SPECIAL ISSUE
ON DESISTANCE

Edited by
Fergus McNeill

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DESISTANCE
MOVING ON: DESISTANCE AND REHABILITATION
Scottish Justice Matters is a publication of the Scottish Consortium of Crime and Criminal Justice (SCCCJ). The Consortium is an alliance of organisations and individuals committed to better criminal justice policies. It works to stimulate well informed debate and to promote discussion and analysis of new ideas: it seeks a rational, humane, constructive and rights-based approach to questions of justice and crime in Scotland.

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What does it take to resume or, as is the case for many, achieve for the first time, the role of the contributing citizen, but one with a conviction or convictions? Let’s consider some human basics: a safe place to stay, the means to finance this and sufficient food and refreshment to maintain personal health and wellbeing would be a good start. Maybe then add in normal access to medical services, some form of income generating employment and a loving relationship? This personal view by ex-prisoner 128045 considers desistance from a very practical perspective.

**MY FIRST EXPERIENCE** of the word ‘desistance’, less than 13 months ago, was within the confines of HMP Low Moss where I was serving an eight month sentence. As part of our ‘education’ session, we were shown the video “The Road from Crime”…. In it Alan Weaver outlined the case for desistance using his own experiences of the criminal justice system as a basis for his views, as well as the work he does as a social worker. Our class was asked for feedback for some researcher at Glasgow University who was interested in what we had to say about it.

The best remark went to the prisoner who commented on the scene when Mr Weaver is walking down a street in East Baltimore USA, that houses 12 correctional institutions and described it as being the “strangest and frankly saddest places” that he had ever seen. This comment was met with derision from the class comic: “How can anyone from Saltcoats describe somewhere else as being strange and sad and keep a straight face?”

Others, including a sceptical me, were not really convinced with the terminology. It was new to us. It was as if an alien had landed and was fluently conversing in a new version of bullshit bingo. For a lot of my fellow inmates the notion of desistance was a non-starter. This was due to the absence of the main desistance factors in their current incarceration as well as a distinct lack of these factors when they are eventually released. For many, they knew that any job search would now be infinitely harder, barriers would be there where none had existed previously and that society would be treating you worse than when you went in. I should perhaps point out that this class was made up of first time inmates serving short term sentences although the majority had already had previous run ins with the criminal justice system before their current term.

Society puts a big stigma on those who offend but sometimes it’s the family who serves the real sentence

Desistance takes a novel approach to answering the question about recidivism. Instead of analysing why people commit offences, desistance instead tries to look at the reason behind why people who have been in trouble decide to not commit further crime. Curiously, with around 35 men on the wing at any one time, it seemed to be very easy to pick out those who would be entering the prison revolving door and those who would not. My advantage was that I had the chance to see this for myself.

Peter White and colleague, point out gaps between rhetoric and the challenges they face as former prisoners
to talk to most people on the wing in a setting that neither inhibited responses nor provoked responses that they thought the hearer wanted to hear. There was an honesty of exchange that sometimes can be missed in other research projects. I do acknowledge that my system lacks a structure and could not be relied upon to be replicated by others but since desistance is an individual response I stand by the following comments.

Firstly, those individuals who had something to go back out to seemed to be the most obvious of those not returning. Family and a job being kept open for them were the two main reasons that people expressed a desire not to return to jail. Society puts a big stigma on those who offend but sometimes it’s the family who serves the real sentence. Separation from their loved one as well as any attendant bad publicity can put enormous strains on relations. Trying to maintain contact can also be hard if there are financial pressures involved as well. The Scottish Prison Service recognises this as a key area and have Family Contact Officers available for dealing with any problems in this area. A good FCO, who has both the resources and empathy, can make all of the difference sometimes.

moving on with life after being convicted is a process based on hope and it requires some positive engagement from others to make it possible

In terms of employment, I was surprised at the numbers who indicated that they would be returning to their jobs they had before they were sentenced. This was based upon very close relationships with their employers. The majority of these were small businesses with the individual concerned having a friendship with the proprietor rather than just an employee relationship. There was one instance of a larger employer vowing to keep open the job of someone sentenced for assault as they were a valuable and highly regarded employee. However, this offer was later rescinded due to adverse publicity for the individual concerned, and this in turn resulted in the prisoner displaying a more aggressive attitude than previously had been the case, becoming more unsettled and more despairing.

There were also a number who clearly regretted their whole experience within the criminal justice system and vowed never to engage with it again. They had a clear pathway in their mind for how and what they were going to do upon release. For some this seemed to be nothing more than a recognition that what put them there in the first place was a bad decision, made in a split second, that came to dictate their path. A recognition that sometimes they need to think about things is a movement forward for many of them. Whether or not they stick to their commitment remains to be seen but the recidivism figures do not give me much cause for optimism.

Crucially the main problem with short term prisoners is the lack of support when you cross the gate threshold. Anyone sentenced to less than four years can be shown the door with only their liberation grant of £70 in their hand. Previous to release you are meant to be given help and support in accessing benefits, help with housing and advice on where to go for help and support. In my case, the benefit advisor told me to visit my local job centre such was the complicated nature of my claim; the link centre staff would not let me meet with my local authority homeless officer the day before I was being released due to it being dinner time and everyone had to be moved back to the halls; and the advice given consisted of a small booklet where the officer advised not to ask him any questions regarding the contents since they had recently changed and he had not yet read the new version.

My own road to desistance is slightly atypical in the sense that I am not a persistent offender. However, even with a short sentence you still face the barriers that other prisoners face upon release. Disclosure requirements have prevented me from getting gainful employment, and will potentially continue to do so for the next 10 years.

What has helped is my involvement with ‘Positive Prisons? Positive Futures’, a small Scottish charity. This is a community of people who have direct experience within the criminal justice system and who have decided to use their experience for the benefit of others. Since release in December and my conscious decision to re-engage with society in January, PP??PF has opened a number of avenues to fill my time and set in motion a process that makes me feel valued, makes me feel like I am contributing to society, increases my feeling of self worth and provides invaluable experience that can be utilised when searching for jobs. Perhaps there’s a lesson for all in their approach...

As is clear from this account, moving on with life after being convicted is a process based on hope and it requires some positive engagement from others to make it possible. Whether or not the conviction has involved imprisonment, the fact that one has a criminal record has to be acknowledged and managed with care. In addition, the extent of joined up thinking and working in the delivery of services is dismally limited in reality. Seeing ‘service users’ as individuals whose lives could be positively transformed with the sharing of a few moments thought or a well-targeted referral would be a good starting place. The time has come to start seeing each person as an individual who could and should have every opportunity to find their place as a citizen.

Peter White was 92328 for a while but is now working towards confirmation of his restored citizenship as co-founder and coordinator of Positive Prison? Positive Futures

128045: I have chosen to remain anonymous and have utilised my Scottish Prison Identification Number instead. This is more than appropriate since it still feels like I am serving a sentence although technically I have “done” my time.

www.positiveprison.org.uk
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