F., Anderson, K., Colvin, S., Overy, K., Sparks, R. and Tett, L. (2011) Inspiring Desistance? Arts projects and 'what works? Online: http://blogs.iriss.org.uk/discoveringdesistance/files/2011/09/McNeill-et-al.-2011-Inspiring-Desistance.pdf [last accessed 25.06.2013]
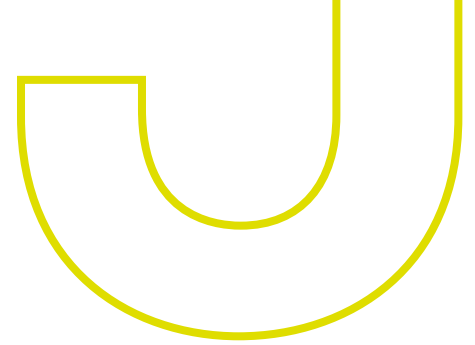
# DESISTANCE AND **DIVERSITY**

The process of desistance is experienced differently by different people. The next section focuses on some of the ways in which desistance is experienced by women and Black, Asian and Minority Ethnic (BAME) communities.

## GENDER AND DESISTANCE

Desistance research is in its early stages of unpicking the distinct issues facing women in their journey away from crime. It is clear, however, that working with women to promote desistance should take into account the reality of the woman's life and focus on addressing the issues that are important to her.[15] This approach is critical for supporting women on their journey to desistance.

Notwithstanding this, as women are of course not a homogenous group and will experience different needs, it is important that stereotypical assumptions about gender are avoided in service design and delivery.

McDermott carried out focus group interviews with women who had experience of women-specific provision within community sentences. When asked 'what helps women on their journey to stop offending?' the group emphasised practical and holistic support, for issues including finances, housing and education.[16] The participants in McDermott's research also highlighted that women are most likely to comply with services if they are treated as 'individuals deserving of recognition and respect.'[17]

## ETHNICITY AND DESISTANCE

Similarly to gender, research into the relationship between ethnicity and desistance is, to date, limited. Calverley however has recently conducted a qualitative research project exploring the desistance process for thirty-three men living in London who are of Indian, Bangladeshi and Black and Dual Heritage ethnic origin.[18]

This research identifies differences in the desistance process experienced by the three ethnic groups, which Calverley defines as distinct 'cultures of desistance'.[19] For the Indian and Bangladeshi men in the sample, desistance was described as a collective experience that actively involved their families positively intervening in their lives and supporting them.

Black and Dual Heritage men, on the other hand, reported a much more individualised process of desistance. Achieving secondary desistance involved these individuals disengaging from many of their previous social relationships, developing and adopting a more 'structured lifestyle' and taking individual steps towards 'self-improvement.'

15. Worrall, A. and Gelsthorpe, L. (2009) 'What works' with women offenders: the past 30 years. Online: www.crim.cam.ac.uk/people/academic_research/loraine_gelsthorpe/lrg10-2.pdf [last accessed 25.06.2013].

16. McDermott, S. (2012) Moving forward: empowering women to desist from offending-Exploring how women experience empowerment, compliance & desistance during enforced contact with a women's centre and probation. p39. Online: www.thegriffinssociety.org/Research%20Paper%202012-02.pdf [last accessed 28.03.2013].

17. Ibid p39

18. Calverley, A. (2009) An exploratory investigation into the process of desistance amongst minority ethnic offenders, PHD dissertation [unpublished].

19. ibid
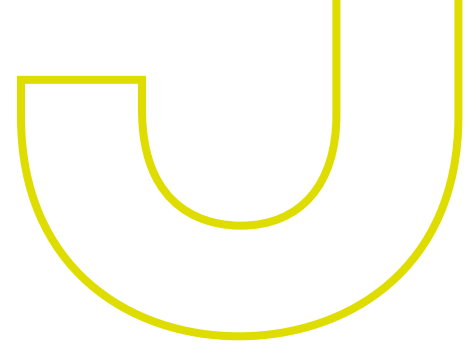
# SUPPORTING
## SECONDARY DESISTANCE

As desistance is a personal process, it is important to recognise that it can be supported but not controlled by interventions or services. It is therefore impossible, and undesirable, to formulate a comprehensive generic guide for effective practice in support of desistance.

Researchers have, however, identified important aspects of service delivery, for example service user involvement, that are believed to provide excellent reinforcement of the desistance process. The VCSE Sector has developed a wide range of services that are instrumental to supporting secondary desistance.

### SERVICE USER ENGAGEMENT
Facilitating service user engagement involves the worker (or volunteer) and service user working together to discuss the service being provided and to set targets for their work, which are then reviewed on a regular basis. Service user engagement can allow for positive relationships, characterised by mutual respect, loyalty and commitment, to develop between the service user and worker.

### FLEXIBLE AND HOLISTIC SERVICES
VCSE Sector organisations are well placed to support service users during their journey to secondary desistance as their services are often delivered flexibly and holistically. This includes the delivery of specialist services tailored to respond to the unique needs of those with protected characteristics where a 'one size fits all' approach is unlikely to be successful.[20]

### A STRENGTHS-BASED APPROACH
Adopting a strengths-based approach involves the VCSE Sector worker recognising and working to develop the strengths of the service user, rather than focusing solely on the offence they have committed. This assists the service user with focusing on and defining themselves by what they are good at and what their potential is.

### PARTNERSHIP WORKING
The VCSE Sector has considerable experience of developing the sorts of partnerships that are critical to enabling service users to access the range of support required to support desistance, for example, by tackling issues linked to housing, health and mental health and substance use.

### WORKING WITH AND THROUGH FAMILIES AND GROUPS
VCSE organisations often work not with service users in isolation, but with families and other naturally occurring sources of social support. Desistance research makes clear that, where these relationships support positive change, it is critical to work to strengthen and restore them.

### SERVICE USER INVOLVEMENT
Many VCSE organisations support service user involvement; whereby the people using a service become involved in the planning, development and delivery of that service to make changes and improvements.[21]

### EMPOWERMENT
Allowing service users to have a voice can enable them to feel empowered and

20. Protected characteristics are defined by the Equality Act, 2010 as including age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, religion or belief, sex and sexual orientation.

21. Clinks (2011) Service User Involvement: A review of service user involvement in prisons and probation trusts. Online: www.clinks.org/sites/default/files/Service%20User%20Findings%20Sept%2011.pdf

22. ibid
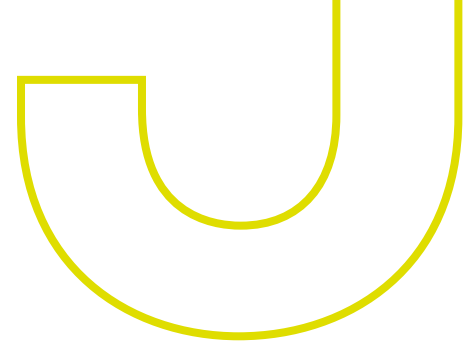
valued. Clinks research suggests that active participation and being listened to can help reverse the feeling of marginalisation that service users often experience, both in prison and in the community.[22]

## A SENSE OF BELONGING
Enabling service users to feel part of their community can create a sense of belonging and lead to an increased sense of responsibility. Social capital (meaning the benefit gained from membership of social networks) is critical to supporting desistance from crime.

## TRANSPARENCY
Bringing greater transparency to services and decision making processes involved in their delivery can help service users to understand the factors that influence all aspects of their lives. This makes it more likely that service users will see services as legitimate and will continue to engage with them.

## PEER SUPPORT
Many VCSE organisations facilitate peer support within the services they provide. Peer support 'occurs when people with the same shared experience provide knowledge, experience, or emotional, social or practical help to each other'.[23] Receiving peer support can inspire and motivate service users on their journey to desistance as they can recognise that others who were in a similar position to themselves have achieved secondary desistance. Providing peer support can enable service users to develop self-belief and skills that can, for example, help them with gaining employment.

## FOSTERING CREATIVITY
Arts-based interventions can be designed to allow individuals to develop and engage with their own creativity. Taking part in the arts requires dedication and patience and can also help support the desistance process.[24] Engaging in an arts-based intervention can help an individual to develop a positive relationship with their family or worker, help to build their self-esteem and allow them to form pro-social identities.

## LONG-TERM SUPPORT
Achieving secondary desistance is a challenging and lengthy process that can involve an individual lapsing and relapsing. Through providing long-term support for individuals, often after their engagement with a project or service has 'officially' ended, VCSE organisations can help to support this process.

23. C links (2012) Volunteer peer support: A volunteering and mentoring guide. Online: www.clinks.org/sites/default/files/Volunteer_Peer_Support.pdf

24. Arts Alliance (2010) What really works? Arts with offenders. Online: www.artsalliance.org.uk/sites/default/files/ArtsAlliance_brochure_FINAL_0.pdf [last accessed 24.06.2013]
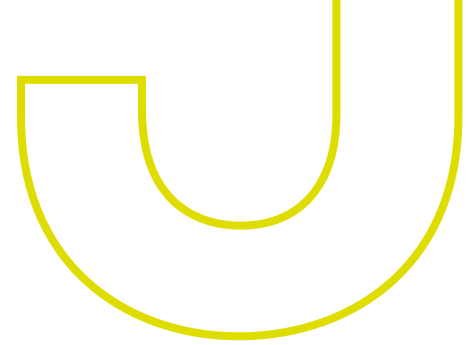
# PRACTICAL
# NEXT STEPS

Although the process of desistance has its roots as an academic theory, developing understanding around supporting desistance can have practical implications for the services that many VCSE organisations deliver. Here are some ideas:

### EVALUATING A SERVICE/PROJECT

Desistance theory can be used as a framework for evaluating a service or project. This approach has been adopted by some arts organisations working within criminal justice settings, including the Good Vibrations Javanese Gamelan project.[25] Another example of a desistance-based evaluation is of 2nd Chance's football and rugby academy project, a two year sports initiative at HMP YOI Portland.[26] Evaluating a service in this way enables the VCSE organisation to ascertain how closely the service supports secondary desistance and highlights what future steps could be made to support the process further.[27]

### THEORY OF CHANGE

Developing a theory of change is a tool for describing the change that your organisation seeks to make and the steps necessary for making that change occur.[28] As defined by NPC: 'A theory of change shows a charity's path from needs to activities to outcomes to impact'. It allows the VCSE organisation to determine whether their activities or services are working to achieve their end goal, which is often supporting desistance. Creating a theory of change should involve all members of staff, and perhaps also service users, within an organisation. Formulating a theory of change could provide a coordinated and holistic way for your organisation to think through how it

supports desistance and identify indicators for success. Your theory of change could become a key resource for communicating the impact of your work to funders and commissioners.

### SERVICE USER INVOLVEMENT

As highlighted earlier, service user involvement and peer support can assist with the desistance process. As such, developing a service user involvement group or introducing peer support into a service or project presents another practical step that a VCSE organisation might take to support the desistance process.[29]

### ADVOCATING FOR DESISTANCE

Many VCSE organisations support the desistance process yet this work is often done without being described using the heading 'desistance.' There are many large and small ways that people in the VCSE Sector can raise the profile of desistance both in terms of learning from the work of others and to advocate for the approach at a strategic level with local and national commissioners. For example:

- Writing blogs, that focus on desistance theory and how this relates to the work the VCSE organisation is providing.[30]

- Engaging in discussions about desistance via social media, such as Twitter.

- Attending or hosting events exploring desistance theory and how this relates to the VCSE Sector.

- Screening the documentary 'The Road from Crime', perhaps bringing together local commissioners and partners, or community groups that work with a similar client group?[31]

25. Henley, J. (2012) Good vibrations: Music and social education for young offenders. Online: www.imerc.org/papers/goodvibrations.pdf [last accessed 19.06.2013]

26. Meek, R. (2012) The role of sport in supporting desistance from crime. Online: http://eprints.soton.ac.uk/210815/1/Meek_2nd_Chance_Portland_Evaluation_Final_Report.pdf [last accessed 19.06.2013].
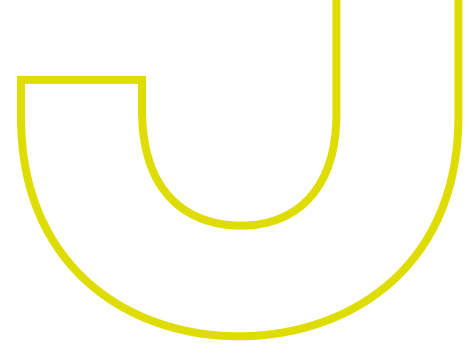
27. The National Offender Management Service (2012) NOMS Commissioning Intentions for 2013-14: Negotiation Document could also be useful for desistance-based evaluations. Refer to Footnote 1.

28. Kail, A. and Lumley, T. (2012) Theory of change. Online: www.thinknpc.org/publications/theory-of-change [last accessed 04.07.2013].

29. For more information about setting up a service user involvement group, please see: Clinks and Revolving Doors Agency (2010) Service user involvement: A volunteering and mentoring guide. Online: www.clinks.org/sites/default/files/VOLUNTEERING%20GUIDE%20-%20Service%20User%20Involvement.pdf

30. An example can be found here: Clinks (2013) What does desistance theory mean to you? Online: www.clinks.org/community/blog-posts/what-does-desistance-theory-mean-you

31. Can be accessed here: Discovering Desistance (2013) The road from crime. Online: http://blogs.iriss.org.uk/discoveringdesistance/documentary [last accessed 25.06.2013]

# FURTHER
# INFORMATION

Please see the links below for further information relating to some of the issues raised in this guide:

## DISCOVERING DESISTANCE
This website has a wealth of resources about desistance theory and has been developed as part of a project aiming to share knowledge and improve understanding about why people desist from offending.
http://blogs.iriss.org.uk/discoveringdesistance

## THEORY OF CHANGE
These publications explain what a theory of change is and how the VCSE Sector can work towards developing one.
www.thinknpc.org/publications/theory-of-change and www.clinks.org/sites/default/files/TheoryofChangeGuide.pdf

## DESISTANCE-BASED EVALUATIONS
Examples include:
- The evaluation for the Good Vibrations Javanese Gamelan project: www.imerc.org/papers/goodvibrations.pdf
- The evaluation report for 2nd Chance's football and rugby academy, a two year sports initiative at HMP YOI Portland: http://eprints.soton.ac.uk/210815/1/Meek_2nd_Chance_Portland_Evaluation_Final_Report.pdf

## VOLUNTEER PEER SUPPORT
This Clinks guide aims to support VCSE organisations and other agencies and stakeholders in the CJS to deliver quality peer-to-peer services for people in custody, those released from prison and people serving community sentences.
www.clinks.org/sites/default/files/Volunteer_Peer_Support.pdf

## SERVICE USER INVOLVEMENT
This guide provides a structured and accessible introduction to involving offenders and ex-offenders in your work and includes examples of good practice, checklists and signposts to further information and support.
www.clinks.org/sites/default/files/VOLUNTEERING%20GUIDE%20-%20Service%20User%20Involvement.pdf

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