

Desistance: Envisioning Futures

Hannah Graham, *University of Stirling, Scotland*

Fergus McNeill, *University of Glasgow, Scotland*

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Introduction

This chapter provides an overview of desistance scholarship, surveying some of the major theoretical and empirical explanations of how and why people stop offending, and exploring the implications of this body of work for criminal justice. Traditionally, criminology has been focused on the study of crime and in particular on the causes of crime, as well as criminal justice responses to it. By comparison, examining how and why people *stop and refrain from* offending, and considering which criminal justice responses might support or frustrate such processes has a much shorter history. We would argue that it is also an area of study which, despite being in some senses bound by its focus on crime and offending, nonetheless transcends more orthodox criminological concerns and ultimately compels those who study it to engage with more fundamental questions of political philosophy (as well as with other disciplinary perspectives). We want to argue therefore that desistance research is (or at least can be) a form of 'alternative criminology' both in the way it frames its objects of inquiry and in the ways it pushes it towards disciplinary borders and intersections.

We want to stress at the outset that criminal justice -- and indeed the contributions of criminologists -- need not necessarily be oriented towards or supportive of desistance. It seems obvious to us (as it may be to many contributors to a volume concerned with 'alternatives') that some of what is done in the name of justice may be criminogenic rather than constructive. We know, for example, that in many jurisdictions incarceration in general tends to increase the risks of future crime and criminalisation (Gaes and Camp, 2009; Cullen, Jonson and Nagin, 2011; Cochran, Mears and Bales, 2014). The influence of some forms of probation supervision with regards to desistance may be more positive, but that influence appears to remain modest in most cases (see Farrall, 2002; King, 2014).

It is unsurprising therefore that desistance scholars have regularly called for the reconfiguration of criminal justice, arguing that systems-level change (and even structural and cultural social change) is needed to better support desistance and social re/integration [we use the form

‘re/integration’ as a way of acknowledging that not all of those that criminal justice may seek to reintegrate have ever been meaningfully integrated in the first place (Carlen, 2012)]. This is not to say that desistance processes cannot begin and be supported in prison or during community supervision, but it is to recognise the need to unsettle any established assumptions, especially among criminal justice professionals and policymakers, that punishment can somehow produce positive change.

Nevertheless, in this chapter we take the opportunity to describe both a body of knowledge and a philosophical-methodological approach that is relevant to diverse forms of ‘alternative criminologies’ and their different visions of the future. Thus, in this chapter, we also support advances towards what might be termed ‘epistemic emancipation’ and shifts in the dynamics of penal power. Specifically, we illustrate how giving greater credence to the expertise and experiences of people with convictions, alongside the contributions of criminologists and criminal justice professionals, can reshape criminal justice debates.

The first section of this chapter establishes some of the key theories and landmark studies which underpin contemporary desistance scholarship. Following this, the potential implications of desistance research are explored in terms of penal power, professional power, and people’s lived experiences of punishment and re/integration. A more reflexive discussion follows this, engaging with a number of recent critiques levelled at desistance scholarship.

The final section of the chapter shifts to a more utopian, forward-looking vision, charting how and why this body of knowledge might inform ‘alternative criminologies’ as well as perhaps *alternatives to criminology* in pursuit of different, better futures. Throughout the chapter, we will strive to insist on the links between personal change, penal change and socio-cultural change. Within this exercise of examining the present and envisioning futures, compelling arguments for change in criminology also emerge. We suggest that criminology has found itself beleaguered by some unhelpful divisions. Diversity of alternatives is surely a good thing; and it need not preclude potential synergies or the development of a shared vision. In particular, we aim to explore perceived differences and potential alliances between ‘critical criminology’ and desistance scholarship.

Explaining Desistance from Crime

Defining Desistance from Crime

Despite an international body of knowledge developed over decades about how and why people desist from crime, defining what desistance is and figuring out how such a definition might be operationalised present enduring problems. Fundamentally, desistance refers to the permanent cessation of offending behaviour. It is probably fair to say that desistance research has tended to take a relatively un-critical approach to the terms ‘crime’ and ‘offending behaviour’; and that its focus has been very much on the sorts of crime, offending and social harm that are commonly processed in the criminal justice system, rather than, for example, white collar crime, corporate crime, or state crime (for exceptions, see van Onna *et al.*, 2014; Hunter, 2015). However, there is

no inherent reason why desistance research could not extend its conceptual and methodological reach into exploring how and why the powerful (sometimes) desist from their crimes; indeed, in the broader socio-legal literature on regulation and compliance, some such connections have begun to be made (see Crawford and Hucklesby, 2012; McNeill and Robinson, 2012).

Even leaving the question of the definition and scope of crime and offending aside – a difficulty emerges in accurately determining when someone has stopped offending, and how or from whom this information might be known. Most markedly in the 1990s, researchers sought to establish thresholds or timeframes for the absence of offending behaviour and the absence of criminal justice responses to it (whether re-arrest, reconviction, or re-incarceration). For example, some defined desistance in terms of non-offending throughout a period of less than one year (Loeber *et al.*, 1991), or no arrests in three years following release from prison (Shover and Thompson, 1992; Uggen and Kruttschnitt, 1998), or the last conviction having occurred before age 31 years and having no reconviction or incarceration for at least ten years (Mischkowitz, 1994 in Kazemian, 2015: 4). These types of definitions characterise desistance as the absence of re-offending and/or the absence of processing within the criminal justice system (which, of course, are far from being the same thing), against somewhat arbitrary time and age thresholds (not one of which has attracted widespread consensus). In other words, they define what desistance is by seeking to clarify what it is not. On their own, these definitions risk becoming unhelpfully caught up with similar debates surrounding the definition and measurement of recidivism rates (e.g., some jurisdictions define recidivism against the threshold of reconviction in two years post-sentence).

Since the 2000s, desistance scholars have more commonly come to conceptualise and debate desistance as a process rather than an event or as the moment of crossing an arbitrary threshold. This shift does not mean that timeframes and ages/life stages become irrelevant, but rather that they are reframed as methodological concerns which are related to desistance, but do not suffice as an overarching definition in and of themselves. Kazemian (2015: 1) explains desistance as a gradual process which involves ‘a series of cognitive, social, and behavioural changes leading up to the cessation of criminal behaviour.’ This implies that the thoughts and actions of the individual are connected to or influenced by the social context and social dynamics of desistance processes. She uses the work of Le Blanc and Fréchette (1989) to show that reductions in the frequency and seriousness of re-offending, especially for those with a prolific criminal career, are often pre-cursors to permanently stopping offending. The explanation used in this chapter complements Kazemian’s definition. Here, we conceptualise desistance as a dynamic process of human development – one that is situated in and profoundly affected by its social contexts – in which persons move away from offending and towards social re/integration (McNeill, 2016).

Maruna and Farrall (2004) differentiate, on the one hand, the temporal and behavioural aspects of desistance from, on the other hand, its developmental and identity-related aspects. They explain these respectively in terms of *primary* and *secondary desistance*, mirroring Lemert’s (1951) famous distinction between primary and secondary deviance. Primary desistance denotes the cessation of offending behaviour, including temporary absences or gaps in the commission of crime. This recognises the intermittency of offending behaviour, even for those with persistent

criminal careers. It focuses on what a person is or isn't *doing*. Secondary desistance explains the sustained cessation of offending behaviour over time. It involves the termination of a criminal career, and the adoption of new roles and identities which signify that a person has changed such that they now comply with the law and social norms (Maruna and Farrall, 2004). Extending beyond the behavioural realm of *doing* and related concerns about activities or events, secondary desistance shifts the focus towards *being* and *becoming* in a person's life. It recognises the existential and interactional nature of 'the looking glass self' in how people make sense of themselves and one another, in turn affecting how they act and relate in processes of change (see Maruna, LeBel, Mitchell and Naples, 2004). The negative impact of labelling prevalent in systems of punishment starts to be reversed when people identify themselves, and are identified by others, as parents, neighbours, colleagues, tax payers and other socially valorised 'master statuses' (see Chapter 2 of Graham, 2016) which, in time, surpass those of 'offender' and 'ex-offender'.

More recently, McNeill (2016) has proposed the additional notion of *tertiary desistance*. This refers 'not just to shifts in behaviour or identity but to shifts in one's sense of belonging to a (moral and political) community', encompassing 'how one sees one's place in society' and how one is seen by others (McNeill, 2016: 201). An emphasis on *belonging* foregrounds the relational and structural contexts of desistance. Processes of secondary and tertiary desistance and of community re/integration entail more than instrumental compliance with the law and 'behaving well' (e.g., going straight, obeying rules, cooperating with authorities, demonstrating pro-social behaviours). They also sometimes involve processes of 'making good' (expressing the human need for generativity and for contributing to the wellbeing of others, for example, fulfilling obligations as a partner, a parent or citizen; see Maruna, 2001). But *belonging* also implies *being a recipient of social goods* (that is, someone enjoying fair access to all the resources, rights and opportunities routinely afforded to other citizens; see McNeill, 2012 on 'social rehabilitation').

If primary desistance signifies a superficial form of development or change, then perhaps tertiary desistance points towards the possibility of its fulfilment, where the status degradations of punishment become less pronounced or are reversed altogether (see Maruna, 2011) and where, for some, even the notion of desistance loses its explanatory power to make sense of a life-course in which neither offending nor desistance are defining features. In an era of penal states pursuing greater and greater post-punishment disqualification and discrimination, fuelled by populist punitiveness (Bottoms, 1995; Garland, 2013), the sobering reality is that significant numbers of people with convictions will never be allowed to realise tertiary desistance. These are the people who, to borrow Alessandro De Giorgi's (2014) phrase, experience 're-entry to nothing'. Nonetheless, their primary and secondary desistance can sometimes survive *in spite* of ongoing discrimination and social-structural exclusion, even decades later.

To summarise, event-driven and measurement-focused conceptualisations of desistance popular in the 1990s limit understanding to questions of 'what' offending has or has not occurred within a given time frame. While useful at a practical level of explaining research design and findings, this paints a simplistic picture of desistance as measured by variables which fail to illuminate the meanings and circumstances influencing *how* and *why* some people desist while others do not. In contrast, process-oriented conceptualisations of desistance better reveal the influence of *both*

agentic and socio-structural factors, situating human development and the struggle to desist in their relational and social contexts. Explaining desistance as a process does not mean that desistance scholars prescribe the route, nor expect ‘going straight’ to be a one-off rational choice and linear transition from A to B. Desistance, at least for people with significant histories of criminalisation, is typically much more complex than that. A significant body of empirical evidence identifies some of the key contributing factors and developments observed in many desistance journeys, as well as the structural impediments that frustrate them (see Farrall and Calverley, 2006; Farrall *et al.*, 2014). Yet the ‘escape routes’ and lived experiences of life after crime and punishment are diverse and varied (see Farrall, Hough, Maruna, and Sparks, 2011). There is no one cause of desistance, just as there is no one theory which can fully explain it.

Desistance Theories and Related Concepts

Desistance theories are usually clustered into three or four theoretical perspectives, which are briefly summarised here.

Ontogenic desistance theories highlight the age-crime curve which demonstrates that both recorded and self-reported crime is disproportionately committed by young people under the age of 30, suggesting that most people, even those with prolific criminal careers, desist as part of the ageing and maturation processes (Uggen, 2000; Laub and Sampson, 2001; Sampson and Laub, 2005). Hirschi and Gottfredson’s (1983; Gottfredson and Hirschi, 1986) age-invariance theory was a pre-cursor to contemporary ontogenic theories. Their research established links between offending behaviour and issues of impulsivity, risk taking and low self-control, which they observed in the lives of some young people and which informed their view of ageing as the overarching influence on desistance from crime.

Sociogenic desistance theories emphasise the relationship between desistance as a human developmental process and associated shifts in social roles and social bonds, especially those commonly involved in the transition to adulthood. For example, in proposing an age-graded theory of informal social control, Sampson and Laub (2005) are critical of adopting too narrow a focus on ageing, suggesting that this presents a somewhat deterministic perspective which does little to explain how and why desistance occurs. Their theorisation instead locates human development and maturation in the context of the relationship between the individual and society, including the structural influences of social control. More recently, drawing on longitudinal data from the Pittsburgh Youth Study, Fabio and colleagues (2011) demonstrate how social-structural factors influence variations in the age-crime curve and mediate ontogenic theorisations of desistance. Their study of the age-crime curve for a sample cohort found that, ‘compared with boys in advantaged neighbourhoods, rates of violence among boys in disadvantaged neighbourhoods rose to higher levels that were sustained significantly longer’ (Fabio *et al.*, 2011: S325).

Sociogenic theories acknowledge the importance both of new social bonds (for example, intimate and/or co-habiting relationships) and of changing social bonds (for example, changing friendship groups or changes *within* friendship groups (see Weaver, 2015)). Both new and

changing social bonds can have a positive influence on how a person sees and thinks about themselves, their identity and social standing, as well as their uses of their time (Giordano *et al.*, 2003). Sociogenic theorisations share synergies with notions of secondary and tertiary desistance discussed earlier. They draw attention not just to the positive role played by certain social bonds in desistance, but also to the damage that is often done to such bonds by punishment. Thus a sociological account of the ‘structuration’ of desistance, attending to the interactions between human agency and structure, underscores how incarceration constrains or damages positive social bonds with family and significant others and frustrates maturation and desistance processes (Farrall and Bowling, 1999; Farrall and Calverley, 2006). Weaver’s (2012, 2013, 2015) research builds on that of others in this area to offer one of the most cogent and integrated empirical accounts of the relational and social dynamics of offending and desistance.

The third theoretical perspective, loosely described as *identity theories*, highlights the subjective dimensions associated with ageing, human development and changing social bonds. Central to this theorisation is the need to understand changes in people’s narratives and personal and social identities. People do not just become parents as a personal milestone or event; they identify themselves and are identified by others as parents. Many people cite their children as the principal reason for their desistance. Others have children and yet persist in their criminal careers. It is for this reason that individual differences and diversity in the meanings and subjective value of life-course related experiences are explored in identity theories which warn against over-generalisation or universal claims about new roles and social bonds, such as parenthood or employment (Farrall, 2002; Farrall and Calverley, 2006; Paternoster and Bushway, 2009). Maruna’s (2001) phenomenology of desistance and Gadd’s (2006; Gadd and Farrall, 2004) psychosocial theory of desistance and reform are prominent examples which emphasise issues of identity and narrative in their social context. Similarly, Soares da Silva and Rossetti-Ferreira (2002) conceptualise ending a criminal career as a developmental process located within a network of meanings, affecting personal and social identity. Identity theories draw attention to the de-labelling process of becoming known as someone or something else; that is, something other than the stigmatising labels of ‘offender’ and (even) ‘ex-offender.’

Just as punishment can delay maturation and disrupt social bonds, it can also undermine positive shifts in identity or narrative, for example by reducing or removing opportunities to participate in personally and socially valued roles, and by creating structural impediments which negatively impact on people’s identities, sense of *citizenship* and belonging. The concept of *generativity* is commonly used to explain positive transitions and features of human development, especially as people progress through adulthood, as well as the personal and moral dimensions of helping others in processes of desistance, irrespective of age and life stage (see McAdams, Hart and Maruna, 1998). Taking on generative roles (e.g., peer mentor, volunteer, parent, animal foster carer, community activist) that involve altruistic helping and citizenship values can yield restorative benefits for individuals and their communities (for diverse examples, see Graham and White, 2015). Maruna’s (2001: 117) Liverpool Desistance Study offers a cogent account of how ‘the desisting self-narrative frequently involves reworking a delinquent history into a source of wisdom to be drawn from while acting as a drug counsellor, youth worker, community volunteer, or mutual-help group participant.’ In this study, desisters described generative pursuits

as fulfilling, exonerating, therapeutic, and as a source of legitimacy or restitution (Maruna, 2001). To illustrate, one person who had desisted from offending describes wanting to restore a sense of positive legacy for the benefit of his children, while another describes her desire to become a social worker so that she can use her lived experience to help others change their lives:

I owe [my children] a lot, you see... I've been in [prison] twice since. I haven't actually paid them back to say I'm sorry. I want to do it in a nice way. I want to leave them something. I want to give them something back... (Male, age 40, in Maruna, 2001: 122).

I want to show people the positive side of social work... I want to show people that I've been there, I've been through this stuff, so I can relate to what they're going through (Female, age 26, in Maruna, 2001: 120)

However, people's efforts to change by 'making good', 'giving back' and taking on pro-social helping roles need to be recognised and reciprocated by communities, practitioners and civil society, and enabled by the law and the state (Weaver and McNeill, 2010). Generativity without reciprocity is likely to involve unequal social relations and conditions which may lead to some of the issues and critiques raised later in this chapter. Moreover, the deprivations of status and citizenship inherent in various forms of felon disenfranchisement and disqualification also inhibit and frustrate generativity (Uggen, Manza and Thompson, 2006). Maruna highlights how people in Western societies seek to control or edit their narratives to conform to 'our' expectations of returning 'ex-offenders.' Instead, the hopeful optimism of desisters is contrasted with the expectations of 'sad' and sorry tales of guilt and shame expected by a punitive public suspicious of their reform and return (Maruna, 2001: 145).

In the Brazilian context, there are examples in some (but not all, see Macaulay, 2015) faith-based prisons and resocialisation centres where generativity and reciprocity appear to feature. Where this is realised, it is achieved through a combination of (1) 'peer-facilitated rehabilitation', where former prisoners in desistance and recovery processes offer generative peer support to current prisoners embarking on such processes; (2) 'community-facilitated rehabilitation' and 'co-produced resocialisation', involving other citizens from faith groups, NGOs and other community groups and civil society; and (3) generative giving by prisoners as citizens through activities like helping with local community projects and donation of goods (e.g., food they have grown or produced) (Darke, 2015; Macaulay, 2015).

Recently, in addition to ontogenic, sociogenic and identity theories, Bottoms (2013, 2014) has suggested a fourth set of factors relevant to desistance that are situational in character (see also Farrall, *et al.*, 2014). Drawing on his expertise in socio-spatial criminology, as well as on desistance research, Bottoms points out that various aspects of our social environments and of our situated 'routine activities' also provide importance influences on our behaviour, for better or worse. While our environments and activities are closely connected to our social bonds or ties (for example, bonds within intimate relationships and to families, work and faith communities), they deserve attention in their own right.

Applications and Implications

Although desistance research has a considerable history, the development of debates about the policy and practice implications of the research is relatively recent; indeed, not much was written in this vein until this century. This may be accounted for partly by the emphasis in earlier studies on desistance as a ‘natural’ and normative process; if desistance is about ‘growing out of crime’ (Rutherford, 1986), and if scholars were primarily interested in observing and explaining this as a natural phenomenon, then the disjunction between the literatures on desistance and on rehabilitative interventions perhaps makes some sense. The two bodies of work are interested in similar outcomes (the ending of offending) but focused on quite different processes.

That said, as early as 1937, Sheldon and Eleanor Glueck (1937/1966, see also 1950) did pose the question of whether criminal justice interventions could ‘force the plant’ in terms of accelerating ‘natural’ maturational processes. Even if desistance theories are now more complex and comprehensive, the question of whether a richer understanding of the process can support the design of better responses to offending remains an open one. We have already cited evidence that punishment in general (and imprisonment in particular) may often impede and frustrate desistance. But before we turn to the evolution of debates about desistance-based policies and practices, it might be helpful to offer at least one elaboration of the process that such policies and practices might seek to accelerate.

The most recent, and perhaps most complete, elucidation of this process has been provided by Bottoms and Shapland (2011). Their Sheffield based study follows 113 men who had been involved in persistent offending and whose mean age at the time of first interview was 20. The men were followed up for 3-4 years, with an intended total of four research interviews during that period (see also Shapland and Bottoms, 2011). The model of the desistance process that they discerned involves seven stages in which (1) current offending is influenced by a triggering event; which leads to the formulation of (2) the wish to try to change. This leads the person (3) to think differently about himself or his surroundings; which leads him (4) to take action towards desistance. However, these fledgling attempts to desist may be (5) threatened by obstacles, barriers and temptations, so the desister must find (6) reinforcing factors (from within himself or more likely within his changing social relations) to maintain the change which, if successful, may ultimately enable with (7) the establishment of a crime-free identity. The model also identifies the importance of two key drivers of change; these rest in the pre-programmed potential of the individual (that is, the personal assets of liabilities that they possess as a result of their life-course to date) and their social capital resources (in the form of networks of relationships that might support or impede their desistance efforts).

This articulation of the ‘natural’ process is a helpful starting point for debates about criminal justice interventions for several reasons. First and foremost, and in contrast with models of rehabilitative processes, it is *not* a model of intervention; it is a model of change. As one of us once put it, the process of desistance exists before, behind and beyond any intervention intended to support or accelerate it (McNeill, 2006), and the accomplishment of desistance is not in any simple sense a result of intervention, even if intervention could be shown to support the process (McNeill, *et al*, 2012). In stark contrast with the implicit model of change in the voluminous

literature on ‘What Works?’ to reduce reoffending (and even in contrast with the logic of that question), desistance is not an outcome that can be produced by applying well-engineered tools to unpromising raw materials; rather, it is an organic process; one that can be carefully cultivated or husbanded to enable flourishing -- or neglected and trampled.

Thus while Bottoms and Shapland’s (2011) account of the process of change neither mentions nor requires intervention at any stage, it is capacious enough to admit multiple points at which intervention might or might not be helpful in cultivating desistance. Intervention might be a trigger at step 1. It might develop or enhance motivation at step 2. It might encourage reflection at step 3. It might support action at step 4. It might remove obstacles, or help the person overcome them at step 5. It might provide the reinforcement required at step 6, and it might provide a means of recognising change at step 7. More generally, turning to the two drivers of change, intervention might work to enhance a person’s potential and it might develop his or her social capital resources, so as to support change efforts.

The organic metaphor of cultivating a plant’s flourishing (in the form of growth, flowering and fruitfulness) might however be extended further. Two common criticisms of ‘What Works?’ research on offender rehabilitation – or more accurately of its implementation through policies and practices influenced by new public management (McNeill, 2001) -- are that it tends to neglect diversity (Kendall, 2004; Hannah-Moffat, 2005) and, more generally, to neglect the social and structural contexts of both offending and desistance. As such, ‘What Works?’ approaches (often reduced both in academic debates and in practice to the Risk-Needs-Responsivity model of offender rehabilitation [see Polashek, 2012]) are sometimes accused of being too readily co-opted to the managerialising, commodifying and responsabilising tendencies associated with the late-modern ‘culture of control’ (Garland, 2001) or of the neo-liberal penal state (Wacquant, 2009). To extend our organic metaphor, they seem to pay insufficient attention to the soil, the weather and the wider climates that may affect growth (McNeill, 2012).

These criticisms can be and have been overstated. While it is true that approaches to rehabilitation that emerge from correctional psychology tend to predictably prioritise individual psychological ‘targets of intervention’ (often in the form of supposed ‘cognitive deficits’), and usually commend cognitive-behavioural interventions, the underpinning theories are in fact *social*-psychological in character. Social and environmental factors do feature in their accounts of the aetiology of offending (see Bonta and Andrews, 2010), even if they tend to be written out of their prescriptions for ‘treatment’. These sorts of interventions aim to feed and prune the plant perhaps, but they don’t tend the soil, or build structures to protect it from the weather.

One of the key contributions of desistance theories has been to redress this imbalance. From the outset of their engagement with debates about policy and practice, desistance scholars have stressed the importance to desistance of both personal motivations *and* social contexts (e.g., Farrall, 2002), of both personal agency and social support or reaction (Maruna, 2001). Early forays into these debates also stressed the importance of personal and professional relationships in change processes, in an effort to de-centre correctional ‘programmes’ as the putative agents of change (see Rex, 1999, McNeill, 2003, Burnett and McNeill, 2005).

Desistance scholars also began to argue for a *less* offence-focused and more prospective outlook in practice. One oft-quoted participant in Farrall's (2002) landmark study summed up the problem with the then prevailing retrospective orientation of practice thus:

'Something to do with self progression. Something to show people what they are capable of doing. I thought that was what [my Officer] should be about. It's finding people's abilities and nourishing and making them work for those things. Not very consistent with going back on what they have done wrong and trying to work out why – 'cause it's all going around on what's *happened* – what you've already been punished for – why not go forward into something... I know that you have to look back to a certain extent to make sure that you don't end up like that [again]. The whole order seems to be about going back and back and back. There doesn't seem to be much 'forward' (Farrall, 2002: 225).

Aside from the content of this quote, it is also important that this insight and many others generated through studies of the lived experience of the struggle for desistance were taken seriously by desistance scholars, spawning a series of prescriptions for 'desistance-focused probation' (e.g., McNeill, 2003). Studies focused on the lived experience of desistance allowed people in these processes to emerge not as bundles of problems, needs or risks to be researched, classified, managed or treated but as people whose knowledge and experience could be a resource not only for their own development, but for the development of penal policy and practice. Arguments about the development of a desistance paradigm for rehabilitation (McNeill, 2006, Maruna and LeBel, 2010) took this approach further; recasting rehabilitation as a means of supporting individual *and* social change, partly by recasting its objects as human subjects. To borrow Rotman's (1990) distinction, the desistance paradigm argued both a normative and an empirical case for approaches to rehabilitation that were anthropocentric rather than authoritarian; rejecting a medical model of expert-led change.

By the end of the first decade of this century (also the first decade of research on how desistance might be better supported), it had become possible to discern eight practical principles that seemed to emerge from desistance research (McNeill, *et al.*, 2012). Firstly, the complex challenges of desistance (not least in unpromising social contexts) needed to be better understood in criminal justice contexts; practices had to better adapt to the realities of lapses and relapses, not treating all non-compliance as defiance. Secondly, given both the subjectivities involved in desistance and its differing cultural and structural contexts, practices needed to be more responsive to diversity in the process. Thirdly, since research had begun to reveal the importance of hope in desistance, policy and practice needed to find ways to nurture hope. Likewise, if desistance involved the discovery of agency, then policy and practice needed to encourage self-determination, wherever possible. Fifth, since desistance could only be understood within the context of social relationships, policy and practice needed to engage with these relationships (and not just with individuals). In consequence, the sixth principle stressed the importance of working to develop social (and not just human) capital. Seventh, policy and practice needed to look beyond risk and need to identify and develop people's strengths and positive potential. Finally, policy and practice, both in its language and in its rituals (Maruna, 2011) needed to convey belief in and to recognise and celebrate change, rather than defining people by the behaviours they are asked to leave behind.

Although these principles were distilled from research that heard and heeded the voices of people with lived experience of the desistance process, the principles were nonetheless generated by academic researchers. By 2011, it had become apparent to some of us that a more sustained engagement with criminal justice reform required a different approach. In the UK, in consequence, the Desistance Knowledge Exchange Project was created to bring together people with convictions¹, people currently under supervision or in prison, members of their families, practitioners, managers, policymakers and academics in order to share different forms of knowledge and experience and to develop proposals for reform.

McNeill et al. (2012) report the results of this project in more depth than we can here. But in sum, in addition to the sorts of principles outlined above, the participants called for greater involvement of people with convictions in the design, delivery and improvement of criminal justice processes; the development of more holistic and humanistic support services better connected to local communities and committed to challenging inequalities and promoting social justice; and public education about desistance and re/integration to break down the ‘them and us’ mentality. They also called for two more structural changes to criminal law and justice; first, they advocated less reliance on imprisonment as a sanction (especially for women, black men, those with mental health problems and those serving short sentences) and suggested the money saved should be reinvested in communities. Finally, they argued the case for reforms to the UK Rehabilitation of Offenders Act 1974, which governs the disclosure of criminal convictions.

What is striking about these proposals is that they extend far beyond the reforms to probation practice that were the initial concern of the project. With the benefit of hindsight, it seems not too much of an exaggeration to suggest that they perhaps express the manifesto of a nascent social movement, at least in Scotland; one which has seen not just increasing influence of desistance research in criminal justice, but also (and arguably much more importantly) both the establishment of an organisation of people with convictions, Positive Prison ? Positive Futures², which now lobbies very effectively for progressive and practical penal reform and the establishment of a new creative practice organisation, Vox Liminis³, which exists in part to use the arts as a means of informing and challenging public discourses about punishment and re/integration (see McNeill, 2016).

Critiques

Despite the advances noted above, scholarship concentrated on how and why people stop offending, perhaps foreseeably, attracts concerns that it ignores or detracts from wider influences beyond the individual. Critics have begun to suggest that desistance scholars offer a reductionist account of crime and its cessation which simultaneously de-contextualises and responsabilises individuals for their own desistance and reintegration. In essence, desistance research is seen by some as being ‘too agentic’ and too heavily predicated on individualistic notions of rational actors exercising human agency (Baldry, 2010; Carlton and Baldry, 2013;

¹ This is the preferred term of people with convictions in Scotland for those in their position. In other jurisdictions and contexts, more common terms might be ‘formerly incarcerated people’ or ‘ex-offenders’.

² See: Positive Prison ? Positive Futures <http://www.positiveprison.org>

³ See: Vox Liminis <http://www.voxliminis.co.uk>

Scruton, 2014). To de-contextualise and de-politicise crime is to belie its roots both as a social construct and as a social problem.

We agree that there are aspects of desistance research that, in similar vein with the critiques of ‘What Works?’ research noted above, if emphasised to the exclusion of other components, risk conflation or co-optation with responsabilising and reductionist approaches to punishment and rehabilitation. As desistance scholars we are painfully aware of the increasingly repetitious use of the catch-cry ‘supporting desistance’, often as though this is delimited to a set of prescriptions for how correctional workers can better support individuals to change, rather than looking beyond the individual both for the causes and the solutions of crime related problems.

The ‘too individualistic/too agentic’ critique does usefully highlight a tendency within desistance research to focus on individuals as the primary ‘unit of analysis’ (see Weaver, 2015 for an important recent exception). There are some good reasons for focusing on the experiences of individuals. In our view, any body of research which decentred or discounted the lived experiences of people in desistance processes, while making claims about them, would lack legitimacy, both methodologically and politically. Instead, the question is *how* individual and shared, collective experiences are best gathered, understood and explained, with critical emphasis on the reciprocal influences of context and structure.

However, despite the criticisms noted above, very few desistance scholars in fact advocate rational choice theorisations of desistance (for example, Paternoster and Bushway, 2009; Paternoster *et al.*, 2015). Indeed, most desistance scholars routinely reject and challenge reductionist and responsabilising approaches to rehabilitation (as should be obvious from the preceding section). Considerable intellectual work has already been done to develop sophisticated analyses of the relational, institutional and social contexts of desistance (see Farrall, 2002; Uggen, Manza and Behrens, 2004; McCulloch, 2005; Farrall and Calverley, 2006; LeBel *et al.*, 2008; Halsey, 2008; Farrall *et al.*, 2009, 2014; Weaver, 2015; Kay, 2016). Understandings of changes in life courses are not divorced from but rather linked to changes in life chances and social conditions. Even those commonly identified as identity theorists and sometimes accused of offering accounts that are ‘too agentic’, like Maruna and Giordano, in fact tend to take a social interactionist approach; hence, for example, the importance for Maruna of *both* labelling and de-labelling processes.

Some feminist critical criminologists have challenged the utility of desistance scholarship on the grounds of its capacity to recognise and respond to diversity and discrimination. Their criticisms centre on the argument that desistance scholarship has ignored gendered differences in processes of crime, criminalisation and desistance from crime. Their research focuses on incarcerated women with experiences of victimisation and trauma and processes of re/integration (see Russell and Carlton, 2013; Carlton and Segrave, 2016). Carlton and Baldry (2013) explain their abolitionist stance in rejecting liberal-reformist discourses of women’s ‘pathways’ in terms of imprisonment and desistance as follows:

Desistance, however, does not escape the criticism we bring to other criminal justice policies and programmes – that they are male centric. All the original desistance studies were conducted with men in the United States and the United Kingdom, so that the framework was built around men’s

experiences. At its heart, the desistance approach is male centric, individualistic and ignores the interlocking structural contexts of class, race and gender (Carlton and Baldry, 2013: 65).

Pollack (2012: 107) sees liberal reformist gender-responsive ‘pathways’ approaches as complicit in the ‘hegemonic logic’ of correctionalism which imposes expert notions of ‘who criminalised women are and what they need to stop offending.’ Pollack (2012) argues this is a form of ‘epistemic violence’ which subjugates women’s narratives and identities, and de-politicises the social-structural roots of crime as a social problem using the ideological tools of evidence-based practices to compel their reform, as if they cannot know themselves. Russell and Carlton (2013: 479) cite these various concerns, arguing that ‘the resurgence of desistance and lifecourse approaches are not simply problematic, they are *limiting*’ (italics in original), re-stating critiques of reductionism and of responsabilising vulnerable women for making ‘better’ choices in the future.

While these are important warnings for desistance scholars, there are some inaccuracies in these critiques, which perhaps reflect a lack of familiarity with the wider desistance literature (and the debates within it). It is true – and it is both important and problematic – that most desistance research, like most criminology, started with and has privileged men’s experiences. But, in contrast to the critics’ claims, the international literature on desistance increasingly *highlights* issues of diversity, especially in relation to the gendered and racialised structural contexts of crime, criminalisation and desistance. If, historically, desistance scholarship was less sociologically well versed in the impact of macro-processes and generative structures, the same cannot be said of contemporary scholarship (for an overview, see Weaver and McNeill, 2010; Rodermond *et al.*, 2015). Indeed, even a cursory reading of some of the key desistance studies reveals the inclusion of girls and women as research participants (see Liebrich, 1993; Graham and Bowling, 1995; Maruna, 2001; Giordano *et al.*, 2002; Blokland and Nieuwbeerta, 2005; Smith and McVie, 2003; McAra and McVie, 2009; Farrall, 2002; Farrall and Calverley, 2006; Farrall *et al.*, 2014). Furthermore, contrary to Baldry’s (2010) and Carlton and Baldry’s (2013) claims, there has been a proliferation of scholarship on gender in critically understanding desistance and re/integration (for example, Sommers, Baskin and Fagan, 1994; Uggen and Kruttschnitt, 1998; McIvor, Murray and Jamieson, 2004; Rungay, 2004; Leverentz, 2006, 2014; King *et al.*, 2007; Sogaard *et al.*, 2015). Others, have used intersectionality, critical race and post-colonial theories to explore relationships between ethnicity, racialisation and desistance (for example, Calverley, 2013; Glynn 2013, 2015), including in relation to indigenous peoples’s experience of criminal justice in Canada (Deane, Bracken and Morrissette, 2007) and Australia (Marchetti and Daly (2016). Importantly, findings are also emerging to explain the criminal careers and desistance trajectories of white-collar offenders (see van Onna *et al.*, 2014; Hunter, 2015) and how these differ from others; although this area currently remains underdeveloped, as we alluded to earlier.

Just as feminist and (other) critical researchers have used research on women’s different pathways *into* crime and punishment to critique ‘gender-blind’ approaches to women in the criminal justice system, so they can and do use research on women’s desistance to argue for more constructive approaches (whether abolitionist or not). More generally – and somewhat ironically -- some critics write as if desistance *is* a criminal justice policy or programme. It is not. Policies and programmes can be *desistance-oriented* in that they can be (1) pointed to that purpose and/or (2) informed by desistance theories and research. However, like most desistance scholars,

and as we have noted above, we conceive of desistance as a process that belongs to desisters themselves (McNeill, 2006), irrespective of which criminal justice professional(s) they interact with or which sanction is imposed upon them. It is important to stress that this is not to support individualisation and responsabilisation. Indeed, it is intended to hold states, civil societies, justice systems and practices to account for their roles in supporting or frustrating processes of change and development that (nonetheless) belong to individuals.

Similarly, for the reasons we have already examined above, it is simply erroneous to conflate desistance perspectives with correctionalist perspectives on ‘What Works?’ in reducing reoffending. While they are not entirely incompatible, there are considerable differences between these perspectives.

Utopia, Alternatives and Desistance

The critiques discussed in the last section represent a useful challenge to aspects of desistance research and of its criminal justice applications. However, desistance research itself has also begun to expose its own limitations and contradictions, principally by beginning to confront the question of what lies beyond desistance from crime? If desistance is a process of development -- one that can be cultivated (to return to our earlier metaphor) -- what does it lead to? What kind of human flourishing lies beyond desistance from crime?

The Sheffield Desistance Study suggests the importance of these questions in a particularly bleak and powerful way. Bottoms (2013) has argued some people desist through a form of extreme ‘situational self-binding’ which amounts effectively to the self-imposed incarceration of social isolation. Although Bottoms (2013) notes that this was a rare phenomenon in the Sheffield study, evidence from other studies suggests that it is not so unusual for those whose desistance processes lack personal and social support. Adam Calverley’s (2009) exploration of ethnicity and desistance, for example, suggests that Black and Dual Heritage men in one London borough faced the greatest structural and cultural obstacles to desistance -- and that they tended to desist through isolation. Two recent Scottish studies of very different populations (released long-term prisoners and young people exiting an intensive support service) also found common ‘pains of desistance’ linked to social isolation and the failure to secure work, connection and belonging (see Nugent and Schinkel, 2016).

These findings paint a dystopian picture of life after desistance, at least for some people. In a sense they expose the taken-for-grantedness of the assumption that ending offending is a ‘good’ outcome. Not offending may be a good outcome in the sense that it means less harm for society and for potential victims, but if it entails increases in the suffering of the person desisting (and perhaps of those closest to her or him) then, even on a cold utilitarian logic, the value of this outcome remains open. More importantly, for us at least, this sort of post-desistance existence cannot be a ‘good enough’ outcome of a justice process. We would argue that criminal justice must aim for more ambitious goals than crime reduction through self-incapacitation. Those in whose name punishment is delivered have an obligation to restore those whose debts are settled.

And those whose offending flows from those social injustices and inequalities that the state permits, perpetuates and exacerbates, are owed additional duties of support.

Re/integration is inescapably a relational, a social and a political process. In contrast to much correctional intervention-focused research, desistance research has simultaneously made it clear *both* that improvements to criminal justice practices with individuals to support their change processes can be imagined and are required, *and* that these efforts can never be enough. Individual change, and work to support it, can be too easily trampled by failure to attend to the social and political dynamics at play in re/integration. As one of us has argued elsewhere (McNeill, 2012, 2014; Kirkwood and McNeill, 2015), any serious engagement with the meanings of desistance, rehabilitation and re/integration compels us to develop models, policies and practices that attend not just to ‘correctional’ processes aimed at individual transformation, but to moral reparation (or restoration), judicial rehabilitation and social re/integration too. In most cases – and particularly for people with serious and/or long histories of both offending and social *dis*integration -- these four processes are almost always intertwined. It follows that if we want to support desistance, much of our work will need to be with communities, civil society and the state itself. We will need to work with people with convictions in that process -- but not to ‘correct’ *them*. Rather, we need to learn from them and to work with them in a collective effort focused not so much on crime reduction as on building fairer societies.

Since this book is concerned with ‘Alternatives’, it seems fitting that we end in this somewhat utopian vein. Both in sociology (Dawson, 2016) and in criminology (Copson, 2013, Malloch and Munro, 2013; Scott and Gosling, 2016) of late there has been a resurgence of interest in utopia not just as critique but also as method. The work of Ruth Levitas has been one important inspiration in these debates. Levitas defines utopia as ‘the expression of the desire for a better way of being or of living’ (Levitas 2013: xii). She argues that visions of utopias can be developed as *compensation* for an unjust status quo (as in some religious utopias); as *critique* of how things are (by contrast with how they might be); and as more or less clearly articulated programmes of *change* (Levitas, 2000; see Dawson, 2016). Levitas’ (2013) work on utopia also argues the need for an *archaeology* -- one that excavates the vision of the good society implicit in any given utopia; for an *ontology* -- one that explores the utopia’s assumptions about human nature; and for an *architecture* of how the utopia is to be built in practice.

In our assessment, despite the variety of views it encompasses, desistance research has a common implicit ontology; it asserts and evidences the positive potential of human subjects and sees them as fundamentally social beings that are capable of growth and development, in the right circumstances. As such it undermines criminal justice responses (and social attitudes) that seek to define and to ‘other’ people with reference to their offending behaviour. To a certain extent, desistance research has begun to develop an architecture. Initially, that architecture aimed to design a programme of policy and practice reform. Latterly, it has expanded, as Levitas’ work implies, to include a much more expansive but still nascent social movement in pursuit of wider structural changes.

What desistance theory and research perhaps lacks, however, is a well-developed archaeology. Perhaps because it begins with the assumed problems of offending and of ending offending

rather than with what lies behind these problems and their construction, it lacks a well-articulated vision of the good society. But having said that, as our discussion above illustrates, by exploring how we can become better people, desistance research eventually forces us -- through theoretical, empirical and normative work -- to explore how to build better communities and better societies. Increasingly, it makes clear that these questions cannot, should not and must not be separated.

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