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A New Paradigm for Social Work with Offenders?

Summary

In an influential article published in 1979, Bottoms and McWilliams proposed the adoption of a 'non-treatment paradigm' for social work practice with offenders. Their argument rested on a careful analysis not only of empirical evidence about the ineffectiveness of rehabilitative treatment but also of theoretical, moral and philosophical questions about such interventions. By 1994, emerging evidence about the potential effectiveness of *some* intervention programmes was sufficient to lead Raynor and Vanstone to suggest significant revisions to the 'non-treatment paradigm'. In this article, it is argued that a different but equally relevant form of empirical evidence - that derived from desistance studies - suggests a need to re-evaluate these earlier paradigms for criminal justice social work practice.

This is a much abbreviated version of an article entitled 'A Desistance Paradigm for Offender Management' which was published in the journal 'Criminology and Criminal Justice' January (McNeill, 2006). We are grateful to the editors of that journal for permission to use the material here. *Criminology and Criminal Justice*. <http://crj.sagepub.com>

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Article

Introduction

I hope in this short paper to briefly summarise the case for the development of a new paradigm for social work with offenders drawn from reviews of 'desistance' research that is, from studies that explore the processes by which offenders stop offending. A discussion of how paradigms for practice evolve in relation to changes in penal theories, policies and sensibilities is beyond the scope of this paper. Nonetheless, it makes some sense to set the scene for the development of a new paradigm by very briefly outlining what might be considered the prevailing paradigm for what was once termed probation or social work with offenders and which is now recast increasingly as 'offender management'. I call this prevailing

paradigm the 'what works paradigm'. In Figure 1 below, I contrast this paradigm with an earlier paradigm for probation practice developed by Raynor and Vanstone's (1994) whose 'revised paradigm' was itself a development of Bottoms and McWilliams' (1979) 'non-treatment paradigm':

Figure 1: From the Revised Paradigm: Raynor and Vanstone (1994) to the 'What Works' Paradigm

| | | | |
|-----|---|----------------|---|
| (a) | Help consistent with a commitment to the reduction of harm | <i>becomes</i> | Intervention required to reduce reoffending and protect the public |
| (b) | Explicit dialogue and negotiation offering opportunities for informed consent to involvement in a process of change | <i>becomes</i> | Professional assessment of risk and need governed by the application of structured assessment instruments |
| (c) | Collaboratively defined task relevant to criminogenic needs and potentially effective in meeting them | <i>becomes</i> | Compulsory engagement in structured programmes and case management processes to address criminogenic needs - as required elements of legal orders imposed irrespective of consent |

Understanding and Supporting Desistance

A fundamental but perhaps inevitable problem with both the what works and the revised paradigms is that they begin in the wrong place; that is, by thinking about how practice (whether 'treatment', 'help' or 'programmes') should be constructed without first thinking about how change should be understood. Building an understanding of the human processes and social contexts in and through which change occurs is a necessary precursor to developing practice paradigms; put another way, constructions of practice should be embedded in understandings of desistance.

In seeking to understand processes of desistance, Farrall (2002) stresses the significance of the relationships between 'objective' changes in the offender's life (for example, a new job, a new partner, having a family) and his or her 'subjective' assessment of the value or significance of these changes. It is not just the events and changes that matter; it is what these events and changes mean to the people involved. The significance of these subjectivities is further developed in Maruna and Farrall's (2004) distinction between *primary desistance* (the achievement of an offence-free period) and *secondary desistance* (an underlying change in self-identity wherein the ex-offender labels him or herself as such). Maruna's (2001) study offers a particularly important contribution to understanding secondary desistance; he found that desisters often relate a similar story about themselves and about how they have changed:

'The redemption script begins by establishing the goodness and conventionality of the narrator a victim of society who gets involved with crime and drugs to achieve some sort of power over otherwise bleak circumstances. This deviance eventually becomes its own trap, however, as the narrator becomes ensnared in the vicious cycle of crime and imprisonment. Yet, with the help of some outside force, someone who "believed in" the ex-offender, the narrator is able to accomplish what he or she was "always meant to do". Newly empowered, he or she now seeks to "give something back" to society as a display of gratitude' (Maruna, 2001: 87).

Despite a sense of fatalism in their accounts of the development of their criminal careers, in their accounts of achieving change there is evidence that desisters have to discover agency (that is, the capacity to make and enact choices) in order to resist and overcome the criminogenic structural pressures that play upon them. Involvement in 'making good' through 'generative activities' plays a part in testifying to the desister that an alternative 'agentic' identity is being or has been forged.

The implications for practice of this developing evidence base have begun to be explored in a small number of research studies that have focussed on the role that criminal justice interventions may play in supporting desistance. In one such study Rex (1999) found that probationers who attributed changes in their behaviour to probation supervision described it as active and participatory. Probationers' commitments to desist appeared to be generated by the personal and professional commitment shown by their probation officers, whose reasonableness, fairness, and encouragement seemed to engender a sense of personal loyalty and accountability; probationers 'were motivated by what they saw as a display of interest in their well-being' (Rex, 1999: 375). Such evidence resonates with other arguments about the pivotal role that relationships play in effective interventions (Burnett and McNeill, 2005; McNeill et al, 2005). If secondary desistance (for those involved in persistent offending at least) requires a narrative reconstruction of identity, then it seems obvious why the relational aspects of practice are so significant. Who would risk engaging in such a precarious and threatening venture without the re-assurance of sustained and compassionate support from a trusted source?

However, workers and working relationships are neither the only nor the most important resources in promoting desistance. The most recent and perhaps most wide-scale study of probation and desistance has pointed towards the significance of the social contexts of desistance. Farrall (2002) found that desistance could be attributed to specific interventions by the probation officer in only a few cases; rather desistance seemed to relate more clearly to the probationers' motivations and to the social and personal contexts in which various obstacles to desistance were addressed. Help with finding work and mending damaged family relationships appeared particularly important in supporting desistance.

Farrall (2002) goes on to argue that interventions must pay greater heed to the community, social and personal contexts in which they are situated. After all, 'social circumstances and relationships with others are *both* the object of the intervention *and* the medium through which . . . change can be achieved' (Farrall, 2002: 212). Necessarily, this requires that interventions be focussed not solely on the individual person and his or her perceived 'deficits'. As Farrall (2002) notes, the problem with such interventions is that while they can build human capital, for example, in terms of enhanced cognitive skills or improved employability, they cannot generate the social capital which resides in the relationships through which we achieve participation and inclusion in society. Vitally, it is social capital that is necessary to encourage desistance. It is not enough to build *capacities* for change where change depends on *opportunities* to exercise capacities.

A Desistance Paradigm

As well as reviewing and developing this empirical evidence, the article on which this paper is based also develops a normative case for the paradigm, suggesting that desistance research points us towards the relevance of certain 'practice virtues'; that it requires a focus on the role of legitimacy in supporting normative mechanisms of compliance; that it is consonant in many respects with communicative approaches to punishment which cast probation officers (or offender managers) as mediators between offenders, victims and communities; and that it suggests a rights-based approach to rehabilitation which entails both that the offender makes good to society and that, where injustice has been suffered by the offender, society makes good to the offender.

So what might a desistance paradigm involve? Figure 2 (below) summarises the contrasts between the constructions of practice implied by the 'what works' and desistance paradigms.

Figure 2: Contrasting paradigms

| | A What Works Paradigm | <i>becomes</i> | A Desistance Paradigm |
|-----|---|----------------|---|
| (a) | Intervention required to reduce reoffending and protect the public | <i>becomes</i> | Help in navigating towards desistance to reduce harm and make good to offenders and victims |
| (b) | 'Professional' assessment of risk and need governed by structured assessment instruments | <i>becomes</i> | Explicit dialogue and negotiation assessing risks, needs, strengths and resources and offering opportunities to make good |
| (c) | Compulsory engagement in structured programmes and case management processes as required elements of legal orders imposed irrespective of consent | <i>becomes</i> | Collaboratively defined tasks which tackle risks, needs and obstacles to desistance by using and developing the offender's human and social capital |

The desistance paradigm forefronts processes of change rather than modes of intervention. Practice under the desistance paradigm would certainly accommodate intervention to meet needs, reduce risks and (especially) to develop and exploit strengths, but whatever these interventions might be they would be subordinated to a more broadly conceived role in working out, on an individual basis, how the desistance process might best be prompted and supported. This would require the worker to act as an advocate providing a conduit to social capital as well as a 'treatment' provider building human capital. Moreover, rather than being about the technical management of programmes and the disciplinary management of orders, as the current term 'offender manager' unhelpfully implies, the forms of engagement required by the paradigm would re-instate and place a high premium on collaboration with and involvement of offenders in the process of co-designing interventions. Critically, such interventions would not be concerned solely with the prevention of further offending; they would be equally concerned with constructively addressing the harms caused by crime by encouraging offenders to make good through restorative processes and community service (in the broadest sense). As a morally and practically necessary corollary, they would be no less preoccupied with making good to offenders by enabling them to achieve inclusion and participation in society and with it the progressive and positive reframing of their identities required to sustain desistance.

Links

McNeill, Fergus (2006) A desistance paradigm for offender management. *Criminology and Criminal Justice*, 6(1): 39-62. <http://crj.sagepub.com/cgi/content/abstract/6/1/39>

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If you can be persuaded to write for this series please contact Mary Munro <mailto:munro@cjscotland.org.uk>