# 'Deconstructing the panacea of volunteering in criminal justice' Introduction:

When someone leaves prison, I want them already to have a mentor in place to help them get their lives back together. I want them to be met at the prison gate, to have a place to live sorted out, and above all someone who knows where they are, what they are doing, and can be a wise friend to prevent them from (Ranfling)12).

The announcement in November 2012 by the Minister of Justice of plans to recruit volunteering organisations as indispensable to his 'rehabilitation revolution' crystallised several favoured policy themes of the Coalition government. The speech confirmed the special status that voluntary sector organisations (VSOs) had assumed in governmental thinking about resettling and managing offenders. The proposition that civic-minded volunteers could salvage offenders from lives of crime on a widespread scale was fêted as an idea whose time had come. That appeal resonated with the Big Society project which promulgated the idea that civil society could play an important, and sometimes more successful, role than the state in tackling entrenched social problems, including crime (Norman, 2010). Within this paradigm, it is claimed that properly trained members of the community and even former lawbreakers are singularly well placed to help offenders to turn their lives around where the prisons and probation system are deemed to have failed (Carter, 2003: Le Grand, 2007). However, underlying the appeal to socially responsible citizenship was the more sombre warning that discharging offenders back to homelessness, social isolation or substance addiction without help would perpetuate their reoffending, to the eventual cost of public safety:

Solving these problems requires a radically different approach. Our central objective is to make the public safer by breaking the cycle of crime (Ministry of Justice, 2010: 7: s15).

These ideas bring to the fore assumptions about the utility of volunteering as a prop for a plethora of policy goals ranging from reducing crime to tackling social exclusion by building community resilience. According to Rochester and

colleagues (2010: 10) such expectations are projected onto the voluntary sector via a 'dominant paradigm', in which the sector is envisaged as a constituent element of the public welfare apparatus and where volunteering tends to be likened to 'unpaid work'. As a consequence, 'a very high proportion of the discussion about volunteering – by practitioners, policy makers and researchers alike - is concentrated on one very specific view', which is that volunteering is inherently of benefit to individuals and society (Rochester et al., 2010: 10: emphasis added). This chapter links the one-dimensional political perspective of volunteering to the overwhelmingly positive bias in research, academic and charitable sector discourses of the phenomenon. We utilise the term 'benefit fallacy' to describe the self-perpetuating logic whereby the body of evidence which demonstrates the beneficial outcomes of volunteering merely confirms the initial premise of such research that volunteering is inherently a good thing. The widespread emphasis on volunteering as a virtuous circle obscures the potential and actual occurrence of harms that are likely to arise given the nature of the activities undertaken by several VSOs. (Grotz, 2010) The purpose of this chapter is to replace the benefit fallacy with a balanced and proportionate appreciation of the consequences of volunteering in penal contexts. Our case is based on the following observations:

- Firstly, the pervasiveness of the benefit fallacy is manifested in a general unwillingness to critique the concept of volunteering because it is unwelcome as a message to researchers, policy makers and practitioners.
   This is underpinned by a skewed presumption in favour of volunteering in the literature.
- Secondly, there is an avoidance in many accounts of the specifically penal dimensions of volunteering in criminal justice settings. Much of the current debate glosses over questions of power, legal coercion and involuntary restrictions which are inescapable facts of operating in the arenas of crime 'control' or offender 'management'.
- Thirdly, there is insufficient systematic analysis of the capacity for volunteering relationships to convey negative as well as positive social capital. We amend this by taking into account Smith's proposition that

scholars consider the 'dark side' of volunteering, that is, 'the potentially or actually negative [and] harmful aspects of these civil society or nonprofit sector groups' (Smith, 2008: 2).

Fourthly, volunteering in criminal justice is increasingly constructed as a
hazard that needs to be carefully managed with risk assessment and
safeguarding regulations. The operative concept of risk that is
increasingly applied mirrors narrow, technocratic calculations which is
directed at minimizing breaches of security or monitoring relationships
between volunteers and clients. Additionally, the responsibility and costs
for managing such risks are devolved to VSOs.

In sum, we suggest that the benefit fallacy restricts open deliberation about the negative implications for VSOs - including reputational, legal, financial, moral and human – which derive from participating in offender management and crime reduction programmes. We conclude that the growing impetus to utilise volunteers must be cautiously approached. The powers available to VSOs must be proportionate to their civilian status as well as their legal and ethical responsibilities. Such arguments are intended to clarify the role, function and value of volunteering to all potential beneficiaries including service users, volunteers, penal reformers, policy makers and the public interest. They should also enable to assist holding policy makers to account when their plans and the evidence they use are uncritically founded on the benefit fallacy.

## **Great expectations**

In recent decades, volunteers have been the subjects of political applause which conveys a sense both of their sanctified status and their utility value to policy agendas. Before the general election in 2010, the Conservatives summed this up as follows:

Volunteers are the beating heart of Britain's civil society, an indispensable resource for the voluntary sector and in many public services. Volunteering generates social capital – building the networks that turn mere places into communities. In economic terms, the value of volunteering can be measured in billions of pounds, but its true worth is beyond price. Without volunteers much of what we take for granted in our national life would grind to a halt (Conservative Party, 2008: 20).

David Cameron's speech summarised the combination of two ideal typical characteristics which derive from the benefit fallacy, to which we add a third. Firstly, volunteers are understood to be a resource in the form of a reserve workforce that can supplement the operations of existing public agencies and provide specialist or individualised supports to victims or offenders. Such expectations are allied to the rationality that using volunteer organisations brings about cost savings while underlining the political message that tackling the public's fear of crime cannot be undertaken only by the state. volunteering is conceived of as a source of social capital whereby 'law abiding' people who work alongside the police, community crime panels, probation or prison services, for example, are valued for facilitating public safety. In this and other volunteering contexts, volunteering is framed as being inherently beneficial in that 'doing good' endows both volunteers and offenders whom they help with social dividends such as trust, communal solidarity, social cohesion and consensus towards the legitimacy of governing institutions. Therefore, our third characteristic entails the importance of volunteers for forming trust relationships with offenders who are alienated from the criminal justice system. Equally, we probe how these trust relationships are functionally valued for steering offenders toward *normative attitudes and behaviours*. These three ideal typical beneficial attributes of volunteering are now critically unpacked.

#### *Volunteering as a resource*

The breadth and scale of volunteering with criminal justice agencies are already hugely diverse and growing (Gill & Mawby, 1990: Gojkovic et al., 2011). The number of voluntary sector organisations working with offenders as their main client group is approximately 1,743, with an additional 18,380 organisations that

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identified offenders as one of their client groups (Gojkovic et al., 2011: 19). These figures only account for organisations that declare themselves to be service providers and thus excludes several other areas of volunteer activism such as membership of reform or advocacy ('lobbying') groups, community-based neighbourhood crime control or restorative justice groups, for example. In addition, under the Ministry of Justice's offender management strategy (2004), a much larger number of private and voluntary sector providers of housing, employment and training, healthcare, drugs and alcohol support, finance benefit and debt, children and families and attitudes, thinking and behaviour are now conceived of as part of a 'penal voluntary sector' (Corcoran, 2011: 30: Ministry of Justice, 2004). It is difficult to quantify the numbers or types of volunteers operating in criminal justice because they are distributed across different organisations with varying relationships to the state, and because of the different levels of statutory power held by volunteers. However, the very wide variation under those criteria is evident if one compares the formal roles of magistrates. lay members of Parole Boards, Youth Justice Boards or Special Constables, for example, with volunteers offering various kinds of 'gift relationships' (Titmus, 1970) such as befriending, motivational, counselling or social welfare. For the purposes of precision, this chapter largely refers to volunteering in communitybased projects that are focused on rehabilitation and resettlement.

Furthermore, the term 'volunteer' refers to social activities that comply with the five following features; (a) The prevailing definition of volunteering is that it is 'of benefit'; (b) It is useful as service or productive work, not purely enjoyment for its own sake: (c) It is directed to other people outside the immediate family/household: (d) Volunteering must be non-compulsory, thus, not coerced or forced externally by law, contract, or other powerful social influences:(e) While volunteers may receive some reimbursement or payment, it is not done primarily for monetary gain, and the payments is usually less than the economic value of the volunteer work done (Home Office, 2004: Volunteering England, 2008: United Nations, 2011).

## Economic benefits

An obvious appeal of volunteering at a time when public spending is contracting is that it makes a major economic contribution by extending the capacities of national welfare and local public services. 'Valuable practical services ... are accomplished in the community that can reduce municipal costs and taxes or can improve municipal efficiency' (Smith, 2000: 203). Nationally, the amounts involved are substantial. In England, for example, the total of 1.9 billion hours contributed by volunteers in 2003 was equivalent to the time put in by one million full-time workers and, at the national average wage, was worth around £22.5 billions (Home Office, 2004). Volunteer programmes are attractive to local government or statutory contractors because they relieve the strain on overstretched governmental and non-governmental organisations, as well as filling gaps left where public services are reduced or withdrawn (Brown and Ross, 2010: 32). Volunteers may also be deployed to alleviate the caseload of statutory agencies by 'allowing "professional" time to be deployed elsewhere' (Boyce, Hunter & Hough, 2009: 12). Volunteer programmes can and do displace local paid posts. This has occurred where local authorities or Police and Crime Commissioners have been driven by economic considerations to replace some public policing and crime services with small grants to voluntary sector providers (BBC online 2013, Daily Echo, 2013; Western Morning News, online).

Although pragmatic gains can be made from using volunteers to fill gaps, there is disquiet among the voluntary sector that governmental motivation for promoting volunteerism is linked with scaling back public services. Precisely because government is promoting volunteering as leverage for reducing public services, the unions representing the police, probation and prison staff are hostile to the potential threat to their jobs (NAPO Discussion Forum, 2013). However, there seems to be little appetite among VSOs to replace state services. For example, Greater London Volunteering said that '[l]ike-for-like substitution of volunteers for paid staff is as unacceptable as redundant staff being replaced by new staff in the same role' (Greater London Volunteering, 2010: 5.1), while

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Baroness Neuberger's Review of Volunteering in Criminal Justice clearly stated that volunteering 'is in no way about services being provided on the cheap' (Neuberger, 2008: 3).

In answer to the tacit expectation that the voluntary sector represents a cheap, substitute for public services, voluntary organisations contend that recruiting, training and managing volunteers are complex and costly efforts, and that governments are mistaken if they believe they are harnessing a free resource (Read et al., 2011). On the contrary, training and supporting skilled volunteers in areas such as victim support, sexual or domestic violence services, legal or welfare advice, police or prison custody monitoring or suicide prevention, for example, is costly and labour intensive. Therefore, volunteer organisations have to recover their investment by setting high expectations as to the levels of commitment they demand from volunteers. Some voluntary organisations are vulnerable to the 'poaching' of skilled or experienced volunteers by 'rivals'. Anecdotal evidence indicates that, in the current period or austerity and underemployment, volunteers are discontinuing their purely volunteering roles to take up opportunities to obtain paid roles in their own and other organisations. Although students may offer a potential pool of volunteers who are closer in age, and purportedly in outlook, to younger offenders, their life experience can be more limited and there is also a question mark over the length of time that they are available for the work (Buck, Corcoran & Worrall, 2015: 19). Other problems with recruiting and retaining suitable volunteers occur because of the unsocial hours that may be involved (especially for night-time or out of hours work). VSOs can underestimate the time and effort involved in operating within the routine restrictions that apply to secure environments, and are subsequently deterred by delays in obtaining security clearance or access to people in custody (cf: Mills & Meek in this volume). The nature of work with some vulnerable people can be so demanding and complex, at least in some aspects, that volunteer interventions such as mentoring are insufficient to meet offenders' needs (Hucklesby & Wincup, 2014; Buck, Corcoran & Worrall, 2015: 18). Indeed, the difficulties of evidencing these observations, which are recognised by

practitioners and researchers, is indicative of the sensitivities involved in publicly acknowledging the pressures to properly utilise and retain volunteer time and labour as a valuable commodity.

## Social capital and wellbeing

According to the literature, one of the principle attributes that volunteering generates is an increase in social capital. This may be broadly defined as 'investment in and use of embedded resources in social relations for expected returns' (Lin, 2000: 786). From this perspective, volunteering is held up as generating primary gains for participants in the form of enhanced wellbeing, which in turn contributes to secondary benefits such as personal resilience, reciprocity and social cohesion. Accordingly, volunteering enables individuals to gain confidence and self-esteem while developing knowledge and skills which, for some, will improve their employability or career prospects. Others highlight the impact on the volunteer's quality of life (Ockenden, 2007) such as higher levels of satisfaction and contentment (Pancer & Pratt, 1999), improved educational performance (Parkin & McKeganey, 2000) and better physical and mental health (Casiday, Kinsman, Fisher & Bambra, 2008). In addition, the Home Office Citizenship surveys show a strong correlation between rates of volunteering in an area and the extent to which residents felt that other people in the neighbourhood could be trusted (Kitchen et al., 2006a, 2006b). Criminologists have also identified linkages between fostering well being and social capital as preconditions to 'making good' on the part of offenders (Maruna, 2001: Farrall, 2002). Indeed, proponents of voluntarism attach particular efficacy to involving prisoners and offenders because volunteering is thought to constitute a unique opportunity to bring about self-transformative effects for themselves. Particular attention has been paid to voluntary peer support programmes, for example, because they are claimed to create a 'multiplier effect' whereby 'benefits that accrue to individuals from their work as Peer Advisors are matched by benefits to the recipients of their advice' (Boyce, Hunter & Hough, 2009: vi). Organisations that are operated by former offenders claim that their work is ultimately more meaningful and implicitly more successful because

service users are more receptive to somebody who has been through the same experience (User Voice, 2013). One former offender turned mentor exemplified the argument:

Having a mentor meant that when I got released I knew I had someone to talk to and tell how I felt. He was an ex-prisoner, so he has been through the system himself. He knows what it's like and he knows the struggles. (BBC, Today, 20 November 2012).

Additionally, peer-based volunteering is thought to have the potential to correct the more condescending effects of professional interventions by serving 'as a counterbalance to the widespread belief that programmes are something that is "done" to offenders by specialists' (Boyce, Hunter & Hough, 2009: vi).

Whilst research in areas as diverse as health, education and neighbourliness have found enhanced social capital among volunteers, one must be sceptical towards claims that this is ipso facto beneficial. A distinction should be drawn between the research findings which often emerge from discrete, small-scale case studies, and the manner in which these findings have been cumulatively marshalled as evidence by commentators with different ideological, intellectual or policy agendas. For example, summaries of the evidence often belie crucial analytical differences between theorists who view social capital as crosscutting social hierarchies to establish shared social norms and values (Etzioni, 1994), and those who believe that social capital is linked to formations of privilege, power and or exclusion along class (Bourdieu & Wacquant, 1992), gender or ethnic lines (Lin, 2000). These respective theories are significantly different in their understanding of citizen power, with the former focused on mobilising the strengths of informal, community-based networks in the fight against social ills such as crime (ODPM, 2005), while the latter implies that communities should also concern themselves with inequality and exclusion as part of the aetiology of crime.

## Trust and legitimacy

Although social relationships are significant in working with offenders, VSOs also lay claim to the uniqueness of their comparatively informal approaches which focus on building strengths rather than correcting deficits. Programmes offering befriending, counselling, emotional or confidential listening and peer supports are founded on the principle that volunteers' contributions should be qualitatively different from those which paid staff bring (Levenson & Farrant, 2002). Volunteers, for example, are claimed to elicit greater trust and confidence from offenders and prisoners who may prefer to turn to sources that are not associated with 'the system' (Parkin & McKeganey, 2000: 301). Paradoxically, however, state agencies such as probation or the police champion volunteering precisely because they hope that it will channel offenders into engaging with state agencies (Youth Justice Board, 2007: 4). Similarly, volunteers are expected to mediate between lawbreaking individuals and the 'moral community' (Crawford, 1999: 509) in the hope that it will 'lead to greater public confidence in the ... system' (Youth Justice Board, 2007: 4). Concurrently, volunteers are imagined to convey powerful communicative impressions by getting service users 'to understand the consequences of their actions on others in their area' (Youth Justice Board, 2007: 4).

The enthusiasm among statutory bodies for volunteering is supported by the preferential focus in the research literature on the benefits of volunteering to volunteers, VSOs, beneficiaries and society at large. There are complex explanations for this positivity and the paucity of critical perspectives in the volunteering literature. One explanation points to the predominance of evaluative research in the field, which tends to be small-scale, localised studies of individual projects over short periods of time, and therefore not generalizable (Colley, 2001: 178). Secondly, evaluative research tends to comply with prescribed investigative remits and requirements that the 'positive impact' of programmes can and must be scientifically demonstrated as prerequisites to obtaining funding to continue their work. A third explanation lies with the tendency to withdraw poor or negative results for fear of losing reputation or

future funding (cf. Hedderman & Hucklesby in this volume). McCord (2003: 26), for example, argued that the failure to report negative outcomes of crime prevention programmes in the United States, for example, contributed to a falsely positive picture:

[e]vidence about adverse effects from social program[me]s is hard to find, in part because of a strong bias against reporting adverse effects .... Authors of studies that fail to produce evidence of beneficial outcomes sometimes do not bother to submit their reports for publication.

Propagation of the benefit fallacy is not confined to academics or policy makers. VSOs can themselves subscribe to the wider sense of urgency about crime and reoffending by bringing issues to the fore 'with the aim to induce an immediacy to act' (Richter & Norman, 2010: 225). In a competitive funding climate, there is an increasing tendency to perpetuate credence as to the efficacy of volunteer programmes by showcasing their superior outcomes in comparison with commercial or public sector projects.

## The 'dark side' of volunteering

Against the prevailing tide, a very small number of scholars have broached the prospect that volunteering may foster harmful relationships between volunteers and offenders, while still fewer have focused on the exposure of volunteers themselves to harm (Scandura, 1998; Devilly et al., 2005). However, volunteering organisations are no less susceptible than businesses or state agencies to crime, fraud, malpractice or discriminatory practices by staff or volunteers (Thomas, 2012). Even where such harms are thought to be low, 'the consequences of a lack of attention to these risks ... [are] potentially significant for public trust and confidence in that charity and the sector in general' (Thomas, 2012: 4). Thus, a more considered and balanced appraisal is required which takes account of the 'dark side' of volunteering (Smith, 2008), that is, 'all kinds of deviance and misconduct by community sector/non-profit groups and

individuals', involving 'formal and informal volunteers, paid staff, officers, [and] board members' (Smith, 2008; 2). Importantly, consideration of the 'dark side':

... does not imply condemnation ... Potential harmful or negative effects are **not actual** harmful or negative effects, but it is wise to know about such potentials. Moreover, there are virtually no human activities, including [those] as group members or participants, which do not have their negative aspects (Smith, 2008: 2: emphasis in the original).

It is indicative of the fact that volunteer organisations may suffer from mismanagement or poor relationships between paid staff and volunteers that many have policies in place to discipline volunteers. The Institute for Volunteering Research (1998) found that three quarters of 547 organisations surveyed had procedures for disciplining volunteers. According to Volunteering England (Brown, 2013), the circumstances under which volunteers may be disciplined include persistently bad timekeeping; taking on tasks which go outside the agreed remit; failure to respect clients/customers confidentiality; failure to respect their dignity, independence and individuality; breaches of health and safety regulations or agreements; misuse of the organisation's equipment or facilities; theft and discrimination on grounds of disability, race, gender or other factor. Of course, VSOs are subject to civil, contractual, criminal and regulatory codes as incorporated legal bodies (Restall, 2005). But in actual practice, the contribution of volunteers does not always fit neatly within the scope of legal frameworks such as employment law, for example. Rather, the practical problems of reconciling their dual roles as individuals discharging legally-accountable public functions 'opens up the possibility of messy disciplinary issues, especially if there is already confusion over the boundaries between roles' (Restall, 2005: 61)

In contrast to pervasive claims about the benefits of volunteering for enhancing confidence and self-esteem, the potential for being emotionally harmed as a

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result of volunteering was identified during the Volunteer Rights Inquiry for Great Britain (Volunteering England, 2010: 7). Witnesses to the inquiry reported how their formal volunteering experience left them, 'physically and mentally in pieces' as they had been 'continually harassed, bullied, and worn down' (Third Sector. July 8 2010). Additionally, the Interim Report for the inquiry (Volunteering England, 2010a) collected 'numerous' reports from volunteers narrating 'stories of bad management, poor governance, bullying and improper behaviour,' and cited incidents of verbal abuse, intimidation and sexual harassment (Third Sector, July 8 2010). Although a comparatively small proportion of all volunteers, two thirds of complainants to the enquiry submitted evidence of 'serious' allegations including bullying, conflicts arising from new management structures and practices, breaches of trust, including the leakage of confidential information about themselves and exploitation of volunteer's good will (Volunteering England, 2010a: 10). Moreover, victims of inappropriate behaviour encompassed all strata of workers from trustees to volunteers and involved the intimidation of managers by their volunteers and inappropriate behaviour by clients (Volunteering England, 2010a: 7-11). concluded that many organisations still lacked appropriate procedures for dealing with problems, complaints and disputes. It recommended that a framework of good practices for identifying conflict, early intervention, transparency and independent arbitration should be developed and applied to the whole sector (Volunteering England, 2010).

Unlike some other countries, incidents of occupational death, injury or crimes involving volunteers are not centrally recorded in the United Kingdom, so that the picture of occupational risk in the course of volunteering is patchy. A few studies have investigated harmful physical or psychological effects such as post traumatic stress disorder among volunteer fire fighters (Bryant et al., 1996) or among volunteers working with people with HIV/AIDS (Ross et al., 1999), for example. Indeed, Thoits and Hewitt, (2001: 128) point out that the health benefits associated with volunteering may be more dependant on the conditions under which they volunteer than the fact that they are being altruistic: 'perhaps

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doing volunteer work is less important for well-being than the particular conditions of the work that is done'. Some prosecutions have been taken on behalf of the Health and Safety Executive against charities for liability contributing to the death of an employee. In 2010, the charity, Mental Health Matters, was fined £30,000 and ordered to pay £20,000 costs after admitting failing to protect employee, Ashleigh Ewing, 22, who was stabbed to death by a client in the client's home (BBC news online, 1 February 2010). The tribunal concluded that a 'simple risk assessment may have averted [the] incident'. The narrow focus on human error and the apparent failure or non-existence of safety procedures is problematised in a later section of this chapter ('Volunteering as security risk'). At this point, however, these incidents highlight broader issues relating to the practice of sending lone volunteers into certain settings and the dilemmas that are presented for charities in terms of their legal duties of care. With the exception of a few serious, publicised cases, it is striking that volunteering seems to be disregarded as a specific area of concern in the field of occupational safety regulation, notwithstanding the general principle that legal protections as well as liabilities ought to apply to all sectors (Restall, 2005).

## *Negative social capital*

Broadly conceived, negative social capital refers to factors which convert social interactions that are meant to be vehicles for integration and trust-building into occasions for controlling, regulating or excluding individuals or social groups by inducting them into exploitative, dependent or disrespectful relationships. The concept draws on Bourdieu's theory of social capital, which summarises the economic, social, cultural and symbolic resources that accrue to an individual by virtue of their membership of a social group. The more powerful and well resourced an individual or group is, the greater their capacity to convert the value of one form (such as 'cultural' capital), into another (such as 'economic' capital), while conversely, the more a group or individual is dispossessed, 'the lower the value of that particular social capital' (Wacquant, 1998: 28). According to this formulation, everyone possesses the capacity for both 'positive' and 'negative' forms of social capital.

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In his seminal study of volunteering in the United States, Putnam (2000: 22-23) distinguished between *bridging social capital* which fostered relationships across diverse social groups, and *bonding social capital* in which groups were conjoined by mutual interest only. Whereas the former facilitated altruistic networks, negative social capital amassed in the latter as single interest, mono-cultural groups developed exclusive and even discriminatory tendencies towards 'outsiders' (Putnam, 2000: 350-363). Smith (2008) elaborated on this finding to suggest that negative social capital might be transmitted through an individual's or group's attachment to voluntary institutions or subcultures. Likewise, he postulated that harmful social influences were conveyed through several types of groupings. For example, 'gang' membership demonstrated how individuals gain social capital through embracing stigmatized roles by bonding with like-minded peers and adhering to group norms, even if they are deemed to be 'deviant or unacceptable' (Smith, 2008: 28).

Criminological 'strain' theories have long recognised the propensity for weak and selfish social relationships to transmit negative social capital (Agnew, 1987/2001). Because volunteering involves complex, and to some extent tentative and open-ended interactions, it can become a conduit for undesirable and harmful, as well as positive, effects. Peer mentoring or befriending programmes, for example, may reinforce a sense of self-justification for past crimes on the part of the mentee. Whilst such programmes have shown results such as improved self-esteem or social capital, they are unable to confirm hypotheses that personal changes convert into reduced criminal activity on the part of an individual (Joliffe & Farrington, 2007). At best, the effect of mentoring on recidivism may be tangential insofar as participation can help to diminish 'high-risk' behaviours which are deemed to be related to offending (Dubois et al, 2002: Tolan et al., 2008). Indeed, some quantitative studies increased offending among participants on peer mentoring programmes (Blechman et al., 2000). Moreover, the initial appeal of being mentored by those who have travelled the same road diminishes over time as other needs or priorities arise for mentees (Jaffe, 2012: 222-235). Other commentators question whether the intended

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beneficiaries, mentees, gain as much from the process as their mentors or even mentoring organisations (Hucklesby & Wincup, 2014: Scandura, 1998: Colley, 2001). Research has pointed to hidden forms of exploitation in volunteer-service user relationships where volunteers may be enlisted by programmes to monitor or discipline offenders' behaviour, especially with individuals whose participation on programmes is part of a court order or probation supervision (Goddard, 2012). Still others hold that the literature largely glosses over questions of inequality and power between service users and volunteers (Singh, 2012), so that volunteer interventions reinforce or normalise social inequalities to the point where they mask participants' understanding of 'structural disadvantage and discrimination' (Colley, 2001: 180).

The claims and counterclaims in the wider research about the supposedly real value of volunteering interventions reveal the underlying problem that we are raising in this essay. That is to say, the fixation on whether volunteering programmes 'work' or 'do not work' connotes a prior assumption that they ought to work because volunteering is already deemed to be inherently beneficial. At best, the findings can only suggest that gains from volunteer involvement seem to be qualitative, primary rather than secondary, and specific to individual recipients. Volunteering continues to elude categorisation as a reliable method for reducing offending because 'the valuable features and most promising approaches cannot be stated with any certainty' (Finnegan, Whitehurst and Deaton, 2010: 8). This is in contrast with the Ministry of Justice's measures for funding volunteer groups on the basis of payment by results and 'what works', which are construed on the basis that interventions will or will not reduce offending. However, these calculations do not always factor in neutral or null hypotheses, that is, where volunteering interventions may produce no impact or even adverse effects.

The tensions between building solidarity and social integration on the one hand, and the protection of property or the status quo on the other, reveal how volunteering is an anomalous force, capable of creating cohesion but also of sowing divisiveness. Volunteering with neighbourhood watch groups is encouraged as a vital component in achieving 'stronger and safer' communities, for example. Equally, however, local campaigns often emerge as manifestations of informal involvement in opposition to local plans, such as the siting of drugs and alcohol support centres or housing for ex-offenders (Rossendale Free Press, 14 October 2011; South Wales Evening Post, 21 June 2012). While such campaigning is sometimes heralded as a return of power to the community, it is also associated with NIMBYism, a neologism for 'Not In My Back Yard'. Similarly, Aldrich and Crook's paper, Trailers in Post-Katrina New Orleans (2008), showed how civil society actors worked simultaneously to bring citizens together while mobilizing them against the 'threat' of temporary trailer parks in their neighbourhoods for those made homeless by that extreme weather event. It is now widely recognized that activating residents to protect their localities from crime or disorder can accentuate the polarization of 'law abiding' residents from so-called 'offenders' (Crawford, 1999; Shapland, 2007). It must be acknowledged that a campaign expressing one view may result in a counter movement, leading to counterproductive or unintended consequences. Examples of the complexity of these issues may be seen from the 'dark side' of the victims rights movement, which, in setting out to redress derelictions in the criminal law or practice with regards to victims, has intentionally or not lend moral weight to the ratcheting up of punitive or authoritarian measures, and even to retaliation and vigilantism, in the interests of 'the community' (Ministry of Justice, 21 June 2011), .

## Managing volunteering as a security 'risk'

Up to this point, the discussion has focused on those aspects of volunteering which are not, but perhaps should be, comprehended as potentially or actually harmful for participants. The final section will focus on one obvious exception to

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the wider oversight of questions of harm. This is where volunteering with offenders has become a field in which volunteers are construed as innate *bearers of risk* requiring vigilant management, necessitating the pervasive application of screening and safeguarding procedures. The operative concept of 'risk' that applies here mirrors narrow, technocratic calculations which are directed at minimizing breaches of security or monitoring relationships between volunteers and clients. The narrow formulation of risk in this context reflects actuarial governing rationalities which are characterised by a general avoidance of complex questions of ethics and power by reducing them to technical problems that may be resolved procedurally rather than substantially (cf. also Meek & Mills in this volume). Thus an expanding, but under-researched, aspect of state regulation converges on the extension of the security gaze to the activities of VSOs.

Risk management policies have become pervasive in the domain of crime prevention and it is now obligatory for all agencies working in a criminal justice framework to instal procedures for ascertaining risks posed by certain clients, as well as assessing and managing their potential conduct. As a consequence, VSOs are obliged to develop procedures for individualised risk prediction and safety management (O'Malley, 2010) as well as situational preventive measures that apply to volunteers and service users.

Volunteer projects must meet the security and risk assessment requirements of statutory criminal justice agencies. In order to gain accreditation from the National Offender Management Service they must also develop protocols governing the screening of volunteers and staff, information sharing, adherence to data protection legislation and confidentiality agreements. In general, their procedures are often made more stringent by the requirements of statutory partners or funders who are focused on the security dimensions of volunteer behaviour and influence on offenders. One obvious response is that volunteer organisations scale up their in-house risk assessment and volunteer training procedures, develop joint training programmes or hand over part of the training

to their statutory partners. We conducted a content and discourse analysis of the guidelines issued by the prison service (Prison Service, 2002: 2010) and the training and induction materials devised for volunteers working in custody settings that are in the public domain (Clinks 2012: Independent Custody Visitors) and others which are not publicly available. That analysis identified those areas where volunteers are instructed in explicit and detailed scenarios about what to do during various events, such as, where:

- A volunteer is assaulted by prisoner;
- An offender makes a disclosure amounting to a concern related to the safety of a minor or vulnerable person;
- An offender attempts to coerce a mentor into doing something illegal, 'turning a blind eye' to something they have done or said;
- A prisoner is suspected of obtaining/using drugs or alcohol, passing or receiving a package;
- Any incident that may put the mentor or prisoner at risk, for example, a member of the public approaches/attacks the prisoner;
- An offender is 'inappropriate' (open to interpretation) with mentor or member of the public;
- A client commits (or is suspected of committing) a crime during time out;
- A prisoner absconds or attempts to abscond.

Without making general scientific claims from these readings of induction and training materials, what becomes apparent is the elision of 'safety' and 'security' discourses and the semantic slippages between risks presented *by* volunteers and hazards *to* which they are potentially susceptible.

We do not assert that risk assessment or security procedures are unnecessary intrusions, and concede that they are instituted to prevent harm to either volunteers or others, to minimise disruption to prison establishments and to discharge statutory duties towards public safety. However, our focus is on the means by which risk- and security logics enter into volunteering contexts from the initial stages of training and preparation. The construction of volunteers as

carriers of risk is reinforced through stringent procedures for obtaining security clearance or the screening for criminal disclosure. In this context, volunteers are socialised into the mores and modes of self-policing behaviours that govern those of professional, paid criminal justice staff.

It is evident that working in prisons and with probation creates 'security creep' as volunteers become inculcated into the attitudinal and behavioural boundaries which professional criminal justice workers have long been taught to guard against. One classic preoccupation in the prison service is the danger of staff becoming 'conditioned' (manipulated by means of intimidation or coercion) or overfamiliar with clients (through inexperience, or other cause). Moreover, even when volunteers obtain clearance to work with prisoners, that permission is highly contingent and volunteer organisations continue to report their sudden exclusion from access to clients on the grounds that they disrupt security or the prison routines or undermine the professional authority of staff.

The pattern of sharing responsibility for the routine monitoring of risk and undertaking to report concerns to statutory authorities brings VSOs into line with prevailing risk management approaches in criminal justice. These primarily characterise volunteers as risk carriers and oblige VSOs to take more responsibility for these risks. Far from lacking awareness about potentially negative moral and ethical consequences of deploying volunteers in working with vulnerable groups, we suggest that considerations of harm are dominated by a 'risk paradigm' which emphasise utility, adherence to legal and security requirements and breaches of protocols. The risk paradigm emphasises the need for prior screening of volunteers and service users, training in conducting risk assessments, and minimising criminal or civil legal liability (Health and Safety Executive, 2013).

This is a narrower purview of safety than that adopted by many VSOs, which have customarily build precautionary practices from more holistic models which focus on safeguarding vulnerable adults or children, developing lone working policies, safe recruitment procedures, responding to whistle blowers, managing allegations against staff and volunteers and emphasising the dignity and respect of clients. Finally, the effects on volunteers' motivations and attitudes towards clients are unclear. However, practices for inducting volunteers in a manner which frames *their* work in terms of risks and dangers may reinforce a sense of alienation from service users as well as mandating volunteers to act as the 'eyes and ears' of prison, or probation services. Singh (2012: 283) suggests, for example, that 'the framing of offenders as threatening goes hand in hand with the privileging of disciplinary tactics and constructions of mainstream programs {sic} as appendages of the criminal justice system'. It is difficult to assert that the problem is widespread. More research is needed into the processes by which volunteers may or may not absorb risk management dispositions or are influenced by criminogenic frames of references.

## **Summary and Conclusion**

This chapter has argued that the field of volunteering has been skewed by normative assumptions which insist on its inherent beneficence. We have suggested that the benefit fallacy arises from observations based on the shallower and visible end of research on volunteering. By contrast, the paucity of data on the 'dark side' can be related to the under-researched and unmeasured, and hence less visible or empirically validated, knowledge about the risk and hazards. Three main dangers arise from the failure to apprehend (and possibly manage) the known potential for volunteering to generate harms or inequalities. Firstly, the reluctance to openly discuss the potentially negative as well as positive aspects of volunteering may lead to a future backlash. If the desire to promote volunteering leads to a lack of candour about all its facets, the greater the public backlash is likely to be when difficulties occur. Secondly, by endeavouring to maximise the engagement of volunteers without taking account of negative impacts, policy making is seriously unbalanced in its apprehensions of the benefits and costs. Finally, organisations or statutory bodies which wittingly or unwittingly continue to subscribe to the benefit fallacy, not only put volunteers and clients at risk, but potentially their reputations and legitimacy.

Several commentators have raised concerns that official discourse and some VSOs have created conflicting ideas about the purpose of volunteering in criminal justice related work. One consequence is that concepts of volunteers as embodying reserves of citizen goodwill are deployed interchangeably with references to an untapped labour force for supplementing the work of statutory criminal justice services. Such constructions conflate instrumentalist ideas about the voluntary 'alternative arm of the penal state' (Haney, 2010: 211) with the virtuous appeal of restorative solidarity that underpins normative discourses of community justice. We have suggested that these ideals not only permeate academic, public, media, charitable and political discourses, but contribute to a confusion of purpose about the benefits of volunteering. This manifests in the ways in which policy makers and spokespeople for the voluntary sector seek to demonstrate the utility of volunteering insofar as it contributes to wider policy goals for reducing crime or reoffending. The well-documented failure to halt the revolving door through which many offenders are admitted and readmitted to the courts and prisons attests to the importance of exploring viable alternatives, including the greater use of community based, volunteer-led interventions. But it is contentious to assume that the value of volunteering is weighted primarily in terms of its adherence to utilitarian political agendas, whether fiscal, or related to law and order.

Indeed, there is evidence that the actual conditions of undertaking voluntary work are already counteracting the benefits fallacy. For example, many VSOs do not wish to replace statutory services and few seem to be eager to assume powers of sanction or adopt higher thresholds of coercion. Furthermore, many are worried about undertaking work that will absorb their workforces, paid and volunteer, in complicated and expensive procedures. Such practices necessarily divert resources to the upkeep of regulatory regimes, and involve tangible as well as qualitative shifts towards the formal management of staff, volunteers and service users. The final comments of this chapter lay out some constructive and proportionate proposals for creating a framework of due diligence that will

accommodate a pluralistic culture of social justice, that is, one which accommodates the ethos and values of VSOs and their relationship with forprofit and statutory partners.

The first principle entails adopting a cognisance of harm, that is, a conscious acknowledgement of the avoidable harms that may be perpetuated by volunteering, ensuring that these are made more visible, and that accountability is prioritised so as to advance their social mission with integrity. It is stressed that a cognisance of harm is not the same as predicting risks/or hazards to which the answer to date has been proliferating regulation. Nor is it the same as costbenefit calculations as to the utility of involving or not involving volunteers, although in practice these will inform agencies' decisions about pursuing service contracts.

Secondly, a prominent concern relates to penal drift, that is, the migration of practices founded on concerns with security and control from statutory to voluntary bodies, which potentially has significant consequences for VSOs and their service users. This trend may be ameliorated if VSOs routinely applied a 'legitimacy test' when contemplating taking on work where elements of coercion or monitoring breach of sentence orders are involved. Such a legitimacy test would involve comparing the voluntary sector's aims and mission with the terms of their service contracts and also with assessing the goals and disposition of partner organisations, especially where they have statutory duties to implement breach proceedings or formal sanctioning powers.

Thirdly, explicit, sector-wide guidelines could be published in the form of an ethical code between VSOs and the police, courts, prisons or probation agencies which clarify the responsibilities of each partner and the opportunities for either party to review practices against the guidelines.

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Fourthly, a principle of subsidiarity or non-coercive/non-penal intervention

could be incorporated into Commissioner's codes of practice so that VSOs are not

penalised by actions related to breach of contract or downgraded in future

funding competitions if they indicate clearly and in advance those areas where

they are unwilling to perform certain tasks (such as reporting offenders where

breach of sentence procedures might ensue).

Finally, volunteers should be made aware of the consequences of their

involvement in working with victims and offenders, and be discouraged from

identifying with penal rationalities. Volunteers (and perhaps paid staff) ought to

be allowed to withdraw from activities which exceed pastoral thresholds or

which they perceive to be unacceptably coercive. Managers ought to be able to

take decisions that would minimise adverse outcomes for service users.

While it is possible that, as the available evidence suggests, the benefits of

volunteering outweigh the problems, it is untenable to continue in the belief that

an activity in which millions of people participate every day is without negative

impacts.

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