EDITOR'S ANNOUNCEMENT

The editors and editorial board have some changes to announce.

This will be the last hard copy issue of the British Journal of Community Justice. The way in which readers now access journals and articles has dramatically changed since the first issue in 2002. To respond to this, the editorial board has decided that the journal will become a free online publication from the next issue onwards.

At the same time another change will be taking place. The next issue, and from February 2017 all fourteen years’ worth of back issues will be hosted on the De Montfort University website: http://www.dmu.ac.uk/bjcj.

After fourteen years, the Hallam Centre for Community Justice at Sheffield Hallam University will be closing on the 7th January 2017. The centre has published the journal and provided the administrative support during this time. This responsibility will now move to De Montfort University.

At the same time, our intention is to move to publishing two issues of the journal per annum instead of the current three.

We look forward to engaging with our readership in a different way. For further information, please contact Jean Hine, co-editor, at jhine@dmu.ac.uk.
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EDITORIAL

Jean Hine, Co-editor

2016 was a challenging year for criminal justice in England and Wales, with issues affecting all aspects of the system at some point. The two most often recurring themes throughout the year were the transforming rehabilitation agenda and the state of our prisons, both of which were highlighting major issues in service delivery. The recent report of the Public Accounts Committee (House of Commons, 2016) identified a range of issues in the Transforming Rehabilitation process, arguing that the reforms were far from complete two years into the process and questioning the ability of the Ministry of Justice to be able to identify whether these changes had achieved the desired objectives. Inspections carried out in five areas by HM Inspectorate of Probation also raised questions about the implementation and establishment of the new structures (Webster, 2016). At the same time, numerous issues have arisen in the prison system, culminating in a series of disturbances and riots in a number of prisons around the country. The MoJ issued its proposals on Prison Safety and Reform (MoJ, 2016) in November, along with assurances of funding being provided for the recruitment of additional prison officers and the introduction of measures to reduce the availability of drugs in prison and increase prisoner and officer safety.

Challenges abound for the year ahead, but these can also present opportunities, and the articles in this issue of the journal offer interesting insights. One of the growing concerns following the referendum on membership of the European Union in June 2016 is increasing lack of tolerance of minority groups and with that an increase in hate crimes. Our first two articles, by Wong and Christmann, and Iafrati and Williams, address this issue. The first of these pieces reflects on the reporting of such incidents drawing on research with communities vulnerable to such events. This paper identifies the wide range of reasons that people do not report hate crime, demonstrating how these can vary between different vulnerable communities and the challenges that this presents to agencies seeking to increase the reporting of such incidents. The authors address the potential of third party reporting centres which have been in existence for some time, being introduced following the McPherson Report in 1999. They identify low levels of awareness about such centres and their role, partly because this reporting was often a supplementary function to the organisation’s main purpose and role. The paper concludes with suggestions about how such agencies could enhance this aspect of their work and facilitate increased reporting and support for victims of hate crime.
A detailed understanding of the experiences of one group vulnerable to hate crime, gay men, is addressed in the article by Iafrati and Williams. Their research highlights how the perceived threat of hate crime affects the behaviour and lives of this group and the little acknowledged geographical implications of this. They argue that behaviour change and avoidance of certain localities based on perceived threat prevents hate crimes from occurring but is unnecessarily limiting for these individuals who are thus unacknowledged victims of hate crime. The authors pose the question of “using the police and criminal justice system to address, in a legalistic manner, a problem that is fundamentally social in its nature.” They argue for increased attention on crime prevention rather than crime control to address such issues.

Another concern following the referendum result is calls to opt out of the European Convention of Human Rights, and our third paper by Chris Crowther-Dowey and Marisa Silvestri considers the issue of violent behaviour by men towards women through the lens of the human rights of female victims. The paper argues that the modern drivers of crime control in the UK have had negative consequences in relation to violent behaviour by men against women. The authors propose that human rights discourse is underpinned by the notion that all things are equal between the genders, but that in relation to these particular behaviours this is not the case and should be acknowledged. It is argued that victims do not have formal rights but offenders do, which disproportionately affects female victims of violence, and that austerity measures in the UK are leading to gender inequalities which work against policy initiatives designed to improve the situation.

The Transforming Rehabilitation changes had considerable implications for the training arrangements for probation officers and offender managers. Anne Robinson’s thought piece reflects on the changes introduced to the training arrangements for probation officers and offender managers following the recent Transforming Rehabilitation agenda which reduced the role of the Probation Service and introduced Community Rehabilitation Companies with responsibility for the supervision of the majority of offenders in the community. The paper describes these training arrangements, known as Community Justice Learning (CJL), highlighting its substantial differences to the previous Probation Qualifying Framework. Despite the challenges that this new approach presents for trainers, trainees and their host organisations, she is confident that it can be made to work.

Another element of the Transforming Rehabilitation agenda was the introduction of statutory supervision for all people following a prison sentence. The article by Christmann and Wong addresses the question of resettlement on release from prison, presenting findings from the evaluation of a project designed to offer additional support to prisoners on release from prison. This work is interesting not only because of the promise of the findings about such an approach, but also methodologically. The paper demonstrates how consideration of the time between convictions and the relative seriousness of further offences can identify impacts that can be missed in a simplistic dichotomous approach to reconviction.

Underlying all these changes is the need for them to be properly evaluated so that we know the impacts, both intended and unintended, of the changes. The final paper, a
thought piece by Dan Ellingworth, picks up the methodological theme in considering the needs of voluntary agencies to demonstrate the impact of their services. Drawing upon his own experience of evaluating such projects he presents a checklist for the delivery of robust evidence of impact because, as he argues, “effective evaluation is central to the design and evolution of high quality service delivery.”

We wish all of our readers a peaceful and happy new year and look forward to responding to the new developments for the journal which are outlined in the announcements. It is sad to see the end of the Hallam Centre for Community Justice but its good work and reputation will endure, and De Montfort University looks forward to take over the hosting of the journal.
References
Webster, R. (2016) Transforming Rehabilitation so Far.  
INCREASING HATE CRIME REPORTING: NARROWING THE GAP BETWEEN POLICY ASPIRATION, VICTIM INCLINATION AND AGENCY CAPABILITY

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Abstract
This paper aims to answer the question: can the aspiration for increasing hate crime reporting contained in the United Kingdom Government’s action plan on hate crime (2016-2020) be achieved by local agencies in England and Wales? Drawing on findings from research into the barriers to hate crime reporting and research undertaken by the authors and colleagues in 2012 to 2013 in a county in England, this paper will examine the impact of: victim decision making; and the efficacy of third party hate crime reporting centres on hate crime reporting. It will propose two solutions to facilitate increased reporting in the UK and other jurisdictions: an end to end, criminal justice system, hate crime service framework to more effectively support victims; and a typology of reporting provision which will better enable commissioning agencies to assess the capability and capacity of hate crime services.

Keywords
Hate crime reporting; third party reporting centres; racist crime; homophobic crime; religiously motivated offending; disability hate crime; Gypsy; Travellers.
Introduction
This article aims to answer an overarching question: can the policy aspirations for increasing hate crime reporting contained in the United Kingdom Government's action plan on hate crime (2016-2020) be realistically achieved by local agencies in England and Wales? The under-reporting of bias motivated harassment and violence is both longstanding and urgent. If it is to be tackled effectively, victims and witnesses need to be willing to report victimisation and agencies need to accurately record it. This in turn requires systematically examining the barriers and drivers to reporting behaviour and to propose approaches to reporting based on these insights.

For this article, hate crime refers both to hate incidents and hate crimes as defined by the College of Policing guidelines (2014:3-4) relating to race, faith, sexual orientation, gender identity and disability, or the perception of these characteristics. Accordingly, "a hate incident is any non-crime incident which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice", and "a hate crime is any criminal offence which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice [...]."

The term ‘third party reporting centres’ is used throughout this article to refer to any non-police agency which receives reports of hate crime incidents from members of the public as victims of and/or witnesses to such incidents.

This paper will draw on the research evidence around barriers to hate crime reporting. In addition it will also draw on research undertaken between 2012 to 2013 examining hate crime services in Suffolk, a primarily rural county in England. This was a mixed methods study undertaken by the authors and colleagues. It comprised: a literature review and documentary analysis; analysis of reported Hate Crime and estimating unreported Hate Crime; survey of communities vulnerable to Hate Crime; interviews and focus groups with individuals from communities vulnerable to Hate Crime; interviews with representatives from local agencies; and a workshop with representatives from local agencies.

The present paper is structured as follows:

- **Section 1** will examine the policy context in England and Wales within which the aim of increasing hate crime reporting is being located.
- **Section 2** will consider the challenges posed by victim decision making and their likely effect on the Government's priority for increasing the reporting of hate crime.
- **Section 3** will examine the efficacy of third party reporting centres and their likely impact on reporting.
- **Section 4** will offer solutions to enhance the effectiveness of hate crime reporting by proposing that agencies adopt: an end to end, criminal justice system, hate crime service framework to more effectively support victims; and a typology of reporting provision which will enable commissioning agencies in the UK and other jurisdictions to assess the capability and capacity of hate crime services.
- **Section 5** will conclude the paper, making recommendations for enhancing the effectiveness of hate crime reporting in the UK.
The UK policy context

In July 2016 the Conservative Government produced their action plan for hate crime, *Action Against Hate: The UK Government's plan for tackling hate crime*. This is the refreshed successor to the previous Coalition Government's (2012) plan *‘Challenge it, Report it, Stop it: The Government's Plan to Tackle Hate Crime’* and their (2014) *Hate crime action plan progress report*. The timing of the plan's release (which had been in preparation for some time) in July 2016 may have been coincidental but also could be seen as an attempt to respond to the rise in recorded hate crimes just before, during and immediately after the UK referendum to leave the European Union (National Police Chiefs Council, 2016).

The 2016 plan, as have previous plans before it, contains an explicit commitment to improving the reporting and recording of hate crimes as well as improving victims’ access to support services. This is the latest iteration of successive government efforts to energise and arguably fulfil the pledges to tackle hate crime that originated in the landmark Stephen Lawrence Inquiry Report (MacPherson et al., 1999).

Hate crime reporting is one of five inter-related areas of activity prioritised in the Government action plan over the next four years (Home Office, 2016). In summary, these are:

1. Preventing hate crime by challenging the beliefs and attitudes that underpin it, including a programme to better equip teachers to undertake preventive work in schools;
2. Aiming to reduce hate crime incidents, but now with four particular settings singled out for new measures; 'vulnerable' religious sites, public transport, the night time economy and also the online environment;
3. Increasing the reporting of hate crime by improving the reporting process and working with groups likely to under-report, including encouraging *third party reporting*¹;
4. Improving support for victims and witnesses, and lastly;
5. Improving data capture and data analysis in understanding the nature and pattern of hate crime, to include strengthening networks with academic researchers working in the field.

The extent to which the overarching themes within the action plan support more effective hate crime reporting is considered in the rest of this section.

Hate crime reporting: sharing 'best practice'

The action plan is intended to be underpinned by two central 'themes': partnership working with communities; and more joined up work across the hate crime strands to ensure 'best practice' in tackling hate crime is developed and deployed. This commitment is to be welcomed. However, without suitable incentives, for example, tied to funding, the likelihood of agencies adopting such practice, and thereby changing what they are doing,

¹ Our emphasis.
would appear to be remote. Crucially, the action plan lacks detail about how these desired transformations will occur.

Targeting resources
The plan recognizes groups which are likely to under report hate crime, such as disabled people, Muslim women, the Charedi community, transgender people, Gypsy, Traveller and Roma communities, and new refugee communities. This carries the strong implication that resources should be targeted at encouraging these groups to report hate crime. However, the plan perhaps does not go far enough in its analysis of which victims from among these groups (based on their likely propensity to report and/or the type of victimisation that they experience) agencies should target to encourage reporting (Christmann & Wong, 2010).

Understanding causation
Whilst the plan acknowledges that national events can drive hate crime, there is no recognition that government policy (including foreign policy) and rhetoric can heighten tensions and drive prejudice and hate, as in the case of the recent EU referendum and attendant upsurge in hate incidents (National Police Chiefs Council, 2016). The political debate over (at least) the next two years as the UK negotiates to leave the EU, with migration being a central theme, is only likely to perpetuate the tension and anxiety that the referendum has already generated as noted by Burnet (2016). A nuanced analysis of the increase in hate crime reporting around the referendum given by Paul Giannasi, the Head of the Cross Government Hate Crime Programme at a recent seminar suggested a range of contributory factors, including:

- Acts of hatred and the public expression of negative sentiments against immigrant communities;
- A backlash against anti-immigration sentiments leading to a greater reporting of incidents of intolerance and/or abuse; and,
- Tensions and anxieties within vulnerable communities leading to individuals from those communities being more willing to report incidents, which if those incidents had occurred in less anxious times, they would not have been reported.

Whilst the latest action plan does explicitly cite the need to increase reporting for 'new refugee communities' it studiously ignores successive government policies that have done much to criminalise asylum seekers (those who have applied for asylum and are waiting for a decision) and asylum seeking men from Islamic countries who are frequently denied asylum, in part because they are seen as constituting a threat (Bhatia, 2015).

While these tensions and the acts that arise from them are a cause for concern, the potential for more people to report hate crime might provide an opportunity for local agencies. If victims and witnesses receive a positive experience from local services this could go some way to dispelling some of the apprehension that they may have about reporting hate crime. This could in turn lead to positive word of mouth messages about

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2 Hate Crime Reporting - Narrowing the gap, hosted by the Hallam Centre for Community Justice, Sheffield Hallam University on the 12th October 2016.
the process, encouraging other people to report, itself driving further increases in reporting.

**The challenge of victim decision making**

This section examines the challenges posed by the victim decision making process to increasing hate crime reporting.

**Victims’ perceptions of the police**

Contained within the recent Government Action Plan (Home Office, 2016) is an acknowledgement that victims’ perceptions of the police may inhibit reporting, specifically because they may feel that the police will not take the issue seriously. While such an acknowledgement is welcome, it falls short of recognising the complexity of victims’ view of the police. This was better articulated in the Coalition Government’s 2012 action plan:

> “Fear of being further victimised by going to the police; concern that the police will not be able to do anything, so they just accept it as part of their day to day lives; concern that the police will not do anything because they are prejudiced and/or unsympathetic.” (HM Government, 2012)

The current plan does not appear to fully acknowledge or respond to this complexity and by default absolving the government of a need to encourage police services to address these problems. This is not to say that police services of their own volition are not addressing this through their hate crime scrutiny panels. A comprehensive account of victim’s perceptions of the police and why they might inhibit the reporting of hate crime is provided in Table 1 below. This combines: national findings from Smith and colleagues (2012) based on two sweeps of the Crime Survey England and Wales (CSEW) but at a more disaggregated level than the earlier original published data;³ with the results from a small scale survey undertaken in Suffolk of individuals vulnerable to hate crime (Wong, Christmann et al., 2013). However victims' reasons for not reporting hate crime need to be viewed in the context of reasons for not reporting any crime. The analysis shows that nearly half (67/140) of all the reasons given for not reporting hate crime can be broadly attributed to victims' perceptions of the police which is comparable to just over half for not reporting all crime (65/125). The exception here is the higher numbers of respondents in Suffolk who thought the hate crime incident too trivial to report than comparable CSEW respondents (see Table 1 below).

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³ Data disaggregated to a finer level than the original Smith et al. (2012) report was supplied by the author Lader, D, personal correspondence.
Table 1: Reasons for not Reporting Hate Crime

<table>
<thead>
<tr>
<th>Reasons for not reporting (%)</th>
<th>All hate crime CSEW (2009/10 and 2010/11)</th>
<th>All CSEW crime (2009/10 and 2010/11)</th>
<th>Suffolk hate crime</th>
</tr>
</thead>
<tbody>
<tr>
<td>PERCEPTIONS OF REPORTING AGENCY</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police could have done nothing</td>
<td>30</td>
<td>35</td>
<td>20</td>
</tr>
<tr>
<td>Police would have not been bothered/not interested</td>
<td>24</td>
<td>22</td>
<td>29</td>
</tr>
<tr>
<td>Inconvenient/too much trouble</td>
<td>6</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Dislike/fear of police</td>
<td>6</td>
<td>1</td>
<td>n/c</td>
</tr>
<tr>
<td>Previous bad experience of the police/courts</td>
<td>1</td>
<td>1</td>
<td>8</td>
</tr>
<tr>
<td>Did not know who to speak to</td>
<td>n/c</td>
<td>n/c</td>
<td>9</td>
</tr>
<tr>
<td><strong>Sub-total</strong></td>
<td><strong>67</strong></td>
<td><strong>65</strong></td>
<td><strong>66</strong></td>
</tr>
<tr>
<td>OTHER REASONS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Too trivial/not worth reporting</td>
<td>15</td>
<td>29</td>
<td>34</td>
</tr>
<tr>
<td>Private matter/dealt with ourselves</td>
<td>19</td>
<td>15</td>
<td>9</td>
</tr>
<tr>
<td>Common occurrence</td>
<td>9</td>
<td>3</td>
<td>28</td>
</tr>
<tr>
<td>Fear of reprisal</td>
<td>5</td>
<td>2</td>
<td>16</td>
</tr>
<tr>
<td>Reported to other authorities (e.g. superiors, company security staff, etc.)</td>
<td>4</td>
<td>5</td>
<td>9</td>
</tr>
<tr>
<td>Other</td>
<td>21</td>
<td>6</td>
<td>n/c</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>140</strong>*</td>
<td><strong>125</strong>*</td>
<td><strong>162</strong>*</td>
</tr>
</tbody>
</table>

n/c: no discernible category.

*Figures may sum to more than 100 as more than one reason could be given.

The reasons for non-reporting (based on their views of the police) includes victims' perception that the police 'could not have done anything', in addition to the more damning belief that they 'would not have done anything' as well as having poor experiences from previous contact (prominent in the Suffolk survey). The response of 'police could have done nothing' is open to some interpretation as it invariably includes incident specific factors such as victims considering the facts of the case such as the ability to recall suspect descriptions (Skogan, 1984; Sparks et al., 1977). Nevertheless this remains a judgement about the police and the victims' perception of the resources which are likely to be marshalled to detect and apprehend perpetrators. As such this could be considered to be a 'vote of no confidence' in the police as it is rare that a person can recall no details of evidential value to an investigation, or that other methods cannot assist, such as CCTV, or identifying other witnesses.

The greatest divergence in CSEW data for reasons to not report hate crime (6 of 140) compared to all crime (1 of 125) is where victims report that they dislike and fear of the police. This is the raison d'être for offering third party reporting services, to overcome this barrier.

Victim satisfaction of the police

There appears to be a central contradiction in the recent Government action plan (Home Office, 2016). There is an acceptance that hate crime victims express lower levels of satisfaction with the police response (than do other types of victims), whilst
Increasing hate crime reporting: narrowing the gap

simultaneously stating that police forces now have a better understanding of the impact hate crime can have on communities. This begs the question that if the police improvement has indeed occurred, why has this not been replicated incrementally in higher victim satisfaction post contact with the police?

Corcoran and colleagues (2015) analysed three sweeps of the CSEW and found hate crime victims far more likely to be ‘very dissatisfied’ with the police’s handling of the matter than for other crimes (35% compared to 14%). This confirms other research which found high levels of victim dissatisfaction with the police, notably with LGBT victims (Leicester Hate Crime Project, 2014; Home Office, 2013; Stonewall, 2013; Paterson et al., 2008; Jarman & Tennant, 2003). Higher levels of dissatisfaction was also substantiated by more in-depth qualitative research which found that over three-quarters of respondents were unhappy with the police response compared to one fifth describing positive experiences (Victim Support 2005:65/6). There are a wide range of reasons for victim dissatisfaction which stem from how victims are treated by the police (the experience of the contact, including the degree of respect and concern shown by police to victims) as well as how the police and wider criminal justice system perform (the outcome of any investigation, detection and disposal). Those who do report may not get redress because, as with other types of crime, the police do not ‘clear up’ or detect all hate crimes. Figures from 2012/13 show that the police detected 46% of racially or religiously aggravated hate crime (which is a subset of all hate crime, so not all hate crime) with 80% of these leading to a charge or summons, compared with 58% for non-aggravated offences (Home Office, 2013:8).

A lower rate of victim satisfaction is a significant issue. Despite barriers to reporting arising from victim perceptions of the police, the police are still the agency of choice for reporting hate crime, the majority of hate crime incidents are reported to the police rather than any other agency (Corcoran & Smith, 2016). When asked to choose the agency that they would prefer to report hate crime incidents to, the majority of survey respondents (62%) (in a recent small scale study) chose the police (Wong, Christmann et al., 2013:51). Unless it is addressed, low levels of victim satisfaction experienced by hate crime victims will contribute to lower levels of confidence in the police and affect the reporting of subsequent victimisation. This is the case for police investigatory effort as well as perceptions of fairness of treatment (Hickman & Sampson, 2003; Xie et al., 2007) at least for less serious hate crimes, but somewhat counter intuitively, not necessarily outcome (arrest and prosecution). What appears critical to increasing individual satisfaction is the perceived fairness and respectfulness of the process, more so than favourableness of outcome, a point demonstrated by a wealth of findings from procedural justice research (i.e. Lind & Tyler, 1988; Paternoster, Brame, Bachman, & Sherman, 1997; Thibaut & Walker, 1975; Tyler & Huo, 2002; Tyler, Boeckman, Smith & Huo, 1997).

Improving victim satisfaction by the police is more open to manipulation and change to enhance reporting rates than, say, victims stating they prefer to deal with the matter privately or dismissing it as not worth reporting. Large and complex organisations such as

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4 Attitudes towards the police appears to play a limited role when reporting being a victim of the most serious offences (for instance having to seek medical treatment or facing substantial financial loss) at least for volume crime (Skogan, 1984).
the police can, given the will, effect transformative structural and cultural changes to become more customer and here, victim orientated. Whilst the most recent police operational guidance (College of Policing, 2014) recognizes and aims to rectify many of these failings, the latest action plan makes no mention of such difficulties, restricting itself to issues of data capture, recording or 'training needs' for officers to improve their' understanding' and recording of hate crime. In part this may reflect some officer dissatisfaction with current hate crime training provision which is mainly offered online (FRA, 2015; Wiedlitzka, 2016). Nevertheless, omitting to specifically identify the quality of police operational responses as a barrier to reporting; the attendant need to monitor progress by the police in rectifying these deficiencies; and to embed this within the action plan remains a considerable missed opportunity in the push to increase reporting.

**Victims' perception of the offence**
Non-reporting appears to be heavily influenced by victims either not experiencing the incident as sufficiently serious to report, or believing nothing can be done without providing direct evidence irrespective of whether the incident is distressing (Smith et al., 2012; Blackburn Racial Equality Council, 1997, cited in Chahal & Julienne, 1999). This is a robust finding which applies to all crime and is consistent across sixteen other industrialised Western nations (Goudriaan, Lynch & Nieuwbeerta, 2004).

Feeling that the incident is a private matter (to be dealt with by themselves rather than the authorities) is the third most frequent reason for non-reporting (Smith et al., 2012; Goudriaan, Lynch & Nieuwbeerta, 2004) although this was less so for the Suffolk sample (Wong, Christmann et al., 2013). Fearing reprisal was another potent reason not to report victimisation, either from the perpetrators or from the wider community. As shown in Table 1 (above), while this concern was identified by Smith and colleagues (2012) for hate crime and all crime (5% and 2% of respondents reported this as a barrier) it was far more pronounced (16%) in Suffolk. This was especially important when the perpetrators lived close by (for instance neighbours) or where the victim feared wider public censure by having to appear in court and reveal their identity - this was the case for some gay victims fearing being 'outed' but also for some transgender victims who could be especially sensitive to threats to their confidentiality (Wong & Christman et al., 2013). This apprehension about being outed and concerns over how the police may use personal information is supported by other research on under-reporting of hate crime amongst LGBT populations (Chakraborti & Hardy, 2015; Stonewall, 2013; Paterson et al., 2008; Jarman & Tennant, 2003).

**Differential responses to reporting by vulnerable communities**
Concerns about under reporting can vary very considerably across different victimised groups, providing challenges for public agencies which are aiming to increase the reporting of hate crime.

For those seeking asylum, under-reporting by victims could be due to the criminalisation and marginalisation of this group, combined with: an ongoing fear of the police; the lack of a legitimate 'legal' status, fear of detention and deportation; and all of this set against the context of a highly restrictionist UK immigration policy as noted by Bhatia (2014; 2015) and Lewis, Dwyer, Hodkinson and Waite (2014).
Other differential responses by victimised groups are considered below based on qualitative and survey data from our Suffolk study (Wong, Christmann et al., 2013). These findings should be regarded as illustrative rather than definitive.

Gypsy/Traveller respondents overwhelmingly reported that family members had talked them out of reporting hate crimes to the police. Interview data suggested this was due to longstanding mistrust and suspicion of the police. Community censure was also found to operate amongst the Gypsy and Traveller community, which prevented reporting to the police.

The interview data also highlighted previously less well-known community specific cultural and historical barriers to reporting for other groups. For the Chinese community "reporting to police is affected by the potential of losing face by going to a police station. In Chinese culture, 'losing face' means that one has lost their dignity, social standing, honour, and trustworthiness and bring shame on the family.” (Wong & Christmann et al., 2013:29-30)

For communities who were not native English speakers, language difficulties were the main barrier to reporting. Other nationalities had different concerns. From the Polish community, one interviewee commented:

“"The biggest barrier is the Polish history of being a communist state for 50 years, Police in Poland not as respected as here in UK. The Police in Poland were an organ of the regime, so we have no trust in the Police"” (Community Interviewee, 2013:30)

This throwback, where the police were seen as an organ of state repression could still prove influential in discouraging reporting. Interview data showed that there could be a taboo associated with reporting crimes to the police amongst some Polish respondents, with those reporting to the police being labelled as a ‘snitch’ by the local community.

What these responses underline is the expanding plethora of reasons (cultural, linguistic, personal safety and confidentiality), that different communities which are vulnerable to hate crime can have to not reporting hate crime to the police. For local agencies this makes it more difficult to effectively design their services to promote hate crime reporting due to the range of challenges they face. What it requires is investing in sustained effort to effectively engage these diverse communities in attempting to overcome such barriers.

**The efficacy of third party reporting centres**

The current action plan explicitly endorses third party reporting as a means of improving accessibility to the criminal justice system, providing different opportunities to report (face-to-face, by phone or online) and offering a range of options to report for those reluctant to have contact with the police directly (Home Office, 2016). No claims are made within the plan for such centres in driving up reporting rates, itself the raison d’être of third party reporting. Instead there is a tacit acknowledgment about under performance, reflected in a commitment to establish 'best practice standards' for all reporting centres.
The ambition to widen the supply of third party reporting centres to groups identified as facing particular barriers to reporting is laudable. However, such efforts risk falling into disrepute without undertaking an impartial and objective appraisal of the efficacy of existing third party reporting provision and crucially, transferring the learning from this to ensure that these groups are effectively served by new and/or expanded services. This is exemplified in Leicester where Chakraborti, Garland and Hardy (2014) found a "worryingly low" number of survey respondents reporting their hate crime victimisation to a third party reporting centre or other mechanism. The most frequently used organisations were Victim Support and the local council (both cited by 3% of respondents; n=28 and 31 respectively). Interestingly, the Police's True Vision website had even lower usage (n=2).

Third party reporting services originated from Recommendation 15 of the Stephen Lawrence Inquiry Report which set out to address the under-reporting of racial hate crime (MacPherson, 1999). The Inquiry recognised that some victims were reluctant or unwilling to report to the police due to longstanding perceptions of police racism, or victims fear about being re-victimised by the police. The goal of third party reporting centres then and now is to overcome the barriers experienced by victims by providing an alternative non-police reporting avenue, one which encourages reporting, with some also providing or referring victims to a range of support services.

A recent review of hate crime reporting centres undertaken by the National Policing Hate Crime Group's (NPHCG) found rather damningly that "many" schemes failed to increase reporting and were not delivering "any tangible results" (NPHCG, 2014:48-9).

The reasons for this are considered in this section.

Public accountability, victim and public awareness
There is limited publicly available data and therefore public accountability about how well third party reporting centres operate, although some notable exceptions include: Stop Hate UK, Tell MAMA, and the police sponsored True Vision website. All of these services provide publicly available statistical reports of incidents made to them. They represent the most prominent reporting organisations, two of whom provide services

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5 If the victim consents, the report made at the third party reporting centre will be passed to the police with the victims contact details included, thereby allowing investigating officers to contact them in the course of enquires.

6 Stop Hate UK provides a confidential 24 hour telephone helpline to report all forms of hate crime and provide support for victims.

7 Tell MAMA is a non-governmental organisation proving a confidential reporting service for anti-Muslim incidents.

8 True Vision is a police website where all forms of hate crime can be reported, the site is run by the Association of Chief Police Officers (ACPO) and as strictly speaking is not a third party reporting service as the report is made to the police but can be done anonymously.

nationally (True Vision and Tell MAMA), with Stop Hate UK operating across many Local Authorities in England and Wales. The wider picture of the very many third party reporting centres which operate locally is far more difficult to gauge, in part due to the surprising lack of any data on hate crimes reported to local reporting centres (Wong, Christmann et al., 2013; Wong and Christmann, 2008; Monchuck & Santana-Acosta, 2006). In one of these studies (Wong, Christmann et al., 2013) local statutory agency interviewees indicated that the third party reporting centres (mainly small voluntary and community sector (VCS) agencies) were not even required to collect data on hate crime reporting in order to minimise the administrative burden on them.\footnote{However, following discussions arising from the research report, this arrangement was reviewed.}

The limited research into third party reporting suggests that generally hate crime victims have low awareness of the existence of third party reporting centres. Chakraborti and Hardy (2015) found that few LGBT respondents in Leicestershire were aware of the existence of either larger national or alternative regional third party reporting schemes. Wong and Christmann (2008) found that awareness of third party reporting centres was low to non-existent among both victims and individuals drawn from communities vulnerable to hate crime. This was substantiated by earlier research taking place in the wider region,\footnote{The research was conducted in a large police force area in the north of England which contained 240 Hate Crime Reporting Centres, a sample of these across 5 of the districts were studied using in-depth interviews across a composition of management at the reporting centres and other personnel with experience of reporting centres in addition to using mystery shoppers to ‘test’ service standards.} which also found low levels of public awareness of reporting centres (Swift, 2005).\footnote{However, activity or productivity measures regards number of reports or advice given were not assessed.}

**Knowledge and capability of reporting centre staff**

A research review of hate crime reporting procedures for the same police force area found that the reporting arrangements were ‘not fit for purpose’ (JUST West Yorkshire, 2012:1).\footnote{When the authors ‘tested' the reporting system, one front line police staff was unable to redirect the caller to any hate crime reporting centre in the force area (as they did not know any and were unable to locate any) and failed to refer the caller to a specialist officer.} The efforts of potential victims to report were frustrated by the lack of basic contact information on hate crime leaflets and websites for the centres being out of date (with one named organisation having been closed down for 3 years). The Swift evaluation (2005:8) found that reporting centre staff were not always aware that their premises were indeed a functioning reporting centre. This was partly due to: the function of the agency - being a reporting centre was not their core business; and high staff turnover with new replacement staff not always being adequately trained. It was found that this could result in some centres existing in which only the manager would be capable of taking reports. These rather simple administrative failings highlighted by the study appear to indicate a gap between the professed priorities of police and local authorities and the actual reality on the ground.
Research in North-West England has found a similar mismatch. Roulstone and Thomas (2009:15) highlight an unpublished study of two police division evaluations\(^{14}\) which showed that many of the third party reporting centres established after the Stephen Lawrence Inquiry Report (MacPherson, 1999) in this locale were no longer functioning, and of the small number still in place, there was little support or systematic networking with their local Hate Crime Panel.\(^{15}\) In one divisional area, 37% of the 32 reporting centres established in 1999 were no longer functioning. Similar to the earlier Swift findings, centres suffered from high staff turnover, including here senior staff with nearly all (98%) of the centres no longer having the same centre coordinator in 2007 from 2000. More worryingly, of those responding to the evaluation, no staff were aware of the principal multiagency report form (‘Form 730D’) and all felt they required further training in their role (Roulstone & Thomas, 2009). Overall, Roulstone and Thomas concluded that the reporting centre system required a ‘major overhaul’ as well as the need for senior staff buy-in to embed hate crime work in the force area (Ibid, 2009).

This work also highlights the adverse effects of losing professional capacity from career trajectories and staff ‘moving on’, a finding well documented amongst police and local government officers involved in community safety (Pease, 2006). It would seem that third party reporting centres appear particularly susceptible to this difficulty, one which degrades some of the most basic knowledge, understandings and practical competencies of the organisation. The reliance on insecure funding sources no doubt exacerbates at least some of these difficulties. The extent to which funding can be put on a firmer footing from the commissioning of services via Police and Crime Commissioners would in theory allow greater levels of staff retention and training. Whether this occurs will be dependent on local priorities and competing funding pressures of the PCCs themselves.

More recent research in the South West of England (James & Simmons, 2013:254) found something of a ‘post-code lottery’ in third party reporting provision, one which left victims facing either excellent, limited, or non-existent information on practicalities of hate crime reporting from Local Authorities. Whilst there were gaps found in information contained in websites as well as the knowledge of key workers, notably police awareness of local third sector agencies, there were other excellent examples of reporting mechanisms for victims. An earlier study also identified problems in building capacity in dispersed rural areas to support victims of hate crime (Garland & Chakraborti, 2002).

**The orthodoxy of third party reporting centres**

The orthodoxy of third party reporting centres as a means of increasing the reporting of hate crime has been reinforced by: the current and past Government hate crime action plans (Home Office, 2016; HM Government, 2012); and in the recent past, financially through the Ministry of Justice’s Victim and Witness Fund 2011-14 (HM Government, 2012). This is understandable, after all, it is in keeping with one of the key recommendations from the Stephen Lawrence Inquiry Report (MacPherson et al., 1999).

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\(^{14}\) The authors draw on an unpublished report of two police division evaluations: ‘The North West of England force area report’.

\(^{15}\) Hate Crime Panels are drawn from the local community and review hate crime cases. They provide advice and suggested areas of improvement to statutory agencies such as the Police.
However, the very orthodoxy of third party reporting centres reinforced (uncritically) by successive Government action plans may be acting as an inhibitor to improving their efficacy. Despite Government support, there is no firm evidence base for them. Indeed, their continued existence appears more like an act of faith or a measure of the virility for those tasked with tackling hate crime.

A significant body of research has shown that crime prevention cannot be replicated in a mindless 'cookbook fashion' but to work effectively must be adjusted to local conditions (Ekblom, 2004). Applying this to third party reporting centres suggests that the underpinning rationale behind local areas adopting third party reporting centres as a means to increase reporting may require rethinking. Being able to claim them for a local area (whether or not they are operating effectively), may act as a projection of community concern, providing a proxy indicator of agency activity and commitment to addressing hate crime. However, the mere presence or number of third party reporting centres is less important than how well they are functioning on the ground; with an indicator of effective functioning being how well they are linked in and/or integrated into the communities they are designed to serve. Notably, the National Policing Hate Crime Group's (2014) review of third party reporting centres called for the performance of centres to be monitored and for any identified shortfalls to be addressed.

**Discussion**

Increasing hate crime reporting requires local agencies to understand the challenges to victim reporting as set out above and respond to this in the way in which local services are configured/commissioned and held accountable.

This section proposes that commissioners and public agencies responsible for crime prevention in local areas should assess local hate crime provision using the two frameworks detailed below. While they are drawn from the UK experience, they are applicable to other jurisdictions.

**Integrated hate crime service framework**

There are three related problems that local areas may have with their services. The first is in providing an integrated hate crime response given the plethora of local agencies (in particular voluntary and community sector agencies) involved with victims. This complexity of provision has inevitably occurred as the range of different communities vulnerable to hate crime has increased and with it the number of different agencies that work with them and/or claim to represent them. Secondly, different agencies may work with victims at different times, prior to officially reporting hate crimes; then later through the criminal justice system; and after their involvement in the criminal justice system, leading to disjointed provision. The third difficulty concerns a lack of streamlining and coordinating of the service provision to victims which make best use of the strengths and operational capabilities of individual agencies.

Responding to these problems, it is proposed that local agencies should adopt the integrated service framework set out in Table 2 below, originally devised for a county area in England by Wong, Christmann et al. (2013). This is based on clear service stages.
providing roles appropriate to the capabilities and specialisms of individual public and voluntary sector agencies. In addition, it proposes sequenced actions before, during and after criminal justice system involvement in order to provide a fully integrated and coordinated approach. This has the advantage of offering a scaled response according to the needs of the victim.

Table 2: Integrated Hate Crime Service Framework (Wong, Christmann et al., 2013)

<table>
<thead>
<tr>
<th>Service stages</th>
<th>Key service objective</th>
<th>Key service elements across all the stages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-incident</td>
<td>• Providing targeted information to individuals who may be vulnerable to hate crime</td>
<td>Case co-ordination by a ‘lead professional’ (from a public or VCS agency) who is responsible for managing the individual’s case at each or any of these stages</td>
</tr>
<tr>
<td></td>
<td>• Information initiatives targeted at potential perpetrators to deter or prevent Hate crimes occurring</td>
<td></td>
</tr>
<tr>
<td>Pre-reporting to the police</td>
<td>• Recording information about Hate crimes from individuals who do not feel comfortable/confident to report this to the police</td>
<td>A risk of victimisation and needs assessment process that is applied to each case</td>
</tr>
<tr>
<td></td>
<td>• Working with individuals and communities so that they feel able to report incidents to the police</td>
<td>A scaled response to each case based on a red, amber, green (RAG) system of risk of victimisation and need (similar to that adopted for the management of prolific offenders) which ensures that community specific support (where required) is provided</td>
</tr>
<tr>
<td>Reporting to the police</td>
<td>• Supporting individuals reporting hate crime to the police</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Managing the expectations of individuals about the types of action that the police can take</td>
<td>A regular case conference and review process (as adopted for the management of prolific offenders) involving all the key criminal justice and voluntary sector agencies</td>
</tr>
<tr>
<td>Criminal justice System</td>
<td>• Supporting individuals through the criminal justice system, managing their expectations through this process</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Protecting individuals from reprisals</td>
<td></td>
</tr>
<tr>
<td>Post criminal justice system</td>
<td>• Providing ‘aftercare’ support and protection to individuals whether or not perpetrators are convicted</td>
<td></td>
</tr>
</tbody>
</table>

Using this framework will enable local agencies to undertake a gap analysis and by responding to any gaps identified, provide a more co-ordinated service. In particular the recognition of the ‘Pre-incident’ and ‘Pre-reporting to the Police’ service stages provides a way of firmly signalling the need to devote resources to both promote hate crime reporting and to encourage individuals to report hate crimes after victimisation or witnessing victimisation. If not to the police in the first instance, then at least to an agency that they have greater trust in, regardless of whether or not this is then passed on anonymously to the police.

Assessing the capability of hate crime reporting centres
Given the significant reliance on third party reporting centres by Government and criminal justice agencies such as the police for enhancing hate crime reporting, it is remiss that to
Increasing hate crime reporting: narrowing the gap

date there has been little or no scrutiny about how well they perform. Table 3 (below) sets out a range of operational dimensions for hate crime reporting centres based on currently available research evidence of efficacy considered above. In so doing, it offers a universal framework for assessing the capabilities of reporting centres, enabling local agencies to assess where there may be deficiencies and going some way to holding the centres to account. List A identifies the attributes most likely to be associated with a more effective reporting centre while List B identifies attributes which are likely to be associated with a less effective reporting centre. The attributes in the shaded cells are neutral, i.e. the number of hate crime types dealt with are not indicative of either more or less effective reporting centre.

Table 3: Operational dimensions of hate crime reporting centres

<table>
<thead>
<tr>
<th>Operating dimension</th>
<th>List A</th>
<th>List B</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Organisational purpose</strong></td>
<td>Hate crime as core business</td>
<td>Hate crime as non-core business</td>
</tr>
<tr>
<td><strong>Resourcing</strong></td>
<td>Dedicated funding for Hate crime work</td>
<td>Hate crime work resourced from funding which does not specifically cover hate crime work</td>
</tr>
<tr>
<td><strong>Capacity/capability</strong></td>
<td>Reporting, support and signposting for other help</td>
<td>Reporting only</td>
</tr>
<tr>
<td></td>
<td>Reporting, enforcement, support and signposting for other help</td>
<td>Reporting and signposting for further help</td>
</tr>
<tr>
<td><strong>Types of hate crime dealt with</strong></td>
<td>All</td>
<td>Limited hate crime types</td>
</tr>
<tr>
<td><strong>Strength of links to groups vulnerable to hate crime</strong></td>
<td>Well embedded</td>
<td>Limited</td>
</tr>
<tr>
<td><strong>Strength of operational and strategic links to police and other key strategic agencies</strong></td>
<td>Good operational links</td>
<td>Limited operational links</td>
</tr>
<tr>
<td></td>
<td>Good strategic links</td>
<td>Limited strategic links</td>
</tr>
<tr>
<td><strong>Conversion of client contacts to reports to the police and other public agencies</strong></td>
<td>Medium to high</td>
<td>Low</td>
</tr>
</tbody>
</table>

Conclusion

The underreporting of hate crime across the UK remains a chronic problem despite attempts by government, police and other agencies to address it. This article has presented a number of reasons why these agencies have failed to make much headway in this area. These appear to be due to having a poor understanding of the reasons why victims choose not to report hate crimes, with different barriers varying across the traditional identity characteristic groups, as well as directing resources and effort into third party reporting centres (the most widely adopted approach to increasing reporting) without adequately testing if they work as intended. There is also inadequate attention to development and innovation of existing third party reporting centres in order to optimise their functioning within local neighbourhoods. Another difficulty is a lack of maturity in the development of hate crime services due the continual stream of new (in particular voluntary and community sector) agency entrants who may be working with the criminal justice system for the first time. While these agencies have been brought into the oeuvre
of hate crime service provision due to the widening range of communities, groups and individuals affected by bias motive crimes, insufficient consideration has been given to how to make best use of their connections to those communities while at the same time assessing their capacity and capability to work with hate crime victims. Finally there is a reluctance to more effectively join up existing provision combined with a general lack of accountability to ensure that all agencies deliver and perform to a minimum standard.

Good intentions around encouraging hate crime reporting are not enough. In not addressing these fundamental problems, local agencies are arguably failing the individuals and communities that they are professing to help. The frameworks presented in this article provide a more systematic approach to address these problems. Effectively implementing these solutions would provide a way for agencies to more realistically improve hate crime reporting, narrowing the gap between high minded policy aspiration and a more realistically inclined victim inclination.
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Increasing hate crime reporting: narrowing the gap


POLICING THE THREAT: ‘IMPLIED HATE CRIME’, HOMOPHOBIA AND BEHAVIOUR CHANGE

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Abstract
This research is based on focus groups with gay men in the Black Country, an area of the West Midlands and examines the extent to which the men change their behaviour to avoid being identified as gay. Frequently, behaviour change was not in response to direct or overt threats, but instead, in response to perceived or implied threats. The way in which this limits personal freedoms and feelings of community safety should be regarded as a key element of hate crime. The men in the focus groups also recognised clear geographical dimensions to this implied hate crime, with certain areas being identified as hostile. Problematically, relying solely on quantitative data to inform patterns of hate crime is therefore limited as it (i) fails to include perceptions, (ii) fails to recognise that certain areas are avoided because of perceived threats, and (iii) fails to recognise under-reporting. A strategic response to hate crime must involve being more proactive and a multi-agency approach, with this article identifying how this research led to a sustainable and strategic response.

Keywords
Hate crime; homophobia; qualitative; fear of crime; behaviour change.
**Introduction**
These findings are based on research with gay men in the Black Country in the West Midlands. Comprising the boroughs of Dudley, Sandwell and Walsall as well as the city of Wolverhampton, the Black Country lies to the west of Birmingham and was once part of Britain’s industrial heartland. Economic changes have seen decline in industrial employment and the area now has higher than average levels of unemployment and poverty.

Whilst homophobia and hate crime include a range of overt actions, the research found that implied or perceived threats have significant influence on the behaviour of men within the gay community. Consequently, this paper starts by arguing that perceived threats towards the gay community should also be understood within the remit of hate crime. Additionally, it is important to recognise a root cause is homophobia, a social problem that should be addressed through strategic actions aimed at crime prevention rather than crime control. This is not to diminish the importance of improving reporting and conviction rates for such crimes, but instead to work in parallel with a range of partners to tackle causes of hate crime at source. Leaving solutions solely to the police and criminal justice agencies will continue a reactive model of waiting for an offence to be committed before using prosecution as the only route to deal with the issue.

In the post-Macpherson era of policing hate crime (Chakraborti, 2009) attention has increasingly focussed on experiences of the victim to understand the impacts of hate crime. From this context, this research examines the impact of prejudice when there is a less overt or implied threat of hate crime, which can be defined as a commonly held perception that being identifiable as gay would lead to hate crime. The research concludes that subsequent changes in behaviour and avoidance of particular areas constitute social control that should be understood and addressed as hate crime. To date, the implied threat of hate crime and consequent changes in behaviour have been the focus of very little research and limited attempts to develop solutions. Importantly, the findings do not locate perceived threats of hate crime within existing fear of crime debates, where there is a clear distinction from likelihood of crime. Instead, the findings recognise that gay men experience real and tangible threats of hate crime and the need to address this threat as well as the extent to which hate crime is unreported and frequently unpunished.

The research found that gay men in the Black Country regularly change their behaviour to avoid being identified as gay for fear of hate crime. Interestingly, far from a blanket response amongst gay men, there is awareness of this being geographically specific, with certain town centres and neighbourhoods being particularly hostile. The significance of this research is that current understandings of hate crime are based on two key assumptions; firstly that hate crime is measured through quantitative methods and secondly, that addressing hate crime is a linear response to specific actions.

By linear, it is meant that policing hate crime starts from the point when an offence is committed and progresses through sequential stages characterised by the ‘case flow through system’ (Home Office, ONS & Ministry of Justice, 2013). For hate crime, this
includes reporting, investigation, police action, court proceedings and potential punishment, with each of these stages being dependent on the outcome of the previous stage. To date, there is limited research on the limitations of this linear approach (Browne et al., 2011), and little research recognising geographical dimensions to hate crime.

**Context**

Criminal justice providers currently define “hate crime” as being “any criminal offence which is perceived by the victim or any other person, to be motivated by a hostility or prejudice based on a person’s sexual orientation or perceived sexual orientation” (Guasp et al., 2013: 5). Furthermore, Guasp et al. (2013: 5) recognise “hate incidents” as “any non-crime incident which is perceived by the victim or any other person, to be motivated by a hostility or prejudice based on a person’s sexual orientation or perceived sexual orientation”. As such, there is some presumption that hate crime should include perception, that it concerns curtailing people’s freedoms and that addressing hate crime should focus on restoring these freedoms (Dick, 2009).

Stonewall’s Gay British Crime Survey 2013 (Guasp et al., 2013) identifies the extent to which the lesbian, gay, bisexual and transgender (LGBT) community has experienced hate crime and incidents. Whilst Stonewall finds little progress in the last five years, GALOP, London’s LGBT charity, believe hate crime is reducing at a faster rate than other forms of crime (Antjoule, 2013). Disputing Antjoule’s findings, government data shows a 22% increase in ‘sexual orientation’ motivated hate crime between 2013/14 and 2014/15, with 5,597 incidents reported to the police in 2014/15. Behind these differences however is recognition that most people are not reporting hate crime (Mayor of London, nd; Home Office, 2014; College of Policing, 2014a; 2014b), with 57% of homophobic hate crime not being reported (Antjoule, 2013) and fewer than 10% of reports resulting in conviction (Guasp et al., 2013). Government statistics show an even bleaker picture with ‘more than three-quarters of victims [of homophobic hate crime] not reporting what they had experienced to the police and two-thirds did not report it to anyone’ (Home Office et al., 2013: 26). Consequently, the data not only fails to show the full extent of hate crime, but also how hate crime is understood and experienced in a subjective manner.

Despite quantitative data having a degree of trust when informing policy on hate crime, it has limitations that need to be borne in mind (Chakraborti & Garland, 2012). Research and evidence on homophobic hate crime across many organisations, despite some notable exceptions (Chakraborti & Garland, 2012), remains based mainly on quantitative data (Guasp et al., 2013; Antjoule, 2013; Home Office, ONS & Ministry of Justice, 2013; Dick, 2009; Creese & Lader, 2014). Existing evidence linking hate crime to behaviour change shows that 26% of LGBT people alter their behaviour to avoid public recognition as being gay, with this being more pronounced amongst men (Guasp et al., 2013). This figure is likely to be an underestimation (Chakraborti et al., 2014). This has prompted debate regarding people’s experiences of reporting hate crime and ‘the harm [hate crime] causes to victims and wider communities’ (Law Commission, 2014).

Current debate regarding hate crime, increasingly recognises its position within contemporary policing (Chakraborti, 2009; McLaughlin, 2002), with the Police and Crime
Commissioners and criminal justice providers seeking ways to address hate crime more effectively (HM Government, 2012). The result is increased awareness of hate crime amongst officers and increased numbers of people prosecuted for hate crime (Creese & Lader, 2014; Home Office, ONS & Ministry of Justice, 2013; HM Government, 2012; West Midlands Police, 2014a; 2014b; College of Policing, 2014a; 2014b; CPS, 2007). However, there remain difficulties in addressing a social problem through a legalistic framework (Chakrabarti & Garland, 2012; Hall, 2012) where there are low levels of trust by victims in the police (Chakrabarti, 2009; Browne et al., 2011).

Looking at relations between social problems and legal interventions, this research with gay men in the Black Country identifies the starting point of a crime being committed as being problematic if people are intimidated into behaviour change or avoiding certain geographical areas. Currently, behaviour change and avoidance prevents hate crimes occurring, but this represents social control that should be addressed. In this context, people changing their behaviour or avoiding certain geographies are equally victims of hate crime ‘attitudes and behaviour’ (HM Government, 2014). Therefore, by recognising a subjective element to hate crime within perceptions of threat and community safety, this research challenges the government’s analysis of hate crime (Home Office, Office for National Statistics and Ministry of Justice, 2013) and their recommendations of changes in service delivery (Law Commission, 2014).

Focus group respondents in this research initially stated they would not change their behaviour. However, this may be seen as an aspirational answer, with focus group discussions leading to a majority of people subsequently saying they regularly change their behaviour based on perceptions of implied threat. With this in mind, not only is it possible to question the validity of the 26% figure, it is also important to understand hate crime as a form of unspoken intimidation leading behaviour change and should be understood as a key aspect of community safety and social control (Perry, 2001).

Methodology
The research was prompted by anecdotal evidence from a number of gay men, which highlighted that certain geographical areas in the Black Country were perceived as being hostile or unsafe. Interestingly, the men held independent yet similar understandings of where it was safe to be openly gay and where there was most chance of hostility. As a consequence, the men would change their behaviour or avoid specific places.

The research took this anecdotal evidence and investigated the extent to which it reflected gay men’s wider experiences in the Black Country. Starting from a position that homophobic hate crime can be understood not only in objective terms, but also through perceptions and experiences, the research used a qualitative methodology. As seen, the majority of current research on homophobic hate crime is quantitative in its nature (Guasp et al., 2013; Antjoule, 2013; Mayor of London, nd; Home Office, 2014; College of Policing, 2014a; 2014b), which, whilst being important in terms of identifying some extent and geography of hate crime, focuses on offenders and criminal justice responses rather than crime prevention and a comprehensive approach to addressing the problem.
With these aims in mind, the research included focus groups with 29 gay men in partnership with a local voluntary sector organisation supporting the gay community in the Black Country. In terms of the age profile of those attending the focus groups, one focus group took place with the ‘older gay men’s group’, and another focus group was organised around a young people’s group with participants ranging from late teens to early twenties. Finally, there was a focus group open to anyone, meaning that all ages were covered within the research. Whilst the majority of attendees were white, there were some black and Asian attendees, though possibly not representative of the size of these communities in the Black Country. Importantly, all were either from the Black Country or had lived within or near to the Black Country for a long time and had a good knowledge and experience of the region.

For ethical reasons, the research has been anonymised and this paper does not mention specific locations or neighbourhoods. Whilst not wanting to stigmatise certain areas, it is not necessary to name places of which most readers will have no knowledge. As mentioned, the research was carried out in partnership with a voluntary sector organisation supporting the gay community within the Black Country and the research was funded with money originating from the West Midlands Police and Crime Commissioner’s Office and allocated by the Voluntary Sector Council. There were no conditions with the research funding and there was freedom to plan the research as appropriate.

Managers within the voluntary sector organisation were involved in planning the research and recruited men to take part in the focus groups through the organisation’s existing networks such as social media and newsletters. The focus groups were open to all wishing to attend. For some, this coincided with regular lunchtime social events at the organisation; for the young men, the focus group was organised as part of a social day that included other activities. Focus groups were based within the organisation’s own venue as this was a safe and familiar location for those involved. In addition, there were interviews with workers at the organisation, discussion at a voluntary sector forum and further discussions at the local board of the West Midlands Police and Crime Commissioner; all of these contributions were coded and analysed in context of the focus group findings.

In the context of quantitative data that dominates much of the discussions on hate crime, this research represents a relatively small sample of people in a specific geographical location. Consequently, there is no explicit attempt to generalise, and the geography of hate crime makes this further problematic. However, the quality of feedback from those involved that recognises the interplay of criminal justice and social actions has been pivotal. Through the use of this qualitative information, it has been possible to develop a way forward that represents a clear step in addressing hate crime.

**Findings and discussion**

When asked within the focus groups about behaviour change to avoid being identified as being gay in certain locations, the men’s initial response was that they would not change their behaviour. Respondents started with a belief that “we don’t mince down the road or anything” and a belief that there was nothing to change. However, this initial sentiment
quickly changed with recognition that people do change behaviour and that this is linked to certain spaces. One person started by commenting that “if you went to [the local] bus station and you had a copy of Gay Times, would you feel comfortable reading your copy of Gay Times? Would you?”; he was supported by people in the focus group.

This led to discussions regarding identity and geography, with a typical belief that “I’m sort of conscious of certain surroundings…you could be singled out for being different and I think that being gay is one of those differences”. For younger people, this feeling was more pronounced, with most agreeing that they change behaviour, stating “It’s just not worth the attention that it draws because it might just be ‘looks’ but it might be worse, there’s no way to tell”. Importantly, these responses raise questions about the point at which someone becomes a victim of hate crime.

Further discussions revealed a clear perception of geographical patterns to implied threat, with a common experience being “walking through [the local] town centre and someone in a camp voice has asked for my number… I know he was taking the piss.” Conversation identified a belief that this leads to a lack of openness in certain places, making being gay a “very underground theme” in these places. This potentially “underground” nature was not by choice of those within the LGBT community, but because of the implied nature of threats; by choice, people wanted to be open regarding their sexuality.

From a feeling that “we have to be a bit more discreet” and that “you don’t rub it [your sexuality] in people’s faces for a start off”, it became clear that there was a degree of disquiet about the need for people to change their behaviour to hide their sexuality. One person questioned “why shouldn’t you be allowed to hold your partner’s hand? But someone would take that as rubbing it in someone’s face”. This was followed by a number of experiences such as a gay couple who lived locally who had to move out of the area having “tried to modify themselves but people knew they were gay, local people wouldn’t accept it. I think it depends on the type of place.” As well as being a general agreement that “that’s very much like the [particular] estate”; this was further supported by experiences of focus group members, whose friends had left the locality because of local attitudes. One young person commented that “I was mugged while holding hands with my partner so I don’t do that anymore”.

Importantly, whilst focus group discussions included examples of specific crimes, these contributed towards broader perceptions of implied threats and social control. This was supported by another person, who commented that he would not be openly gay in particular neighbourhoods, with a belief that anyone acting in such a manner would “probably be approached and beaten up…I don’t know why, I don’t know what it is about [this particular place]”. About half said that their belief was based on experience of being threatened or verbally abused, whilst the other half said they changed their behaviour due to fear of potential consequences. Importantly, this recognises that the understanding of hate crime is not always based on a tangible threat. The typical response was “there is an impression that if you are a gay man you are an easy target…that’s just the mentality over here”, “so you may be mugged or beaten up because you are identified as being vulnerable”. Many of the focus group participants had previously been victims of physical assault, all were very clear that they were assaulted because they were gay.
Having reflected on their experiences, there was consensus that changing behaviour was second nature and not consciously considered. One member summarised this point when commenting that “I think you get to a stage where you’ve adapted your behaviour that much that you don’t even realise that you’ve adapted your behaviour”, the group agreed, with a typical response being that “you go into denial”. Conversation developed to show that without thinking about it explicitly, people make decisions to “alleviate stress that might be brought to yourself” and to avoid potential conflict. This does not mean that people wanted to behave in any outlandish or extreme manner, as one person put it, “there are certain things that you will do without realising that you done it because you’ve conditioned yourself to behave in that manner.” The focus groups therefore revealed that people regularly and in an ongoing manner change their behaviour to avoid being identifiable as gay.

There was a feeling within the focus groups that not only instances of criminal acts, but also the implied threat led to behaviour change and created a vicious circle where the invisibility of the gay community fuelled the implied threat. Understanding this implied threat within a broader social context, one focus group member summarised that whilst “you can’t put your finger on it” many other “minority groups” have been targeted in the past.

Talking about the areas with perceived high levels of implied threat, focus group members pointed out that the specific neighbourhoods had in the past returned British National Party councillors and the town centre has been a focus for far right marches, such as the British National Party, the English Defence League and others.

Awareness of otherness within community safety continued with the group believing that “a person who is prejudiced against gays enough to want to hurt them, there’s a good possibility that that person is prejudiced against a good number of other people as well”. Contextualising hate crime within a broad agenda of prejudice, the focus groups highlighted that tackling hate crime on its own will not succeed unless it is part of a comprehensive strategy to tackle prejudice.

Importantly, the research came at a time when many of those involved in the focus groups had low levels of confidence in the police to address hate crime coupled with a belief that hate crime was a broader social problem. Not only were there examples of hate crimes being recorded as not being hate crime assaults, there was also a belief that perpetrators would not be caught as they were unknown to the victim and that it could also lead to further intimidation of assaults. Whilst this highlights that relations between the LGBT community and the police could be strengthened, the recognition of a social context for hate crime identifies that more than the police alone will be required to address the issue of implied threats.

One of the most striking aspects of the findings is that whilst current understandings of hate crime portray it in a very overt manner, for many people it is a more nuanced and covert set of social relations. If, as seen in this research, this covert element to hate crime leads to social control, and that social control through hate crime needs to be addressed
in a victim-centred approach, then it is clear (de facto) that the covert and implied threat needs to be addressed.

At the heart of such discussions is the way in which covert or implied threats of hate crime can actually be policed. With hate crime being addressed by the police and the criminal justice system in a legalistic and reactive manner, it is unlikely that implied threat, which will require a more proactive response, will be addressed. Reflecting on the goals of this research, there exist fundamental disjoins between using the police and criminal justice system to address, in a legalistic manner, a problem that is fundamentally social in its nature.

It is evident from the research that hate crime is symptomatic of prejudice and it is this prejudice that needs to be addressed if the implied threat of hate crime is to reduce. Specifically, this also needs to be targeted on areas where threats are perceived to be highest, which will necessitate new methodologies in understanding hate crime. In terms of precedence, there is a history of the police addressing fear of crime within particular groups and recognising the subjective nature of crime that prevents people from carrying out their lives fully. This is especially important in this context where underreporting of crime and lack of faith in the police have led to data on actual crime being inaccurate.

Making recommendations to tackle hate crime is difficult given that this involves addressing the outcomes of prejudice and socio-cultural values. However, a first step is to ensure that these values are not seen as being acceptable and that these issues are not seen as solely for the gay community and police to address. In doing so, this identifies hate crime as having broad social and economic impacts that are of interest to all of us. With this in mind, it is clearly important for there to be a range of partners involved beyond just victims and the police.

Based on the findings of this research, the West Midlands Police and Crime Commissioner’s office has funded the voluntary sector organisation to employ an officer to develop a strategic response to the issues identified. Working with over 40 organisations from all sectors within the locality, the officer has trained ‘hate crime champions’ within each organisation who then have the skills to train others. This includes a diverse range of organisations including religious groups, students’ unions, market traders, advice organisations, charities and many others that are likely to witness hate crime. The goal is that these organisations become aware of what they are observing and can offer support either as witnesses or reporting bodies. Not only does this broaden the range of partners involved, it recognises hate crime as a social and economic factor, as well as raising awareness for many who do not experience such threats and reduce the chances of such crimes being unnoticed. This work will run alongside increased awareness raising sessions in local schools.

Significantly, having more partners involved in recognising hate crime and its impacts will start to move hate crime away from being solely the responsibility of the criminal justice system. In doing so, this will take a step in moving towards a model of crime prevention rather than crime control, which is especially important at a time when policing numbers and capacity have been reduced. It is further important because whilst the focus group
respondents identified a feeling of being let down by the police, they also identified hate crime as being a broader social problem and this response goes some way towards addressing this social problem.

At a recent review and update event, attended by the Police and Crime Commissioner, the Leader of the Council and the local MP, there was a clear commitment to addressing hate crime. Not only has the council agreed to fly the rainbow flag for the first time, there is also discussion of how the model of training ‘hate crime champions’ can be extended to the whole of the West Midlands. Whilst not being a solution, these are encouraging steps and represent a model that is sustainable.

**Conclusions**
This article began by recognising the operational understanding of hate crime as being too narrow, and concludes by arguing that a broader understanding should be adopted to include the absence of fear and intimidation. In this respect, the research and subsequent activity is about crime prevention and crime management rather than solely ‘crime control’. As such, instead of a sole focus on greater criminalisation, stronger punishments and more people going to court, this is about reducing the need for people to be punished whilst also being aware of the need to deal with those that do need punishment.

In conclusion, the research identifies the fact that fear of hate crime is leading to behaviour change and is more likely to influence people’s lives than actual experiences of hate crime. Echoing the way in which the police and other partners have become increasingly aware of addressing fear of crime as much as actual crime, it can be concluded that the time is now right to address fear of hate crime as well as narrow definitions of hate crime based solely on actual attacks.

A goal of this research was to be able to inform strategic responses to perceptions of prejudice and hostility faced by the LGBT community, which ultimately leads to behaviour change. One of the interesting responses of both the ‘Count Me In’ report (Browne & Lim, 2008) and the work of Browne et al. (2011) is the recognition that traditional legalistic methods of addressing hate crime should be broadened to have a multi-agency approach to community safety. To this can be added a recognition that the legalistic framework for dealing with hate crime is not only reactive after the event and creates little or no necessity for pre-emptive approaches, but also that implied hate crime impacts on people’s behaviour and feelings of community safety. This in effect makes them a victim of crime through intimidation and should be recognised more explicitly as a dimension of hate crime. Problematically, it also leads to under-reporting of hate crime, which in turn leads to a lack of resources; hate crime must be understood in qualitative as well as quantitative terms. Ultimately, the legalistic approach rests on a premise of being reactive and responsive to hate crime in a punitive manner rather than preventative in a community based manner.
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THE GENDERING OF VIOLENT CRIME:
CONCEPTUALISING A HUMAN RIGHTS APPROACH

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Abstract
This article reveals the diverse threats violent masculinities pose to human rights, especially females, in view of the idea that 'all things are equal now' between the genders. In the UK the Human Rights Act (1998) has sustained existing safeguards for the mainly male perpetrators of violence, but the needs of some female victims of domestic violence remain unmet. Contemporaneously, mainly female crime victims are vulnerable to violations of their basic human rights. The analysis in this paper identifies and interrogates the negative consequences of the principles of modernisation and six drivers of crime control underpinning government approaches since the late 1990s to dealing with violence against women in the context of general approaches to victimisation. Alongside issues relating to the receding influence of the state our argument is that a human rights-informed approach reveals not only the deficiencies and contradictions of government policy affecting change, but provides a vehicle for embedding a more comprehensive way of safeguarding human rights in practice.

Keywords
Violence against women; human rights; modernisation.
Introduction

The Human Rights Act (1998) signalled a renewed emphasis on the values of equality, freedom, dignity and respect for all human subjects. The New Labour government of that day sold this as an opportunity to bring about change for the general wellbeing of the citizenry as part of its wider aim to 'modernise' public policy. Many possibilities were imagined in what has been characterised as the 'last grand narrative', which has been mobilised to scrutinise the workings of state institutions (Cohen cited in Halliday, 2007; see also Cohen, 2006). While there have undoubtedly been some beneficiaries of such an agenda this optimistic outlook must be tempered by an appreciation of some of the inhibitory processes also at play, especially towards those behaviours that pose a fundamental threat to public safety. These processes include violent men who are reluctant to change their aggressive and violent behaviour towards women and the modernisation of crime policy at a structural level, which sometimes contradicts human rights values. Attention has focused on the human rights of the prison population, for example the unlawful detention of prisoners such as suspected terrorists (Pierce, 2010). Post-9/11 and 7/7 the logic of intrusive policing and surveillance measures involving restrictions on the rights of suspected terrorists is arguably now a feature of 'routine' policing, especially the 'intensive' application of stop and search (Innes & Thiel, 2008; Parmar, 2013). At the lower end of the spectrum of deviance the over-zealous response to the anti-social behaviour of young people is another example of categorical suspicion (Rodger, 2008). The human rights that are vulnerable here are overwhelmingly, if not exclusively, those of males, not females.

The analysis in this paper identifies and interrogates the negative consequences of the principles of the modernisation of criminal justice policy and six drivers of crime control underpinning government approaches since the late 1990s to dealing with violence against women in the context of general approaches to victimisation. These drivers, considered in more detail in due course, include (i) managerialism, (ii) penal populism, (iii) public protection, (iv) victim centred justice, (v) the commercialisation of crime control and (vi) risk assessment and management. Alongside issues relating to the receding influence of the state a human rights informed approach reveals not only the deficiencies of government policy, specifically blockages affecting change, but provides a vehicle for embedding a more comprehensive way of safeguarding human rights in practice. In short we argue that particular renderings of human rights principles could provide a more effective approach for tackling violence against women.

To achieve these aims the article is divided into four sections. The first puts the key debates into context. The second audits the problem of violence against women and the gender based inequalities it generates. This summarises the 'facts and figures' relating to gendered violence noting who commits violent crime and victim offender relationships. This reveals the scale and intensity of the problem and maps the complex terrain and the diverse settings in which human rights need to be realised. Numerically most violent offenders and victims of violence are male, yet in the private sphere where domestic and sexual violence is endemic it is mainly women who are the victims, highlighting a need for responses to address such inequality. We then argue in the third part that a human rights approach might be applied to address such inequalities. Here the importance of human
The gendering of violent crime: conceptualising a human rights approach

rights principles at an international level, such as the Istanbul Convention (Council of Europe, 2011), for coming to terms with gendered violence at a national level is examined. Kelly (2006) has rightly noted that a considerable discomfort exists among traditional human rights scholars with the move from a focus on states and state actors to include feminist positions that stress accountability for individual perpetrators and critical perspectives on masculinity. We adopt a similar position and argue that nation states, due to the modernisation of criminal justice policy, lack the capacity to address the privatised insecurities of women, leaving their human rights vulnerable to abuse and violation. In the final part we demonstrate how the general direction of government policy in the field of crime control currently weakens some of the aspirations behind this approach. Authentic approaches to human rights need to extend beyond policy and legal approaches but given the modernisation of criminal justice, genuine gender transcending human rights are unlikely to be realised unless these policies are reversed.

Without such a reversal the full realisation of gender neutral, human rights values is likely to be compromised. The limitations of policy and legislation in tackling this problem are exposed, specifically in the context of New Labour’s modernising government agenda (Cabinet Office, 1999; Senior et al., 2007). Between 1997 and 2010 the Blair and Brown governments were widely criticised for their authoritarian and repressive responses to various types of offending behaviour but attempts to augment crime control through surveillance and other draconian measures have not significantly touched men who are violent towards women. By contrast there are calls for the state to do more to control this group of offenders. There is also the agency of individual men, more specifically perpetrators of violence against women, whose behaviour inhibits women’s human rights. Compared to acquisitive crime and male violence in public space we know relatively little about perpetrators of violence against women and most critical writing on this emanates from feminist scholars whose influence remains limited to the margins of the discipline (Heidonsohn, 2012; Kelly & Westmarland, 2015). Accordingly a belief in the transformability of violent masculinities is over-optimistic in light of the persistence of violence against women (Dobash et al., 2000). The closing section revisits the potential future of the above debates and human rights more broadly in light of the Conservative-Liberal Democrat Coalition government (2010-15) and the current Conservative government, which reveals the intensification of the problems and contradictions highlighted throughout the analysis.

**Human rights and gendered violence in context**

In the spirit of the *End Violence Against Women Coalition* (2011) publication, co-produced by researchers, practitioners and NGOs, this article augments established academic accounts of these issues by arguing that violence against women and the deficient state response are violations of the human rights of women. Article 3 (‘the prohibition of torture’) - and tragically on some occasions article 2 (‘the right to life’) - in light of article 14 (‘freedom from discrimination’) are examples (Copelon, 1994; Cook, 1994). Even though the state and civil society are oriented towards human rights principles this is not always evident in practice.
One interpretation of human rights values, in the spirit of Kant, is that they dissipate gender-based differences by stressing the universal characteristics of a gender-less human subject (Woodiwiss, 2005). In contrast there is a view that this 'masks' the 'false ideological universality' of human rights and the ways in which they 'legitimise the concrete politics of domination' and exploitation of women (Žižek, 2009: 126). In other words, human rights discourse is synonymous with the idea that 'all things are equal now' between the genders. Working against this, however, are the elements of diversity, difference and discrimination, including gendered divisions, enacted through often paradoxical processes of differentiation. Whilst some evidence of growing gender equality exists, when it comes to matters of criminal justice gender divisions become more prominent in many instances (Silvestri & Crowther-Dowey, 2016). Thus not everyone has benefited equally from the Human Rights Act (1998) and certain behaviour carried out by one gender disproportionately disadvantages the other, in this instance it is violence against women. The above observations chime with feminist critiques of international human rights law, which deem oppressive and coercive practices against women, such as interpersonal violence, as being akin to violations of their human rights (Copelon, 1994).

Our core contention that the human rights of women and girls are vulnerable in the face of male violence might appear surprising when ending such violence is a priority in public policy, illustrated by the current Conservative government’s Ending Violence Against Women and Girls Strategy (HM Government, 2016). This builds on a strategy launched a decade ago (HM Government, 2009) and dedicates (in addition to the funding of other related areas of activity) £80 million to support front line services such as refuges and rape crisis centres and the launch in 2017 of the Service Transformation Fund to stimulate innovative responses to meet the needs of victims and perpetrators. The government has also signed the Istanbul Convention (Council of Europe, 2011), which due to the HRA places an obligation on the British state to exercise due diligence in its response to violence against women, specifically protecting victims and prosecuting perpetrators. Thus the female victim, or survivor, now has a central place in policy only because of feminist academic research and political activism commencing in the 1960s. Since the 1990s through legislation and myriad policy initiatives the state and voluntary and community sectors, often anticipated to be working in partnership, have asserted their commitment to take violence against women 'seriously' (Heidensohn & Silvestri, 2012).

We build on Walby et al.’s (2016) finding that austerity measures implemented by recent governments have led to an accentuation of gender based inequalities, which limit what government can do to reduce violence and constrain the choices women face in attempting to escape violent masculinities. This is despite concerted effort in a number of spheres to address violence against women. Although the government has signed the Istanbul Convention it is yet to ratify it, which weakens its status. Also, although individual men are to a large extent responsible for these problems, the lack of appropriate services and wider developments in crime policy do not make the potential for bringing about change to violent masculinities and a reduction in violence a straightforward task.
An audit of the impact of violent masculinities

This section exposes the contrasts between the universalising tendencies of human rights and the gender-specific nature of victimisation and opens up a range of issues addressed in our analysis. Our knowledge of women's victimisation in Britain has vastly increased over the past few decades, a direct result of feminist activism. The United Nations General Assembly who disseminated in 1993 the Declaration on the Elimination of Violence against Women described it as,

'[a]ny act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.'

The category of violent crime includes a range of offences, varying in level of seriousness, with homicide at one end of the continuum, and at the other end minor assaults where no physical injury is sustained. While all crime types affect men and women there are numerically more male victims of male violence in general: in 2009/10 men were two times more likely to be a victim of violence than women. Out of all violent incidents 67% of victims were men, for women the figure is 33% (Flatley et al., 2010: Table 301; see also ONS, 2015). There is marked inequality when it comes to interpersonal violence in the private sphere. Men do experience these crimes, but less frequently and the indignities experienced by women are more profound and their freedom to act in self-defence or to escape from the physical and psychological control of aggressive and violent men more limited. As Hester (2013) puts it domestic abuse is 'asymmetrical' in the sense that it is men who are more likely to control, coerce and assault females than vice versa. Moreover the capacity, and sometimes, commitment, of the state to safeguard women is also more likely to be found wanting (Equality and Human Rights Commission, 2010).

The evidence base relating to interpersonal violence against women in Britain includes crime recorded by the police and the Crime Survey of England and Wales (CSEW), as well as various smaller scale studies. There are many challenges when gathering data about this issue, including the private and sensitive nature of these crimes, and the well documented failings of the criminal justice response. On the basis of this imperfect knowledge we can say with some certainty that more is known today than in the past but there are still gaps and this knowledge has not led to the creation and implementation, of effective ameliorative solutions (Silvestri & Crowther-Dowey, 2016).

Domestic violence, for example, is not recorded by the police in these terms but instead as assault, actual bodily harm or harassment (Hester, 2013), thus rendering the offence (and its gendered nature) less visible. It is also difficult to distinguish between different types of abuse (i.e. physical, emotional) and levels of seriousness, further complicated by the inclusion of coercive control as a result of section 76 of the Serious Crime Act 2015 (Home Office, 2013; Bishop, 2016). The British Crime Survey 2010/11 (now the CSEW) estimated that there were 392,000 domestic violence incidents, which is comparable with figures for most years. Repeat victimisation - or a victim experiencing the same type of victimisation
more than once in a year - is common and in 2010/11 73% of all incidents affected repeat victims (Chaplain et al., 2011: 62).

A sexual assault will be experienced by one in four women at some point in their life (Fawcett Society, 2010). With rape, there is a tendency to underestimate the true extent of this crime and only 11% of rapes are actually reported (Povey et al., 2009). In the vast majority of rapes the victim knows the perpetrator, with the most common perpetrators being husbands and partners. Women are most likely to be sexually attacked by a man they know in some way, most often partners (32%) or acquaintances (22%). Current partners (at the time of the attack) were responsible for 45% of rapes reported to the survey and, contrary to the fears held by many women, 'strangers' were only responsible for 8% of rapes (Myhill & Allen, 2002). For less serious sexual assaults the perpetrator is more likely to be a stranger (64%) (Walby & Allen, 2004).

Taking the most extreme form of violence, homicide, 71% of victims are men. However, it is estimated that two women are murdered by a partner every week. Indeed partners and ex-partners - instead of acquaintances, strangers and friends - account for the majority of female homicides: 68% compared to 15% of men (Smith et al., 2010).

We could go on to reinforce the point that women are vulnerable to male violence, but at this stage it is appropriate to restate how this all relates to a human rights agenda. The statistics show that there are profound inequalities between the sexes and there is also the lived reality of male violence, which jeopardizes the dignity and freedom of females. Human rights principles offer an opportunity to address some of these negative experiences.

**Human rights and opportunities for criminology and criminal justice**

The language of human rights, though not new and bequeathing a distinguished history, has been expressed in multiple ways by a variety of individual and collective actors. The 'human rights project' rests on an assumption that rights are universal and applicable to all human beings, making them distinctive from earlier liberal notions of *natural rights* and the 'rights of man', which are not enjoyed by virtue of being human per se, but rather by white European men (Kallen, 2004). The Universal Declaration of Human Rights applies across the globe and is, at least symbolically, a set of cardinal principles, stating that all persons in any civilised moral and political order possess a fundamental and equal moral status, entitling them, without any distinction, to *freedom*, *equality* and *dignity*. For Kallen (2004: 30) human rights principles sustain an 'overarching paradigm for social equality and social justice for all of humanity, rooted in the twin foundations of human unity and cultural diversity.' According to the second of the three New Labour governments in a consultation paper, *Equality and Diversity: Making it Happen* - published in 2002 - the 'complementary nature of equality and human rights' was 'reflected in the Government's vision of a society based on fair and equal treatment for all and respect for the dignity and value of each person' (para 9.3).
Bringing Rights home: cleaning up our 'own back yards'

Thinking about human rights and how citizens can access them has undergone significant transition since the 1998 Act. There was widespread optimism (Costigan & Thomas, 2005), culminating with the passing into law of the Equality Acts (2006, 2010). For some readers, comparing the abuses going on in states overseas where political oppression is rife and where any dialogue about freedom and inequality is quashed or absent because it has not even been imagined as a possibility is inappropriate. By looking, as Kallen (2004: xiv) does, at what happens in 'our own back yards' it is apparent that public policy in democratic societies, such as Britain, where the 'human rights principles of justice and equity for all citizens' are advocated and celebrated, such values are not safe from violation in some apparently less contested settings.

Despite the optimism surrounding its inauguration Chakrabarti (2005) expressed some disappointment with the Act because human rights values were never fully embedded in social institutions or the psyches of everyone. A principal cause for this disillusionment was the lack of a Human Rights Commission like the one set up in Northern Ireland following the Belfast (Good Friday) Agreement in April 1998, which could give advice and assist alleged victims in bringing proceedings. A Commission for Equality and Human Rights did appear in 2007. There was also a dearth of consciousness-raising about the kind of culture engendered by human rights principles and that the Act was not effectively promoted and publicised to the wider citizenry (Silvestri & Crowther-Dowey, 2016).

The upshot of all this activity, and with the jury being still out regarding the successes and failures of the Act, is that there is now an opportunity to reinterpret equality beyond addressing discrimination in its own right but instead as a question of human rights. This is where criminology and criminal justice enters the debate, because the materialisation of human rights in the world of crime and its regulation is seamlessly interrelated with the realisation of justice. We re-conceptualise and re-imagine gendered violence and its inequitable impact on women through a human rights lens, which delivers a new way of understanding the tension between the ambition to protect rights and actual achievement of this goal. It also interrogates the applicability of very general notions of human rights and forwards a specific interpretation of the concept that holds most utility for the rights of female victims of violence.

Rethinking violence against women

The aforementioned 1993 UN Declaration on the Elimination of Violence Against Women was backed up by more robust enforcement mechanisms to safeguard women. The subsequent Committee on the Elimination of All Forms of Discrimination Against Women maintained this momentum and in spite of ongoing disputes about what constitutes discrimination against women, both within nation states and supra-nationally, the issue has been recognised. Here there is increasingly an international consensus (i.e. the Istanbul Convention) that a legal response to the limitations of depending on supposedly sex neutral norms is necessary because women are discriminated against in ways that men are not. Such initiatives demonstrate international recognitions of pervasive and systemic discrimination against women and the need to tackle those social processes underlying women's inequality by countering the many forms of discrimination women routinely experience.
Feminist-inspired analyses of the victimisation of women by violent men reverberate throughout contemporary research, as well as the response of policy makers to the perseverance of violent masculinities. The argument that a human rights approach can potentially benefit female victims of male violence is, on the surface, compelling, not least due to the relative powerlessness and 'deserving' status of female victims. A complicating factor in criminal justice systems such as the adversarial one found in Britain is that victims do not enjoy formal rights like suspects and offenders, and that the response to victims has been couched mainly in terms of needs and expectations (Walklate, 2012). One way of rethinking the experiences of victims of violence through appealing to human rights values hones in on the theme of state accountability. A feminist critique of mainstream human rights discourse is that it is gender-blind, notably the distinction between the public/private divide with respect to women's legal rights (Smart, 1989; McQuigg, 2016). It is conceivable that governments should be held accountable when they fail to protect women from domestic violence. The logic of this argument applied in international arenas to condemn sexual violence against women in armed conflict and to compel governments to treat trafficking as a human rights crisis, also has resonance in the context of the UK (Chinkin, 2014; Council of Europe (the Istanbul Convention), 2011). Notably, although the British government has accepted that it is obliged to develop a comprehensive response to domestic abuse and violence against women in general it has resisted over time the ratification of the Istanbul Convention.

The main advantage of adopting a human rights framework is that it makes feasible a project to unify the experiences of vulnerable groups by exposing the workings of masculine power in different locations. Female victims of male violence can be unified because their temporally and spatially atomised and isolated experiences reveal a common vulnerability and lack of power in male dominated settings both in private and in the public spheres that constitute the criminal justice system. Yet despite these universalising tendencies, caution needs to be taken when seeking to homogenise the experiences of victims into a singular identity (i.e. 'womanhood'). Such attempts may cancel out the labours of feminists past and present to critique and dismantle any universalising strategies that create artificial unity. Other divisions, especially class, race and ethnicity and age do intersect with women's lives in multiple ways and femininity is often celebrated in terms of its diversity, difference and plurality. True as this may be, when it comes to domestic violence women share a degree of solidarity, however unwanted and unwitting this may be, due to the real or perceived danger of male violence and it is worth reminding ourselves of Stanko's astute observation made over two decades ago:

'Women's lives rest upon a continuum of unsafety. This does not mean that all women occupy the same position in relation to safety and violence... Somehow, though, as all women reach adulthood, they share a common awareness of their particular vulnerability. Learning the strategies for survival is a continuous lesson about what it means to be female.' (Stanko, 1990: 85).

Drawing on human rights values allows women to recapture a common language articulating their shared suffering and a consciousness that can be enlisted to exert
sustained pressure on governments, agencies and citizens to work towards change and a transformed future. However, we should also acknowledge that human rights are not unproblematic or necessarily a coherent set of values.

**Human rights and responses to violent masculinities: opportunities, paradoxes and barriers**

Our attention now rests on the equality gap relating to gendered violence. The extent to which this can be attributed to state actors is a central issue but the limits to the role of government are recognised in the face of the behaviour of men, individually and collectively.

**Modernising gender relations - some paradoxes in human rights discourse and crime policy**

Beyond the violent individual are a range of political-economic structures and processes, which independently contribute to the inequalities, indignities and restricted freedom experienced by women, in this instance modernisation of crime and public policy. This concept is associated with the three New Labour governments - in power between 1997 and 2010 - although the idea has a long history and certain elements were moulded by the Thatcher and Major governments who governed between 1979 and 1997. The Coalition (2010-15) and Conservative governments have continued to drive forward this agenda through its austerity measures, which calls for a less centralised state and more discretion for local authorities in implementing policy, including making savings and cuts. Added to this, prominent Conservative politicians have suggested that the HRA should be scrapped and replaced with a British Bill of Rights embedded in the Constitution. The former Conservative Prime Minister, David Cameron, has also critiqued the equalities agenda more widely dismissing it as 'bureaucratic nonsense' (Silvestri & Crowther-Dowey, 2016).

The 'New Public Management' or managerialist agenda, which reflected the global ascendancy of neo-liberal values such as the centrality of business and market principles, and the celebration of competitive individualism, all demonstrate this. Since the late 1980s this has consistently been presented as a politically neutral tactic although this is disingenuous because the choices made reflect a narrow range of politically motivated interests that are determined by central government. A tendency set in motion was the expectation that agencies achieve what they did in the past - and possibly more - by using existing funding regimes more prudently. Invariably economic and technocratic considerations are prioritised and budgets are managed very closely. Governments have, rhetorically, promoted the rights of consumers of services but in reality, economic considerations such as efficiency and cost effectiveness are preferred and inform the direction of policy. More abstract beliefs and values - equality, dignity, justice and human rights - are neglected or marginalised and the concept of gender tends to be treated as a technical rather than conceptual issue.

New Labour, at least in the early days when in office, emphasised the philosophy of the 'Third Way' and the need to reconcile the rights and responsibilities of government and the individual, which indicated that it would address some of the inequalities and exclusion experienced in various environments (Senior et al., 2007). The Conservative
government currently (as well as when they were in coalition) emphasise personal responsibility over and above rights through its oppositional views about the place of a rights based culture in civil society (Silvestri & Crowther-Dowey, 2016). Prior to this the Cabinet Office (1999) stated that modernising government was about making government and public sector agencies more accountable in terms of decision-making and service delivery. These aims were to be achieved through setting targets for agencies and auditing their 'performance' in the context of new institutional arrangements in the field of criminal justice. State agencies no longer monopolised crime reduction and responsibility for the provision of this good was shared between the state and other sectors, particularly those in the 'responsibilised' voluntary and community sector at central, regional and local levels, as well as the individual (Garland, 2001). Under the Coalition discussions focussed on the ill-defined notion of the 'Big Society', which promoted localism and the idea that individual citizens and local communities should be self-governing and create a strong civil society, instead of relying on 'big' government (Cabinet Office, 2010; Morgan, 2012). Behind these changes was a commitment to addressing the democratic deficit and lack of civic engagement that was evident in many communities and it is here that the Human Rights Act (1998) became conspicuous. However, the responsibilisation of local authorities and government has not resulted in the co-ordinated and sustained delivery of services to victims of male violence with women and girls unable to 'access vital help,' partly because local governing agencies do not fully comprehend their obligations to address this problem (Joint Committee on Human Rights, 2015: 25).

In the field of crime and public policy this commitment to a human rights agenda co-existed with the emergence of six drivers of crime control. Managerialism, discussed above, is linked to five others: penal populism and public protection; victim centred justice; the commercialisation of crime control; risk assessment and management; and the decline of the rehabilitative ideal. These autonomous yet interdependent factors interact in complex ways in relation to different crime issues (Senior et al., 2007). These are discussed in turn with relation to the victimisation of females by violent males. Crucially modernisation is sometimes at odds with and contradicts human rights values, which means the latter are not always tangible in state-led responses to violence against women.

The goal of public protection is a key driver behind penal populism. The expansion of the prison population has been justified as necessary by the government in response to populist beliefs that dangerous violent criminals, especially paedophiles and predatory sex offenders, need to be incarcerated. In their attempt to satisfy public demands to punish these offenders government can downplay the domesticated nature of violence against women and the privatised insecurity they experience can be overlooked. This insecurity is not the same as private security, which has been expanded as part of the commercialisation of crime control, especially to regulate male violence in the night-time economy. The point is that violence against women in the private sphere is not a preoccupation of private, for profit enterprises. This is notable because this is one of the few problems where the private sector has not been widely utilised in crime policy. Thus with the exception of some services in the courts and some offender management work (such as the Community Rehabilitation Companies (CRCs)) the private sector is not in the business of preventing and reducing the worst excesses of high risk and dangerous violent
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masculinities as they impact on women, confirmed towards the end of 2016 in a report written by the Chief Inspect of Probation, Dame Glenys Stacey, which identified a lack of awareness of domestic abuse amongst CRC personnel (Travis, 2016).

In terms of public protection women are statistically at less risk of violent crime in general but this should not ignore the finding that talk about a ‘crime drop’ since the mid-1990s, specifically in relation to violent crime, has been overstated in the case of violent crime against women, which is increasing (Walby et al., 2016). In addition, their fear of rape accounts for high levels of anxiety. Such fears may be dismissed as disproportionate to the actual risk, but we already know that many cases go unreported to, or are not recorded by, the police and many offenders remain absolved from prosecution and conviction (Hohl & Stanko, 2015). There are also incidents when women have been seriously injured or murdered due to the police failing to respond to emergency calls (Angiolini, 2015). The downgrading of offences, the difficulty of tracking offences as they progress through the criminal justice system and ultimately the high attrition rate mean that many women feel excluded and reluctant to engage with the criminal justice system (Equality and Human Rights Commission, 2010: 142-5; Hovarth & Kelly, 2007). Notwithstanding high incarceration rates and the fact that rates of some acquisitive crimes have been falling since the mid-1990s it is apparent that when reflecting on the theme of public protection there is much cause for concern. The paradox here is that the benefits of these dynamics are not evenly spread, hence the limited success of attempts to ensure women are protected from the indignities, disrespect and lack of freedom they routinely experience. Placing the victim at the centre of crime policy and the emergence of risk assessment and management are two tendencies related to the above.

Victim centred justice is of fundamental importance and females affected by interpersonal violence have been the beneficiaries of legislation and policy initiatives to ameliorate the problem, culminating most recently with the Coalition government’s National Strategy: Violence Against Women and Girls first published in November 2010 and followed by more recent iterations of this policy goal (Home Office, 2015; see also HM Government, 2016). New Labour was especially active during their second term. All of the below were designed with the idea of partnership working and the joining together of statutory agencies and the voluntary and community sector (e.g. Women’s Aid; Action After Fatal Domestic Abuse; Refuge; Rape Crisis; amongst others). The Sexual Offences Act (2003) supplemented an extensive range of plans and policy interventions, nationally and locally, by prioritizing the reduction of such crime through improving the treatment of victims by the police, CPS and courts. The Home Office (2003) Safety and Justice report and the Domestic Violence National Plan (2005) emphasized three distinctive courses of action, namely prevention, protection and justice, and support. The Domestic Violence, Crime and Victims Act (2004) enhanced the protection, support and rights of victims and witnesses, giving the police and other agencies the tools to address gendered violence. In April 2011 Section 9 of the previous law established domestic homicide reviews in cases where someone is killed by a current or ex-partner. The Genital Mutilation Act (2003) was passed into law mainly to protect girls from circumcision. In 2005 the first Specialist Domestic Violence Courts were established to place victims at the heart of the criminal justice process, specifically by creating the role of an advocate to support victims of abuse and help them liaise with the many agencies involved in this area. In the courts the role of
Independent Domestic Violence Advisor to help victims of domestic abuse to come to terms with the provision available to help them is also an important development (Fawcett Society, 2010; Robinson & Payton, 2016; Starmer, 2011). The Conservative government published an updated version of the national strategy (HM Government, 2016) and the inclusion of the language of human rights is encouraging yet this is restricted to championing human rights overseas and on an international rather than domestic stage. This is somewhat puzzling given the reluctance of the same government to ratify the Istanbul Convention (Council of Europe, 2011).

There is no shortage of activity but barriers exist, not least managerialism, but more enduring ones like police culture that have, and still do, inhibit fair and just responses to victims of gendered violence (Silvestri & Crowther-Dowey, 2016). As victims of male violence, women fare less well compared to victims of other violent and acquisitive crimes at all stages of the criminal justice process. Their human rights are further compromised by the shortcomings of two other drivers, namely risk assessment and flawed attempts to rehabilitate men who are violent towards women.

Research evidence shows that it is violent men who are most likely to be identified as a risk and in need of higher levels of surveillance and incapacitation. To combat domestic violence there are Multi Agency Risk Assessment Conferences, which bring together statutory and voluntary agencies to protect victims who are at a high risk of becoming a repeat victim of domestic violence (Steel et al., 2011). Risk assessment and management are influenced by a waning belief in the capacity of offenders to commit to change. This is presented as a scientific crime reduction tool and there is the expectation that its measurements will be accurate yet they might not in fact be value neutral (Senior et al., 2007). For example, defining a situation or a person as a risk and in need of a policy response is a political decision rather than a judgement based on pure science (Kemshall, 2003). Because it involves predictive profiling the protection it can provide to victims of serious violent, often sexually motivated, crimes can be over-stated. As Bottoms (1977) has argued risk assessment procedures can calculate false negatives and false positives. Subsequently, it is possible that a potential risk of offending is therefore not detected, which means that victims are not adequately protected, corroborated by a recent review of the policing of domestic abuse (HMIC, 2014).

Still, senior policy makers in government seem reluctant to appreciate that their expectations about the degree of public protection that can be provided are essentially unrealistic and unobtainable in practice. Increasing public protection is in principle feasible and there are interventions that could yield positive results yet for these strategies to be successful it would be necessary to use intrusive surveillance technologies that would undermine other human rights. More crucially, the scientific pretensions of risk assessment offer women limited protection from violent men and consequently their human rights are susceptible to being weakened.

The final driver examined here is the decline of the rehabilitative ideal. This refers to the pessimism and sense of 'impossibilism' underpinning Martinson's (1974) view that 'nothing works' when it comes to rehabilitating offenders. This assumption was effectively challenged in the 1990s by the 'what works' agenda and the burgeoning of 'evidence
based' research, which suggested that interventions can be effective if they are targeted at the right people, at the right time, and in the right place (Tilley, 2005). The actual effectiveness of many penal interventions is limited, though. This is partly due to the extent of under-reporting, which means many men are not brought to justice. Also, looking at prison population statistics between 2000 and 2011 it would appear that male violence, including sex offences, has not been reduced and that they are intransigent social problems (Ministry of Justice, 2011: 5-6; see also Travis).

Human rights principles have been, as noted earlier, identified as the 'last grand narrative' but these fine words have not always touched the lived realities of violent men nor are they always tangible in state-led responses to violence against women. Recent attempts by the successive neo-liberal governments to modernise crime policy, though well intentioned, are less progressive if measured against human rights ideals. In turn, women are subordinated by male interests and power.

**Violent masculinities - the inhibition of human rights**

Men are quite clearly culpable for most violence and are the inhibitors of human rights ideals. The New Labour mantra that with rights come responsibilities and the present Conservative government's prioritisation of personal autonomy and self-sufficiency may be taken as an invitation to men to assume personal responsibility for the victimisation they cause, particularly of women. To be more precise, the discriminatory nature of male domestic and sexual violence and the responses to it undermine the freedom and dignity of women (see Articles 2, 'the right to life' and 3, 'the prohibition of torture'). More generally, the social and economic costs of male crime and anti-social behaviour can have an indirect effect on other economic and social rights because of the drain their actions has on the increasingly finite resources available for the delivery of health and social services. By adopting this stance we make both a political and a pedagogical case for bringing about change in men to ensure they respect the human rights of others. While men and masculinities are characterised by difference and diversity there is the potential for a common language to be developed, which gives equal respect to the freedom and dignity of all citizens. An emphasis on bringing about change can be found in some interpretations of masculinities and crime.

One way of conceptualising this is to draw on the thinking of Messerschmidt (1993), who combines a structural analysis with the micro-level analysis offered by ethnomethodologists. This contribution shows how three structures - labour, power and sexuality - are permanent features of social relations, but that gender relations assume different forms as they are negotiated in different historical contexts. Masculinity is 'accomplished' in everyday life by agents who aspire to attain the ideals of 'hegemonic masculinity' or the dominant ideals of masculinity that subordinate women and marginal masculinities. Domestic and sexual violence, for example, may be chosen as a way of 'doing masculinity', entailing the exertion of power to control women. Because hegemony is not static and negotiated in this way change is a possibility. The Human Rights Act and the initiatives acknowledged above presented an opportunity for change, but the available evidence shows that social structures are not being transformed, at least palpably. Change at the level of individual social actors is achievable, though, and an aggregate of individual changes over time might lead to more fundamental structural change. Yet despite the
principles of managerialism placing greater emphasis on the individual and personal responsibility this is an area where a more individualised focus has not reached.

Gadd's (2002, 2003) psychosocial approach is critical of this structural analysis because although it draws on the micro sociology of ethnomethodology it neglects what goes on in the human psyche. Drawing on psychoanalysis Gadd (2002) looks at men's subjectivities and the workings of their unconscious, showing the ambivalent thoughts and feelings domestic abusers experience about their victims and their own behaviour. Gadd (2003) argues that violent individuals have the capacity to recognise a need to change although there are 'stubborn psychic investments' relating to their orientation towards their masculinities.

Both perspectives offer persuasive explanations and although there are profound epistemological differences preventing any synthesis they do share a view that there is nothing inevitable about existing gendered relations and even though violent masculinities may be 'stubborn' they are changeable. Such optimism may be misplaced given the persistent and obdurate nature of interpersonal violence. Moreover, as Graham (2006: 194) observes these contributions have focused more on causal factors instead of looking at what needs to be done to bring about change.

In an attempt to develop an integrated strategy on violence against women, Coy et al. (2008) emphasise a focus and intervention at the perpetrator level. Despite an emerging international consensus that programmes addressing perpetrators should be part of a coordinated response, they note that such provision across the UK remains patchy. With a focus on prevention, they argue that there are a significant number of men who could be engaged if services were available:

'It if we are calling on men to change, we must ensure that appropriate services are available which not only support this, but enable men to understand the complex roots of their behaviour. If agencies and communities are to respond appropriately to perpetrators, information about availability of services is essential.' (Coy et al., 2008: 37)

Such an approach would, they argue, 'encourage professionals and agencies to think beyond the reactive management of dangerous individuals, to imagine how to create deeper and longer term change' (ibid).

Thus it would seem ill considered to deny that governments, both currently and in the recent past, have not formulated policies that focus on the needs of women. The mechanisms used to deliver reform - such as legislation and a policy making process that is best characterised as incremental in orientation - are supposedly committed to gender equality yet the financing and implementation of crime policy results in stark inequalities. The proportion of resources allocated to challenging men who abuse and assault women pale into insignificance compared to the surveillance and pursuit of terrorists, rioters and street criminals. Violent men may or may not be conscious of their relative immunity when they victimise women but the outcome is the same in the sense that survivors are
all too painfully aware of their vulnerability and under-protection (see Worrall & Gelsthorpe (2009: 342).

**New directions and concluding thoughts**

This article has considered the interface between crime control policy and human rights in the context of female victimisation. In the case of domestic and sexual abuse and violence women are much more likely to be the victims of male perpetrators. We have argued that this asymmetry and inequality might be addressed if human rights values were adopted more fully than they currently are to safeguard vulnerable groups. Whilst there has not been a shortage of state led activity with numerous legislative and policy interventions targeting violence against women and girls there are inherent paradoxes and contradictions in government policy. In addition to the current Conservative government (2015-) and its sceptical orientation to the Human Rights Act (1998) and related international agendas, the six drivers underpinning the modernisation of crime policy go against the grain of human rights by prioritising the diminution of the roles and responsibilities of the state through budgetary cuts. More emphasis has been placed on the personal responsibility of the individual, which has left victims increasingly vulnerable and violent perpetrators facing further difficulties in ameliorating their behaviour.

Social scientists and the players participating in crime and public policy patently pay more than lip service to gender issues than ever before and this is a progressive move. Despite legislation and a plethora of policy initiatives across the criminal justice sector, gender based differences bound up with violent crime still exist. This article has exposed continuing and new forms of inequality, some of which have arisen in part out of attempts to create equality. Ironically, our usage of human rights discourse, where the emphasis is on the universal, shows that general principles must interact with the particular. Men and women have different social experiences as victims and perpetrators and while all should be treated equally on the basis of universal values, there are powerful contradictions producing many paradoxes. While the freedom, equality and dignity of all human beings is respected in policy statements there are two separate processes heading in the same direction. The violent masculinities enacted by individuals and neo-liberal values underpinning modernisation in the arena of criminal justice policy intersect, leading to the subordination of female interests and amplification of male power and influence at structural and individual levels.

To close our paper we offer some tentative observations concerning how the past Coalition and current Conservative governments moulded these modernising principles, and the consequences of this activity for understanding gendered violence. In May 2010 the Coalition government announced 'there is no alternative' and embarked on a fundamental reform of public services calling for a less centralised state and more discretion for local authorities, hence the deep and sustained cuts in public expenditure, announced on October 20th 2010 by the Comprehensive Spending Review (Crowther-Dowey & Long, 2011). This Review, covering 2011/12 to 2014/15 impacted on the core functions and responsibilities of the Home Office and Ministry of Justice respectively with cuts in funding. Even the Conservative government's Ending Violence Against Women and Girls Strategy (HM Government, 2016), which has committed additional funding to this
problem will in all likelihood be offset by cuts across central and local government departments announced in the 2016 budget (HM Treasury, 2016). Localism and the thinking behind the 'Big Society' is seen as pivotal because it creates opportunities for third sector and grass roots organisations to become involved in the design and delivery of public services, thus creating more individual autonomy and choice in communities. Apart from the austerity measures and fiscal retrenchment there is nothing resembling a profoundly new or distinctive philosophy in crime policy and the Conservative and Coalition governments share with New Labour a proclivity towards paradox. The political economic circumstances faced by both are similar although the ongoing global situation confronting the former is more troubling. Some of the choices taken by the government, though influenced by political economy, are also consequences of political and ethical agency. The Conservatives have made many ambitious and progressive statements but the refusal to ratify the Istanbul Convention, the pledge to repeal the Human Rights Act (1998) and the proposed cuts suggests their commitment to eliminating human rights violations, like violence against women, is partial. Meanwhile, the commitment of criminal justice agencies to ending violence against women may be compromised and violent masculinities actually remain unscathed.
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THOUGHT PIECE

'Thought Pieces' are papers which draw on the author's personal knowledge and experience to offer stimulating and thought provoking ideas relevant to the aims of the Journal. The ideas are located in an academic, research, and/or practice context and all papers are peer reviewed. Responses to them should be submitted to the Journal in the normal way.

PROBATION TRAINING FOR A BRAVE NEW WORLD
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Abstract
Probation services have undergone a dramatic change as a result of the government's Transforming Rehabilitation strategy and, consequently, so have the training arrangements for probation officers. This article offers an initial analysis of Community Justice Learning as it is being implemented from the perspective of learners, employers and the universities involved in its delivery. It is a complicated framework reflecting the complexities of the present penal system and the many players active there. Despite these difficulties, the commitment of those engaged in the CJL as learners, trainers and educators should ensure it represents a viable professional qualification route.
This title might sound grandiose. Yet we should not under-estimate the scale of change in the community supervision of offenders in England and Wales brought about by the Transforming Rehabilitation agenda (MoJ, 2013). Although the foundation was laid by the Offender Management Act 2007 passed by New Labour, further measures introduced by the coalition government’s Offender Rehabilitation Act 2014 completed the process of privatisation and marketization of work that was previously the preserve of a public sector probation service (Collett, 2013; Deering, 2015). Thus from February 2015 private sector interests took ownership of the Community Rehabilitation Companies, working alongside a National Probation Service that had already been centralised and taken into the civil service. These changes were not welcomed in all quarters and, as Burke and Collett pertinently ask, ‘How then will standards of practice be maintained in this brave new world?’ (2015: 93). For Paul Senior (2016), attention to quality and consistency of training across a multiplicity of providers is vital, and this short paper addresses the potentials in this regard of Community Justice Learning as the framework that has now been assembled to meet the needs of the sector.

This is not intended to be a comprehensive evaluation of Community Justice Learning (CJL) as it is from the perspective of just one of the HEIs contracted by the National Offender Management Service (NOMS) to deliver the academic elements, so is necessarily limited in terms of the extent of the framework in view. It is also early in the life of the CJL and that means my reflections are tentative, although informed by experience of delivering earlier iterations of probation officer training. As Bhui recognises, such training has encouraged learners to ‘engage with the moral complexities of criminal justice and to grapple with the wider social and economic context of offending, to reach a more holistic understanding of offending behaviour’ (2006: 175). It is not, then, a simple enterprise.

Unsurprisingly, the first and most obvious observation is that the CJL is vastly different in many respects from the previous Probation Qualifying Framework, reflecting the new penal order and, to some considerable degree, the tensions evident in the differing interests, priorities and, increasingly, cultures of diverse organisations in the field. At this stage new organisations are not yet bedded down and many staff, including those involved in training, are still in a process of adapting to their changed circumstances (Robinson et al., 2015), so there is a sense of flux. It naturally follows that one of the challenges for the CJL is to be sufficiently adaptable itself to respond to the development needs of practitioners and employers as they emerge.

According to the NOMS website www.traintobeaprobationofficer.com,

‘Community Justice Learning (CJL) provides bridges and ladders to career development at different levels across the Community and Custodial Justice Sector. The qualifications within CJL can be taken in their own right to support individual continuous professional development and/or as to access the Professional Qualification in Probation (PQiP), the Probation Officer qualification.’

The framework is thus more complex than the previous training arrangements and here I will explain the key elements of the framework before exploring the implications of the
CJL for learners, employers across the criminal justice sector and the HEIs involved in delivery.

The apex of the probation officer training in the CJL is the PQiP which in academic terms comprises a 120 credit programme at third year degree level. Entry is relatively straightforward for candidates who are graduates with academic learning in criminology related subjects (although as an employment-based route they need to pass a rigorous selection process). The ‘bridges and ladders’ elements apply to those who need to ‘top up’ previous academic learning that is not sufficiently related to required knowledge areas in criminal justice, penology, understanding of criminal behaviours and rehabilitation of offenders (and it is the latter that is the stumbling block for many social science graduates). All the contracted HEIs provide distance learning modules to cover these areas which are available for purchase, effectively being ‘bridges’ enabling graduates to become eligible to apply for the PQiP.

Modules pitched at the equivalent of years 1 and 2 of a degree represent the ‘ladders’ available to learners who have practice experience but little or no academic background. Significantly, distance learning has replaced the first 2 years of the 3 year training route established under the PQF that allowed learners to gain an Honours degree alongside their professional qualification. This move has resulted in less consistency in what is on offer to potential learners, with a modular approach that potentially becomes a ‘pick and mix’ affair. Because learning has no face to face element, learners are not restricted by geography in terms of their choice of HEI. Furthermore, whilst all those aspiring to progress to the PQiP must demonstrate that they have the 4 required areas of knowledge outlined above, the additional modules they study to make up 120 or 240 credits for an academic award are less prescribed; learners can therefore select the programmes that best suit their circumstances and academic interests.

While NOMS are sponsoring a small number of NPS learners through what they are calling the ‘access routes’ beneath the PQiP, the intention to move the burden of funding onto learners is clear. To some degree the financial detriment to learners is compensated by the flexibility involved in distance learning where modules can be studied in different combinations and for longer or shorter periods of time. Both the individual elements of distance learning and full academic awards are also available for purchase by criminal justice practitioners for self-development so may benefit workers in youth justice, voluntary agencies and elsewhere in the sector. To that extent, the CJL vision is more open and inclusive than its predecessor.

That said, enthusiasm must be tempered by considering the challenges as well as the opportunities that distance learning presents; learners tell us that they often feel isolated and it is evident that it is harder to maintain motivation at a remove from the site of learning. Some learners are unconfident in using technology. Even for those who are more comfortable, sitting at a computer in the evening after a full day at work, a large portion of which involves entering records on to a computer, is not an appealing prospect. Given that learning on the PQF was largely delivered on line, we have been struck by the difference when even a small amount of face to face contact is removed and are conscious of having to make more strenuous efforts to build relationships with CJL learners and
create a sense of connection. Moreover, these distance learners do not have support in their workplaces for their study and this may make it seem an unduly hard task to accomplish, particularly when there is no certainty of progressing to the PQiP.

The utility of the CJL for employers is as yet unproven. The PQiP does provide a relatively speedy route to qualification for graduates with relevant prior learning. However, it has been developed from knowledge of the needs of the NPS at a point where the different needs of CRCs were unknown and, as a consequence, is tilted towards the skills involved in risk management rather than engagement and desistance-oriented practice (see McNeill, 2006; 2009). At present the fit between ‘access routes’ and PQiP recruitment can best be described as ‘clunky’ so the short term prospect is that the over-representation of young female graduates among qualifying probation officers (Annison, 2013) remains firmly in place. It will take some time for the more diverse demographic of learner practitioners to progress through the layers of the CJL to qualification: the recruitment process for the PQiP takes 6 months and learners are not eligible to apply until they have achieved their accredited modules or award from their particular ‘access route’.

The distance learning elements of the CJL may be attractive to a range of criminal justice employers as an economic and convenient form of training. However, the speed of CJL development has not been conducive to maximising this potential. With the basic framework in place, there is undoubtedly scope for adaptation and additions to meet the needs of different organisations. It is apparent, though, that extending the CJL much beyond the NPS will require the HEIs to devote time and effort to building relationships across the sector, time and effort which is currently being taken up creating the distance learning products before we can start giving serious thought to their marketing. Developing bespoke learning packages for individual employers is still further down the line.

Even for the NPS the ‘access routes’ are proving to be less straightforward than the PQF, not least because it is less easy to track learner progress when their learning is more detached from the organisation. The complexity of the framework and the fact that the sequencing and combinations of modules may vary between learners also present challenges in contrast to the previous expectations that learners would follow a set programme. Such issues may be simply indicative of the early stage of implementation but, nevertheless, they do suggest some practical concerns that may impact upon employer engagement with the distance learning. There are, moreover, questions about whether distance learning is suited to professional contexts where learners must become confident in integrating academic knowledge and understanding into their practice.

These concerns are less pressing for the PQiP where face to face elements of teaching are still in place and where learners are supported by Practice Tutor Assessors (PTAs) in the workplace, but they are very much on the agenda for the HEIs. In developing distance learning modules we have explored the potential of the on line environment more actively than previously. Indeed, the learning about on line teaching and encouraging participation has been one of the pleasures we have discovered through engaging with the CJL. Of course, all the HEIs involved in the CJL already have years of experience in on line teaching under our proverbial belts, but this has pushed us a long way further because
the nature of our business as professional educators demands that we are not just providing content in our teaching but are also prompting reflection and critical thought. To that end, at Sheffield Hallam we have adopted more creative approaches to assessment, including recorded presentations, portfolios which involve dialogue with tutors in the process of compilation, and small evaluation/research projects. No doubt the other HEIs have also moved in that same direction. As time goes on we will need to take a rigorous look at learner feedback and what they present by way of these assignments to satisfy ourselves that the tasks we are setting are doing what we want them to do, which is to stimulate reflexivity and self-awareness in role (Thompson & Thompson, 2008). After all, ‘if probation is a morally significant activity, not simply reducible to the techniques of correction, it requires a competent, critical and reflective workforce’ (Collett, 2013: 182).

Nevertheless, for all the energy and innovation that we put in, we must still recognise that it is more difficult to deflect an instrumental approach in distance learning than in classroom teaching. It is evident that, even though CJL learners are by their very nature highly motivated, they have many other pressures in and out of work. This means that we have to try even harder to ensure the relevance of our teaching and deliver immediate as well as long term gains.

And therein lies the rub. This all demands time and resource which are in short supply. The uncertainty around the numbers of self-funded learners who might apply and the level of CRC engagement has complicated forward planning. Furthermore, the additional administration involved in dealing with sponsored learners from different employers, self-funding learners, learners on a variety of routes and learning with multiple enrolment points throughout the year has taken the HEIs by surprise. This is less so for the academic staff because we are in touch with the NPS and NOMS as contractor and conscious of their expectations. Yet it is true to say that the CJL framework works against the reality of the academic world which operates on the basis of a standard academic calendar and programmes that run in an orderly way from start to finish. I think I probably speak for my colleagues in other HEIs when I say that there is a sense of being an exception in our own institutions in almost every regard. Whilst there is nothing wrong with working outside standard regulations to be responsive and to provide quality education, there is very little in the CJL that is standard and that has presented us with huge challenges.

As HEIs in developing our part of the CJL we have had to face up to some knotty problems. We have worked extremely hard in what might politely be termed a compressed timescale to unravel these problems. That we have done so to the extent that we have is to our credit. It is worth considering why that is the case and I suggest that the potential success of the CJL comes down to a question of commitment. Numerous commentators have testified to the enduring appeal of the probation ideal and its championing of social justice (see for example, McNeill, 2010: Mawby and Worrall, 2013; Hall, 2015; Senior, 2016). Others have referred to its resilience in the face of political interference and the prioritising of risk (Collett, 2013; Fitzgibbon & Lea, 2014). Interestingly, Collins (2016), in discussing the question of commitment to probation makes a distinction between professional and organisational forms of commitment. For former probation officers involved in probation training it is apparent that professional commitment remains strong and we are all concerned to ensure that our learners are socialised into the values and
beliefs about personal change that we still hold dear. In effect, to borrow McNeill’s (2016) marine analogy, we are striving to contribute to future forms of community supervision that provide fuel in the tank rather than a leaky boat to take offenders on their desistance journeys.

In the context of *Transforming Rehabilitation*, the organisational commitment of probation practitioners may have shifted depending on which side of the public-private divide they find themselves (and how they feel about their location). Yet throughout all the organisational change that the probation service has undergone in recent years, research suggests that practitioners have maintained their professional commitment and a person-centred philosophy (Annison et al., 2008; Mawby & Worrall, 2013). Furthermore, our experience is supported by research evidence showing that new recruits and trainees are still motivated by humanistic concerns and a desire to work with people (Deering, 2010). And this remains the case in the brave new world that comprises CRCs and a different form of public sector probation service. Some of the language may change and certainly one CRC is exploring the possibilities of personalisation borrowed from health and social care (Fox & Marsh, 2016) rather than desistance. Whatever it is called, however it is conceptualised, education has a key role in fostering a person-centred ethos and to support innovation (Clare, 2015).

Before the implementation of *Transforming Rehabilitation* I wrote an article anticipating issues and concerns in enforcement practice across the CRC-NPS divide (Robinson, 2014). I concluded there that the success or otherwise of practice would depend on there being sufficient ‘probation-minded’ people committed to working in a fair and just way. In many respects, I feel the same in relation to the CJL. It has inherent problems as a training framework in trying to offer flexibility but not being in itself flexible. It is not easy to understand (as I know from my many attempts to explain it to various audiences) and that must affect its appeal in the criminal justice marketplace. It places financial and other risks onto learners and onto HEIs, which is not promising in terms of sustainability. Yet, with commitment from educators, from those undergoing training and from managers and trainers in the workplace, it can be - and no doubt will be - made to work. From where I sit I see that commitment and hope that it will endure.
References

THE IMPACT OF ENHANCED RESETTLEMENT PROVISION ON SHORT-TERM PRISONERS - A RECIDIVISM STUDY

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Abstract
This paper draws on previously unpublished data of a short-term prisoner resettlement initiative (Step-On) in two large prisons in the north of England in the United Kingdom (UK). A quasi-experimental design was used to compare a sample of 192 prisoners who underwent enhanced resettlement assistance with a matched sample of offenders who did not. The purpose was to examine whether the enhanced resettlement support across five ‘resettlement pathways’ led to lower levels of recidivism following release from prison. The analysis found that the experimental group with enhanced resettlement support was significantly less likely to reoffend compared with the matched control group, however, this positive effect only held during the 90 day post-release support period, after which there was no significant difference between groups. In addition to delayed reoffending, other benefits of the project saw a reduced severity of offence for those who did reoffend. These findings have policy and practice implications for the resourcing of resettlement provision in the UK and other jurisdictions.

Keywords
Short-term prisoners; resettlement; rehabilitation; reconviction study; Transforming Rehabilitation.
Introduction
In the United Kingdom (UK) short term prisoners (sentenced for less than 12 months) make up the majority of the prison population - 58% in 2015. They are more likely to reoffend than other prisoners: 60% of adult short term prisoners were reconvicted within 12 months of release compared to 33.4% of those who served determinate sentences of 12 months or more (Ministry of Justice, 2016).

The most recent Government initiative to address the high rate of recidivism among short term prisoners has been the requirement for Community Rehabilitation Companies (CRCs) to provide “through the gate” resettlement support for this prisoner cohort under the Transforming Rehabilitation changes (Ministry of Justice, 2013).

Given concerns about the level of resources that CRCs are deploying for resettlement support for this cohort (HM Inspectorate, 2016), this timely paper draws on previously unpublished data from the evaluation of a resettlement initiative (Step-On) to provide learning about the dosage of resettlement support that may be required to prevent reoffending among short term automatic release (AUR) prisoners. This has useful implications for practice and policy in the UK and other jurisdictions.

This paper examines the impact of the enhanced resettlement support provided by the Step-On project on reoffending rates. The hypothesis is that, as a result of receiving support from the Step-On project, reconviction rates will be significantly lower. The null hypothesis is that there will be no significant difference in reconviction rates between the experimental cohort (those who received enhanced resettlement support from the Step-On project) and the control cohort (who received the standard level of resettlement support available).

The link between resettlement support and reoffending
It has long been recognised that resettlement and reintegration support can contribute to reducing reoffending. Government initiatives trialling this approach have included: the resettlement pathfinders (Lewis et al., 2007); Integrated Offender Management (IOM) pioneer projects (Senior et al., 2011); and more recently, the Payment by Results (PbR)-commissioned HMP/YOI Peterborough Social Impact Bond pilot (Disley et al., 2015) and HMP/YOI Doncaster pilot (Pearce et al., 2015).

Much of this support has focused on addressing the high levels of resettlement need and multiple difficulties faced by people released from prison (Crow, 2006; Maguire et al., 2003; HMP Inspectorate of Prisons, 2001; National Prison Survey, 1991; SEU, 2002). The highly influential Social Exclusion Unit Report (SEU, 2002: 10, 6) found that many prisoners had ‘poor skills and little experience of employment, few positive social networks, severe housing problems, and all of this is often severely complicated by drug, alcohol and mental health problems’. Some 10 years later from the SEU report, 12% of prisoners released from custody were without settled accommodation, and only 12% of employers in a

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16 HM Inspectorate of Probation, 2016.
The impact of enhanced resettlement provision on short-term prisoners - a recidivism study

survey said they had employed somebody with a criminal record in the last three years. This is despite a clear acknowledgement of the range of offenders' needs and commitment to ensuring adequate provision as set out in the Government's commissioning intentions (NHS England, 2015; National Offender Management Service, 2014).

The corrective to these widely acknowledged deficiencies is helping prisoners to address their practical resettlement and social and personal problems through referrals to specialist and voluntary agencies as well as receiving individual support from their offender managers prior to and after release from prison.

The Step-On resettlement project
The Step-On project ran from 2005 to 2007 in two prisons in Northern England. It aimed to reduce reoffending by providing short-term prisoners with practical help across five resettlement pathways, enabling them to: secure accommodation; desist from drug and alcohol abuse; maintain contact with their families; engage in employment or educational/training provision; and improve their financial position. This was accomplished through referrals to specialist agencies, along with individual input from project staff who provide ongoing help and support to project clients. Most resettlement work was undertaken during the later stages of an inmate's sentence and through the gate for a follow-up period of approximately 90 days in the community. This was underpinned by a 'needs based' opportunity deficit model (Maruna & LeBel, 2002) that has guided much resettlement practice in the UK.

Project staffing levels broadly reflected the different recruitment targets (a 2:1 ratio) with three Probation Officers and one Prison Officer at East-side Prison A and one Probation Officer and one Prison Officer at West-side Prison B. The two local authority areas where the majority of inmates returned to from both prisons had comparable high levels of deprivation (when ranked across 355 Local Authority areas in England), notably for housing, unemployment and health. For most categories of crime, the East-side Prison area had higher levels than other parts of the country, including the West-side Prison area.

Entrance on to the project was voluntary and prisoners were assessed by project workers at each prison site. In general, inclusion required the presence of a sufficient level of presenting need in one or more welfare areas: (1) education: failing to complete their compulsory education, and/or having no educational credentials (2) employment: not in education, employment or training (NEET) during the month prior to imprisonment (3) financial situation: problems meeting any recurrent expenses (rent arrears), accumulation of debts or those committing offences to obtain a cash (4) housing: not owning property or having a tenancy or whose partners lacked this (5) and family relations: being single or estranged from partners during their last year at liberty, and who rarely associated with parents or siblings. Project clients also needed a minimum of three prior imprisonments (in the UK), have a connection to the local prison areas and not be considered potentially dangerous persons.

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17 Prison Reform Trust Website
18 This being inclusive of custodial sentences at Youth Offending Institutions.
Methodology

The evaluation design compared reconviction rates for short term prisoners who received enhanced resettlement support (the experimental group) with a control group who did not. This was calculated using incidents of any standard list offence, conviction or technical violations of an Order as documented on the Police National Computer (PNC). In addition, qualitative interviews were conducted with a small number of project clients to identify perceived strengths and weaknesses of the Project. Given the size and representativeness of the sample, the findings from this element have not been included in this paper.

One of the main approaches to this evaluation was introducing a distinction, including in the modeling process between ‘Need’ factors defined in terms of welfare deficits and/or personal/social problems faced by an offender, and, ‘Dosage’ factors describing the type and number of referrals conducted in response to clients’ needs. The latter provided a measure of the amount of assistance that the project participant received.

The evaluation constructed needs profiles for inmates, consisting of the (above) five welfare deficit areas (coded dichotomously) for each Step-On client along with a composite welfare deficit variable combining all five. In addition, information was analysed on five dynamic factors (drug misuse, alcohol misuse, gambling problems, physical health, and mental health) along with one static factor (being a victim of child abuse). Again, all six variables were coded dichotomously and gleaned from initial assessment sheets and case files.

The methodological approach sits between Level 3 and Level 4 in Harper and Chitty’s (2005) scientific methods scale design for reconviction studies (see Table 1 below). The comparison group was matched to the intervention group on the projects inclusion criteria from management and official information systems and case records with two differences; (1) the group was historical (i.e. non-concurrent with the project start date\(^ {19} \)) which was problematic because the evolving policy and service environment may have acted as a confounding variable, and; (2) a high rate of attrition meant selecting many (85%) comparators who returned to live in adjacent areas rather than either of the prison discharge areas. Whilst it may not have skewed the results it did introduce another potentially confounding variable.

Further analysis was conducted on the level of change in offence seriousness, as well as project dosage and welfare and social needs levels, and the influence that these factors on reoffending.

\(^ {19} \) It did not prove possible to construct a comparison group on a ‘waiting list’ basis for the study due to inadequate numbers of throughput, or to use OASys assessments as a means of predicting recidivism as too few completed assessments were available for the project cohort.
The impact of enhanced resettlement provision on short-term prisoners - a recidivism study

Table 1: Scientific Methods Scale adapted for reconviction studies

<table>
<thead>
<tr>
<th>Standard</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 1</td>
<td>A relationship between intervention and reconviction outcome (<em>intervention group with no comparison group</em>)</td>
</tr>
<tr>
<td>Level 2</td>
<td>Expected reconviction rates (or predicted rates) compared to actual reconviction rates for intervention group (<em>risk predictor with no comparison group</em>)</td>
</tr>
<tr>
<td>Level 3</td>
<td>Comparison group present without demonstrated comparability to intervention group (<em>unmatched comparison group</em>)</td>
</tr>
<tr>
<td>Level 4</td>
<td>Comparison group matched to intervention group on theoretically relevant factors e.g. risk of reconviction (<em>well-matched comparison group</em>)</td>
</tr>
<tr>
<td>Level 5</td>
<td>Random assignment of offenders to the intervention and control conditions (<em>Randomised Control Trial</em>)</td>
</tr>
</tbody>
</table>

Source: Based on Table 1.2 in Harper and Chitty (2005)

Results

Profile of the experimental group

East-side Prison inmates had greater numbers of social and welfare problems than their West-side Prison counterparts and consequently had a higher incidence of need as measured by referral activity. As a consequence, the two prison sites were treated as separate entities in the reconviction study.

All of the 192 project clients were male due to both prison sites exclusively having adult male intakes. Project participants in West-side Prison were marginally younger than East-side Prison, with a lower median age of 15 months (Table 2). Minority ethnic group clients were under represented in both prison sites in relation to the host prison population, which was 14.2% for East-side Prison and West-side Prison prisons combined in 2003,\(^{20}\) (and 16% nationally in 2002).\(^{21}\) This did not necessarily imply any adverse selection effects as 30.7% of data on ethnic origin was missing from project assessment forms which may account for the under representation. Furthermore, reports from project staff during the evaluation period showed that inmates were favourable to the projects aims and staff did not raise any concerns about ethnic minority inmates declining this service.

Table 2: Age and ethnic grouping of prisoners, by site

<table>
<thead>
<tr>
<th></th>
<th>Age at time of release (n=172)*</th>
<th>Ethnic group (n=140)*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Under 25 (%)</td>
<td>Over 35 (%)</td>
</tr>
<tr>
<td>East-side</td>
<td>20.1</td>
<td>35</td>
</tr>
<tr>
<td>West-side</td>
<td>24.1</td>
<td>27.6</td>
</tr>
</tbody>
</table>

*n excludes cases which did not take part in the project.

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\(^{20}\) Data supplied by personal correspondence from Mark Judd; Offender Management Analysis Section, NOMS Statistics and Analysis, RDS NOMS London.

Profiles of the project group\(^{22}\) (n=192) were constructed across a range of welfare and living problems all of which acts, as an index for criminogenic need. Table 3 (below) summarises these problems and needs across both sites and offers figures from a Home Office study which provided comparative data for the general UK prison population as opposed to the Project’s focus of medium to high risk of reoffending short-term prisoners. East-side Prison inmates had a higher distribution of problems than their West-side Prison counterparts (with the lone exception of reported child abuse).

Compared with the national picture from the OASys custodial or community sentence sample, the Step-On project clients experienced a higher distribution of problems, particularly so in drug use (with nearly 20% more of East-side Prison inmates self-reporting this problem, and 30% more than for the national sample of all inmates) as well as housing need and employment need. Conversely, there was a lower level of mental health needs and family relations needs for both prison sites in comparison to the national picture. The larger disparities for financial problems likely reflected different definitions in how this was assessed through OASys and the Step-On assessment process.

Table 3: Comparison of Step-On project group and Home Office OASys data on criminogenic need factors

<table>
<thead>
<tr>
<th>No.</th>
<th>Criminogenic needs factors across studies</th>
<th>Percentage of offenders assessed as having a problem</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>East-side Prison</td>
</tr>
<tr>
<td>1</td>
<td>Welfare Deficits</td>
<td>66.3</td>
</tr>
<tr>
<td>2</td>
<td>Financial</td>
<td>97.9</td>
</tr>
<tr>
<td>3</td>
<td>Housing</td>
<td>64.7</td>
</tr>
<tr>
<td>4</td>
<td>Family Relations</td>
<td>28.7</td>
</tr>
<tr>
<td>5</td>
<td>Employment</td>
<td>92.2</td>
</tr>
<tr>
<td>6</td>
<td>Social and personal problems</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Alcohol</td>
<td>42</td>
</tr>
<tr>
<td>8</td>
<td>Drugs (illicit)</td>
<td>69.2</td>
</tr>
<tr>
<td>9</td>
<td>Mental health</td>
<td>20.4</td>
</tr>
<tr>
<td>10</td>
<td>Physical health</td>
<td>21.4</td>
</tr>
<tr>
<td></td>
<td>Personal Safety</td>
<td>20.5</td>
</tr>
</tbody>
</table>

*Home Office classification denotes emotional well-being  
** Home Office study combined criminogenic factors 1 and 5  

A similar story existed between the two prison sites in the distribution of accumulated welfare deficiencies (Figure 1). Inmates at East-side Prison showed a greater preponderance of criminogenic needs than those at West-side Prison when examining inmates who had 3, 4, or 5 welfare deficiencies. Notably, all East-side Prison inmates had at least one welfare problem.

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\(^{22}\) Archival records and interview assessment forms were analysed to construct profiles of the project group to identify all relevant welfare deficits and social problems for each project participant.
The impact of enhanced resettlement provision on short-term prisoners - a recidivism study

Figure 1: Profile of Step-On clients' accumulated welfare deficiencies (%) by prison site

Project clients who were drug users had significantly more welfare needs than non-drug users (Figure 2 below) and made up a more challenging sub-section of the short-term prisoner population for the Step-On project.

Figure 2: Accumulation of welfare problems for drug-using and non-drug-using Step-On clients
Not surprisingly, this pattern was reflected in the number and type of agency referrals made on behalf of inmates by the project staff across the two sites. The dosage profile in Figure 3 (below) shows that inmates at West-side Prison required fewer referrals compared with East-side Prison, although, in the former, there were inmates who had complex needs. It should be noted that the number of referrals made on behalf of inmates only acted as an approximate dosage measure as no data were available to reliably act as an intensity measure (i.e. duration of contact, work progressed, etc.).

**Figure 3: Accumulated agency referrals across project sites**

<table>
<thead>
<tr>
<th>Accumulated agency referrals</th>
<th>% of site sample</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>0.9 11.7 9.1</td>
</tr>
<tr>
<td>1</td>
<td>9.1 21.7 11.7</td>
</tr>
<tr>
<td>2</td>
<td>11.7 20 25</td>
</tr>
<tr>
<td>3</td>
<td>20 21.8 20</td>
</tr>
<tr>
<td>4</td>
<td>21.8 7.3 5</td>
</tr>
<tr>
<td>5</td>
<td>3.3 2.7 1.7</td>
</tr>
<tr>
<td>6</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
</tr>
</tbody>
</table>

**Does the enhanced resettlement intervention reduce reoffending?**

A survival analysis was undertaken to compare the time to reconviction for the experimental groups and their control groups. This has the advantage of examining the dynamics of reoffending over time, rather than treating reconviction as a static event. Recidivism has been used as the outcome variable and refers to the number of days post-release to the commission of the next reported offence. All recidivism measures were collected from day of release up until the censoring day (project clients were phased onto the project over time). Subtracting the date of release from the date of first notifiable offence during the follow-up period studied provided the: ratio level of measurement of recidivism of days survived at liberty (survival time); or for those cases that were censored, those offenders who survived to the end of the study period without reoffending.

If the enhanced resettlement intervention had been effective, the number of criminogenic needs would have reduced, and the experimental groups would have survived longer, i.e. remained unconvicted for longer than the control groups who did not receive the enhanced resettlement service.
**West-side prison**

Figure 4 below compares the cumulative survival for West-side prison project participants and the comparator group over a period of 400 and 100 days after release from prison. A much higher proportion of West-side prison Step-On inmates (58.3%) desisted from reoffending compared to 10.9% in the comparator group during the same period. The West-side prison project group also desisted from offending for longer than the control group over the follow-up period (Log Rank\(^{23}\) 13.43, P>0.0002 with 1 df).  

**Figure 4: Survival function to first offence post-release for West-side prison over project follow-up period**

![Survival function graph]

Figure 4 shows that for the first few days the comparator group is doing marginally better than the project group (as indicated by the blue line being above the green).\(^{24}\) This is then reversed, with the project group pulling away during the rest of the follow-up period indicated by the growing distance between the two Kaplan Meier survival curves.\(^{25}\) However there is a crucial caveat to this finding. The desistance from offending (survival rate) between the two groups is not maintained much beyond the 90 day follow-up period when tested statistically. However, the benefit from the enhanced resettlement support should not be dismissed despite it being short-lived as it represents a delay in reoffending. There was no significant difference in cumulative survival between the project and

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\(^{23}\) The Log Rank test statistic is used here as we are comparing two groups, the project and comparator group.  
\(^{24}\) This is not statistically significant though, and thus may be due to chance factors.  
\(^{25}\) The crosses on all Kaplan Meier survival curves indicate a ‘censored case’ i.e. surviving to that point without having reoffended.
comparator groups across any of the individual age groups tested (Log Rank 0.07, p>0.7904 with 1 df.).

**East-side prison**
The East-side Step-On cohort results were similar to that of West-side shown in Figure 5. The East-side prison experimental groups were less likely to reoffend: 37.2% compared with 25.9% for the control group during the follow-up period. They also desisted from offending longer than the control group. However this was only maintained during the follow-up period. Furthermore, the East-side prison cumulative survival between the experimental and control groups is only nearly significant at the higher p>0.10 level (Log Rank 1.66, P>0.0978 with 1 df). The stringency of the accepted level of significance varies depending upon the type of data one is dealing with. The generally accepted standard is p>0.05 level, however, if data is fuzzy, as it was in this case, one can justify using a higher level of significance such as p>0.10.

Figure 5: Survival function to first offence post-release for East-side prison over project follow-up period

Figure 5 shows a near identical cumulative survival rate for the experimental and control group up until the 60 day period, after which the experimental group begin to pull away from the control group indicating greater survival time.

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26 This is likely due to the reduction in the sample sizes for each of the respective age groupings assessed in the analysis, and hence the reduced chance of finding a statistically significant difference.

27 The different units had very similar observed characteristics with close proximity to either side of the threshold, so change in reoffending between the two groups was not sharp, but it was still possible to exploit the discontinuity and identify a treatment effect that was a nearly significant result.
The same procedure was conducted to examine different age groupings in the East-side prison data regards cumulative survival between the project and comparator groups, but there was no significance across the different age groups tested. Whilst these results are interesting, the results change markedly when we examine survival times over the entire project period which extended beyond the 90 days follow-up support of the project (400 days for the first entrant). Here we find that the gains made by both project groups are not maintained past this project follow-up period (West-side prison: Log Rank 2.25, p>0.1337, with 1 df.; East-side prison: Log Rank 1.06, p>0.3042, with 1 df.). It was found that 40.3% of West-side prison project inmates reoffended, with a median survival time of 233 days and 68.2% of East-side prison project inmates reoffended, with a median survival time of 131.30 days.

When using both project sites such that each acted as a comparator group over the course of the evaluation period, there was a significant difference between them at the p>0.05 level (Log Rank 5.05, p>0.0246, 1 df.). This was not unexpected taking in to consideration the greater level of needs and deficits typical of the East-side prison project participants identified in the profiling (see above).

The relationship between recidivism and welfare deficits
There was a significant difference in reconviction between those with a small and those with a large number of welfare problems (t=27.775; p<0.001). Individuals with higher numbers of welfare problems reoffended more than those with lower levels of recorded welfare deficits, a result which accords with much previous research (Mair & May, 1997; Stewart & Stewart, 1993; Kyvsgaard, 1989, 1990; Skardhamar, 2002 in Nilsson, 2003). Table 4 shows the proportion of the experimental group which were reconvicted by the numbers of welfare deficiencies that they faced. Offenders with more needs were reoffending in higher numbers, despite the higher dosages of support that they received.

Table 4: Recidivism and accumulated welfare deficits

<table>
<thead>
<tr>
<th>Number of welfare problems recorded</th>
<th>Percentage reconvicted</th>
<th>n</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>1</td>
<td>30</td>
<td>3</td>
</tr>
<tr>
<td>2</td>
<td>48.2</td>
<td>14</td>
</tr>
<tr>
<td>3</td>
<td>62.7</td>
<td>27</td>
</tr>
<tr>
<td>4</td>
<td>57.4</td>
<td>27</td>
</tr>
<tr>
<td>5</td>
<td>56.2</td>
<td>9</td>
</tr>
<tr>
<td>All cases</td>
<td>54</td>
<td>80</td>
</tr>
</tbody>
</table>

Changes in offence severity
Do reoffending Step-On clients commit less serious offences compared to previous offences and compared to those of the comparator group? The analysis found that Step-On clients who reoffended committed less serious offences compared to their previous offences, and these were less serious compared to offences committed by the comparator

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28 This proved not to be significant when we looked at number of welfare deficits and time to reoffending in the earlier survival analysis.
group. So there was a systematic change in the level of seriousness of offences committed after exposure to enhanced resettlement support for those participants who do go on to reoffend, with reoffending being less serious as measured by $X^2$ test. The index offence refers to the offence for which the offender received their prison sentence. Table 5 examines the nine possible permutations of taking these three measures of pre-index offence, index offence and post-index offence scores and the resulting percentages of the sample for either less or more ranking in seriousness of offence.

| Table 5: Changes in Severity Measure in Offending for Reconvicted Step-On Clients |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
|                              | (1) Recon <    | (2) Recon >    | (3) Recon =    | (4) Recon <    | (5) Recon >    | (6) Recon =    | (7) Index <    |
|                              | index offence | index offence | index offence | Pre-con | Pre-con | Pre-con | Pre-con |
| n                             | 31             | 10             | 28             | 20       | 15       | 34       | 19       |
| %                             | 45             | 14.4           | 40.6           | 29       | 22       | 49       | 27.5     |

Table 5 shows that 45% of those who reoffended after receiving the enhanced resettlement support committed less serious offences than their index offence. This result is significant at the $p > 0.05$ level ($X^2=36.987$, 2 df., $p>0.05$). Furthermore, 40% showed no appreciable increase in severity from their original index offence, despite a trajectory of increased severity from the averaged score of three pre-convictions to the index offence.

In short, flowing from the enhanced resettlement intervention is a combination of both delayed offending and a reduced severity in subsequent reoffending. These results suggest that the project had a stabilising effect on the criminal careers of the experimental group.

**Concluding discussion - Implications for policy and practice**

This study expands upon previous resettlement research by examining how social problems and resource deficiencies typically addressed by opportunity deficit models affect the risk of recidivism. The weight of evidence from this study is broadly in line with the current tenor of existing research literature, in that resettlement initiatives can have a positive impact on offenders’ lives and can support a re/habilitation process. Overall the

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29 Ideally we should have liked to conduct the severity measure element of the study informed by results from the comparator group and contrasted the two, but lack of available criminal history data prevented this.

30 Each offence in this series was ranked for seriousness using the 2007 Youth Justice Board’s own ranking criteria (which rates offence seriousness from 1-8, with 1 indicating a the most minor offence, i.e. a breach of an order, and 8 indicating the most serious offence, i.e. murder/ manslaughter). In an attempt to ensure that post-index offences were not atypical to the index and post-index offence, we took the mean of the 3 preceding offence scores in order to provide a more robust analysis.

31 Ideally we should have liked to conduct the severity measure study informed by results from the comparator group and contrasted the two, but lack of available criminal history data prevented this.

32 Obviously the validity of these conclusions rests upon the validity of measures of offence seriousness. Our calculations are based on the UK’s Youth Justice Board own ranking criteria, and this research team has no prior methodological objection to its integrity.
study found evidence of success for a needs-based approach to resettlement and community re-entry. However, with regard to the recidivism analysis there was a crucial caveat to this finding, that the statistically significant initial gains appear for the project cohort were not sustained much beyond the 90 day follow-up period of case manager support in the community. This implies the need to extend this period beyond the 90 day limit. Other research in the USA has also stressed the need to address longer-term transitional needs to facilitate successful prisoner resettlement (MnDOC, 2006).

In relation to the UK, the importance of providing extended resettlement support reinforces concerns that have arisen about the financial viability of the CRC contracts in England and Wales since they became operational in 2015. The National Audit Office found that CRC business volumes were much lower than the Ministry of Justice modelled during the procurement and commented that income shortfalls would affect CRCs’ capacity to bring in new ways of rehabilitating offenders (NAO, 2016). The challenge of the above finding to CRC providers and their sub-contractors is in ensuring that sufficient resources are available to provide a level of supervision and support in the community, to adequately prevent this cohort of offenders from reoffending and financially for the CRCs to avoid adversely affecting their PbR reoffending targets and the additional income that they might receive if they meet their target.

The higher level of recidivism associated with higher welfare needs poses a further resource and capacity challenge. Short term prisoners with higher welfare needs were reoffending in higher numbers despite receiving higher dosages of support. This finding suggests that these offenders needed more support than was available. Any resettlement provision which has as its end goal something as complex and ambitious as ‘seamless’ transitional through-care will be constrained and influenced by the existence and accessibility to services in the prison sites and wider community. In relation to the provision of resettlement support for short term prisoners provided by CRCs and their sub-contractors they will need to be able to: accurately identify the interventions that will address the welfare needs of individual offenders; calibrate the level of resource required; and have sufficient regular contact with the offender to be able to respond to changes in need.

However, their ability to effect this is likely to be constrained by the current structure of offender management provision following the Transforming Rehabilitation changes. Previously, through the gate Integrated Offender Management (IOM) arrangements between agencies (focused on under-12 months sentenced prisoners) were intended to galvanise agencies into working more effectively together and facilitate seamless through-care (Senior et al., 2011; Wong et al., 2012). Perversely, the fragmentation of service provision, (and of responsibility) arising from the contracting and sub-contracting arrangements across the CRC contract package areas is likely to have the opposite effect. While it has yet to be independently assessed the recent examination of resettlement provision does not augur well. The National Audit Office found that the CRCs delivery of resettlement services in prisons had been focused on commencing services and meeting contractual measures (based on completing processes), rather than on service quality which was understood to vary significantly between prisons (NAO, 2016). The Joint Inspection of Resettlement Services for short term prisoners by the Probation and Prison
Inspectorates was more damning (HM Inspectorate of Probation, 2016). They found that the strategic vision for through the gate services had not been realised, the individual needs of prisoners were not properly identified and planned for and not enough was being done to help prisoners get ready for release and manage risk.

The vision set out in an earlier Through the Prison Gate report (HM Inspectorates of Probation and Prison, 2001) advocated a case management approach which involved assessing the risks and needs of each individual whilst ensuring regular contact through a dedicated staff member. This was to ensure that the needs provided for were progressed and regularly reviewed along with the provision of adequate time and resources as a baseline requirement. While the projects which this article has focused on also recognised the importance of effective case management for successful resettlement, the original vision appears to have been lost in the recent government policy initiatives and may need to be painfully relearnt at the detriment to offenders and society more generally.
The impact of enhanced resettlement provision on short-term prisoners - a recidivism study

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THOUGHT PIECE

'Thought Pieces' are papers which draw on the author's personal knowledge and experience to offer stimulating and thought provoking ideas relevant to the aims of the Journal. The ideas are located in an academic, research, and/or practice context and all papers are peer reviewed. Responses to them should be submitted to the Journal in the normal way.

EFFECTIVE PROJECT DESIGN: HOW CAN VOLUNTARY AGENCIES HELP TO DEMONSTRATE THEIR IMPACT

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Introduction

In the highly marketised landscape of criminal justice service delivery in England and Wales, the requirement for voluntary and community sector agencies to be able to demonstrate impact has attained greater urgency. This thought piece draws together learning from the author's experience of evaluating criminal justice projects designed and delivered by voluntary and community sector agencies. Specifically it examines the centrality of project design in enabling the demonstration of impact.

Policy context

Transforming Rehabilitation (TR) (MoJ, 2013a) was launched in the United Kingdom with the intention to enable market mechanisms to produce more effective management of low to medium risk offenders managed through the new Community Rehabilitation Companies (CRCs) across England and Wales.

The stated intention was to produce "increased efficiency and new ways of working" (MoJ, 2013a) and by so doing reduce re-offending and the associated costs to society, through the market incentivisation of public, private and voluntary sector organisations. This incentivisation has been delivered through a two part payment to CRCs (one part a fee for delivery, and a second part a Payment-by-Results (PbR) element, where the fee varies according to the reduction of reconvictions achieved). Organisations who are in turn commissioned by the CRCs (termed Tier 2 and Tier 3 organisations) receive payments from the CRCs either through a simple fee, or a combined delivery fee plus PbR element.
At the core of the TR landscape is the need for organisations to robustly demonstrate the impact that their services provide. This will be essential if they are subject to a formal PbR element, when the fee paid will be determined by the impact on reconvictions, or when services are to be (re-)commissioned in the future.

This requirement may in turn require a substantial change in routine for many organisations. As recently highlighted (Stephenson Dodd, 2016), the high profile collapse of Kids Company suggested a culture where the quality standard for impact evidence fell unacceptably low, relying on 'good stories' rather than measured, demonstrable impact.

As noted by Wong (2013) in the run up to the implementation of the TR changes, the TR landscape demands a higher level of objective evidence. In setting out evaluation-related considerations, the suggestion is not that this is the primary concern for service providers. Clearly the provision of a quality service should be the main concern, but quality evaluation evidence is obviously crucial to identifying what comprises a 'quality' service, and guiding efforts to improve services.

What follows is a checklist that might be considered by project designers and commissioners to ensure that the evidence of impact is as robust and defendable as possible.

**Effective project design to assist impact evaluation**

Making sure that projects are designed and delivered in the right way to enable robust evaluation is central to Dawson and Stanko's reflections captured in their aptly titled paper "Implementation, implementation, implementation: insights from offender management evaluations" (Dawson & Stanko 2013).

Impact evaluations can be characterised as an assessment of the change produced by a specific intervention. As noted above, 'good stories' do not, in themselves, make impact evaluation findings. Honest and robust evaluation requires findings to be representative of a project as a whole: individual quotes or case studies, without some indication of whether this is representative of the overall project cannot constitute robust findings. Qualitative findings can provide an important depth of understanding that purely quantitative findings lack, but on their own rarely provide much insight into the overall impact of a project.

**What is being evaluated?**

Too many projects being evaluated fail to clearly delineate the exact extent and dimensions of the project. The guiding principle of project design needs to delineate the project in question from other delivery: without the ability to do this, the impact of the project cannot be assessed.

Projects need to be clearly identified in terms of:

- a start and end date;
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- what constitutes the 'in-scope' cohort, how it is selected, and to what extent groups with particular needs such as women and/or black and minority ethnic (BME) groups are included;
- the economic and other inputs that the project benefits from;
- the specific outcome(s) that the project is aiming to produce;
- the model of intervention being followed and how this may be tailored for particular sub-cohorts such as women and/or BME groups;
- relationships with other providers;
- criteria for the continuation/cessation of client engagement.

At the heart of all these considerations is the concept of 'additionality': what is the project doing that is additional to existing delivery, and what additional outcomes are anticipated. Funding for innovation can often in practice represent 'continued funding for existing services'. While it is understandable that agencies will seek to secure funding (from whatever sources are available) to extend the life of their projects, under such circumstances, the additional impact is very difficult to identify and demonstrate.

The counterfactual

Closely related to the idea of 'additionality' is the concept of the counterfactual, usually defined as the situation that would have existed had the project not been in place. Effective impact evaluation is greatly assisted by a clearly identified counterfactual situation to provide a baseline condition against which performance can be compared. Different estimates of the counterfactual conditions include:

- a geographical counterfactual: a similar cohort in another area, including the possibility of a wider geographical area (e.g. national);
- a historic counterfactual: the same cohort in the period preceding the project;
- randomly allocated counterfactual: in some circumstances it may be possible and desirable for 'in-scope' clients to be allocated to either an intervention group, who engage with the project, or a counterfactual group who do not engage;
- a statistically identified comparison group: if a large population of similar potential clients can be identified, a multivariate technique, Propensity Score Matching, can identify close matches from the group to act as a comparison group. This is the methodology adopted by the Justice Data Lab (MoJ, 2013b): a service developed within the Ministry of Justice. An organisation sends details of their client group to the Data Lab, which statistically identifies a matched comparison group allowing reconviction figures to be compared.

The principle is that the counterfactual conditions are, as far as possible, identical to the project conditions, differing only in receiving an intervention from the project being evaluated. In such circumstances, differences in measured outcomes can be robustly ascribed to the impact of the project. The reality of real-life research, though, usually

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33 Certain criteria need to be met before the match is carried out: for example, a sufficient cohort size needs to be provided, and offenders who have committed certain offence categories will not be matched. Some concerns also exist about what interventions the matched comparison group have received.
means that none of the counterfactuals are ideal. A randomly allocated counterfactual, for example, offers the greatest likelihood of an otherwise identical group, but random allocation is often considered unethical or impractical. Historical and geographical counterfactuals are limited by the possibility that there are systematic differences in the circumstances underpinning the project.

Counterfactual conditions are often ignored by projects, particularly working with people whose lives are in flux, and particularly young people. It is a well-established empirical finding (McVie, 2005) that the prevalence of offending peaks in the late teenage years, and thereafter declines substantially. Although the subject of much debate, this pattern is not strongly related to any particular intervention, but is more to do with general maturation, and other signifiers of maturation (for example, the establishment of a significant relationship, marriage, or getting and maintaining employment). Projects, therefore, that are aiming to reduce offending with a cohort of young adults need to demonstrate an additional effect over and above this underlying pattern.

A consideration of the counterfactual condition is therefore vital, and therefore needs to address:

- what is the most appropriate counterfactual condition to consider?
- what is the availability and quality of the data for the counterfactual?
- how different is the counterfactual condition from the project condition?

Research evaluation teams may be able to advise here, but project staff with the experience of the organisation and client group are likely to be in a better position to answer these questions.

**Data considerations**

Impact evaluations will require a range of good quality data to evidence change in the project outcomes. It is essential that data is available, as a minimum:

- Initial assessments, made at the point of initial engagement;
- Subsequent assessments, made at the point of disengagement, or the end of the project;
- For both the project and counterfactual conditions.

The data considerations for the counterfactual condition can provide a potential stumbling block: geographical counterfactuals will need to be identified and matched carefully, and if a historical counterfactual is selected, it may be difficult to access data retrospectively. The most suitable counterfactual condition will be different for each project, and strategic and delivery staff are often the best people to identify these.

Many outcomes may be easily measured (such as binary measures such as 'Got a job/Didn't get a job') but careful consideration should be made of the precise form the data is collected in. These considerations should include:
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- timescales: is it sufficient for project purposes for a client to start a job or training opportunity, or does this need to be sustained for a particular length of time?
- binary or other level of measurement: is it necessary for a client to cease offending, or would a certain reduction in the volume of offending be sufficient?

Other outcome variables may be more complex to measure: where possible the use of existing, validated measures for such a concept strengthens evaluation findings, allowing them to be compared to other studies. A good example is the Warwick-Edinburgh Mental Wellbeing Scale (http://www2.warwick.ac.uk/fac/med/research/platform/wemwbs/).

One consideration which is often overlooked is the timing of the assessment of outcome measures, whether at the start or the end of the period of engagement. In the idealised world, 'before' assessments clearly need to be made as near as possible to the start of the period of engagement. Often this is not possible: assessments are often time-consuming and thorough, requiring a number of hours of discussion between clients and key-workers, and are often also reliant on good rapport having been established. In many cases, this is simply not possible at the earliest stage of engagement. Similarly, at the end of a period of engagement, clients may be less than keen to complete a final assessment, no matter how important this is for the evaluation. These problems are generally even more acute in counterfactual areas, where the propensity to complete assessments is likely to be lower still. Project design that recognises these issues could consider the most effective points that assessments should be carried out, and what incentives might be put in place.

**Throughput, drop-out and bias**

Effective project design needs to ensure that sufficient numbers of clients are engaged by the project, and are included in the counterfactual conditions. If too few clients are engaged, then comparisons between the outcomes achieved in the two conditions will not achieve statistical significance. The critical cohort sizes will come from the number of clients who have completed the project and have a final outcome level assessed. Design and resourcing of a project therefore needs to consider the potential number of in-scope clients who may potentially access the service, the resources required to deliver the service to them, and the likely drop-out rate.

Drop-out needs further consideration: the very strong probability is that those that drop-out are not representative of the evaluation cohorts as a whole. As such, comparison of outcomes between the project and counterfactual conditions may be significantly biased. For example, if an evaluation was focussing on re-offending as the key outcome for a project, those who disengaged from a project may be considerably more likely to re-offend, but because the comparison of outcomes can only be done on those clients who remain engaged throughout the project, this finding would not be accurately identified. In addition, if the patterns of disengagement are different between the test and counterfactual conditions, perhaps as a result of a particularly challenging model of delivery, then again the evaluation is undermined. In terms of project delivery, the challenge often comes down to the maintenance of the cohort numbers: whilst financial incentivisation may be considered to boost numbers, this can often be contentious with some client groups, raising the possibility that incentives could affect the actual delivery of the project, and clearly adds to the financial costs incurred.
Inclusion bias may also be a problem for some projects. If recruitment to the evaluation cohort requires a client to demonstrate their willingness to participate, then this can bias the evaluation: in effect, this willingness may be the critical factor in project engagement ending in a positive outcome. It does not, though, reflect an impact genuinely produced by the project, and if a similar process is not present in the counterfactual condition, then a bias is introduced in to the evaluation.

Issues related to throughput, drop-out and bias are generally not possible to remove from impact evaluations, but need to be covered in evaluation reports. Evaluations need to report on case numbers, and not just percentages (as recognised by Stephenson Dodd 2016). Drop-out numbers and rates for both intervention and counterfactual cohorts also need to be included in reports, and impact evaluations are strengthened considerably if disengaged clients can be contacted and the reasons for disengagement explored. This is, however, often extremely difficult and time-consuming to achieve.

Do we know why outcomes are produced?
The central message of the leading evaluation text 'Realistic Evaluation' (Pawson & Tilley, 1997) is that effective evaluation requires more than a simple 'What Works?' question, but rather asks "What works for whom in what circumstances and in what respects, and how?". Impact evaluations that rely on a black box approach (i.e. Intervention 'X' happened at this point, and this is the effect, but we don’t know, or try to find out, what Intervention 'X' is) are of limited practical use if we cannot discern what contexts programmes work in, which elements of the project have the greatest impact, and what causal links can be identified between project activity and the outcomes produced.

Two broad approaches can be taken to explore these further questions: an experimental approach would compare sub-cohorts that may have received specific elements of a project, and compare the impact relative to each other, and the counterfactual conditions. This approach offers the potential for a more accurate measurement of impacts, but does require a high degree of control over the administration of different project elements to specific clients, and ultimately can only move so far towards a fuller causal explanation. A qualitative approach, involving interviewing clients, delivery staff and other stakeholders offers a complimentary approach, though this may be limited by the interviewees' perceptions.

With a view to project design, the more complex the new intervention is, the more difficult it is to robustly ascribe cause. A neatly designed, narrowly focussed project is more likely to produce robust findings than a multi-faceted project addressing a range of contexts and cohorts.

Conclusion
The internal logic of Transforming Rehabilitation is that market mechanisms will produce innovation, and in time improved rehabilitation efforts. Whether this is the case is open to debate, but the rules of the game appear to have been established. It is now even more vital that voluntary organisations know the impact their services are producing, whether to fulfil the formal requirements of PbR contracts, to demonstrate their effectiveness
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when negotiating for new contracts, or simply to review their own performance. With this in mind, this article has highlighted areas that should be considered when designing projects, in order to assist the evaluation process. The primary purpose of project design should be to deliver effective interventions to clients, and the needs of evaluators should never be prioritised ahead of clients' needs, but these two elements are far from contradictory: effective evaluation is central to the design and evolution of high quality service delivery.
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Stephenson-Dodd, M. (2016) 'Are charities doing as much good as they say or are they telling tales?' *The Guardian*, 7 November 2016.
Quality and Impact inspection - The effectiveness of probation work in the north of London (HMIP)

A Quality and Impact inspection report into the effectiveness of probation work in the north of London has been published by HM Inspectorate of Probation in mid-December. This is their first inspection of adult probation services in the capital since 2014, when services were managed by one organisation, the London Probation Trust. On this occasion, they inspected in eight boroughs in the north of London. The London CRC manages 11% of the total 258,748 people subject to probation supervision across England and Wales.

The foreword by Dame Glenys Stacey, the HM Chief Inspector of Probation, notes that “Probation services in London have long struggled with high workloads, and workload pressures have been a regular feature in the most notorious of cases where a supervised individual has committed a Serious Further Offence.” Dame Stacey wastes no time in stating that they found the work of the Community Rehabilitation Company, owned by MTCnovo, to be poor.

Some CRC staff were found to be working “heroically” in difficult circumstances, sometimes working long hours. However they were often ‘fire-fighting’ rather than enabled to deliver a professional service consistently or sufficiently well. The National Probation Service (NPS) was found to be delivering services better, but with plenty of room for improvement.

With respect to overall recommendations, the report considers how well probation partners were in protecting the public, reducing re-offending and in relation to how well service users abided by their sentence. The work of the CRC was found to be poor in all respects, with fewer than half the service users in their sample complying with their sentence. In contrast, in this respect the performance of the NPS was found to be good. The NPS performance in the other two respects (protecting the public and reducing re-offending) was found to be mixed. The following recommendations for probation partners are made, the following being taken directly from the report (p.11):

The Community Rehabilitation Company and National Probation Service should:

1. Produce easily accessible information to enable all staff to make swift contact with relevant colleagues in each.
2. Require all staff to work together to solve individual problems and focus on the desired outcome.

The Community Rehabilitation Company should:
3. Make sure that all functional departments prioritise the operational delivery to service users.
4. Obtain and regularly scrutinise relevant management information to support effective operational delivery.
5. Make every effort to reduce caseloads to manageable levels, setting clear priorities for casework activities.
6. Manage the impact of sickness absence effectively.
7. Provide all staff with supervision and support in accordance with experience and workload.
8. Procure sufficient resource within the supply chain to deliver consistent services to all service users.
9. Provide the rate card to the NPS without further delay.

The National Probation Service should:
10. Make sure that all work is sufficiently focused on public protection.
11. Improve the quality of information at allocation from the NPS court staff to the CRC.

Some media reports, notably in The Guardian, have interpreted the report as highlighting how the privatisation of probation has put the public more at risk.

To read the report by HMIP in full:

Proven Re-offending Statistics
The latest proven re-offending statistics were published by the Ministry of Justice at the end of October for both adult and juvenile offenders, including both those released from custody and those who received a community sentence in 2014.

The figures are for 2014 and therefore predate the split of the probation service in the Transforming Rehabilitation initiative.

Adult offenders had a proven reoffending rate of 24.5%, representing a small decrease of 0.9 percentage points compared to the previous 12 months and also a fall of 0.9 percentage points since 2004. This rate has been fairly flat since 2004 fluctuating between 24.4% and 25.4%.

Adult offenders with 11 or more previous offences have a higher reoffending rate than those with no previous offences: 45.2% compared to 7.5%.
The reoffending rate of adults starting a court order in 2014 - all of whom were supervised by public probation at the time - was 32.6%, a fall of 4.8 percentage points since 2004, and a fall of 1.7 percentage points compared to the previous 12 months.


Former offenders face ‘cliff edge’ in support when leaving prison
A report by the Work and Pensions Committee states that government’s “own assessment of the prison system is that it fails to rehabilitate criminals or prevent them from reoffending, and the cost to the taxpayer of reoffending stands at around £15 billion per year in the criminal justice system alone.”

Ministers giving evidence to the committee admitted that there is no one person in government responsible for getting prison leavers into work. The Committee says there is “no clear strategy for how different agencies, in different prisons, should work together to achieve the common goal of getting ex-offenders into work.”

HM Inspectorate of Probation and HM Inspectorate of Prisons did not encounter a single prisoner who had been helped into employment by Through the Gate provision when conducting research on resettlement services for short-term prisoners.

The Committee recommends that:
- All prisons be required to demonstrate strong links with employers, including local businesses.
- All prisons be required to offer workshop courses, apprenticeships or similar employment opportunities with real employer.
- JobCentres should have a specified person who specialises in helping people who have been in prison into employment.

The Committee welcomes moves to "ban the box", removing the initial criminal record disclosure section on job applications, for the majority of civil service roles. It says this should be extended to all public bodies, with exclusions only for roles where it would not be appropriate. Ban the Box does not oblige employers to hire ex-offenders but it increases the chance that they will consider them. The Government should also consider a statutory "ban the box" for all employers.

According to the Rt. Hon Frank Field MP, Chair of the Committee, Government has announced it will publish a new strategy in early 2017 for getting more ex-offenders into employment and this marks welcome progress.

To read more about the Work and Pensions Committee’s report:
Charlie Taylor’s Review of Youth Justice and the Government’s Response

The youth justice sector have been waiting for the publication of Charlie Taylor’s review of the system since early Summer and then two significant reports were published in one day. Monday 12th December saw the publication of Taylor’s review and the associated response from government. Since then, the sector has been comparing the ex-headteacher’s recommendations with the government’s take on what will actually change.

Taylor’s report is clear in its view that almost all causes of childhood offending lie beyond the youth justice system. The government claims it is “implementing [Taylor’s] key recommendations by putting education at the heart of youth custody and improving the provision of health care to tackle the factors that increase the risk of offending.”

In terms of custody, Taylor recommends fundamental change to the current youth custody system with education, health and welfare services integrated and at its core. He wants to see high quality education and improved mental health services embedded in custodial institutions, with therapeutic environments with psychologically informed approaches across youth custody. He recommends a radical overhaul of the youth custodial estate with the creation of a network of Secure Schools to replace YOIs and STCs. These smaller custodial establishments of up to 60-70 places should be located in the area they serve with considerably improved education, health and behavioural management services provided.

The Government has committed to piloting two secure schools initially, although there is little detail about what secure school will look like and no time frame is given. Organisations such as the National Association for Youth Justice (NAYJ) have stated that the government would have been better off investing in the least harmful part of existing secure estate, Secure Children’s Homes.

The Government’s planned reforms to the existing custodial estate aim to tackle violence and improve outcomes by:

- Putting education and health at the heart of youth custody by developing a new pre-apprenticeship training pathway starting in custody.
- Empowering governors “so that they can better help to reform young people”.
- Increasing the number of staff on the operational frontline in Young Offender Institutions (YOIs) by 20%.
- Developing additional specialist support units with a higher staff to young person ratio’.
- Introducing a new Youth Justice Officer role.
- Each young person will have a dedicated officer who is responsible for “challenging them supporting them to reform”.

It is unclear from the Government’s response how many youth justice officers will be appointed with the £20million set aside for these reforms.

Recommendations by Taylor on diverting children pleading guilty from the youth court to a Scottish-style panel system would require primary legislation and will not be prioritized by the government in this Parliament. The Government would though like to make the Youth Court more "problem solving" and will see if they can develop a new review mechanism within the Youth Rehabilitation Order before the next Parliament.

The Government does not appear to be convinced about changing the funding arrangements or the statutory framework around Youth Offending Teams (YOTs). They are going to look at how they can remove "barriers to innovation" without changing funding structure or statutory framework.

The Government will look at accountability across the youth justice system and work with the Youth Justice Board to review its governance.

In response to Charlie Taylor's recommendations on reporting restrictions and criminal records reform, the Government say current court cases prevent them from responding fully at this time.


Outsourcing children’s social care
An independent report on the potential for developing the capacity and diversity of children’s social care services in England has been produced for the Department for Education by Laing Buisson. It focuses on on how to promote the marketisation and potential commercialisation of statutory children’s social services. As such it has potential far-reaching and long-lasting consequences for some of the most vulnerable people in our society that readers will want to be aware of.


To read concerns about the plans for outsourcing children’s services:

The organisation Article 39, which campaigns for children’s rights in institutional settings, has updated its briefing for Members of Parliament. More on their work can be found here: http://www.article39.org.uk/news/.

Sentencing Council consultation on knife crime

The consultation seeks views on three guidelines:
1. Possession of a bladed article/offensive weapon;
2. Threatening with a bladed article/offensive weapon, and;
3. A youth guideline which covers all offences involving bladed articles and offensive weapons.

The document states there has been growing concern over recent years about the number of people carrying knives and other weapons on the streets and cites legislation introduced since 2008 that highlights Parliament’s concerns about these types of offences.

The consultation sets out a range of proposed aggravating factors that would lead to extra prison time for people caught with bladed weapons, including carrying a knife while in a group, attempts to hide identity, targeting someone because they are vulnerable, and evidence of wider community impact.

For the youth guideline, the council said judges and magistrates should take into account aggravating factors such as attempts to deliberately humiliate a victim by posting videos or sharing details on social media of the crime.


Home Secretary’s College of Policing speech on vulnerability
In her first speech to the College of Policing as Home Secretary, Amber Rudd focused on the issue of vulnerability. She announced government’s intention to introduce a licence to practise for professionals working in high harm areas of policing.

She highlighted the creation of new offences since 2012, such as those for stalking and forced marriage. Coercive control has also been recognized as an offence, recognising the harm caused by patterns of sustained emotional abuse.
Rudd announced the provision of £1.9 million over two years for the College of Policing to change the police approach to vulnerability. This is designed to allow the college to develop a training package for new leaders in vulnerability who “will coach, brief and debrief front line officers so they are better able to identify signs of vulnerability and provide the much-needed support to victims.”

The Home Secretary announced that the Home Office and the College of Policing have been working together to develop a licence to practice: “It is important that only those who are absolutely qualified to perform critical roles dealing with the vulnerable are deployed to those situations.”

To read Amber Rudd’s speech in full: https://www.gov.uk/government/speeches/home-secretarys-college-of-policing-speech-on-vulnerability

**Policing Education Qualifications Framework**

The CEO of the College of Policing, Alex Marshall, has announced a new educational framework to police officers and staff. He explains that the new Policing Education Qualifications Framework (PEQF) is designed to give officers more professional recognition and better reflect the nature of the jobs performed by officers around the country.

By 2020, following promotion officers will be supported in gaining a qualification which reflects the nature of their role, such as all newly promoted sergeants will undergo a 12-month higher-level apprenticeship in leadership and management. Officers seeking the rank of assistant chief constable or above will require a master’s degree before applying.

Entry to the police service will also change and it is this that made more headlines. Beyond 2020, there will be three available options for entry into the police:

1. A police constable degree apprenticeship paid for by the force, allowing individuals to obtain a policing degree and earn while they learn.
2. Specific policing degree as seen in other professions.
3. For graduates, a graduate programme which will also be paid for by the police force.

BOOK REVIEWS
Edited by Jake Phillips & Anne Robinson

THERAPEUTIC CORRECTIONAL RELATIONSHIPS: THEORY, RESEARCH AND PRACTICE

At its heart this book champions human relationships within the correctional field, in all their complexity and messiness. It also serves as an important reminder of the skilled work that is required to support an offender in desisting from crime.

In recent years, the probation service has undergone large-scale upheaval particularly with the introduction of Transforming Rehabilitation; this book raises important questions around how success can and should be measured in the Payments by Results (PbR) paradigm. One of its main strengths lies in the empirical work which provides rich accounts from both offender and practitioner perspectives, these are placed in relation to existing work on therapeutic relationships and this lens provides an original dimension from which to research probation work. This book therefore makes an important contribution to knowledge on therapeutic relationships, and in particular the under-theorised field of correctional relationships.

This book will be of interest to criminal justice practitioners working alongside offenders and ex-offenders, it will also resonate with those providing one-to-one, intensive support to people with multiple and complex needs across a range of social services. It is essential reading for those studying criminal justice particularly scholars of desistance and recovery; overall, a key text for those interested in the intricacies of probation work.

The book was accessible although some prior knowledge of the underpinning theoretical framework based on Bordin’s work in Psychology was presumed. Familiarity with the correctional field is helpful but not a prerequisite as the author provides a brief history of probation from its inception and the shifts in practice and correctional relationships up to current practice and in light of the recent marketisation and privatisation of probation under Transforming Rehabilitation reforms in the UK context.

The author uses models to illustrate the full life course of the therapeutic relationship; while each relationship is unique, complex and messy, the models provide a useful basis from which to make sense of the ruptures and reconciliations present in probation relationships. A visual rendering brings to the fore the practitioner as one player and the
offender as another, a valuable reminder that both are responsible for relational currents. The models provide a way to grasp the dynamic nature of relationships, systemic forces and the therapeutic frame that encompasses all of these elements.

The book remains grounded in empirical work which took place immediately prior to the implementation of TR; using a participatory approach, including a mixture of focus groups, narrative inquiry, visual aids and reflective interviewing. The empirical work is based on doctoral research conducted with 17 practitioners and 18 offenders. It is therefore an important addition to the policy evidence base and may provide insight into some of the issues currently faced by Community Rehabilitation Companies.

Evidently, the book highlights the importance of not only the skills and experience of the practitioner but also the time required to work in a way which is responsive to each individual, not only to prevent ruptures but the time to work reflexively to mend a rupture and to improve practice. These are elements of probation which could not be replaced by an automated service. The book makes a strong case for the protection of the assistive side of the probation role, investment in staff and warns against de-professionalisation of skilled work, welcome respite for those haunted by the image of self-service electronic kiosks and biometric technology proposed by policymakers in recent years.

The author makes clear her position within the research and her background working with those who have offended. She researches from a practitioner perspective, and utilises her insider knowledge to reflexively examine the role of relationships. It does not provide a solely rosy picture of probation work but is uncomfortably honest.

In sum, this book provides a glimmer into a utopian, almost unimaginable alternative to the current trajectory of the criminal justice system under austerity, based on human relationships, emotions and sensitivity.

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REHABILITATION WORK: SUPPORTING DESISTANCE AND RECOVERY

Hannah Graham has produced an excellent piece of scholarship in her review of the experiences and perceptions of alcohol and other drug (AOD) and criminal justice workers in Tasmania, Australia in a book based on 30 in-depth interviews with practitioners across the two fields. It is also critical as it addresses the question of the link between desistance from offending and recovery from substance use. However, much more than that she has produced an exceptionally thought-provoking and challenging work around what the role of the worker is in supporting positive changes in their clients, particularly when they may see their work as devalued and frequently undermined by the activities of managers, service commissioners and state systems who do not match their commitment and passion.

The core of the book is about the experiences of practitioners in the criminal justice system and the alcohol and drug field and addresses their experiences - and sense of secondary stigmatisation - that is involved in 'dirty work' for which many feel that they are not adequately acknowledged or supported. That frustration is directed not at colleagues or clients (and the book does an excellent job of conveying the commitment and dedication of the workforce) but more at managers, commissioners and the state who make their work more difficult and less rewarding than it needs to be.

At least from a recovery perspective, this is a problem. Because recovery is not considered to be an internalised quality but an interpersonal and societal process (Best, 2014), the wellbeing of the person in recovery and the wellbeing of the client are intrinsically linked. President Obama used the South African word 'ubuntu' to convey this sense that my wellbeing [the client's] rests on your wellbeing [in this case the worker] and that the same is true in reverse. In recent work with 206 drug and alcohol workers in Victoria in Australia, Best et al. (2016) reported very variable levels of stress, burnout and emotional wellbeing. Not surprisingly, those with poorer psychological health also reported poorer therapeutic optimism for their clients.

So the message is clear for policy makers. If we are to bring a brave new world of desistance and recovery to fruition, the transition needs to be systemic and not individually focused under a guise of personal 'responsibilisation'. Issues of short-term contracts, frequent re-commissioning and poor working environments are all symptomatic of a mistrust in a workforce whose commitment to their own professional growth is clearly spelled out by Graham in reporting the levels of CPD being undertaken by her sample and by their commitment and dedication both to their colleagues and to their clients.

And if we accept the strengths-based approach that underpins both recovery and desistance (as Graham reviews in Chapter 2) then we have to recognise that the wellbeing, growth and development of all participants is essential to creating what William White referred to as a Recovery-Oriented System of Care (ROSC). The questionable
accuracy of assumptions that addiction is a chronic relapsing brain disorder and that the
most effective model of intervention with offenders is based on risk also fails to recognise
the impact on workers in implementing something that reduces the human and the
therapeutic in the exchanges with their clients. Although perhaps not explored in depth by
Graham, there is very clear evidence that 'treatment effectiveness' rests much more on
the quality of the therapeutic alliance (i.e. what is interpersonally important and fulfilling)
than on the specifics of CBT or motivational interviewing.

In the recovery world much more than in desistance the notion of social capital has been
translated into a broader concept of 'recovery capital' (Granfield and Cloud, 1998). Within
this approach social capital is generally supplemented by personal and community capital
to characterise the impact of network support on personal wellbeing and the importance
of the broader community acceptance and acceptability of the rehabilitation endeavour. It
is in this sphere that exclusion, stigmatisation and blocked opportunities for reintegration
(Braithwaite, 1989) can be seen as negative recovery capital and where the impact is
jointly experienced by the client and the worker - in other words, the importance of the
therapy and its underpinning alliance does not exist on an island but rests on a sea of jobs,
friends and houses.

In tackling the overlap between desistance and recovery, Graham is advancing a major
omission in academic writing. In doing so through the experiences and beliefs of a key
population of helpers and guides she has provided an innovative and unique approach
that emphasises the shared, social and contextualised nature of rehabilitation, recovery
and desistance.

Professor David Best, Professor of Criminology, Sheffield Hallam University

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VANDALISM AND ANTI-SOCIAL BEHAVIOUR

Anti-social behaviour and acts of vandalism remain prominent issues within today’s society and they often evoke a large amount of public interest and media attention across England and Wales. Where society has developed and political agendas have drastically changed in response to these issues, criminological understandings have seemingly remained unchanged from earlier theoretical understandings. Early perspectives and typologies used to conceptualise these areas, largely those of Stanley Cohen, still direct criminological theorising, arguably failing to address important societal changes. Vandalism and Anti-Social Behaviour, part of the Critical Criminological Perspectives series, presents an alternative cultural criminological perspective which questions the relevance of earlier understandings and sheds new light on understanding these behaviours in relation to current society. The author’s, Matt Long and Roger Hopkins Burke, cultural standpoint highlights the influential factors upon individual criminal behaviour and the need to take a cultural perspective in theorising the complex interplay between individual and society.

The book is split into five sequential parts which make up the book’s 10 chapters, which provides the reader with a sense of direction allowing the text to flow from contextual and theoretical origins right through to conclusive future developments within the area and in the wider field of criminology. The book introduces itself through providing a comprehensive synopsis of Stanley Cohen’s famous work and typology of vandalism, addressing the crucial and influential impact that these earlier ideas have upon modern criminology. This provides contextual knowledge of the area and where the authors have developed their understandings before questioning why Cohen’s early typologies are yet to be surpassed and still dominate criminological understandings of vandalism and anti-social behaviour.

In Chapter 1 the authors present their argument for developing a cultural criminological view of vandalism by exploring the political contexts. The first part of this chapter explores the cultural origins of both vandalism and anti-social behaviour before moving on to the rationales which underpin current political responses and agendas surrounding vandalism. The authors address where vandalism and anti-social behaviour have become entwined within understandings as anti-social behaviour has more frequently been used as a “generic term which encompasses both criminal and non-criminal behaviour” (p22). The second part of Chapter 1 delves deeper into understanding criminal behaviour as a cultural entity relative to when and where it occurs. The authors focus in particular on understanding vandalism as its own distinguished set of crimes detached from the umbrella term of anti-social behaviour, to address the complexities and differing types of vandalism within a diverse society. This chapter leads into the books subsequent chapter which explores the different forms of vandalism and the cultural motivations behind these.
Chapters 2, 3 and 4 explore the differing forms of vandalism, primarily focusing on those typically associated with young people. Chapter 2 provides an exploration of the different forms of youth vandalism typologies in particular with a focus on the exploratory and drift vandalism target and context vandalism. Within Chapter 3 the authors suggest the perpetrators of certain forms of vandalism, such as target vandalism are primarily committed by young people for instance with car crime and damage. Chapter 4 expands upon the previous chapters understanding of youth perpetrators of vandalism exploring where certain behaviours become normalised and embedded in youth culture and the anti-social foundations which both target and context vandalism develop from. At this stage of the book the author’s depiction of vandalism in young people as predictable and based on cultural surroundings and as a response to their place within society, largely rejects previous notions that youth vandalism is sporadic and random, giving new light to the causes of youth crime and anti-social acts.

Chapters 5 and 6 move away from the focus on young people, looking at both vandalism and anti-social behaviour within wider society and the motivations and causes of collateral and hate vandalism. Chapter 5 provides a thought-provoking look into the motivations behind collateral vandalism within current social settings such as London riots. This chapter uses existing theoretical knowledge of the ‘risk’ vs ‘gain’ analysis of criminal behaviour to analyse how the current social contexts of deliberating economic conditions and relative material deprivation trigger acts of vandalism and crime for a personal or financial gain. Within Chapter 8 the authors take the discussion in an interesting direction, arguing that there are possible pro-social elements of vandalism committed by collective groups and systematic thought process as a means of challenging the anti-social responses and actions of the governing state.

Chapter 9 reiterates the book’s purpose: that of bringing criminological theorising of vandalism and antisocial behaviour into an era of cultural criminological understanding. It also addresses the changes in society and the impact vandalism has not only on geographical communities but the virtual communities which dominate individual’s lives in a late modern world. Chapter 10 looks forward at the future of this area and provides an insight into what cultural criminology can predict about future society. The author’s conclusive chapters depict where earlier works, such as that of Cohen, have dominated understandings and somewhat prohibited alternative theorising and typologies. That being said, the authors clearly do not dispute the important influence of earlier scholarly works but strive to provide a more holistic and culturally appropriate criminological view for other theorists to build upon.

The book, *Vandalism and Anti-social Behaviour*, provides an engaging, relevant and convincing argument for cultural criminological perspectives. The authors have provided a well-developed and defined discussion of the different types of vandalism which questions and deliberates theoretical earlier ideas and understandings. The book’s chapter structure is difficult to follow at times with each section divided into parts and then subsequent smaller parts or chapters, thus making it difficult to distinguish and review each chapter separately. The authors’ theoretical positioning is clear throughout the book, providing a distinctive direction for their argument. However this strong perspective may prevent the reader from developing an impartial opinion on some of the issues covered. The book
concentrates on the different types of vandalism to the neglect of antisocial behaviour. This suggests there may be scope for a subsequent book more focused on anti-social behaviour. Overall the book provides a valuable contribution in theorising vandalism and encourages theorists to move beyond existing perspective as society progresses.

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