THE ECONOMIC, SOCIAL AND POLITICAL CONTEXT OF THE LOCAL COMMUNITY APPROACH TO INTEGRATED OFFENDER MANAGEMENT: THEORY AND PRACTICE, RHETORIC AND REALITY

Nick Flynn, Division of Community and Criminal Justice, De Montfort University

Abstract Recent proposals for a new approach to criminal justice policy have been heralded by the coalition government as 'radical' and 'revolutionary'. This article assesses the validity of the claims in relation to the intended shake-up of offender rehabilitation. In considering the wider economic and social context of the reforms, various drivers of change are discussed, including increasingly high rates of re-offending and re-imprisonment, the ambition of the government to create a so-called 'Big Society', and the cuts in public spending detailed in the recent Comprehensive Spending Review. It argues that, in emphasising notions of civic responsibility and by seeking to introduce a 'reducing re-offending market', the government has absolved itself from directly addressing important structural problems, which inhibit many offenders from successfully giving up crime. It concludes that, rather than signal a paradigm shift in approach to offender rehabilitation, the proposals constitute a repackaging of measures rooted in strategies of risk, containment and crime prevention.

Keywords Localism, civil society, Payment by Results, social structure, criminal desistance, revolution.

Introduction Throughout the recent Government Green Paper on punishment, rehabilitation and sentencing (Ministry of Justice, 2010a), significant emphasis is placed on localism. Change to the criminal justice system is to be brought about through devolution. Local people, local managers, professionals and volunteers are to be freed from central government control (ibid: 5), and local services opened up to local scrutiny and made subject to local accountability (ibid: 8). The watchwords are 'joint working' and 'partnership' or, to give the approach to offender rehabilitation its proper title, 'Integrated Offender Management'. There is to be a move away from the domination of the public sector to 'a much broader set of organisations from all sectors' (ibid). Probation, the police, and services provided by local authorities, voluntary partners and the private sector, together, will 'tackle the offenders who cause most harm in their communities' (ibid: 25) and 'prioritise the crime that matters most to local residents' (ibid: 77). To achieve this, rehabilitation services are to be funded to the extent they evidence a reduction in re-
offending - 'Payment by Results'. The proposals have attracted considerable attention. Coalition government ministers have promoted the Green Paper as a 'radical programme of criminal justice reform' (Herbert, 2010) and nothing short of 'a revolution' (Blunt, 2010). Others have professed support for the overall approach and a willingness to get involved (Confederation of British Industry, 2011; Dicker, 2011; Mulheirn et al., 2010; Shelupanov & Ali, 2010), while others have been more sceptical, welcoming the devolution agenda overall but identifying fundamental flaws in how it is to be achieved (Faulkner, 2010), in particular the Payment by Results funding mechanism (Maruna, 2010).

**Civic participation**

What is the wider economic, social and political context driving this purported transformation in thinking about crime and punishment? In terms of vision and principle, the ambition to put more power in to the hands of local communities has been informed by the overarching theme of 'the Big Society' (Cabinet Office, 2010). Influenced by a new policy project of 'Progressive Conservatism' (see Wind-Cowie, 2010) and the repositioning of the Conservative Party along pragmatic communitarian lines (see Blond, 2010), it has been argued by Conservatives and Liberal Democrats alike that 'fixing Britain's broken society' requires a reaffirmation of communal values. Rejecting the thesis of 'Big Government', the appeal to civic participation is based on the assumption that the centralised welfare state has encouraged 'passive dependence' (ibid: 285), resulting in 'a wholesale collapse in British culture, virtue and belief' (ibid: 1). To rectify this, it is necessary to 'roll back the state' and transfer power from central government to new forms of social and private enterprise, in particular voluntary and community sector (VCS) organisations - co-ops, mutuals, neighbourhood groups, churches, charities, families - as well as private business. Overall, the challenge is to make grass roots entrepreneurship mainstream, as it seeks to 'harness in ever more ingenious ways the mechanism of the market in order to do social good' (Singh, 2010: 1).

How is this to be achieved? Much of the thinking resonates closely with emerging perspectives informing the theory and practice of 'new public governance', a central feature of which is much greater interagency cooperation between government departments and the VCS. Accepting that government 'is no longer pre-eminent in public policy'(Osborne, 2010: 6) and that new pluralist complexities of the modern state entail the relinquishing of 'hands on' public management, the Green Paper advocates reducing 'the burdens on local partners - such as excessive performance targets or overly bureaucratic inspection regimes' (Ministry of Justice, 2010a: 82). Previous contractual arrangements to directly manage local services, for example, through local area agreements and comprehensive area assessments, are to be torn up and replaced by an emphasis on promoting, incentivising or 'nudging'(Thaler & Sunstein, 2008) local groups to take organised collective action. The role of the state is to be recast as a facilitator or 'choice architect' (ibid). In terms of legislation, growing local community involvement is to be enshrined in a Localism Bill designed to shift power from central government back into the hands of individuals, communities and councils, as well as a new Police Reform and Social Responsibility Bill, which will introduce locally elected police and crime commissioners. In terms of governance, the Office of the Third Sector within the Cabinet Office has already been reformed to become the Office for Civil Society, now headed by a
Minister of Civil Society charged with overseeing the expansion of voluntary activity and the creation of social enterprises. Also, in terms of presentation and consultation, there is to be an annual 'Big Society Day', a National Citizen Service and local referendums on issues triggered by petitions supported by 5% of local citizens within any six month period. Some commentators have seen this affirmation of civic participation as a means to forge new relationships between the public, private and voluntary sectors to tackle crime (Faulkner, 2010) and create an environment in which communities have a much greater say in local planning decisions and the delivery of offender services (Thompson, 2010). Others still have argued that the emphasis placed on the formation of active communities will result in increased local knowledge and research, which, in turn, will identify key priority areas and build the capacity of local practitioners to implement new and innovative approaches to offender reintegration (Shelupanov & Ali, 2010).

We will consider some of the key proposals in the Green Paper shortly, but first we should ask whether any of this is justified. Is Britain broken? Has there been a decline in social cohesion, evidenced by a significant reduction in voluntary activity? In fact, the National Council for Voluntary Organisations (NCVO) has reported recently that volunteering and giving over the past 30 years has remained relatively stable (NCVO, 2011). Also, according to Hilton et al. (2010: 2), civic participation has remained vibrant. In 2007, ‘there were 870,000 UK civil organisations [and] around 170,000 charities, a figure that has climbed steadily since[...]the 1960s’. Whilst voting and membership of political parties and traditional women’s and faith groups has declined, new forms of civic engagement have emerged, especially activities based around environmental concerns (NCVO, 2011). Moreover, in regard to crime and justice issues specifically, according to Thompson (2010: 7), 'VCS organisations[...]are already delivering the Big Society'. Presently, 'there are over 1,500 organisations that work with offenders and their families, and it is conservatively estimated that there are over 7,000 volunteers involved in the criminal justice system'. In conclusion, the evidence drawn upon to assert a decline in British culture, virtue and belief is 'highly selective':

*It is not the case that the rise of the state has weakened either the voluntary sector or civic participation. The institutions of the welfare state, for example, have served in many ways to strengthen civic participation, and the voluntary and welfare services have worked in close collaboration over the decades.* (Hilton et al.: 4)

It should also be noted that promoting civic participation is not a new idea. Devolving power to local community services was vigorously pursued by the previous Labour administration, not least in the area of criminal justice. National initiatives, such as 'Compact Plus' and 'ChangeUp', for example, informed offender rehabilitation and reintegration policy and the partnership arrangements required to implement it (National Offender Management Service, 2005). In addition, the Policing and Crime Act 2009 required Local Crime and Disorder Reduction Partnerships to prioritise reducing re-offending and made the probation service a responsible authority.
This is not to argue there is no need for improvement. A lack of substantive evidence to demonstrate the effectiveness of work carried out either in partnership or separately by the voluntary and the statutory sector epitomises much offender rehabilitation. Different approaches are based on distinct assumptions about the causes of offending and the processes involved in criminal desistance. As a consequence, VCS organisations are frequently dismissed by professionals working in criminal justice settings for providing the services 'they want rather than what is necessarily needed' (Hucklesby & Worrall, 2007: 184). Related to this, VCS organisations are often criticised for failing to adopt rigorous evaluation methods that demonstrate effectiveness (see Hayes, 2010 on whether this is a valid criticism). The major problem, perhaps, is a tension between the role of statutory agencies to provide interventions designed to reduce the risk of re-offending, which address individual criminogenic factors, such as anger management or thinking skills, and of voluntary organisations to concentrate on non-criminogenic social factors, for example, housing, education, employment and benefits (Hucklesby & Worrall, 2007: 182). The strictly scientific basis of the cognitive-behavioural approach is at odds with the view that successful desistance is supported or hindered by the community contexts in which many ex-prisoners live. Moreover, it is commonly argued that specific interventions are much less important than understanding the processes by which offenders rehabilitate themselves (Veysey et al., 2009). In large part, the success of integrated offender management will hinge on its capacity to resolve these conflicting approaches and unresolved tensions (Maguire & Raynor, 2006).

**The national debt**

The vision of the Big Society has been welcomed by a number of organisations keen to work closely with the government on harnessing local entrepreneurship (see Wind-Cowie, 2010; Singh, 2010; Bubb, 2010; UnLtd, 2010). But how realistic is it in the current economic climate? The economic context of the initiatives is the need to reduce the burden of national debt. The proposals for the reform of punishment, rehabilitation and sentencing must be seen in relation to the planned reduction in overall government spending of £81 billion by 2014/2015, in particular the £18 billion cut in welfare spending and the reduction of 23% in real terms to the Justice budget. For some commentators, there are opportunities to be gained from the infrastructure deficit. Economic constraints focus the mind. Dealing with debt requires hard-headed economic analysis and reasoning, which ultimately exposes past mistakes and failures. According to Fox & Albertson (2010), for example, this can lead to the formation of more enlightened criminal justice policy than that previously based on uninformed penal populism. The short fall in the criminal justice budget has exposed 'an urgent need to invest in more impact studies of key criminal justice interventions, particularly prison' (*ibid*: 276). Given there is no convincing evidence that prison reduces crime or re-offending - a point duly conceded in the evidence appended to the Green Paper (Ministry of Justice, 2010b: 64-65) - there is every reason to consider the alternatives. This, perhaps, explains the intention of government to reduce the prison population by some 3,000, especially in relation to short-term prisoners, the group acknowledged to be the most likely to re-offend (Clarke, 2010).

However, the big question remains: how is the increase in civic participation to be paid for? A proposed solution is the creation of a 'Big Society Bank', a social investment bank...
using balances lying in dormant accounts. However, given the lack of loan funding available, this is predicted to provide only a very limited response. Just £60 million of funding is available at the present time (Thompson, 2010) and the 'FutureBuilders' fund - ring-fenced to finance the recruitment and training of a proposed 5,000 community organisers and, until recently, in receipt of up to £90 million worth of enquiries per month - is now closed for business (FutureBuilders, 2010). The difficulty of facilitating grass roots community involvement in such straightened circumstances is well illustrated by the fact that a reduction of £1.6 billion in the Area Based Grant is likely to be passed on by local authorities to charities which, overall, are reliant on public sector investment for almost 40% of their income (NCVO, 2010). As a consequence, the future delivery of many area-based services, which do not receive substantial monies from alternative sources, such as charitable trusts, individual giving or trading on the open market, is extremely uncertain (Wilding, 2011). Unless local support structures are put in place to enable, especially small, charities to survive, it is likely that levels of civic engagement and support will be reduced rather than enhanced (Alcock, 2010). VCS organisations working to reduce crime are especially vulnerable, with more than three quarters recently reporting a reduction in grant income, on top of decreases in earned income and donations. Furthermore, all of this is compounded by the fact that only 24% are eligible to apply for the 'Transition Fund', introduced by the government to enable civil society organisations to adapt to the new funding arrangements (Clinks, 2011).

Integrated offender management - enabling mechanisms
Notwithstanding the economic downturn, there is reason to be optimistic regarding some of the specific proposals for offender rehabilitation. For instance, the intention to reduce the length of rehabilitation periods under the terms of the Rehabilitation of Offenders Act 1974 (Ministry of Justice, 2010a: 33). It has also been recognised that effective rehabilitation requires the establishment of close, trusting relationships between offenders and the people managing them (ibid: 24); although the extent to which this signals a shift away from supervision and public protection towards a re-prioritisation of social work methods in probation policy and practice is not articulated. Yet it is the enabling mechanisms to facilitate increased local participation in offender rehabilitation that have received the closest attention so far. Accepting the immense scale of the reduction in public sector finance requires new, innovative approaches to funding (Shelupanov & Ali, 2010); it is proposed that integrated offender management will be paid for using 'justice reinvestment' tools, specifically 'social impact bonds' and 'Payment by Results' (Ministry of Justice, 2010a: 38). There is cross-party support for the idea. Social impact bonds to reduce re-offending were piloted by the previous Labour government (HM Government, 2009), and Payment by Results has been used to fund services within the National Health Service since 2000 and the Department of Work and Pensions (DWP) since 2008. Rather than concentrate on micro-managing processes and inputs, it is claimed that Payment by Results frees up providers to innovate and design services which achieve the desired impact (Mulheirn et al., 2010). By reconfiguring the financial arrangement of 'contestability' and the splitting-off of purchasers and providers through the instrument of 'commissioning', it is anticipated that investment from commercial bodies and foundations will be forthcoming to finance services expected to result in positive social outcomes; in this case a proven reduction in re-offending. A return on the
investment for the funders is secured by savings to the state that arise from the intervention.

Six studies have recently been set up to test the idea. These build on an initial pilot project involving Peterborough prison, the Ormiston Trust, the YMCA and the St Giles Trust - a charity which seeks to re-integrate prisoners back into society through mentoring and the provision of key support services. Investors will see a return on the £5 million needed to pump prime the project only if a reduction in re-offending of at least 7.5% is achieved for the 3,000 short sentence prisoners involved. It is early days but the approach has attracted a number of criticisms. A major one is that only interventions confidently expected to produce successful outcomes will receive funding. The Green Paper accepts that Payment by Results will not be appropriate for all offenders but the fear is that a tendency to 'cream off' the easiest to help clients will leave 'the most difficult and complex cases to an unsupported and maligned probation service' (Burke, 2010: 365). Indeed, a disturbing feature of the reforms announced to date has been the absence of any reference to the probation service's long experience of working with offenders to support their reintegration back into society (Ledger, 2010). Criticism has also focused on the use of reconviction rates to measure intervention effectiveness. The fact that an offender has not been arrested over a specific period of time is not proof of successful rehabilitation, only that they have not been detected. Moreover, re-arrest, reconviction and re-imprisonment do not in themselves reveal anything about the complex of factors and processes involved in behaviour change. The incremental steps offenders often take towards desistance, for instance, improving relationships or levels of motivation, are not easily quantified. Neither do reconviction rates account for the unintended consequences of other interventions, nor wider contextual factors - economic, social and environmental - that impact on desistance (Farrall, 2002). Finally, as has happened with the DWP 'Welfare to Work' programme, the upfront working capital required to deliver rehabilitation services funded on a results only basis is likely to mean that the private sector and larger charitable organisations are given a competitive advantage. Smaller VCS organisations will have no option but to sub-contract with 'prime' organisations which, in dominating the market, are likely to deflect the risk of not achieving targets onto organisations with less financial reserves. Nicholson (2011) has commented that offender rehabilitation traditionally has been provided by a wide variety of small, local voluntary organisations, but there are only four to five national organisations currently in a position to deliver large scale outcome based reducing re-offending contracts. Awarding contracts to suppliers in this way is likely to challenge the independence and integrity of some VCS organisations. It also contradicts the stated intention to devolve power and responsibility for offender rehabilitation down to local communities.

More generally, the use of the umbrella term 'justice reinvestment' (see Herbert, 2010; Blunt, 2010) to describe the new funding arrangements is disingenuous. Justice reinvestment is a geographical approach to prisoner reintegration, piloted in the United States and recently assessed in the United Kingdom by the House of Commons Justice Committee (Ministry of Justice, 2009). The fundamental aim is to divert funds away from custody budgets in order to finance much needed non-criminal justice employment, health, education and housing services in the deprived local communities that
geographical mapping techniques have shown contain the largest concentrations of ex-prisoners. No such undertaking has been proposed in this country. The previous government responded to the idea by introducing so called 'Diamond Districts', an initiative intended to coordinate resettlement services in six London boroughs where the largest number of ex-prisoners reside. However, there has been no commitment to divert offenders from custody into community sanctions, or invest any savings made into non-criminal justice services (Commission on English Prisons Today, 2008). Similarly, the present government has re-appropriated the idea to justify a new 'local incentive scheme', which aims to facilitate local partnerships by helping community groups to:

\[T\]arget resources on specific groups of offenders in line with local priorities and crime patterns. If they were able to reduce crime and hence demand for criminal justice services through their joint efforts they would share in any saving made. These could then be reinvested in further crime prevention activity at the local level. (Ministry of Justice, 2010a: 43)

The proposal places a strong emphasis on local ownership, analysis and research. However, its primary purpose is to divert any cost savings into crime prevention; a policy prescription which, since the early 1980s, has privileged risk assessment, containment and opportunity reduction over social policies, such as education policy, housing policy or employment policy. This is disappointing. As pointed out by Fox & Albertson (2010: 273), local area-based initiatives do not depend solely on the 'devolution of authority' [...]devolution of resource must follow'. They also fail to 'stick' when 'imposed on areas that have extremely limited employment opportunities or poor educational standards' (Wind-Cowie, 2010: 10).

**Structural obstacles to offender reintegration**

This leads us to some final observations concerning the structural barriers to overcome if integrated offender management is to make a difference. Owing to its failure to address problems of economic change and social marginalisation, the Big Society idea has been criticised for being 'strong on empowerment but weak on equality' (Coote, 2010: 5). It is well known that deprived areas are much less likely to engage in civic engagement than prosperous ones (NCVO, 2011). Yet, while the government is clear it must act as an enabler and facilitator of local choice, there is little indication it is prepared to support communities whose options and choices to play an active role are restricted by structural inequality. The government has abrogated any formal responsibility for providing public investment and services in deprived local communities, most obviously through interventionist polices. Given the overall emphasis accorded to across the board civic participation, this is a fundamental oversight. As the New Economics Foundation point out:

\[N\]ot everyone has the same capacity to help themselves and others. How much capacity we have depends on a range of factors. These include education and income, family circumstances and environment, knowledge, confidence and a sense of self-efficacy, available time and energy, and access to the places where decisions are taken and things get done. (Coote, 2010: 3)
Resources, services and social capital are not evenly distributed as it is and, as the cuts in public spending take effect, the loss of public sector jobs and reduction in funding for welfare services is likely to be experienced more differentially than before. For example, owing to the withdrawal of the Working Neighbourhoods Fund, local authorities in relatively poor areas, for example, Liverpool, Manchester and Middlesbrough, face the largest cuts in welfare services compared to wealthier councils (Hetherington, 2011). The spatial dimension of this is predicted to be increased 'polarisation between the "haves" and "have-nots", particularly when the starting point is very unequal and when residential patterns overlap geographically with socio-economic segregation' (Burchardt, 2011: 11).

The Green Paper makes no reference to the economic or social antecedents of crime and re-offending although it does acknowledge the impact of structural factors on offender reintegration, especially the importance of settled accommodation and stable employment. It also sets out an agenda for dealing with them. In relation to housing, offenders will 'receive appropriate housing assessment, advice and signposting to community services to prevent them losing their homes, or being homeless'. There will also be improved access to the private rented sector and local authority housing services will be utilised to ensure tenancies are maintained (Ministry of Justice, 2010a: 35). Such developments are to be welcomed, but let us be clear: offender reintegration does not operate in an economic and social vacuum, although formal interventions, particularly those which focus exclusively on symptoms and therapy, have often failed to recognise this (Farrall, 2002). It is a feature of the recent government pronouncements on criminal justice reform that, while 'organisational arrangements' have been prioritised, little or no regard has been paid to 'social conditions' (Faulkner, 2010: 81). Reorganising the structure of integrated offender management is futile if national policy decisions do not take account of local circumstances. For example, Brunton (2011: 36) has recently observed that the proposal to cap housing benefit payments means that tenants of social housing, at present the only viable accommodation option for many released prisoners, face dramatic increases in rent. The result is likely to be enforced migration and the creation of stratified communities, the poorest of which will suffer 'increases in stress related illnesses, higher rates of physical illness, lower rates of achievement and higher rates of crime'.

Even more specific are the proposals for employment services. Prisons are to become 'working prisons'. To ensure prisoners experience 'the discipline and routine of regular working hours', work will be made 'challenging and meaningful'. It will also equip prisoners with vocational skills 'in environments organised to replicate, as far as practical and appropriate, real working conditions'. Education will support the process by 'providing skills to perform work effectively as far as possible giving prisoner's skills which will increase their ability to get a job on release'. This will be facilitated through engagement with potential employers to tailor 'in-reach' training to the needs of the labour market and link prisoners to jobs and apprenticeships on release (Ministry of Justice, 2010a: 15). In addition, the 'community payback' initiative will ensure that local communities benefit directly from the hard work carried out by offenders on supervision with the probation service (ibid: 9). Offenders will also be made eligible for entry onto the Work Programme to improve their chances of getting into paid work (ibid: 33). In sum,
In what sense a revolution?

To conclude, the Green Paper on punishment, rehabilitation and sentencing fails to acknowledge the economic and social forces linked to crime and re-offending. Neither does it address the fact that the life chances of most ex-prisoners are shaped to a large extent by where they live and that where they live is ‘determined by an overall system of capitalist reproduction which is highly unstable and generally locates groups of people differentially according to the availability of resources; education, training, employment, housing and civil entitlements’ (Flynn, 2010: 227). As pointed out by Collins (2011), lessons learned from the Peterborough Payment by Results project will not necessarily translate to other areas of the country with very different economic and social circumstances. In affirming the need for ‘more effective punishment that reduces the prospect of criminals re-offending time and time again’ (Ministry of Justice, 2010a: 5), the Green Paper does accept the limitation of imprisonment to incapacitate offenders and deter crime. It also acknowledges that rehabilitation services should be based on equitable local partnership arrangements between the public, private and voluntary sectors. However, rather than vision or principle, it is pragmatism driving the measures announced to date. The appeal to civic participation is simply an attempt to fill the gap in national government spending by localising the economy. As it fails to engage with the wider social issues of citizenship, social inclusion and social capital, its concept of community is ill-defined and its model of civic participation unrealistic. Economic heterogeneity, not to mention cultural and religious diversity, matter for the generation of civic engagement; particularly in relation to crime prevention, a policy objective beset with conflicting aims and objectives as well as contentious relationships at national, regional and local levels.

Essentially, the proposals contained in the Green Paper are more concerned with evolution than revolution. In reaffirming the primacy of collective moral values and
advocating the de-monopolisation of responsibility, it must be seen as another in a long line of authoritarian penal policies which, as Lacey (2008) has observed, are characteristic of neoliberal political economies generally. Government appeals for increased public involvement in social affairs are nothing new. Grounded in anti-statist economic perspectives espoused during the last world war (for example see Hayek, 1944), since the mid 1970s, the idea that society should be opened up to voluntary initiative and private entrepreneurship has underpinned the emergence of new right of centre governments on both sides of the Atlantic. Yet the intention to relinquish power has never been total. Whilst neoliberalism has been willing to get out of the way when it comes to the economy, it has demonstrated a marked reluctance to distance itself from matters of social control. Notwithstanding the high-flown rhetoric of rehabilitative and transformative optimism engaged in by members of the present government, the administrative and enforcement-oriented penal rationalities privileged by such regimes remain firmly in place, and managing the risk of actual and potential offenders continues to be the overriding priority.

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