

6. Desistance Research and Criminal Justice Social Work

Stephen Farrall, Professor, University of Sheffield &
Fergus McNeill, Professor, University of Glasgow

Abstract

This chapter explores the relevance of desistance research for the practice of criminal justice social work. It begins by briefly exploring whether promoting desistance from crime represents a necessary or a sufficient statement of the purposes of such work, before going on to briefly review both theories of and evidence about desistance from crime. The chapter then explores in more detail those few studies which have directly addressed the role of social work (or probation) interventions in desistance, and the wider debates about how such interventions might best be reconfigured to better support desistance. The chapter concludes by assessing the prospects for and potential problems in the further development of desistance-based probation practice.

Résumé

Ce chapitre évalue la pertinence de la recherche relative à la désistance pour ce qui concerne la pratique du travail social dans le champ de la justice pénale. Il commence par s'attacher brièvement à la question de savoir si promouvoir la désistance du crime constitue une énonciation nécessaire et suffisante des fondements d'un tel travail, et poursuit par une rapide revue des théories et de l'état des savoirs scientifiques relatifs à la désistance du crime. Ce chapitre présente ensuite, de manière plus détaillée, les plus rares études qui ont directement traité du rôle que peut jouer le travail social (ou probation) quant à la désistance, ainsi que les débats plus larges relatifs à la manière dont celui-ci pourrait le mieux être repensé de façon à mieux favoriser la désistance. Ce chapitre conclut en évaluant les perspectives, mais aussi les problèmes potentiels, que pourraient soulever une évolution des pratiques dans le champ de la probation qui seraient fondées sur la désistance.

1. Introduction

This chapter explores the relevance of desistance research for the practice of criminal justice social work. It begins by briefly exploring whether promoting desistance from crime represents a necessary or a sufficient statement of the purposes of such work, before going on to briefly review both theories of and evidence about desistance from crime. The chapter then explores in more detail those few studies which have directly addressed the role of social work (or probation) interventions in desistance, and the wider debates about how such interventions might best be reconfigured to better support desistance. The chapter concludes by assessing the prospects for and potential problems in the further development of desistance-based probation practice.

2. Desistance and the Purposes of Social Work with Offenders

Though we use the term criminal justice social work (hereafter 'CJSW') throughout this chapter, we recognise that it is not a term that is widely used. In English-speaking jurisdictions, where CJSW is more commonly practiced by people who work for 'correctional services', 'offender management services' or 'probation departments', and in other jurisdictions, many other terms are used. Some of these people have social work qualifications, others do not. Moreover, the use of the term 'CJSW' immediately raises questions of whether and to what extent the practices concerned are recognisable as *social work* practices. However, to examine that question at this stage would lead us into wider debates about what social work is and into an invidious position as arbiters of what does and does not count as CJSW. For these reasons, we deliberately use the term loosely (for a broader review of social work and criminal justice see McNeill, Bracken and Clarke, 2009).

The relevance of desistance research for CJSW depends in large part on the way in which the purposes of criminal justice social work are construed. Durnescu (2008) suggests that European probation systems tend to pursue four sets of purposes, sometimes in combination. Some focus on the promotion of community sanctions and measures (often as alternatives to custody), some focus on providing assistance to the judiciary, some focus on rehabilitation and public protection, and some focus on punishment and enforcement. For the purposes of illustration, we will focus here on one specific and influential service, the National Offender Management Services for England and Wales (NOMS). NOMS has the following aims: to protect the public, to reduce re-offending, to punish offenders, to rehabilitate offenders, and to ensure victims feel justice has been done¹. These aims closely reflect section 2(4) of the Offender Management Act 2007, although the Act does not contain the fifth aim, stating instead that 'ensuring offenders' awareness of the effects of crime on the victims of crimes and the public' should be one of the Secretary of State's aims in making provision for probation services.

¹ <http://www.noms.homeoffice.gov.uk/>, accessed 16th March, 2010.

Although engaging with and supporting offenders to desist can be seen to be consistent with all of NOMS's aims, it must be noted that not all of the aims *require* any attention to supporting desistance – and not all require the same forms of engagement between 'offenders' and their 'managers'. Thus for example, public protection, reducing reoffending, punishing offenders and satisfying victims could all be achieved, in theory at least, by other means – including, for example, lengthy prison sentences or intensive surveillance measures intended only to punish, incapacitate or control. Although rehabilitative purposes fit most neatly with an interest in desistance, rehabilitation itself is a highly ambiguous concept (Raynor and Robinson, 2009; Robinson and Crow, 2009); it can be conceived simply as means to the end of public protection through reduced reoffending, or alternatively as a worthy end in itself – the full restoration in his or her rights and responsibilities of the once errant citizen. Moreover, the types of practices and strategies that can be represented as being 'rehabilitative' range from the highly medical (for example, aversion therapy or even chemical castration) to much more social strategies based on promoting inclusion (cf. Johnstone, 1996). As one of us has argued previously (McNeill, 2006) and as we will see below, the evidence about desistance from crime lends itself more to a social than a medical model of rehabilitation.

More generally, there may be circumstances where the interests of justice and the most effective strategy for engaging offenders to support desistance come into conflict. For example, sending someone who commits a serious offence to prison might be reasonably foreseen to be counter-productive in terms of desistance (to the extent that imprisonment may slow maturation, damage family ties, cement criminal identities and establish criminal associations and networks). Nonetheless, it may be judged necessary because no other penalty is considered proportionate to the harms done by the offender and because wider concerns with denunciation or deterrence need to be borne in mind, both in sentencing and in the administration of punishment.

There is also a wider social and political context that must be taken into account. Several contemporary penologists have argued that as social life has become more atomised, more individualised, more preoccupied with uncertainties and risks – basically more insecure -- we have become more eager to look after ourselves and our own and less tolerant of anyone cast as an alien, an outsider, a threat. The resulting political pressures to respond to public attitudes and sensibilities about crime through *both* effective public protection *and* the delivery of credible punishments have posed considerable challenges for community sanctions organisations in many jurisdictions (McCulloch and McNeill, 2007; McNeill, forthcoming).

Late modern anxieties about crime have perhaps encouraged, perhaps even required, probation services in many jurisdictions to adopt 'public protection' as their meta-narrative (Robinson and McNeill, 2004). Regrettably, such a purpose seems much more attuned to the popular and political mood and temper of our times. However, as the anthropologist Mary Douglas (1992) has warned in discussing 'the safety paradox', the more that we promise to protect,

the more we confirm the existence of a threat. If we add rare (but spectacular) failures to protect to this equation (McCulloch and McNeill, 2007), it becomes easy to understand some of the dynamics that lie behind what Loic Waquant (2009) terms the contemporary 'penal temptation'. More specifically in this context, we might speak of the temptation to incapacitate; rather than hoping to moderate or manage risks through fragile and long-term efforts to support change, we opt for more secure short-term 'solutions' – often of the custodial variety. Of course, in doing so we simply defer the problem of integration and expand the scale of the challenge of reinsertion.

Paradoxically, the dominance of public protection also poses practical and ethical problems with regard to crime victims. When offender management becomes preoccupied with risk management and public protection, it preoccupies itself with things that may happen, with the offender's future behaviour, with potential victims and with the future impacts on communities. This is not the same as being concerned with real victims, real offenders and real communities in the here and now. Responding effectively and ethically to existing crime victims does not necessarily require the same strategies and practices as preventing new ones. Victims may want quite different things from the criminal justice system than the general public.

It follows that although clearly it can be argued that it is *necessary* for CJSW services to ask and answer the question of what works in engaging offenders to reduce reoffending and protect the public, it is not *sufficient*. CJSW services are not merely crime reduction agencies; they are justice agencies. Sometimes the haste to control crime can lead to the neglect of questions of justice, due process and legitimacy; ultimately it can compromise the pursuit of justice – social as well as criminal.²

In this respect – and with the need for credible and constructive justice in mind -- it is important to recognise the vital role that CJSW services play not just in *rehabilitation for crime reduction* but in enabling constructive *reparation* by offenders – enabling them to pay back for their crimes. This is a theme to which we will return. At the same time, and with social justice in mind, CJSW services retain an important role in advocating for offenders so that they can access the social goods and resources which so often they have been denied.

Returning to the example of NOMS, the operationalisation of NOMS's multiple aims in the Offender Management Model² is clearly reflected in its 'Tiering Framework: Relating Resources to Risk' (p49). In this model, the offenders are allocated into four tiers according to the type of sentence that they have received and the level of risk of reoffending and of harm that they are judged to pose (tier 1 is the lowest and tier 4 is the highest). In this model, all offenders are subject to the punishing elements of supervision (and this is all that tier 1 offenders receive). Tier 2 offenders received punishment and help; tier 3 offenders receive punishment, help and specific change programmes; and tier 4 receive punishment, help, change and control measures.

² <http://noms.justice.gov.uk/news-publications-events/publications/strategy/offender-management-model-1.1?view=Binary>, accessed 16th March, 2010

In the language of the Offender Management Model, as we have already noted, desistance research is a key source of evidence principally because it can inform the development of better 'help' and 'change' services. However, it is important to note that in so far as it relates to community-based supervision, all four aspects of the OMM (punishment, help, change and control) rely on effective engagement between offenders and their 'managers'. Engagement may be especially important as a necessary prerequisite of rehabilitative work (referred to here as 'help' and 'change'), but the effective delivery of punishment and of control within the community also rely on securing the compliance of the offender with the order. As will become clear in the next and subsequent sections, some findings from desistance research suggest potentially important and helpful synergies between prioritising procedural justice (essentially meaning fair treatment and, in some respects, reflected in the 'decency agenda' in prisons) and securing both rehabilitative and reparative outcomes. Desistance research therefore speaks not just to questions of 'what works' to rehabilitate offenders; it also contributes to wider debates about engaging effectively and ethically with offenders (and with victims and communities) so that justice can be done more constructively in the common interests of offenders, victims and communities. But before developing these arguments, we must review the research evidence to which we have referred.

3. *Desistance Theories and Research*

In the 1980s, reflecting wider trends in sociology, Clarke and Cornish (1985) suggested that ex-offenders made a rational decision to cease offending. Clarke and Cornish touched on desistance only briefly (1985:172-3), producing a hypothetical decision tree to show how a burglar may decide to stop burgling. Whilst Cornish and Clarke did not present any data to support their theoretical model of desistance, one study which did was that by Cusson and Pinsonneault (1986). The data from which their analysis was drawn came from qualitative interviews with 17 ex-robbers. The influential factors identified by the authors included: shock (such as being wounded in a bank raid); growing tired of doing time in prison; becoming aware of the possibility of longer prison terms and a reassessment of what is important to the individual. All of these are described in terms of a 'decision' to give up crime.

Similar findings have been reported by other researchers; Leibrich (1993:56-7), Shover (1983:213) and Cromwell *et al* (1991:83) all note that desisters experienced a period of re-evaluation before desisting. Whilst it is true that many individuals (especially those with prolonged engagement in crime) may make decisions to stop offending, it is not clear that these decisions are always 'seen through', nor that they alone are sufficient for desistance.

Another theory which emerged in the late 1980s and early 1990s was that proposed by Gottfredson and Hirschi (1990). Their general theory of crime was intended to account for all crimes, at all times and extended to include other risky behaviours. Their argument is that those people who are most likely to offend are often found to be impulsive risk-takers who exhibit low levels of self-

control. The origins of low social control, they argue, lie in the poor parenting and socialisation practices employed (or not employed) by many offenders' parents. The 'criminal propensity' of any one individual is instilled early in their lives, but remains relatively stable across their life course. However, this criminality can be eroded over time as socialisation is a life-long process. However, even when socialisation does make an individual less impulsive, low control individuals remain as *relatively* low control individuals amongst their cohort. The conclusion of Gottfredson and Hirschi's position is that life-events such as marriage, child-rearing and employment make little difference to criminality, since criminality is determined by self-control which itself is determined by early childhood experiences.

Gottfredson and Hirschi argue that whilst criminality remains relatively stable over the life-course, the opportunities to commit crimes become, over time, less and less frequent. Thus reductions in offending reflect changes in opportunity structures. Gottfredson and Hirschi's arguments caused much debate in criminology, but a recent review of the competing theories of desistance (Ezell and Cohen, 2004:259) found little to support the key tenets of their theorising.

One of the most innovative attempts at theorising desistance, developed in the 1990s, came from Moffitt (1993). Moffitt offers a theoretical explanation for differences between two types of offenders. The first type of offenders is those who engage in offending for a brief period of their life. This group of offenders usually starts to offend in early adolescent and cease offending relatively quickly afterwards. Their offending is relatively minor.

In contrast to this group of 'Adolescence-Limited' offenders are 'Life-Course Persistent' offenders who start to offend much earlier in their lives and continues well after their teenage years. The causes of their offending often lie in negative experiences early on in their lives; experiences which erode their life chances. Often, such children are born into families which are unable to cope well with the challenges experienced by such children, and the already difficult child develops into an unruly adolescent. However, like Gottfredson and Hirschi's theorising, reviews of Moffitt's approach have found only equivocal support. Whilst Ezell and Cohen's study did establish the existence of a group of adolescent-limited offenders, they also found *six* different types of persistent offenders, rather than the one Moffitt predicted. These six groups did not offend as persistently as Moffitt's theory predicted. The authors ended by concluding that they had 'failed to validate the empirical expectations' of Moffitt's approach (2004:259), although her suggestion that there appeared to be a group of people whose offending is confined to their adolescence was supported.

Next we come to Sampson and Laub's theory of age-graded social control (1993). Key to Sampson and Laub's approach is the notion of the bond between an individual and society. The bond is made up of the extent to which an individual has emotional attachments to societal goals, is committed to achieving them through legitimate means, believes these goals to be worthy and is able to involve themselves in the attainment of such goals. Sampson and

Laub's theorising posits that engagement in offending is more likely when this bond is weakened or broken. In addition to this, they argue that at various points during the life-course, various formal and informal social institutions help to cement the bond between the individual and society. For example, for adolescents', school, the family and peer groups influence the nature of the bond between many young people and their wider communities, whilst employment, marriage, and parenthood operate in a similar way for adults. These institutions and the relationships between individuals that they encourage, help the formation of social bonds which in turn create informal social control. Thus avoidance of crime is the result of relationships formed for reasons other than the control of crime. Sampson and Laub argue that changes in the individual's relationship with these various institutions are an inevitable feature of modern life, and, as such, are key to understanding engagement in offending over the life-course. Whilst much continuity in an individual's life can be observed, key events can trigger changes in an individual's bond to society and hence pattern of offending. Similarly, because many relationships endure over time, they can accumulate resources which can help sustain conventional goals and conformity (e.g. emotional support between marriage partners, Laub et al, 1998). In contrast to Gottfredson and Hirschi, who see low levels of self-control as the end of the matter, Sampson and Laub argue that levels of criminal propensity are open to influence, and that these influences are often the result of informal social control. Furthermore, unlike rational choice theorists who saw desistance as the result of a decision, Sampson and Laub's approach enables one to view desistance as the result of a process which stretches over time.

More recently still, Maruna aimed to "... identify the common psychosocial structure underlying [ex-offender's] self-stories, and therefore to outline a phenomenology of desistance" (2001:8). In this respect he argued that "to desist from crime, ex-offenders need to develop a coherent, pro-social identity for themselves" (2001:7). What he found was that desisters amongst his sample displayed an exaggerated belief that they could control their own futures in some way, and, in addition, a zealous sense of purpose to their 'new' lives. The persister, on the other hand, "shared a sense of being doomed or fated to their situation" (2001:11). Desistance, then, was bound up in a process by which ex-offenders came to see themselves as an essentially 'good' person who, often through little fault of their own (2001:12), acted in 'bad' ways. These previous 'bad' ways and the former 'bad' identity, rather than being something to be ashamed of, Maruna argues, are employed by desisters as a means for re-making sense of their lives and as the basis for making a positive contribution to society (2001:12); from offender, to desister, to 'wounded healer'.

Giordano et al. (2002:999-1002) outlined a four-part "theory of cognitive transformation", which, they argue, the desistance process involves: a "general cognitive openness to change"; exposure and reaction to "hooks for change" or turning points; the envisioning of "an appealing and conventional 'replacement self'", and; a transformation in way the actor views deviant behaviour. The first of these involves an awareness and willingness on the part of the would-be

desister that change is both desirable and needed. Indeed, as noted by several scholars researching desistance (e.g. Cusson & Pinsonneault, 1986, Farrall & Bowling, 1999), a period of reflection and reassessment of what is important to the individual would appear to be a common feature of the initial process of desistance. Of course, in itself this is insufficient (Giordano et al, 2002:1001, Farrall 2002:225); what is also needed is the exposure to some opportunity to change, and the individual spotting this change as offering a potential 'way out' and then acting upon this. This leads on to the third stage in Giordano et al's schema, the individual's ability to imagine or conceive of themselves in a new (and conventional) role doing new things. Finally, the process is completed (they argue, 2002:1002) when old behaviours are no longer seen as desirable or relevant. Giordano et al, following work on the relationship between agency and structure (e.g. Farrall & Bowling, 1999) argue that "the actor creatively and selectively draws upon elements of the environment in order to affect significant life changes" (2002:1003). In this way, they work towards a model of desistance which draws agency and structure together (see also Maruna & Farrall, 2004).

4. *Desistance and Criminal Justice Social Work*

Perhaps slightly surprisingly, there has been relatively little research which has adopted insights from desistance and focused on how probation or social work supervision has helped probationers cease offending. One of the earliest studies was that undertaken by Julie Leibrich (1993). Leibrich interviewed 48 men and women who had been supervised by probation officers in New Zealand and who had remained conviction-free for about three years after the start of their probation order. Very few of the people Leibrich interviewed spontaneously reported that probation supervision had been of help in terms of their desisting from crime (1993:172), and half of the sample reported that they had not got anything out of the sentences (1993: 182). Those who felt that they had got something out of the experience tended to emphasise the chance to talk things through with someone (1993:182-84). In short, from this early foray, probation supervision did not appear to be a particularly large element in accounts of change away from crime.

In the UK, the first tentative steps towards injecting insights from desistance research into a consideration of the impact of probation supervision were taken by Rex (1999). Although Rex's study lacked data on whether or not the probationers in her sample (n = 60) had actually ceased offending or not, her study did throw some much needed light onto both what happened during supervision sessions and how it contributed to desistance. For some, simply being on probation was enough of a deterrent for them to cease offending (p. 369), for others getting help on how to solve problems in their lives was more important (p. 373). However, practical assistance was not readily forthcoming and often probationers had to rely on their own social networks to meet their employment and housing needs (p. 374). From Rex's study, one takes the message that displaying an interest in the lives of the probationers is an

important first step towards building the sort of relationship which will foster and promote desistance (p. 375).

Farrall's studies of the desistance/persistence of almost 200 men and women on probation in England (Farrall, 2002, Farrall and Calverley, 2006) have provided rather more substantive findings. Unfortunately, his findings have tended to be rather downbeat; whilst tackling problems relating to accommodation, family relationships and employment were key to assisting desistance from crime, few probation officers appeared willing to engage in assisting probationers with their efforts. This was despite the fact that when officers did assist probationers with these problems they were more likely to be successfully resolved (2002:160-63). However, such findings did not lead Farrall to conclude that in probation 'nothing works', rather he emphasised the fact that successful desistance was the produce of individual motivation, social and personal contexts, probation supervision and the meanings which people hold about their lives and their behaviours. A follow-up study of members of the same sample (Farrall and Calverley 2006) found, in general, similar findings, but did also start to uncover some ex-probationers who had become more willing to retrospectively attribute more influence to their experience of supervision (see 2006: 42-67). Whereas previously probation's input had been dismissed, some ex-probationers were starting to see the value of what they had taken from probation. At the time of writing, a further follow-up of this sample is being conducted.

Since Farrall's study there have been few other studies of the role of probation in assisting desistance, although of note is one such study conducted by McCulloch (2005). McCulloch's study is interesting for two reasons; firstly it comes to near identical conclusions to that of Farrall and, secondly, it does so in a different (albeit it adjacent) criminal justice system (namely Scotland).

5. Re-thinking Practice for Desistance

It is obvious from the last two sections that research is beginning to shed considerable light on the process of desistance from crime, and (to a lesser extent) on the potential role of CJSW supervision in facilitating that process. Although there has been relatively little empirical research on the latter subject, a body of scholarship has emerged which, following Farrall's injunction that probation practice should become 'desistance-focused' seeks to interpret desistance research for practice (for example, see McCulloch and McNeill, 2008; McNeill, 2003, 2006, 2009a, 2009b; McNeill and Weaver, 2010; Porporino 2010; Weaver and McNeill, 2010).

Reviewing the evidence cited above, these efforts to interpret desistance research for practice tend to stress (albeit to varying degrees) six central themes:

1. Since desistance is an inherently individualised and subjective process, approaches to CJSW supervision must accommodate and exploit issues of identity and diversity. One-size-fits-all interventions will not work (Weaver and McNeill, 2010).

2. The development and maintenance not just of motivation but also of hope become key tasks for CJSW workers (Farrall and Calverley, 2006).
3. Desistance can only be understood within the context of human relationships; not just relationships between workers and offenders (though these matter a great deal) but also between offenders and those who matter to them (Burnett and McNeill, 2005; McNeill, 2006).
4. Although we tend to focus on offenders' risk 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. We need to support and develop these capacities (Maruna and LeBel, 2003).
5. Since desistance is about discovering agency, interventions need to encourage and respect self-determination; this means working *with* offenders not *on* them (McCulloch, 2005; McNeill, 2006).
6. Interventions based only on human capital (or developing offenders' capacities and skills) will not be enough. Probation needs to work on social capital issues with communities and offenders (Farrall, 2002, 2004; McNeill and Whyte, 2007).

Though they are derived from empirical evidence, in one way or another many of these points also speak to normative questions and implicitly involve treating people humanely and more fairly; in other words, they point to ethical dimensions of practice. More specifically, they connect to the moral legitimacy that might underpin efforts to influence another human being's choices and behaviours. As one of us has argued elsewhere (McNeill, 2006), a case can certainly be made that desistance research makes a necessity out of certain practice virtues. To be effective in reducing crime it seems, the CJSW practitioner needs first to be just, since any perception of injustice, unfairness or illegitimacy will necessarily undermine the credibility of the 'change agent'.

It is probably fair to see that these messages have been particularly important in those Anglo-Saxon jurisdictions within which the 'what works?' initiatives have had the greatest impacts (see Raynor and Robinson, 2009). Such initiatives typically involve trying to implement a range of programmes (usually of a cognitive-behavioural nature) aimed at reducing reoffending. Though, these interventions are obviously intended to facilitate desistance, they have their roots in a different body of empirical evidence; rather than being concerned with how and why people change, their evidence base rests more simply in the study of which 'treatments' or 'interventions' work best, on the basis of evaluation studies. The implicit model of intervention in 'what works' studies is an 'offender' who is put through such a programme (specifically one which conforms to certain 'effectiveness principles') will be more likely to emerge desisting (for a methodological and conceptual critique of this model, see Farrall, 2003a and b).

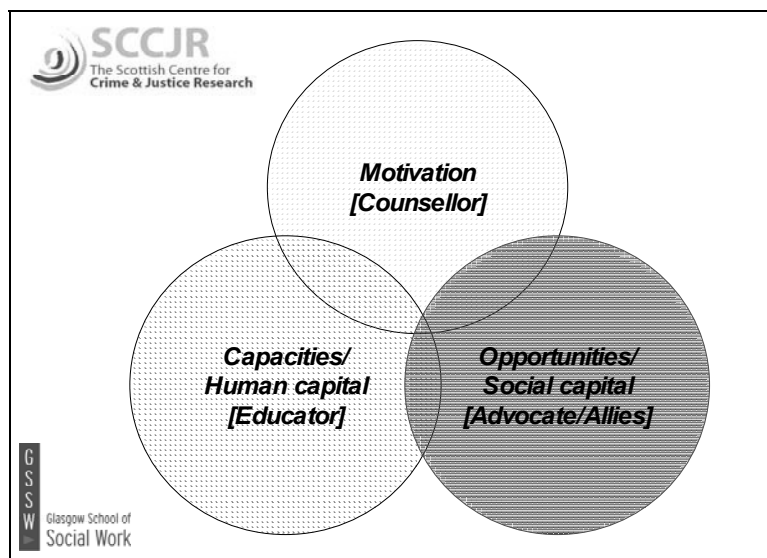
However, in England and Wales, the attempt to implement this kind of approach on a grand scale ran into a number of difficulties and four main lessons as a result (see also McNeill, 2009a; Raynor 2008). Personal motivation emerged as a key (but neglected) factor in the process of people engaging with

programmes. The social context within which a person experiences an intervention also clearly matters but tended to be neglected where efforts focused on maintaining the internal integrity of the programme. The organisational context of the intervention matters -- whether the culture or the organisation supports the change effort matters. Finally, it is now widely recognised that practitioners need to have the right kind of relationships and the right kind of skills to support the change process (Dowden and Andrews, 2004; McNeill et al., 2005).

Conceptually however, a bigger problem with that 'what works?' model – at least as implemented in England and Wales – was that it puts the intervention at the heart of how we conceptualise what is going on within the process of supervision. By way of contrast, desistance-based perspectives stress that the process exists before and beyond the intervention; the change process exists independently of what is being done to support it. Interventions and programmes, in desistance-based perspectives, become an element of a process of case management which is itself part of a wider enterprise called desistance (McNeill, 2009a). The way in which we think about interventions and case management needs to be embedded within an understanding of the change process that it exists to support – and even desistance itself is not the ultimate concern. People do not simply desist, they desist *into* something (Farrall, 2005). Ultimately, desistance is perhaps best understood as part of the individual's ongoing journey towards successful integration within the community.

Drawing some of these strands together, Figure 3 outlines three key aspects of the change process involved in desistance and three related roles for practitioners:

Figure 3: Opportunity, capacity and motivation



For social casework theorists (Ripple et al, 1964), motivation, capacity and opportunity are the three necessary pre-conditions for change; if any one of these is missing, change cannot be sustained. Having the motivation to act differently and the skill to do so does not sustain change if there is no opportunity to behave differently. Similarly, having the motivation and the opportunity is insufficient if your skill and capacity are lacking. The three elements imply different roles for practitioners: the development of motivation implies a counselling role; the development of capacity or human capital implies an educative role; the development of opportunities and social capital implies an advocacy role involving allies around the person in his or her neighbourhood or community.

Reflecting again on developments in England and Wales, it seems that 'what works?' programmes (conforming to the risk, need and responsivity principles) tend to fall into the human capital circle; they aim to enhance skills and behaviours, though they also sometimes have motivational elements. The more recent emergence of the Good Lives Model of offender rehabilitation (Ward and Maruna, 2007), is much clearer in its account of and efforts to develop the person's motivation; it is centrally concerned with helping people work out what constitutes a good life and how to achieve it without recourse to crime. So it might be seen as encompassing the capacity and motivation elements.

In the third circle -- the opportunity or social capital element -- one might place work with families, the involvement of volunteers as mentors, the role of faith groups, engaging with employers - and perhaps the development of Circles of Support and Accountability (see Armstrong et al, 2008). It is also in this circle that one might locate questions of 'generativity' (Maruna, 2001, McNeill and Maruna, 2007) and the creation of opportunities for 'making good' by making a positive contribution to the community. This third element, perhaps more than the other two, seems central to the achievement of integration, since integration (unlike skills acquisition, for example) can only happen in a community context.

Finally, in terms of the practitioner's role, it seems obvious that before and behind all of this work across the three circles lies a relationship-based practice process that prepares, relates, engages, co-assesses, co-plans, co-implements, co-ordinates and co-evaluates intervention (McNeill, 2009a). This cannot be understood as a process of intervention that is done to and for the person. Rather, for both empirical and ethical reasons, it must be a process that has to be done *with* and *by* the person. Weaving the three strands (motivation, capacity and opportunity) together through the working relationship is critical because unless the strands are interwoven, they cannot provide a consistent 'pull' towards desistance and integration.

The shift from 'offence-focussed' to a 'desistance-focussed perspective, or from a 'what works' to a desistance paradigm (McNeill, 2006), or better still the integration of these perspectives, is in simple terms a shift from an intervention-led, professionally-led model to one which is concerned with supporting a process of change that belongs to the person doing the desisting;

it is 'co-produced' by that person and his or her supporters (personal and professional); it is a collaborative effort. The outcomes are achieved together, or not at all.

6. Conclusion: Future Prospects and Challenges

Most social work education programmes include attention to sociological analyses of poverty, inequality and exclusion, to processes of human development and growth (especially in conditions of adversity), and involve introduction to practice methods that often draw on ecological or systems theories in exploring how interventions might engage not just with individuals but also with groups, families, communities and with society in pursuit of positive change and development. Moreover, social work tends to cast its objectives and aspirations both in terms of *individual* empowerment and in terms of *social* justice. In important respects, the 'discovery' of desistance research – or rather of its relevance for social work policy and practice – has re-legitimated these kinds of traditional social work concerns and perhaps provided something of a remedy to the development of forms of CJSW practice that may have become too narrowly psychological in their orientation. Desistance-based approaches seem to fit with social work perspectives because they compel us to think not just about 'offenders' but also about families, communities and the State. They compel us to think not just about 'criminogenic' needs and risk factors, but also about strengths, resources and rights. They require attention to questions not just of criminal justice but of social justice. They also force us to recognise that people can (and do) change and that today's 'young offender' is likely to become tomorrow's employee, partner or parent.

That said, there is a risk that – partly because of this 'fit' – CJSW may absorb desistance research as a legitimising discourse without recognising its radical potential to transform and improve practice. Desistance research (as we have seen above) includes numerous studies that ought to trouble social workers – not least those studies of assisted desistance which suggest that 'desisters' rarely seem to have found supervision to be a pivotal or even a helpful experience (Farrall, 2002). The recognition that the process of desistance belongs to the desister may also be a difficult one for professional accustomed to considering *themselves* the experts in change processes. Just as Nils Christie bemoaned the criminal justice system's theft of conflicts from those directly involved, so desistance scholars might bemoan the theft of change from those involved. Certainly any reconfiguration of the power dynamics between the supervisors and the supervised will test social work's radical pretensions.

Finally, it is perhaps important to stress once again the challenges that contemporary social and political conditions pose not just for CJSW but for the influence of desistance research within it. The insecurities of late modernity would seem likely to be uneasy bedfellows with the kinds of ex-offender empowerment and emancipation that genuine efforts to support desistance might require. That said, there may be some signs of hope and some resources

for positive change in criminal justice systems. The emergence of increasing interest in reparation (rather than retribution) as a penal purpose in several European jurisdictions is one such sign; there may be important synergies to be explored between the desisters' apparent need or wish to 'make good' and the community's or the victim's question for 'payback' (see McNeill, 2009c). Leaving reparation aside, the new UK government (despite being led by the Conservative party in coalition with the Liberal Democrats) is promising a 'Rehabilitation Revolution' and, at the time of writing, the Justice Secretary has just delivered a speech setting out an agenda for change; one that clearly implies the rejection of 'populist punitiveness' in favour of more evidence-based approaches. While cynical (or perhaps just battle-scarred) UK criminologists might question the sincerity of these sentiments and aspirations, the inescapable fact of the current fiscal climate may simultaneously provide a powerful motivation for constructive change whilst robbing many of one of things most commonly associated with desistance: employment. Whatever the case, at least we can take some comfort in the fact that desistance research and scholarship now provides a robust and credible body of evidence and argument which might, in these peculiar times, exercise some constructive influence.

References

- Armstrong, S., Chistyakova, J., Mackenzie, S. and Malloch, M. (2008)
Circles of Support and Accountability: Consideration of the Feasibility of Pilots in Scotland. Glasgow: Scottish Centre for Crime and Justice Research: Available at: <http://www.sccjr.ac.uk/documents/circles.pdf>
- Burnett, R. and McNeill, F. (2005)
 'The place of the officer-offender relationship in assisting offenders to desist from crime', *Probation Journal*, 52(3): 247-68.
- Clarke, R. V. and Cornish, D. B. (1985)
 'Modelling Offender's Decisions: A framework for Research and Policy', in Tonry, M. and Morris, N. (eds.) *Crime and Justice: An Annual Review of Research*, Chicago, University of Chicago Press.
- Cromwell, P. F., Olson, J. N. and Avary, D. W. (1989)
Breaking and Entering, Sage, London.
- Cusson, M. and Pinsonneault, P. (1986)
 'The Decision To Give Up Crime' in Cornish, D. B. and Clarke, R. V., (eds.): *The Reasoning Criminal*, New York, Springer-Verlag.
- Douglas, M. (1992)
Risk and Blame: Essays in Cultural Theory. London: Routledge.
- Dowden, C. and Andrews, D. (2004)
 'The importance of staff practice in delivering effective correctional treatment: A meta-analytic review of core correctional practice', *International Journal of Offender Therapy and Comparative Criminology*, 48(2): 203-14.
- Ezell, M. and Cohen L. (2005)
Desisting From Crime, OUP, Oxford.
- Farrall, S. (2002)
Rethinking What Works With Offenders, Willan Publishing, Cullompton, Devon.
- Farrall, S. (2003)
 'J' accuse: Probation Evaluation-Research Epistemologies (Part Two: This Time Its Personal and Social Factors)', *Criminal Justice*, 3(3): 249-268.
- Farrall, S. (2003)
 'J' accuse: Probation Evaluation-Research Epistemologies (Part One: The Critique)', *Criminal Justice*, 3(2):161-179.

- Farrall, S. (2004)
'Social Capital, Probation Supervision and Desistance from Crime', in S. Maruna and R. Immarigeon (eds) *After Crime and Punishment: Ex-Offender Reintegration and Desistance from Crime*. Cullompton: Willan Publishing.
- Farrall, S. (2005)
'On The Existential Aspects of Desistance From Crime', *Symbolic Interaction*, 28(3):367-86.
- Farrall, S. and Bowling, B. (1999)
'Structuration, Human Development and Desistance From Crime', *British Journal of Criminology*, 39(2):252-67.
- Farrall, S. and Calverley, A. (2006)
Understanding Desistance from Crime, Crime and Justice Series, Open University Press, London.
- Giordano, P. C., Cernkovich, S. A. and Rudolph, J. L. (2002)
'Gender, Crime and Desistance: Toward a Theory of Cognitive Transformation', *American Journal of Sociology*, 107: 990-1064.
- Gottfredson, M. and Hirschi, T. (1990)
A General Theory of Crime, Stanford: University Press.
- Johnstone, G. (1996)
Medical Concepts and Penal Policy. London: Cavendish Publishing
- Laub, J. H. and Sampson, R. J. (2003)
Shared Beginnings, Divergent Lives, Harvard Univ. Press, Harvard.
- Laub, John H., Daniel S. Nagin and Robert J. Sampson, (1998)
'Trajectories of Change, in Criminal Offending: Good Marriages and the Desistance Process'. *American Sociological Review* 63: 225-238.
- Leibrich, J. (1993)
Straight To The Point: Angles On Giving Up Crime, Otago, New Zealand, University of Otago Press.
- Maruna, S. (2001)
Making Good: How Ex-Convicts Reform and Rebuild Their Lives. Washington DC: American Psychological Association Books.
- Maruna, S. and Farrall, S. (2004)
'Desistance From Crime: A Theoretical Reformulation', *Kölner Zeitschrift für Soziologie und Sozialpsychologie*, No. 43.

- Maruna, S. and LeBel, T. (2003)
 'Welcome Home? Examining the "Re-entry Court" Concept from a Strengths-based Perspective', *Western Criminology Review*, 4(2): 91-107.
- McCulloch, T. (2005)
 'Probation, social context and desistance: Retracing the relationship', *Probation Journal* 52(1): 8-22.
- McCulloch, P. and McNeill, F. (2007)
 'Consumer Society, Commodification and Offender Management' *Criminology and Criminal Justice*, 7(3): 223-242
- McCulloch, P. and McNeill, F. (2008)
 'Desistance-Focussed Approaches' pp. 154-171 in S. Green, E. Lancaster and S. Feasey (eds.) *Addressing Offending Behaviour: Context, practice and values*. Cullompton: Willan.
- McNeill, F. (2003)
 'Desistance Based Practice', in W-H. Chui and M. Nellis (eds.), *Moving Probation Forward: Evidence, Arguments and Practice*, Harlow: Pearson Education.
- McNeill, F. (2006)
 'A desistance paradigm for offender management' *Criminology and Criminal Justice* 6(1): 39-62.
- McNeill, F. (2009a)
Towards Effective Practice in Offender Supervision. Glasgow: Scottish Centre for Crime and Justice Research, available at:
http://www.sccjr.ac.uk/documents/McNeil_Towards.pdf
- McNeill, F. (2009b)
 'What Works and What's Right' *European Journal of Probation* 1(1):21-40.
- McNeill, F. (2009c)
 'Probation, Rehabilitation and Reparation' *Irish Probation Journal* 6: 5-22.
- McNeill, F. (forthcoming),
 'Community Sanctions, Credibility and Justice', an invited keynote address at a conference celebrating the 10th anniversary of the 'Houses of Justice', Brussels, 2nd December 2009 (forthcoming as a book chapter, details of collection yet to be determined).
- McNeill, F., Batchelor, S., Burnett, R. and Knox, J. (2005)
21st Century Social Work Reducing Reoffending: Key Skill, 52pp. Edinburgh: Scottish Executive.

McNeill, F., Bracken, D. and Clarke, A. (2010)
 'Social Work and Criminal Justice' in I. Shaw, K. Briar-Lawson, J. Orme, and R. Ruckdeschel (eds.) *The Sage Handbook of Social Work Research*, London and New York: Sage.

McNeill, F. and Maruna, S. (2007)
 'Giving Up and Giving Back: Desistance, Generativity and Social Work with Offenders' in McIvor, G. and Raynor, P. (eds.) *Developments in Social Work with Offenders. Research Highlights in Social Work 48*. London: Jessica Kingsley

McNeill, F. and Weaver, B. (2010)
Changing Lives? Desistance Research and Offender Management. Glasgow: Scottish Centre for Crime and Justice Research.
 Available at: <http://www.sccjr.ac.uk/documents/Report%202010%2003%20-%20Changing%20Lives.pdf>

McNeill, F. and Whyte, B. (2007)
Reducing Reoffending: Social Work and Community Justice in Scotland. Cullompton: Willan.

Moffitt, T. (1993)
 'Life-Course Persistent' and 'Adolescent-Limited' Antisocial Behaviour: A Developmental Taxonomy, *Psychological Review*, 100:674-701.

Porporino, F. (2010)
 'Bringing Sense and Sensitivity to Corrections: from programmes to 'fix' offenders to services to support desistance in Brayford, J., Cowe, F. and Deering, J. (eds.) *What Else Works? Creative Work with Offenders and Other Social Excluded People*. Cullompton: Willan

Raynor, P. (2008)
 'Community penalties and Home Office research: On the way back to 'nothing works'?' *Criminology and Criminal Justice*, 8: 73-87.

Raynor, P. and Robinson, G. (2009)
Rehabilitation, Crime and Justice, 2nd edition, Basingstoke: Palgrave Macmillan.

Rex, S (1999),
 'Desistance from Offending: Experiences of Probation', *The Howard Journal*, 38(4): 366-383.

Ripple, L., Alexander, E. and Polemis, B. W. (1964)
Motivation, Capacity and Opportunity: Studies in Casework Theory and Practice. Chicago: School of Social Service Administration, University of Chicago.

Robinson, G. and Crow, I. (2009)

Offender Rehabilitation: Theory, Research and Practice. London: Sage.

Robinson, G. and McNeill, F. (2004)

'Purposes Matters: The Ends of Probation', in G. Mair (ed.) *What Matters in Probation Work*. Cullompton: Willan

Sampson, R. J. and Laub, J. H. (1993)

Crime In The Making: Pathways and Turning Points Through Life, London, Harvard University Press.

Shover, N. (1983)

'The Later Stages Of Ordinary Property Offender Careers', *Social Problems*, 31 2:208- 218.

Wacquant, L. (2009)

Punishing the Poor: The Neoliberal Government of Social Insecurity. Durham and London: Duke University Press.

Ward, T. and Maruna, S. (2007)

Rehabilitation: Beyond the Risk Paradigm. London: Routledge.

Weaver, B. and McNeill, F. (2010)

'Travelling Hopefully: Desistance Research and Probation Practice' in Brayford, J., Cowe, F. and Deering, J. (eds.) *What Else Works? Creative Work with Offenders and Other Social Excluded People*. Cullompton: Willan.

