

Chapter 7

Constructing a Feminist Desistance: Resisting Responsibilisation <1>

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Introduction <2>

Desistance theory, which examines how and why people stop offending, has occupied an increasingly central position in criminological discourse over the past 30 years. More recently, criminal justice policy and practice have witnessed a shift towards the uncritical proliferation of desistance (gov.uk, 2019; Carr, 2021) which, in turn, has taken an uncritical examination of 'crime' and 'offending' (Graham and McNeill, 2018). Whilst desistance theory was conceptualised around the experiences of white men (Gålnander, 2019), more recent examinations of the operation of desistance have explored women's experiences (Rodermond et al, 2016; Hart, 2017a; Österman, 2018; Barr, 2019, Gålnander, 2019). Nonetheless, Criminology's focus on desistance theory is illustrative of its phallogocentric occupation and this chapter will discuss the implications of this wilful acceptance in criminal justice policy and practice on the experiences of criminalised women. The chapter goes on to consider an alternative anti-carceral, intersectional feminist way forward which directly challenges the current ineffective theory, policy and practice which dominates not only state responses, but also criminology.

Women's experiences are subjugated within all areas of criminal justice and criminology. Where they are considered, their experiences are presented as support for traditional perspectives and (neo)liberal reform with emphasis on individual change and responsabilisation (Hart, 2017a; Elfleet, 2021). Whilst there has been a relatively recent move to focus on the relational (rather than individualised) aspects of desistance, at least within the literature and some more critical desistance research (Weaver, 2019), what is missing is a truly structural, intersectional feminist analysis. As Anette Ballinger discusses in Chapter 2 of this collection, feminist epistemology is necessary to uncover and rebuild discourses about the reality of women's experiences and the gendered social order. It is also crucial that this feminism is grounded in abolitionist thinking and this chapter will

argue that intersectional anti-carceral feminist desistance approaches must pave the way forward for both critical criminology and feminist praxis.

This chapter presents three key areas for consideration in building a feminist desistance. Firstly, this chapter will critique the drive of desistance praxis which has perpetually encouraged offenders to (re)enter and engage with 'conventional society' and develop and maintain social bonds that will support desistance trajectories. This chapter will question what 'conventional society' might look like (Graham and McNeill, 2018), particularly for criminalised women, and argue that it is imbued with responsabilisation and stigma and that 're/integration' (Graham and McNeill, 2018; Carlen, 2012) is often not possible, nor desired. Secondly, a discussion will examine the implications of desistance research and theory on state discourse around supporting desistance. We argue that a concentration on agentic, individualised desistance, as well as uncritical promotion of relational desistance, has resulted in state support for responsibilised criminalised individuals making changes to their own lives, in the absence of robust structural support mechanisms. This has a disproportionate impact on women, but is relevant to all criminalised people. As van Ginneken and Hart have argued 'the desistance process may differ for offenders who face challenges specific to their sentence, history or circumstances' (2017c: 5). Criminalised women, as examined below, may have experienced a roster of similar harms and trauma including poverty, violence, abuse and discrimination, and these circumstances often do not disappear when desistance attempts are made. An ever-increasing responsabilising discourse from the state sidelines, yet entrenches, these shared and individual harms. Thirdly, this chapter will outline how the bulk of desistance literature has not critiqued the role of the prison, nor the wider aspects of the criminal justice system in creating social harm, beyond contributing to, or standing as a barrier to, desistance from crime. The complex gendered pains and long term consequences for women prisoners need to be examined through a feminist, and ultimately abolitionist, lens in order to fully understand the damage women's involvement in criminal justice has, particularly during a time of carceral expansion and recent government policy to expand the women's prison estate (Gov.uk: 2021). We

conclude the chapter by putting forward our vision for anti-carceral, intersectional feminist desistance research, theory, policy and practice.

Conventional Society <2>

Central to much desistance research, theory, policy and practice is the idea that it is important that desisters maintain, or develop, bonds to conventional society. This is particularly salient in the 'social bonds' literature, emerging from Sampson and Laub (1993, 2003) but is also present in more recent desistance literature. McNeill (2016) for example, proposed a notion of tertiary desistance following primary (act desistance) and secondary (identity desistance) (Maruna and Farrall, 2004). Tertiary desistance is related to shifts in belonging to a moral and political community. Graham and McNeill (2018) note this involves not only the compliance with the law involved in primary desistance, and the generativity involved in secondary desistance, but also being a 'recipient of social goods' (Graham and McNeill, 2018: 436). Whilst McNeill (2016) and Graham and McNeill (2018) argue that, particularly within punitive societies, there are structural barriers to achieving this sense of belonging, particularly when there is discrimination and exclusion experienced by the criminalised individual related to greater and greater post-punishment disqualification, this analysis misses the experiences of inequality and exclusion involved in the lives of criminalised women (and men) pre-, during-, and post-punishment.

It is important to consider the relationship with 'conventional society' that any potentially desisting cohort examined in the desistance research has. As noted by Nugent and Schinkel (2016) some of the most cited desistance research is based on particular groups who are more likely to experience the welcoming arms of conventional society. Aresti et al (2010), for example, base their research on men who were university students or had secured a conventional career, whilst Maruna's seminal study recruited either those 'actively persisting' or 'successfully "going straight"' (2001: 48), the latter likely to be those, by definition, with an amount of social capital unlikely to be present in the lives of criminalised women. Whilst Nugent and Schinkel, on the other hand, base their research about the difficulties maintaining desistance, on two cohorts: young people, including one

young woman, with a short criminal career, and men on licence after a long period of incarceration, the particular *gendered* pains of desistance have not been examined.

A focus on an ostensibly apolitical 'conventional society' within much of the male-focussed desistance literature misses a critical analysis of how the combined forces of patriarchy, neoliberalism and neocolonialism work intersectionally to produce a 'conventional society' which is hostile to criminalised women. It is well known that before coming into contact with the criminal justice system, criminalised women are likely to be victims of gender-based violence and childhood abuse, and are likely to be in poverty. Black and brown women are overcriminalised. Women in prison are 5 times more likely to experience poor mental health than those in the general population. They are often in prison for non-violent offences, are separated from their children whilst in prison, often far away from home, and once released, 2 in 5 are homeless (Women In Prison, 2021). Before leaving prison, women have the desire to 'go straight', but lack the social, cultural, economic and symbolic capital to be able to do so (Hart, 2017a). A focus on *belonging* in society also ignores the role of the state in producing and upholding gendered and social inequalities, including and beyond post-punishment disqualification. When women are victims of gendered violence including rape and sexual violence, they are unlikely to receive justice within a misogynistic criminal justice system. As revealed in an Observer investigation (Townsend and Jayanetti, 2021), police officers have been involved in a long list of sexual misconduct allegations, including 594 allegations against the Met alone from 2012-2018. Indeed, in the beginning of Spring 2021, allegations of sexual misconduct amongst police officers were so abundant that it led MP Harriet Harman to conclude that the "system fails women and protects men" (Townsend and Jayanetti, 2021). Beyond the violence of the criminal justice system, women, and women's community groups, are disproportionately likely to be suffering from the violence of austerity (Mansfield and Cooper, 2017) and from the ongoing devastation caused by the inadequate state response to the Covid-19 pandemic, which has seen a disproportionate loss in women's jobs and an increase in unpaid caring roles, whilst gendered violence including femicide is on the rise (European Commission, 2021). 'Conventional society' for criminalised women is not a welcoming place.

It is perhaps obvious, but also pertinent to note that the intersectional subjugations experienced by criminalised women as they attempt to desist in conventional society can result in barriers to desistance from crime. In her cross-national comparison of English and Swedish criminalised women's experiences of desistance, Linnéa Österman (2018) notes that English women experienced more 'pathway luggage' (challenging issues and experiences in the woman's biography that link to her pathway into crime) in their 'desistance journey' and less formal support. However, negligence or failure by social services was universal but nuanced – English women largely experienced inaction whilst Swedish women were failed by the nature of the action which was institutionalised, compulsory or medicalised from early on. This finding suggests that bonds to conventional society are affected by structural inequalities in a range of societies. Österman argues that whilst there is a prominent focus in the desistance literature on the transformative effects of employment, there is less of a focus on the experience of a lack of access to a liveable income, which was found to be particularly prominent in the English data. This is arguably particularly a feature in England where the 'working poor' are a salient reality in late capitalism with their experiences linked to zero hours contracts, anti-welfare commonsense (Jensen and Tyler, 2015), austerity and more recently, the disproportionate impact of Covid-19. Österman identifies a 'survival narrative' for those on low/no income which included resorting to sex work. Depression and unprocessed trauma were common cross-national experiences which were experienced as barriers to change. Yet there were differences in the cohorts. Österman found there were myriad 'structural ladders' present in the Swedish data, so much so that one participant (Eva) noted that "so many doors exist... an array of fantastic back up" (p.122) including conversation therapy, residential rehabilitation, access to free psychologist support including support centres, sexologists and drug support centres, probation, counselors, drugs-, finance- and housing- support counselling. Österman found that, within the Swedish data, the notion of human support built on trusting relationships, safety and legitimacy were key. Within the English narratives however, structural support only ever emerged in conversation when women referred to its absence. Whilst supportive family relationships provided valuable 'scaffolding' for the women, intimate relationships more

often acted as a barrier to the women's routes out of offending. These issues surrounded abuse, a gendered caregiving narrative where women were assumed to be able to support desisting men (discussed further below), and issues in relation to childcare. Above all, Österman noted a distinct lack of agency and 'choice' in the English women's narratives and noted that they experienced a significantly higher number of, and intensity of, barriers to desistance than the Swedish women. As Grundetjern and Miller (2019) note, this can lead women to continued offending in places where they can achieve empowerment, for example by drug dealing. This was also a finding of Barr and Christian's (2019) research, where women found empowerment and escape from abusive relationships within their drug dealing. As argued by Grundetjern and Miller (2019: 431): 'If the 'replacement self' on offer to women is one that ties them to gendered constraints, women who find empowerment in their offending may be understandably resistant to such change'. It is fair to conclude therefore, that the inequalities and marginalisations experienced by women in conventional society can stand as barriers to their desistance. Why criminalised women would want to form bonds to unequal and marginalising societies should also be questioned.

One trope of the desistance literature is the often uncritically presented 'professional ex' or generative actor who seeks to redeem themselves, often through taking on voluntary positions (Maruna, 2001, Weaver and McNeill, 2010). This is a central feature of secondary or 'identity desistance' (Maruna and Farrall, 2004). Not only is the conventional society to which the criminalised individual is 'giving back' left uncritiqued, but the unpaid work itself is presented in a normative fashion. This masks the embedding of inequalities created by neoliberalism, patriarchy, neocolonialism, heteronormativity, ableism and other structures which stigmatise and other particular groups, including criminalised women, in conventional society. It also masks the individualistic, responsibilised ideology which promotes unpaid work (for some). Whilst the benefits of voluntary working are well known, and indeed were expounded upon by the research participants in Barr (2019), there is a real and present danger that the policy message is that criminalised individuals - and women in particular, who are already disadvantaged by

the burden of unpaid care work and further stigmatised by their 'double deviance' - should be encouraged to take on unpaid positions to 'give back' to the society that they 'wronged'.

Notably, Nugent and Schinkel (2016) found that their one young woman respondent was more determined and, indeed, more successful in her 'relational' attempt at desistance, particularly by repairing bonds with her family, corresponding with previous desistance research on girls (Barry, 2006, 2010). Yet, stigma can be gendered in the experiences of criminalised women, and when women are victims. This can result in both poor relationship experiences and a denial of victimhood (Rutter and Barr, 2021). Shame and stigma can affect women's relational networks, particularly where criminalised women are seen as doubly deviant (Worrall, 1990). Gålnander (2020) notes that women in his desistance study employed concealment as a stigma management tool, something which he noted created a barrier to generativity and ultimately to achieving the relational desistance which they desired. Gålnander (2020) also contends that reintegrative shaming (Braithwaite, 1989) may not be useful, nor indeed possible for criminalised women. Gålnander (2020: 1317) concludes that relational, tertiary desistance should be 'conceptualized more in terms of the importance for desisters to gain social recognition as 'normal' or be included in mainstream society, and with less focus on recognition of change, from something 'bad' into something 'better''. Imogen Tyler (2020) has explored the particularly gendered experiences of stigma, noting that stigma is not a neutral sociological experience, but something which is tied closely to systems of power. Indeed, Tyler traces the etymological origins of stigma to the branding of slaves, branking (gagging) of women in public spaces, and penal tattooing, which she relates to 21st century online (and offline) misogynist vitriol and threats of violence. Tyler discusses a long history of gendered penal stigma arguing 'the history of racial capitalism cannot be separated from regimes of patriarchy - stigma power functions intersectionally' (2020: 82-3). Therefore, rather than criminalised women being encouraged to be seen as 'normal' within mainstream (patriarchal, neoliberal, neocolonial) society, what is more important is a critical analysis of, and resistance to, the structures of patriarchal racial capitalism that provide the backdrop to their experiences of stigma which surrounds their victimisation, criminalisation, and desistance.

Further, regarding relational desistance, Nugent and Schinkel (2016) note their young men respondents' reliance on girlfriends to maintain their desistance, indicating the additional burden of care shouldered by women, often criminalised themselves. In Barr's (2019) research, evidence of criminalised women supporting their male partners' desistance was also present. As Halsey and Deegan (2015) argue, these women are a highly marginalised and often traumatised group. Criminalised women are often responsabilised to desist themselves, whilst living with the expectation that they will support other's (the men in their lives') desistance. There are further gendered aspects to relational desistance. As contended by Barr and Christian (2019) any consideration of criminalised women's desistance which does not consider gendered violence is incomplete. As noted above, women who enter the criminal justice system are likely to have experienced childhood abuse. Criminalised women are likely to have experienced domestic abuse from a current or former partner. Indeed, women who successfully present as desisting can be simultaneously in abusive, violent and controlling relationships which encourage this desistance from crime (Barr and Christian, 2019). The enduring consistency of experiences of violence within the criminal justice system with experiences of violence outside the criminal justice system, *some of which present as a move away from crime*, calls into question the impact of uncritical relational desistance theory and its promotion in policy and practice. Intersectional anti-carceral feminist praxis is required both to support desistance from crime and desistance from harm (Barr, 2019) more generally.

By considering the realities of 'conventional society' in the lives of criminalised and desisting women, the promotion of connections to such a society within understandings of desistance can certainly be called into question. Österman (2018) sets out the numerous barriers to desistance experienced by criminalised women in conventional society in England and Sweden, characterised by a lack of social support and agency, in-work poverty, abuse, and trauma. Women are unlikely to receive the 'social goods' (McNeill, 2016; Graham and McNeill, 2018) involved in tertiary desistance. Yet it is not only where desistance is not forthcoming that criminalised women face the harms of

conventional society. In the taking on of the generative roles espoused by the mechanisms of secondary desistance, women are often encouraged/ coerced into unpaid voluntary work, something which is particularly jarring in the age of in-work poverty and within the contexts of women already overrepresented in unpaid caring positions. Stigma, as Tyler (2020) has persuasively argued, should be viewed as a concept imbued with, and emerging from, the structural forces of patriarchal racialised capitalism. When stigma is contested in the lives of criminalised women, rather than a promotion of women to be included as 'normal' within mainstream society, it is the very structural forces which inform mainstream society which therefore require resistance. The patriarchal contexts which surround relational desistance are further overlooked by traditional (male- and agentic-focussed) desistance theorists where abusive relationships are not considered. Indeed these relationships can often quantitatively produce a period of desistance (Barr and Christian, 2019). Women are further marginalised by desistance literature when they are promoted as the - figuratively and literally - supporting character to men's desistance journeys. These arguments have concluded that conventional society is structured by heteropatriarchy, neoliberalism and neocolonialism which create harm for criminalised women. At times this harm may even promote desistance, certainly the non-desistance-curtailling harm is overlooked and disregarded by the bulk of desistance theorists. In addition, the harm of desistance theory which promotes (neo-) liberal reform and individualised responsabilisation within criminal justice policy and practice must be recognised and contested. In the following section, we consider the state's understanding of desistance, particularly in contrast to intersectional feminist understandings of the experiences of criminalised women as they attempt to desist.

Implications of desistance research on state policy and practice <2>

Desistance research has no doubt had an influence on current criminal justice policy and practice (Carr, 2021). The prison and probation service have produced guidance on desistance on their website (Gov.uk, 2019). The website is a good indication of hegemonic state understandings of desistance theory. This guidance appears to be influenced by a number of key desistance studies (Maruna and Mann, 2019; Maruna, 2017; McNeill et al., 2012) and the work of charity organisations (Revolving Doors

Agency; CLINKS) as well as research by NOMS and the Scottish Justice Directorate. There is no indication as to why these particular studies are included on the website and although this chapter does not have the scope to examine in detail each of the documents linked on the website, a brief consideration here is illuminating in determining the state's understanding of desistance. The Revolving Doors Agency report (Terry and Cardwell, 2015) brings together a meta-analysis on desistance from offending, recovery from mental illness and recovery from substance misuse. As the authors note, desistance requires maintenance over time 'in the face of stigma, anxiety and fear, barriers to opportunities and social exclusion' (p 5). Rather than finding that success is found in resistance to these structural barriers, in support and love, the finding is that what is important are 'personal skills and capabilities, support networks, self-confidence and location' (p 5). The authors particularly highlight the 'crucial role of agency and subjectivity' (p 6). This is certainly a convenient conclusion for the state. The later finding that 'Eliminating discrimination, stigma and inequality will support people's journeys of recovery and desistance' (p 19) is less embraced by the government's advice on the website. Maruna and Mann's (2019) research meanwhile concludes that the experiences of successful desistance cohorts 'suggest that people are more likely to desist when they have strong ties to family and community, employment that fulfils them, recognition of their worth from others, feelings of hope and self-efficacy, and a sense of meaning and purpose in their lives' (p 7). Maruna and Mann point to both the importance of social supports and structures as well as individuals' identity, sense of self and patterns of thought. The government advice seems to particularly be focussed on the latter conclusions. Similarly, Maruna's (2017) argument, presented on the government's website, that desistance should be seen as a 'social movement', with attention given to the structural obstacles in the way of a 'desistance-informed' future, is largely not reflected in the government's advice. Instead, the argument that desistance is different from rehabilitation-focussed research and practice, seems to have been seized upon by the state to place a focus on responsabilised individuals (and responsabilised close partners/ family members/ friends) making changes to their lives, in the absence of any input from the state. This willful ignorance of the centrality of powerful structures having influence on criminalisation, victimisation and desistance in more critical desistance

research (Hart, 2017b), alongside a particular reading of the well-cited male-focused traditional studies, to the benefit of an agentic focus, has produced an individualised responsabilisation narrative in the government's advice.

The desistance advice on the website does not contain a list of state resources for financial, housing, employment, education, mental health or refuge support. Whilst education, housing and employment are presented as desistance supporting, these are presented as individualised 'routes out'. There is no 'array of fantastic backup' presented, as Österman's participant, Eva found in Sweden (2018: p.122). The government advice instead adopts a responsabilising narrative both for the desisting individual and their supporting friend, partner or relative who is seeking out the advice. On the whole, the advice appears to take a 'responsibilising- relational', social bonds perspective in the encouragement of desistance (*'encourage pro-social recreational activities so they can meet people with similar interests and develop positive support networks'*). The meaning of 'pro-social' here is ambiguous. There is a theme of individualised (neoliberal) self-empowerment running through the advice (*'support them to develop the things that help them to move away from crime' and 'build a positive, collaborative relationship communicating respect and encouraging self-respect'*) whilst also noting the importance of alternative identities such as *'student, employee or parent'*. There are key traditional cognitive desistance findings (Burnett and Maruna, 2004) and advice presented, for example around the role of hope (*'convey a belief in them and a sense of hope and optimism about how they can live a better life and about their future'*.) Generativity is also presented in an uncritical fashion (*'help them to recognise what they can give to others, or contribute to their community'*) whilst there is no recognition of the abusive interpersonal relationships and trauma criminalised people, and women in particular, are likely to have experienced, nor an indication as to why they might experience a lack of hope. Interestingly, there *is* a recognition of the role of stigma in a criminalised individual's life and 'desistance journey' (*'having a criminal record carries a huge stigma and limits opportunities for success and reinforcing this stigma isn't helpful'*). However, there is a vacuity of awareness of the role of the state and intersecting powerful systems which create this stigma. As Tyler (2020) would argue, there is a purposeful lack of recognition

of the role of stigma power. The final advice around what not to do to support desistance is not to tell the potential desister '*you have given up on them*'. Of course, this final, scaremongering, piece of advice has particular implications for the women supporting men's desistance, as well as family and friends supporting criminalised women's desistance, with a dearth of structural support. The take home message of the government's guidance on desistance is that this is a 'journey' which can, and should, be supported by well-meaning family and friends but is ultimately an individual crusade, with the responsibility for desistance placed clearly and completely away from the state. Meanwhile, within the advice is a clear picture of an ideal responsabilised individual - a 'family man/ good mother' who contributes to society by their involvement in both paid work and 'generative' (free) labour. Not only does this uncritically favour a heteronormative 'good capitalist', this advice also does not examine the structural barriers, stigma power, inequality and processes of exclusion which can stand in the way of desistance.

This policy focus on individualism and the neoliberal discourse of responsabilisation is not a new direction when it comes to the state's understanding of criminalised women's experiences. This language is also reflected in the 2007 Corston Report (Corston, 2007), The Female Offenders Strategy (MoJ, 2018) and The Farmer Report (Farmer, 2019) into the importance of strengthening female offenders family and other relationships to prevent reoffending and reduce intergenerational crime (Rutter and Barr, 2021; Booth et al., 2018; Elfleet, 2021) Within each of these policy documents is a particular (neo)liberal 'feminist' understanding of 'empowerment' and a promotion of resilience. As Elfleet (2021) has argued, this is omnipresent in the day-to-day practice of Women's Centres set up in the aftermath of the Corston Report (2007). Although these documents do not explicitly refer to desistance theory, it is no doubt that a particular understanding of desistance has been, and will continue to be, politically useful in securing support for the notion of individualised change and (neo)liberal reform. Within the summary of evidence on reducing reoffending (MOJ, 2013) that supported the since widely condemned Transforming Rehabilitation agenda which led to the short-lived privatisation of probation, was a section, however, summarising desistance theory and research. In particular the

evidence presented included the importance of maturity, family and relationships, sobriety, employment, hope and motivation, having something to give to others, having a place within a social group, not having a criminal identity, and being believed in. Again the focus on individualised change is clear. Desistance research and theory has had a clear impact on criminal justice policy, practice and advice (Carr, 2021). As argued by Weaver (2019: 653), 'interpretations, in policy and practice, of desistance processes are prone to being over-simplified, generalized, decontextualized and individualistic'. The hegemonic understanding of desistance is influenced by male-focussed, individualised theory which has had a clear impact on responsabilisation discourse. In the final section, we examine the alternative opportunities presented by an anti-carceral, intersectional feminist approach to desistance theory.

An anti-carceral, intersectional feminist approach <2>

This final section will argue how the bulk of desistance literature has failed to engage with any meaningful critique of the role of the prison or the wider harmful elements of the criminal justice system, beyond outlining how the carceral state broadly contributes to or stands as a barrier to desistance from crime. An anti-carceral, feminist desistance must engage with abolitionist rather than reformist approaches to prison and incarceration. The complex gendered pains and long term consequences for women prisoners needs to be examined through a feminist but also ultimately an abolitionist lens in order to fully understand the damage women's involvement in criminal justice has, particularly during a time of carceral expansion and recent government policy to expand the women's prison estate (Gov.uk, 2021).

The issues surrounding women's prisons and women offenders' experience of custody are crucial here. The gendered pains of custody and the consequences for desistance and women's well-being more widely, is not to be underestimated. This is not a new statement, Crewe et al (2017) have detailed the particular gendered pains of imprisonment, noting both that 'the pains and problems of long-term imprisonment were experienced with significantly greater severity by the women than the men' (p.1365) and

that women's experiences of pain in prison whilst serving long sentences should be understood in the context of life course experiences of abuse and trauma.

Despite repeated highlighting of gendered abuses, pains, injustices and traumas as a result of prison (Carlen, 1998; See also Atkinson, Monk and Sim, Chapter 10 in this volume) in particular, but also probation and Criminal Justice based responses more widely, little has changed in relation to policy development or practice when working with women offenders. The outcomes driven nature of funding streams for work with offenders and the way in which this lends itself to more individualised interventions that can 'evidence' results, has created a self-perpetuating cycle where one process bolsters the other.

Research with a more critical edge has demonstrated problems around resettlement, re-offending and desistance during and following a custodial sentence. Research into women prisoners has found that a responsabilisation agenda that permeates the prison has a detrimental impact on prisoners' ability to prepare and plan for release (Hart, 2017a). Also, Carlton and Segrave (2013) provide a series of critical essays documenting the struggles women face post release internationally. Prison can also delay maturation (Leibling and Maruna, 2005), weaken bonds between the prisoner and society (Condry et al, 2016) and render prisoners detached from the routines that need to be established when in the community (Schinkel and McNeill, 2016). More critical research by Sered (2021) into women formerly incarcerated on long term sentences in Massachusetts, has argued that conventional measures of recidivism and desistance have undervalued the importance of macro barriers such as housing and employment and focused on individual choice. This is despite these 'choices' being constrained by said structural issues and the vulnerable and marginalised nature of women caught up in the Criminal Justice System.

Desistance researchers and penal reformers have certainly argued for a reduced reliance on custodial sanctions (McNeill and Weaver, 2007; Hough et al, 2012). However, the reformist trajectory of desistance research and criminal justice practice has led to the continued notion that prison could work under certain circumstances. As

stated above, this notion is bolstered by policy developments that mean prisons (like probation) are increasingly judged on their re-offending rates and outcomes.

As Olufemi (2020: 111) has argued '*Prison provides an individualistic response to harm- it locates the problem in the body of the 'bad' person rather than connecting patterns of harm to the conditions in which we live.*' These connecting patterns of harm are felt particularly acutely by women offenders. It is important, therefore, to understand these pains of imprisonment and patterns of harm as reproductions of abuse in the narratives of criminalised women. The focus and drive of future desistance studies on and around women must therefore be abolitionist in nature and any desistance study which is not abolitionist can therefore ultimately not be feminist.

Reformism in desistance research has also led to the stagnation of more imaginative, radical and abolitionist policy and practice. Calls for the abolition of women's prisons should not be a niche or radical proposal when most women (72%) in 2020 who entered prison under sentence did so for committing a non-violent offence (MoJ, 2021). This reformism and previous governments failures to take radical action, is now being exacerbated by the current British Conservative government's ideologically driven funding cuts to welfare service provision flanked by their ongoing program of prison building and carceral expansion (Gov.uk, 2021). The potential for penal policy around decarceration for women and the now long held belief that prison based solutions are harmful for women and their families is currently in tatters following the Conservative government's decision to spend £150 million on building 500 more prison places for women.

These are imminent and worrying plans being proposed and carried out by the government in regard to women and trans prisoners that need to be resisted as a matter of urgency. Hart (2017b) has previously argued for a 'critical desistance' approach, grounded in the abolition of prisons and punishment, rather than the reform of a system that seems to restrain desistance trajectories. The suggested framework for developing a 'critical desistance' has multiple components, including the need to engage with wider political and abolitionist movements and forms of social resistance. This is particularly

important for an intersectional feminist desistance approach which must locate and ground desistance and anti carceral based research within social movements and campaigning. There is much work to be done and carceral expansion is being actively resisted by networks of grassroots groups such as Community Action on Prison Expansion (CAPE, 2021).

It is crucial therefore that feminist desistance researchers work to find routes out of and away from women's imprisonment that are abolitionist in nature, that instead engage with community and transformative justice based solutions. Such research should also work to stop the abusive violence that permeates institutional and domestic spheres without relying on the harmful and violent carceral answers to solve problems. Currently the majority of existing desistance theory and criminal justice practice are incompatible with intersectional feminist theory and epistemology, which rejects neoliberal and carceral solutions and is incompatible with an abolitionist model of critical desistance (Hart, 2017b). Instead of continued research into how to encourage and foster resilience in women, feminist desistance researchers need to be working to change the systems that are making these women vulnerable.

Conclusion <2>

Grounded in the experiences of white men, desistance research and theory has avoided a truly structural intersectional analysis. Stigma-power has been described by Imogen Tyler (2020: 260) as 'the machinery of inequality' and it is clear to see how the uncritical promotion of desistance from crime as a stigma avoidance mechanism can be a source of harm in the lives of criminalised women. When desistance research and theory promote (re-)engagement with conventional society, the inequalities and subjugations experienced by particular groups, including women, are obfuscated. Capitalism, colonialism and patriarchal conditions particularly intersect to ensure that criminalised women are not supported to desist in conventional society. Encouraging desistance from crime for criminalised women, and the partners they are expected to support, whilst

ignoring the abuse, racism and poverty criminalised people and their families face, is an additional source of harm.

It is important that we challenge responsabilising, individualised desistance discourse, particularly when it is adopted by the state. Hegemonic understandings of desistance can and do have harmful implications for the lives of women drawn into the criminal justice system, their families and friends, as well as those outside it. Responsibilisation is often fully integrated into the application of traditional desistance theories and therefore also becomes the end product, leading to a focus on the presence or absence of agency and resilience in women. Victimhood is erased by neoliberalism when the ideal neoliberal subject 'is one who faces adversity and makes the best of all situations' (Phipps, 2014: 34). Desistance theory and practice must challenge this individualised discourse.

Whilst the role of the state is minimised in the promotion of an individualistic approach to desistance research and theory, the nature of neoliberalism and the role of the carceral state is promoted in desistance research and theory which advocates for the use of the (often reformed) prison, probation or part-privatised criminal justice service. An opposing feminist body of work is well-versed in the harms of the criminal justice system for women (McNaul, 2021; Taylor, 2018). This is particularly salient at the time of writing with the recent announcement of 500 new prison places for women in the UK. Yet, there is perhaps room for hope in the renationalisation of the probation service and, particularly, in the increased anti-carceral element to feminist activism. With this context in mind, we put forward a framework for an intersectional, anti-carceral feminist desistance:

- 1.) Desistance theory, policy and practice must call for the immediate abolition of women's prisons and, in particular, the expansion of the women's prison estate requires swift resistance. Imprisonment is antithetical to desistance, but further to this is associated with a number of significant harms. The focus requires a shift therefore to community resilience and transformative justice (McNaul, 2021) models of desistance.

- 2.) Key to an abolitionist desistance-focused future is wider welfare-based interventions and structural changes that crucially do not serve to maintain the existing systems. The punitive tendencies of the state under contemporary neoliberalism utilise divisive means to maintain legitimacy for the system. The introduction therefore of non-reformist reforms (Hart et al, 2020) such as the removal of criminal records (as barriers to employment); decoupling of drugs from the criminal justice system; decent quality social housing for all; safe spaces for women and children; truly accessible mental health support; fairly paid and unionised employment and access to universal education needs to be promoted.
- 3.) Structural gendered inequalities shape women's experiences of criminalisation, victimisation and desistance. An intersectional anti-carceral feminist desistance means resistance to all forms of gendered violence - at the interpersonal level, at the cultural level, and the level which is state sanctioned. As Sisters Uncut have recently argued

'What could lessen the likelihood of our experiencing violence... are things such as radical and comprehensive sex education, expansive notions of gender, the abolition of exploitative work practices that condone and encourage abuse, properly funded domestic violence services, scaled-up community intervention, robust accountability processes, and a system of benefits that enables people to live comfortably so that they can escape abuse if they need to' (Sisters Uncut, 2021).
- 4.) As alluded to above, empowerment and structural support must not be linked to traditional and heteronormative models of gender and must also be trans-inclusive. Desistance research and policy has given weight to a heteronormative agenda and this should be resisted at all turns.
- 5.) Desistance theory, policy and practice must account for and value women's lived experiences. Listening to women and their often erratic subjective experiences must inform desistance theory, policy and practice. Evidence (Hart, 2017a; Barr, 2019) shows the issues women need to deal with to avoid a continued disrupted and traumatic future life and it is not a desire to be seen as 'normal' or to be accepted by some flawed notion of society.

Intersectional feminist approaches to desistance which consider structural and systemic inequalities which can stand as barriers to desistance from both crime and harm, illuminate the possibilities of an anti-carceral feminism and abolitionist futures. This shift in focus to community empowerment, the resisting of heteronormative, neoliberal understandings of the good life, a trans inclusive approach and ultimately resisting individual responsabilisation has the potential to make real changes to work and support with the vulnerable women and their families that are currently damaged by the extreme criminal justice related harms but crucially this framework can inform and alter existing desistance praxis.

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