Practising and Supporting Four Forms of Rehabilitation

Fergus McNeill
Fergus.McNeill@glasgow.ac.uk
Twitter: @fergus_mcneill
http://blogs.iriss.org.uk/discoveringdesistance/
1. A *process* of personal, *human development*

2. That takes place in and is shaped by its social and cultural contexts; hence also a social transition

3. That involves movement *away from offending* (volume, frequency, severity) and *towards*…?
Three aspects

<table>
<thead>
<tr>
<th>Primary/Formal</th>
<th>• Behaviour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secondary/Substantive</td>
<td>• Identity</td>
</tr>
<tr>
<td>Tertiary/Secure</td>
<td>• Belonging</td>
</tr>
</tbody>
</table>
Figure 5: Constructing Desistance

Desistance Factors

Age and Levels of Maturity

Life Transitions
Social Bonds

Subjective Narratives
Attitudes and Motivation
From Bottoms and Shapland (2011: 70)
<table>
<thead>
<tr>
<th></th>
<th>Offence-focussed practice</th>
<th>Desistance-focussed practice</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Orientation</strong></td>
<td>Retrospective</td>
<td>Prospective</td>
</tr>
<tr>
<td><strong>Problem locus</strong></td>
<td>Individual attitudes and behaviours</td>
<td>Individual problems and behaviours in social context</td>
</tr>
<tr>
<td><strong>Practice focus</strong></td>
<td>Individual attitudes and behaviours</td>
<td>Personal strengths and social resources for overcoming obstacles to change</td>
</tr>
<tr>
<td>Medium for effective practice</td>
<td>Rehabilitative programmes (to which offenders are assigned on the basis of risk/needs assessment instruments)</td>
<td>Individual processes and relationships</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>---------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td>Worker’s Roles</td>
<td>Risk/needs assessor, programme provider, case manager</td>
<td>Risk/needs/strengths assessor, advocate, facilitator, case manager</td>
</tr>
<tr>
<td>Intended outputs</td>
<td>Enhanced motivation Pro-social attitudinal change Capacity/skills development</td>
<td>Enhanced motivation Changes in narrative/self-concept Development of inclusion opportunities</td>
</tr>
<tr>
<td>Intended outcomes</td>
<td>Reduced re-offending</td>
<td>Reduced re-offending Enhanced social inclusion</td>
</tr>
<tr>
<td>The Non-Treatment Paradigm</td>
<td>The Revised Paradigm</td>
<td>A What Works Paradigm</td>
</tr>
<tr>
<td>---------------------------</td>
<td>----------------------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>Treatment becomes help</td>
<td>Help consistent with a commitment to the reduction of harm</td>
<td>Intervention required to reduce reoffending and protect the public</td>
</tr>
<tr>
<td>Diagnoses becomes shared assessment</td>
<td>Explicit dialogue and negotiation offering opportunities for consensual change</td>
<td>‘Professional’ assessment of risk and need governed by structured assessment instruments</td>
</tr>
<tr>
<td>Client’s dependent need as the basis for action becomes collaboratively defined task as the basis for action</td>
<td>Collaboratively defined task relevant to criminogenic need and potentially effective in meeting them</td>
<td>Compulsory engagement in structured programmes and case management processes as required elements of legal orders imposed irrespective of consent</td>
</tr>
<tr>
<td>Supporting desistance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Realism</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Manage lapses and setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Individualisation</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Respect subjectivity and diversity</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Hope and agency</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Build self-determination</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Relationships</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Social relations and social capital</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Recognition</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Language and representation matter</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Routines</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Practical supports</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Changing Lives
(McNeill and Weaver 2010)

• Prepare
• Relate
• Engage
• Assess
• Plan
• Implement
• Review
• Evaluate

DesKE Propositions

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

Co-producing desistance
Who needs [in-prison] transformation?

• Not the non-criminal
• Not the well resourced
• Not the hopeless

• Those for whom [prison] intervention is all that stands between a spoiled past and a positive future

• But the realities of release involve narratives of disintegration, and suggest the problems of investing in imprisonment as an agent of change
The pains of desistance

• Schinkel and Nugent (2016)
  – Two very different samples… similar experiences
  – The pains of isolation
  – The pains of goal failure
  – The pains of hopelessness

• Structural and cultural barriers to desistance and reintegration
• **Social positions**
  – Legal rights and status
  – Moral and political standing
  – Social acceptance

• **Individual dispositions**
  – Motivations
  – Capacities/Capabilities
  – [Opportunities and networks]
Re-thinking outcomes?

From Ager and Strang (2008)
Four forms of rehabilitation

- Personal Rehabilitation
- Social Rehabilitation
- Judicial Rehabilitation
- Moral Rehabilitation

Desistance

http://blogs.iriss.org.uk/discoveringdesistance/useful-resources
Four forms of rehabilitation

- Psychology, Criminology and Social Work
- Sociology, Criminology and Social Work
- Law, Criminology and Social Work
- Philosophy, Criminology and Social Work

Desistance
Four forms of rehabilitation

- **Personal Rehabilitation**
  - A matter of enhanced capacities or capabilities and motivation

- **Social Rehabilitation**
  - A matter of acceptance, belonging and opportunities

- **Judicial Rehabilitation**
  - A matter of restored rights and citizenship

- **Moral Rehabilitation**
  - A matter of moral standing and of mutually-recognised reciprocal obligations

**Desistance**
Four forms of rehabilitation

- ‘Treatment’ programmes
  - Vocational training
  - Health and wellbeing
  - Education
  - Personal development

- Work with…
  - Families and other groups
  - Developing desistance supporting communities
  - Civil society (e.g. employers)
  - Public education and attitudes

Desistance

- Formal de-labeling processes
  - Certification of change
  - Criminal records disclosure
  - Access to public services

- Victim-offender mediation
  - Restorative practices and processes
  - Shared values/solidarity
What do we really want from rehabilitation?

- Not just risk reduction…
- Capable, contributing, thriving citizens
- Enjoying their legal rights
- In good standing with one another and the state; all recognising their mutual responsibilities
- Accepted by, belonging in and building flourishing communities characterised by tolerance and solidarity.
So...

- Desistance and re/integration are *social* processes not (just) personal transitions
- Supervision is not the same thing as support
- Re/integration is a human right and a duty of the state and of civil society – even a responsibility of all citizens
  - Reintegration work must extend to all of these actors
• Thinking of your own penal system…
• What services, activities, laws or practices would you currently classify as supportive of:
  – Personal rehabilitation
  – Social rehabilitation
  – Legal rehabilitation
  – Moral rehabilitation
• If the 4 forms are interdependent, where do you see strengths and where do you see weaknesses?
Questions

• To what extent do these recommendations about desistance-focused practice correspond to your practice experience?
• What has been your experience of implementing RNR?
• What assets and resources do you have which make system and practice improvement possible?
• What barriers do you face?