

# Building Resilience of Returning Citizens

**Creative ways to survive prison  
and thrive outside without crime**

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*Resilience: 'the capacity of a system, enterprise or person to [find] and maintain its core purpose and integrity in the face of dramatically changed circumstances.'*

*(Zolli and Healy, 2012)*

## **Crime and resilience**

Ideas about law and criminality are made and read in history, often linked to contestation, ethics, status and power. A 'criminal' is not just a simple description of those who commit crime, but also a toxic label. As the philosopher Foucault (1982) describes, such definitions are part of a powerful 'discourse' that informs subjectivity, cultural norms and values. Consequently, 'criminal' is not an easy label to ignore, yet 'criminality' or 'offending' does not define a person. To be a 'criminal' or an 'offender' (someone who breaks the law) is only one expression of a person who commits crime. Nevertheless, connotations of the label 'criminal' overshadow virtually every other identity definition.

There are of course many different types of crime (eg acquisitive, violent and sex crimes), and accordingly, many different types of 'criminal'. Here we consider the activities of prolific individuals who are self-directed and commit acquisitive crime as a sort of quasi 'trade' or 'profession' – a way to make a living. Such individuals may not 'work' in the traditional sense, but they are very active and entrepreneurial in terms of finding opportunities (Garwood, 2011; Felson and Clarke, 1998) to rob, swindle, thief or drug deal etc. Such individuals appear to make money through small, repetitive and acquisitive crimes rarely aligned to organised crime eg not managed but rather self-managing. They invent their own day and rely on themselves and self-directed scripts and routines, as well as their own networks, for the opportunities they create in order to survive. These individuals present an apparent expression of resilience in terms of what has been called 'bounce backability'<sup>1</sup> or more significantly what (Adger, 2008)<sup>2</sup> defines as 'the ability to absorb disturbance, self organise and to learn to adapt' – a definition of resilience that was subsequently redefined by Edwards (2009) as 'the ability to adapt in order to sustain an accessible level of function, structure and identity'.<sup>3</sup> Certainly, both definitions of resilience seem apt to explain the self-managing criminal approach that also links to the account of 'effectuation and contingency' described by researcher and author Sarasvathy (2008) when exploring the principles of effective entrepreneurship. So what exact characteristics of resilience do some of those that commit acquisitive crime express (and which do they lack) and what are the systemic and cultural 'qualities' that individuals exhibit in doing so? Referring to the keywords that surfaced within the CoR workshop,<sup>4</sup> the 'qualities' of a person that commits crime seem to cluster around 'risk taking and chaos embracing' (even creating) also 'disruptive and generative attitudes'.

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To understand these 'qualities' better in terms of crime contexts, we observe that those that commit crime accept or ignore the *risk* associated with the *uncertainty* of 'getting away' with a criminal act. They find opportunity / *serendipity*

in the *randomness* of everyday life; an open door here, an unattended bag there. (Home Office figures suggest that 80% of crime is opportunistic). Some who earn their living from crime, though not all, respond *creatively* to and/or manipulate 'real world' context(s); *disrupting* the dominant scripts of the *un-programmed* everyday encounter with their *adaptive, embodied, reflexive practice*. Some criminals we have talked to describe this experience as being 'constantly on your toes' (Gamman, 2012). Often such practices of crime are *regenerative* too in that the modus operandi involved receive positive feedback from success, creating *exemplars* of practice that enable certain crimes to be resilient, enacted by other peers beyond the capture and incarceration of the perpetrator that *authored* the scam. It is here, at the point of detection (of a crime) and detention (of the person that commits crime) that the resilience of the system (crime) and that of the principle agent within the system (the person that commits crime) implode and part ways. The system of crime resides despite the removal of the perpetrator (of the prosecuted crime) from the system. The perpetrator is less likely to cope with this extreme change to their circumstances. Whilst perpetrators may demonstrate *daring and risk taking*, as well as creativity, in their criminal actions, these qualities of resilience are thwarted by an absence of other resilient qualities. For crime is not *error friendly*. If a successful outcome for the perpetrator is to get away with it then an unsuccessful outcome may see the perpetrator detected, apprehended and prosecuted. *Making mistakes and failure* in the context of a criminal event is a form of fragility (Taleb, 2012) that can lead to imprisonment. The perpetrator may see this inbuilt fragility as lived experience from 'crime as trade', as reliant on 'luck which inevitably runs out' (we discuss this in terms of the 'dark side of creativity' in Gamman and Thorpe, 2011). The discourse of risk as 'luck' (given the probability of luck running out) militates against the future resilience of a person that commits crime. The challenge in relation to resilience in this context is not that of helping 'criminals' to survive the criminal justice system so as to bounce back to commit more crime, rather to bounce forward towards a new self-definition and determination – a new way of living. This new way of living should make them more resilient, more able to use Zolli and Healey's (2012) definition 'to *[find]* and maintain *[their]* core purpose and integrity *[making a living]* in the face of dramatically changed circumstances', such as those in which a person who meets their needs via criminal means no longer seeks to do so.

Society needs to reduce the incidence of crime and its impacts. This is because the costs of crime are debilitating and unsustainable for the victims of crime, the perpetrators of crime and wider society. On average the annual overall cost of a prison place in England and Wales for the financial year 2011–12 was £37,648 (Ministry of Justice, 2012). Furthermore this process of incarceration is ineffective in the face of the resiliency of the system of crime, whilst severely damaging the human resilience (as opposed to criminal resilience) of the person who commits the crime. Prosecution and imprisonment produces a criminal record that ‘fixes’ a person’s identity as a ‘criminal’ or ‘offender’ in the eyes of society, and produces well documented behavioural responses amongst those imprisoned including constantly hiding their feelings to the point of repression, particularly of empathetic connections (resulting in the creation and adoption of a hard and impenetrable ‘prison mask’<sup>5</sup> – a metaphor that many theatre companies who work in prison refer to). This ‘identity trap’ rather than (‘personality’ type) keeps many offenders in the same place as is evidenced by reoffending rates that are estimated to have cost the economy between £9.5 and £13 billion in 2007–8.

***‘Art and design, as participatory creative processes, can help people who are imprisoned for committing crime to be more resilient ... in a society that denies them the opportunity to live through criminal means.’***

The challenge therefore is for those who commit crime to want to, and be able to, find alternative ways to live. Rates of recidivism within the criminal justice system appear to demonstrate that the current approaches are failing to positively support the transition from ‘criminal’ to ‘returning citizen’. The prison system is currently overcrowded and linked to recent and predicted further cuts to public funding may become overwhelmed, further impeding its effectiveness at reducing reoffending. Alternative ways and means are required.

With Anderson, Colvin et al (2010), we argue that art and design, as participatory creative processes, can help people who are imprisoned for committing crime to be more resilient (linked to pathways 2 and 7 in Fig. 1 on p.71–2) in a society that denies them the opportunity to live through criminal means.

**Fig. 1 The seven National Offender Management Service (NOMS) pathways to reduce reoffending are:**

**1 Accommodation and support**

A third of prisoners do not have settled accommodation prior to custody and it is estimated that stable accommodation can reduce the likelihood of re-offending by more than a fifth. It also provides the vital building blocks for a range of other support services and gaining employment.

**2 Education, training and employment**

Having a job can reduce the risk of re-offending by between a third and a half. There is a strong correlation between offending, poor literacy, language and numeracy skills and low achievement. Many offenders have a poor experience of education and no experience of stable employment.

**3 Health**

Offenders are disproportionately more likely to suffer from mental and physical health problems than the general population and also have high rates of alcohol misuse. Not surprisingly, 31% of adult prisoners were found to have emotional well-being issues linked to their offending behaviour.

**4 Drugs and alcohol**

Around two thirds of prisoners use illegal drugs in the year before imprisonment and intoxication by alcohol is linked to 30% of sexual offences, 33% of burglaries, 50% of street crime and about half of all violent crimes.

**5 Finance, benefits and debt**

Ensuring that ex-offenders have sufficient lawfully obtained money to live on is vital to their rehabilitation. Around 48% of prisoners report a history of debt, which gets worse for about a third of them during custody and about 81% of offenders claim benefit on release.

**6 Children and Families**

Maintaining strong relationships with families and children can play a major role in helping prisoners to make and sustain changes that help them to avoid re-offending. This is difficult because custody places added strains on family relationships.

## 7 Attitudes and Behaviour

Prisoners are more likely to have negative social attitudes and poor self-control. Successfully addressing their attitudes, thinking and behaviour during custody may reduce re-offending by up to 14%.

Source: [http://www.emcett.com/Offender\\_Learning/list/the\\_seven\\_pathways\\_to\\_reducing\\_re\\_offending](http://www.emcett.com/Offender_Learning/list/the_seven_pathways_to_reducing_re_offending)

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1 A phrase coined by Ian Dowie, Crystal Palace manager.

2 [www.resalliance.org](http://www.resalliance.org)

3 This definition is developed by EDWARDS in *Resilient Nation* (Demos, 2009) and was evidently reached by combining definitions from Walker, Adger and others.

4 <http://www.culturesofresilience.org/wordpress/?p=55>

5 Prison masks are discussed by TRAVIS and WAUL (2003), p.13: 'prisoners... develop an unrevealing and impenetrable prison mask and simultaneously risk alienation from themselves and others.'