

Features

Probationary: The Game of Life of Licence

Anne Hayes, Will Jackson, Emma Murray and Steve Wakeman

Our research aims to understand how artworks produced through collaborative methodologies can contribute alternative forms of knowledge to policy discourse. We want to explore the potential of a partnership between criminology, art, and penal reform agendas, which align scholarship, artistic practice, and campaigning to harness the messages contained within each piece of co-produced art. Our first project has focused on the probation system in England and Wales and suggests that this way of working has much to offer campaigns for change in the criminal justice system.

*Probationary: The Game of Life on Licence*¹ was created through workshops with men on licence and explores the lived experience of being on probation. It takes the form of a board game and takes its players on a journey through the eyes of four playable characters as they negotiate the complexities of the probation process. Board games, from *Monopoly* to the *Game of Life*, contain within them the structures and values of the society in which they are produced, presenting back to us the world in



which we live. Taking this as a starting point, *Probationary* reflects real experiences of being subject to the criminal justice system and presents us with an opportunity to collectively play, understand and discuss such systems within our contemporary society.

As an artwork, the board-game was produced through socially engaged art (SEA) workshops with men on licence, which asked the group to consider their understandings of 'justice', 'luck', 'equality', and 'sentencing'. As an artistic approach, participatory methodologies are employed

¹ Created by Hwa Young Jung with men on licence. Commissioned and produced by FACT, supported by Liverpool John Moores University

throughout the production of works, placing individuals and communities at the centre of the collaborative creative process. SEA's treatment of social and political issues is often associated with activist strategies – referred to by some as 'artivism' – an approach which merges 'the boundless imagination of art and the radical engagement of politics' (Jordan, 2016:1). To align criminological scholarship, and policy reform agendas, at the boundaries of art and activism, is to draw upon the transformative and poetic qualities of art, to mobilise, and to inspire.

Art in the criminal justice system

'Traditional', (if there is such a word in relation to this field), arts-based interventions within the criminal justice system are as vast as they are varied. They tend to fall within the areas of prevention; intervention; and resettlement, and involve a diverse range of activities usually incorporating a creative, affective, and reflective dimension. The transformative, therapeutic value of the arts within criminal justice settings cannot be underestimated and there is a wealth of evidence documenting their benefit and impact in relation to meeting the needs of prisoners, as a route to education, accessing cultural communities, increasing social participation, recovering health, improving rehabilitative effects, etc. (see <http://www.artsevidence.org.uk/>). The current criminal justice landscape is ripe for arts-based interventions to take centre stage. The Lammy Review was welcomed by the Arts Council in relation to the ability of the arts to access people from BAME backgrounds

throughout the criminal justice system; the Culture White Paper, published in 2016, referenced how cultural interventions can be beneficial to prisoners, ex-offenders, and those 'at risk'; and the Review of Evidence published by the National Offender Management Service (NOMS) in 2013 linked arts projects to the process of desistance from crime (Burrowes, 2013). This landscape along with the opening up of the rehabilitation market-place by the Ministry of Justice in 2013, in principle, provides opportunities for arts-based projects.

However, there are arguably problems with the way in which arts based interventions are understood and evaluated by government. This is exacerbated by the fact that many small arts programmes do not have the financial stability and they are required by the contracts that payment is restricted to services that deliver 'real reductions in reoffending' (MOJ, 2013:6) which is problematic. Many arts-based programmes successes are linked to 'soft' outcomes that involve changes within the individual. Examples include increased self-esteem; growth in confidence; raised aspirations; better health and wellbeing; improved behaviour and conflict management; healthier psychological well-being; stronger familial relationships; greater communication skills; and reversing negative social attitudes (Hughes, 2005). These 'soft' outcomes should not be under-valued and can be crucial in an person's journey to desistance, as individuals redefine themselves and change their notion of self (McNeill et al, 2011). However,

they are difficult to measure and quantify against 'hard' outcomes that involve measurable changes, like stopping offending, improved educational attainment, etc. We agree that the government should retain a commitment to the arts in this context and should rethink the way that impact is measured. We recognise that there is a great deal of excellent work being done to explore the therapeutic potential of the arts in the criminal justice system but as, explained above, activism is based on a different understanding of the qualities and potential of art. The aim of this work is not only to effect change on individuals at an individual level, but to seek transformation at a systemic level too. In the current criminal justice context, we are therefore seeking to utilise the space opened for the arts, to ask difficult questions, including of the state, by critically exploring and challenging existing understandings of the experiences of the criminal justice system.

Creative criminology and art as method

We also believe that this project has potential for the wider field of criminology as it represents an alternative method of *doing* criminology; that is, an alternative way of learning about crime, deviance, and the agencies/systems of their control. The need for this is well established, and we would hardly be the first to note that criminology as a field is characterised by a rigid adherence to established social scientific research practices. While it is important to stress that this isn't necessarily a bad thing in and of itself, what we hope to show here is that there *are* alternative ways of

doing things which can have very interesting results. In this instance, both the collaboration with art and the co-production of a board game tells us more about 'life on licence' than more traditional approaches such as interviewing probationers. It represents an alternative way of doing criminology and has underpinned the production of alternative knowledge. In this respect, we think our approach has pertinent implications for the wider field.

In embracing 'play' as a constructive medium, we were able to learn about the experiences of life on probation in ways that other methods might not have facilitated quite so easily. Gadd and Jefferson (2007) were some of the most prominent criminologists to stress the importance of reading data critically in criminology, and not simply 'telling it like it is'. We shared their beliefs here, and sought to 'read' the production of the game as data to be learnt from in and of itself. The results of this were interesting to say the least. To give one example, all the way through the process participants *talked* about the importance of material conditions (good housing and meaningful employment opportunities mostly), but when it came to assigning value to experiences in the game by way of 'e-tokens' (measures of how well one is doing in the game), reconnection with family – especially children – was unanimously decreed to be worth more tokens than a flat or a job. Clearly, emotional wellbeing was more important in the game than material wellbeing, despite what they may have said to the contrary. Our belief is that this reflects these

men's realities, and that the medium of play made this evident faster and more efficiently than an interview/survey ever could.

There are however, some challenges here that ought to be considered. While we think SEA practice has theoretical/methodological potential for a field like criminology, we are aware of some of its limitations. For example, our project involved the input of a professional artist who spearheaded the game design process and took the lead on its production. Her knowledge, expertise and professional capacities extended well beyond ours as academics. The increased resources required by this project (financial, as well as time and space) should also not be underestimated. That said, the process of learning through play has been shown here to be beneficial in bringing to the fore a number of issues relevant to both academic criminology and the penal reform sector. In thinking about how we conduct our research a little more creatively, and being a little more ambitious and open minded in terms of what we consider to be 'data', there is very real potential to innovate and enhance what and we come to know our areas of study.

Probationary as activism

As an 'artist' project our aim was to critically explore the potential of SEA to understand probation from the perspective of those on licence and, ultimately, to effect change. The participants were placed at the centre of a creative process that allowed them to determine the shape and focus of the game. The role of the criminologist in this

process was to work in alignment with the artist, to assist and inform, but not to determine how the subject should be understood or presented to its audience. As a result, the game provides a 'view from below' and in doing so, it not only gives voice to those experiencing life on licence, but enables us, as players, to follow their journey and share their experiences. We want now to explore the effects of this immersive experience by enabling those with an interest in the current probation system to play the game.

The project in this sense is just beginning, and dissemination can, and will, take a number of forms. While there will be academic papers on the value of this method and its potential for criminology, as an activist project our findings are encapsulated within the game and dissemination must come through play. We have through this game, which is first and foremost a piece of art, the potential to invoke an emotional response in the player that is key to changing attitudes and in turn bringing about wider change. So for the game to have *activist* potential it needs to be played.

We believe that *Probationary* enables players to begin to understand the experience of those on licence to the probation service in the period following *Transforming Rehabilitation*, the Government's 'revolution' in the management of offenders in England and Wales. It is not the first attempt to provide a critical appraisal of the effects of these changes, but the method by which probation is exposed to scrutiny is here, we think, unique. We learn through *Probationary* how

the current system operates and begin to see how and why problems persist despite, or perhaps because of, these recent reforms.

One of the most striking things that the game demonstrates is how difficult the current systems makes it for those on licence to complete the journey from the prison gate to their eventual goal. As players we see that Chris Grayling's (2013) aim to 'ease the transition' from custody by providing a 'through the gate' service that provides the 'full range of support' has not been realised. Instead we begin to see why the use of recall is such a significant problem that has been exacerbated since the privatisation of the probation service. As the Howard League has highlighted as part of the [3Rs campaign](#), most recalls to prison are for technical breaches of licence conditions, not the commission of new crimes. Players of *Probationary* will negotiate the demands of licence conditions and begin to appreciate that in many cases recalls are not driven by attempts to tackle crime, reform offenders or ensure public safety, but instead are the consequence of a system that is not working.

As collaborators in the production of *Probationary* we are not the first to highlight these issues but believe in our proposals about the potential of SEA and our analysis of it to contribute to the campaign for change. Through this initial collaboration a fascinating piece of art can be shared with many audiences as we explore this artwork as a vehicle for campaigners to draw upon as they seek a change in attitudes and a



change in policy. The next stage of this process was at the Howard League conference (March 2018), where delegates were invited to play the game and consider its role in campaigns for change in probation, but we also want those who play at the conference to reflect on the potential of this approach for criminologists working beyond this specific focal point and our chosen artistic medium.

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Will's main research interests focus on policing, security and protest with a particular interest in the development of theoretical insights on these topics from within and beyond criminology. His current research is focused on the policing of protest and broader state responses to political activism.

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