



## Building Knowledge of Consumer Participation in Criminal Justice in Australia: A Case Study

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### Abstract

This exploratory study investigates the various factors to be considered when developing and implementing consumer participation in community-based criminal justice settings. The study uses the Victorian Association for the Care and Resettlement of Offenders (VACRO), based in Melbourne, Australia, as its case study site as this organisation is in the process of formally introducing consumer participation. The study is informed by previous research in key areas related to criminal justice, focusing on the perspectives of various stakeholders: staff, volunteers, and consumers. A mixed method approach offered a range of opportunities for participants to engage with the research. Thematic analysis identified multi-layered issues need to be considered when implementing consumer participation. Poor individual understanding was noted as a barrier, alongside a limited shared vision of the concept. These were seen to be influenced by practical issues such as high staff turnover and conceptual challenges, notably the existing discourse around offenders. The implications of these findings for further research on consumer participation in the criminal justice setting are explored.

### Keywords

Consumer; service user; participation; rehabilitation.

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## Introduction

Consumer, or service user, participation—‘the process of involving consumers in decision making about ... service planning, policy development, priority setting and quality in the delivery of services’ (Clarke and Brindle 2010: 13)—was established as a concept in the late 1960s, based on the work of Arnstein (1969). This paper presents an initial examination of the factors that need to be considered when developing and implementing consumer participation in the criminal justice sector, through a case study of the Victorian Association for the Care & Resettlement of Offenders (VACRO). The paper begins by describing how participation has been conceptualised, adopted and implemented in a range of related fields of practice. It is revealed to be a broad and ill-defined concept, which is often difficult to apply. While practical challenges are described, it appears that barriers to implementation are also, at least partly, a result of ‘participation’ being informed by two opposing ideologies, with subsequently varied understandings of its aim and scope. Greater emphasis on a neo-liberal agenda, including matters such as ‘budget austerity’ (Voorberg, Bekkers and Tummers 2015: 1334) rather than a rights or even a rehabilitative agenda, has had notable flow-on effects to participation being implemented in criminal justice settings. Whilst there is some attention to participatory processes in closed prison environments, examination of community-based processes is limited. To begin this investigation in Australia where knowledge is noticeably absent, a case study is presented of one community-based, not-for-profit organisation, drawing on staff and volunteer views of consumer participation. Perceived barriers are evident, with a restricted understanding of the nature and aims of participation influenced by the wider community. Despite this, rehabilitative benefits are acknowledged along with the complexities of tackling this issue. We conclude that to implement consumer participation in community-based criminal justice settings requires a clearly articulated aim and scope, with a rehabilitative and restorative outcome in mind.

## Defining and governing participation

Participation of consumers in social/support services is commonly broadly defined as involving service users in decision making. However, the nature, scope and aims of such participation are often not elucidated (Voorberg, Bekkers and Tummers 2015). Consumer participation has been adopted in different forms and in different fields of practice, having both individual and group/community applications. Weaver and Weaver (2016) claim, however, that individual participation is more akin to personalisation, which Lymbery (2012) describes as the creating of choice/control for service users with regard to their own interventions. Weaver and Weaver (2016) differentiate this from group/community participation, which they see as having an ultimate aim of co-production: that is, ‘the public sector harnessing the assets and resources of users and communities to achieve better outcomes’ (Bovaird and Loeffler 2013, cited in Weaver and Weaver 2016: 226).

Consumer participation has arguably been informed by two opposing ideologies (Smith et al. 2012), which result in different ways of it being framed and enacted. These range from tokenistic feedback to fully participatory or consumer ‘ownership’ (Arnstein 1969). Smith et al. (2012) contend that political moves towards smaller government, with a resultant focus on public sector efficiency and accountability, is seen to result in a managerialist approach, with its focus on ‘customer’ feedback and satisfaction. Conversely, a human rights approach and consumer group action—particularly from those in the disability and mental health sectors—has highlighted the broader benefits of participation. Notably, the latter movement has emphasised the value of drawing on lived experience in the development and delivery of services. Despite this existing and ongoing tension, service user participation has been embraced across a range of sectors. In the social/public service sector, the most obvious developments have been in health, including disability and mental health, supported by a strong government agenda and policy. In Australia, which lacks the strong public sector reforms driven by the New Labour agenda in the United Kingdom (UK) (Smith et al. 2012), consumer participation has been slower to evolve. Health has been the leading domain.

In Australia, participation in health is guided by the National Safety and Quality in Health Service Standards, which require partnering with consumers in the design, evaluation and governance of services (Australian Commission on Safety and Quality in Health Care 2016). Alcohol and other drug (AOD) treatment services are further and more specifically supported by the Victorian AOD treatment principles. These standards outline that the knowledge and lived experience of clients should be utilised in the planning, delivery and improvement of services, at an individual and systemic level (Department of Health 2013a). There have also been considerable developments in the area of mental health, influenced by a shift in the wider discourse over the past decade to one of recovery-oriented practices and the implementation of subsequent frameworks/action plans (Department of Health 2011a; Department of Health 2013b). Similar activism and advocacy in the disability sector now sees the National Disability Strategy referring directly to the importance of 'equal and active participation of all people with a disability' (Council of Australian Governments 2011: 3): '[d]oing it with us not for us' (Department of Health 2011b). This brief overview of other sectors indicates that implementation of consumer participation requires guiding policy and principles combined with political leadership and collaboration, all of which seem to be absent from the criminal justice sector.

### *Participation in the criminal justice sector*

The opportunities or implications of service user participation for the criminal justice sector have received little attention in the literature. Weaver (2011) explains the challenges in this area as being driven by community attitudes to 'offenders', and the subsequent framing of criminal justice services, which are grounded more solidly in control and restriction than in choice. The role of the political context and political cycles can also not be ignored. Victoria, where the current study is based, has seen significant growth in prison numbers over the past few years (Sentencing Advisory Council 2017), alongside major, arguably more punitive, changes to adult parole (Department of Justice and Regulation 2016) and youth justice (Department of Justice and Regulation 2017). These observations are supported by the findings of a systematic review of co-creation in public sector innovation by Voorberg, Bekkers and Tummers (2015). That research highlighted the constraining impact of organisational and social factors on consumer participation, including: political reluctance; the perceived (in)compatibility of the organisation with participation; and a risk-averse culture. It appears that the criminal justice sector lacks the 'tradition to consider citizens as associates, rather than service receivers' (Voorberg, Bekkers and Tummers 2015: 1342). This is even more so the case in Victoria, as well as elsewhere in Australia, where the system is more aligned with a law enforcement approach compared to other jurisdictions, and where criminal justice work is still embedded in a social work service framework (Weaver 2011).

Despite these challenges, participation is argued by many to have potential benefits for the individuals involved, including those engaged with statutory services as well as with the community. Smith et al. (2012: 1461, citing Scottish Office 1999) contend that participation can 'strengthen communities, increase citizenship and promote social inclusion'. Ramrayka (2010), with regard to criminal justice participation specifically, describes both organisational and individual benefits. She argues that organisations become better informed, whilst participating service users become valued and develop both confidence and positive networks. Whilst there is a guide in use in the UK for consumer participation in criminal justice (Ramrayka 2010) and it has been taken on and developed in a number of organisations there (Seppings 2016), little research or guidance is available for organisations in Australia.

### *Case study site*

VACRO is a not-for-profit organisation based in Victoria, Australia, that works within the criminal justice system to 'create a safe and fair community, to respect and support individual and family dignity, and to make a positive contribution to reducing the harm done by crime' (VACRO 2015a: 5). The organisation was established in 1872 as the Prisoners' Aid Society. It

currently employs more than 30 human services professionals, who work with those directly involved with the criminal justice system as well as with their children and families. Programs include prison-community transition support; social enterprise programs; and specific programs to assist women on community-based correctional orders. Families are supported with family workers based at a number of prisons, through information and referral and via a specific children's therapy program. Volunteers are involved in women's mentoring and in supporting Red Cross Prison visitor centres (VACRO 2015b). VACRO is a largely state-government funded service. Whilst it provides state-wide services, it is based in metropolitan Melbourne, Victoria's capital city, with a population of approximately 4.5 million people. VACRO's shift to formally embed and promote consumer participation has come following inclusion of this aim in the organisation's strategic plan (VACRO 2013). The stated aim is to 'improve service delivery in the criminal justice system by including the voices of those with "lived experience"' (VACRO 2015a: 28). Anecdotally, this has been an informal approach of the organisation over some years.

### **Consumer participation: Literature review**

Although there is growing research into consumer participation, this is spread across a wide range of service sectors and is sporadic in nature. One large scale systematic review by Voorberg, Bekkers and Tummers (2015), noted earlier, examined 122 studies of participation in the public sector published from 1987-2013; these were mostly in the fields of health and education. Studies typically reported on factors influencing implementation; few gave attention to a clear aim or to the desired outcomes. Influential factors were deemed to be both organisational (discussed above) and individual: that is, with regard to the relevant skills and social capital of participants, and their sense of ownership and perceptions of risk. These broad themes are reflected in the studies examined below.

#### *Participation in social support and mental health services*

Findings from a US survey into the implementation of consumer participation in 107 generic social service non-government organisations (Hardina 2011) indicate that participation was seen to have the potential to restore reciprocity and reduce the feelings of oppression in low income communities. There was, however, little evidence to suggest that organisations actually implemented this. The researcher concluded that implementing consumer participation is difficult due to the rigid nature of organisational rules and existing hierarchical, decision making processes, mirroring Voorberg, Bekkers and Tummers' (2015) suggestions re organisational compatibility. Hardina's (2011) findings highlight that, while consumer participation is seen to have possible benefits, it is challenging to overlay this concept on an existing organisational framework. With regard to criminal justice settings specifically, Needham (2008, cited in Weaver, 2011) argues similarly that meaningful participation requires attitudinal change at an organisational level. Implied in this discussion is the need for all parties to be clear about what is meant by 'participation', as well as its desired outcomes.

One field of practice where the concept of participation has been well embraced and clearly connected to recovery is in the area of mental health; there remains limited attention, however, on how to 'do' participation. Exploratory research in Victoria, Australia, with consumers (Lammers and Happell 2003) and public mental health managers (Bennetts, Cross and Bloomer 2011) highlights the challenges it presents. These are both practical—recruiting and supporting participants—as well as ideological, requiring a breaking down of traditional organisation culture, also noted by Hardina (2011). Similar issues are emphasised in Elstad and Eide's (2009) findings in Norway, who note the impact of staff attitudes, describing some as fearful that consumer roles would usurp their professional roles. This indicates, again, a limited shared understanding of the nature and scope of participation.

Some research in mental health has sought to understand the methods and process of participation. In the UK, Crawford et al. (2003) examined the methods used to enable

participation in the planning and delivery of psychiatric services. Similar to Hardina (2011), their findings describe attempts to implement consumer participation in a way that 'fits' this into the existing model and structure; for example, adding a 'consumer representative' role into an existing governing body. It was also evident that most define participation as providing feedback on services. That study also found, similar to Elstad and Eide's (2009), that, whilst management were supportive of increasing user participation, the concept had not yet filtered down to frontline service staff. They identified the need for training to assist staff in better understanding what is needed to achieve a meaningful process of user involvement (Crawford et al. 2003).

Whilst these studies identify the processes and barriers to consumer participation in mental health and social support services, the additional challenges involved in developing and implementing consumer participation with a consumer group marginalised because of their behaviour must also be examined.

### *Enabling participation of marginalised consumer groups*

Bryant et al. (2008a, 2008b) sought to investigate consumer (n=179) participation in AOD treatment services (n=64) across three Australian states. The study found that these treatment services appear to include consumers in various ways. Consumers were, however, typically unaware of opportunities for involvement as a result of perceived poor communication between service providers and consumers (Bryant et al. 2008a); this was an issue also noted by Lammers and Happell (2003). Differing views on service user capacity were also evident: consumers described a willingness to contribute to participatory activities, whereas staff, despite stating a belief in the concept, expressed concern about the competency of consumers to do so (Bryant et al. 2008b).

The authors suggest that a tokenistic approach may be evident here, with AOD organisations, under the health umbrella, being required to incorporate participatory practices rather than having a desire to do so. They also point out that AOD services are for a consumer group which engages in activities that are understood to be socially deviant and in need of 'fixing' (Bryant et al. 2008b). This negative community perception is arguably reflected in the overall lack of effort made to encourage this consumer group to participate. It is clear that understanding community perspectives is an important first step in developing and implementing consumer participation. This is of particular relevance to criminal justice service users, who Weaver (2011: 1040) claims 'cannot un-problematically be cast as consumers'.

A specific examination was undertaken of the benefits and challenges of using models of service user participation in prisons and probation trusts in England and Wales (Hayes 2011). Data were gathered via telephone interviews with governors and chief executives of prisons and probation trusts. The review identified that service user involvement is relatively well established in prisons but is lacking in community-based programs. Data indicate the perceived success of service user initiatives when these are developed with the users themselves, and the need for service providers to provide more guidance to both service users and staff to do so effectively (Hayes 2011). Despite the 'positives', staff members were apprehensive about incorporating these practices and reluctant to have offenders involved in planning and delivery of services. Despite the valuable insight this review has provided into service user participation in criminal justice in the UK, no service users were consulted in relation to their attitudes and perspectives. A further shortcoming of this review is the limited attention to outcomes.

There is indeed a paucity of research examining any relationship between the service user participation in service/policy development and improved outcomes, including desistance from offending (Weaver and McCulloch 2012). However, helping others as a way of framing a positive and prosocial personal identity builds on Maruna's (2001) argument that offenders can 'make

good' by creating new narratives around reform and personal change. In one of the few studies in this area, LeBel, Richie and Maruna (2015) sought to compare the experiences, attitudes, perceptions of stigma and coping of formerly incarcerated people employed in prison re-integration programs (n=29) with those of the programs' clients (n=229). The findings indicated, perhaps unsurprisingly, that those engaged as staff perceived less stigma, expressed greater life satisfaction and were generally more positive about their life chances. The authors concluded that participation and the opportunity to 'give back' created many benefits for participants, including improved community integration. Indeed, Weaver and McCulloch (2012: 7) argue that there is evidence to suggest that fostering a positive sense of self through 'generativity, volunteering, help-giving behaviours, advocacy or activism'—participation—may support desistance.

Any role for consumer participation in the criminal justice sector has had limited attention to date; while the potential is indicated, knowledge and understanding is at an early stage. The literature drawn from related areas identifies the importance of addressing the organisational culture, which exists in the wider community context, as well as needing clarity about whether the type of 'participation' being adopted has a shared view and shared ownership. Having not only a driving policy framework but also the resources and support to enact a participatory approach are necessary. Two key challenges identified for the criminal justice sector are the underpinning ideology of the system—which, at least in part, involves punishment—and its subsequent focus on the accountability of the service user for their behaviour. This is in contrast to other service systems, wherein the system is seen to have a sense of accountability to the service user, to provide accessible and appropriate services.

## **Methodology**

This research, therefore, sought to explore what needs to be considered when implementing consumer participation in criminal justice, using one organisation, VACRO, as a case study site. Using this approach was considered most suitable given that knowledge at this stage is developmental and exploratory; notably, conducting a case study is also the most common method for this type of research (Voorberg, Bekkers and Tummers 2015). Additionally, an adaptable approach was needed, one that sought to explore the perceptions and opinions of a range of contributors (Alston and Bowles 2012). Feasibility was also key, with the organisation indicating it was prepared to support a variety of flexible data collection methods offered so as to increase accessibility to a busy staff group. A questionnaire, focus group sessions and interview options were subsequently offered to participants. As such, the study primarily sought qualitative data to capture meanings, definitions and descriptions of events (Minichiello, Fulton and Sullivan 1999).

## **Participants**

The study was granted ethical approval from the Monash University Human Research Ethics Committee and data were collected over a four month period, from August through to October 2015. Non-probability judgement sampling (Flynn and McDermott 2016) was utilised as the research question required specific data from staff (both paid and unpaid) of VACRO's services. Invitations to participate were sent by email from the organisation's administration email address to all potential participants; hard copies of the invitation were also available in the office. The first author, who was completing a final social work placement at VACRO, outlined the research at two team meetings and a volunteer training session, where potential participants were informed of the ways in which to contact the researcher if they wanted to opt in to the study. Whilst it had been originally planned to also gather service user views, insufficient data were available during fieldwork to adequately represent these views. It is a clear limitations of the study that these views are not represented.

Semi-structured interviews were identified as the preferred method of data collection. This type of interview covered key interest topics whilst allowing participants to present new

materials that the researcher may not have considered (Flynn and McDermott 2016). However, as noted above, a range of data collection strategies were required to increase the likelihood of participation from a group of respondents working in a busy and often pressured work environment. Focus group sessions built around existing groups/meetings were a convenient way to collect data in the organisation. Self-administered questionnaires were also offered, partly to meet the needs of potential participants who may not have felt comfortable sharing their experiences in a group setting, due to sensitivities about having conflicting opinions in the workplace. This was not a preferred method as it provides no opportunity to ask extra questions as they arose, to clarify understanding. The questionnaire did allow, however, for anonymous participation. Data were collected in response to the same sets of questions, developed from the literature review, across all participant groups and methods of data gathering. Data were sought about participants' experiences, knowledge and attitudes, with regard to consumer participation.

### *Data analysis*

Data collected via the interviews and focus group sessions were recorded and transcribed. An important part of the analysis process is to notice what it is, in detail, that participants say (Braun and Clarke 2006). Paraphrasing and clarifying data throughout the interviews and focus group sessions ensured accuracy and reliability. Analysis of the data involved a recursive process of generating codes, reviewing data and naming themes (Braun and Clarke 2006). Themes in the data arose as recurring ideas, capturing aspects of the data important and relevant to answering the research question (Braun and Clarke 2006). The themes in this research emerged through repetitions and conflicting views within and across each data collection method (Flynn and McDermott 2016). Data were deductively examined with reference to themes identified in previous research; additional codes and themes were also identified in an inductive process. Data were analysed at a latent level, examining underlying ideas and assumptions referred to by participants (Braun and Clarke 2006).

### **Findings**

As discussed above, the study's respondents comprised staff and volunteers from VACRO. Multiple methods of data collection, as presented in Table 1, were used across these groups. Quotes are drawn from all respondents in presentation of the findings but, because of the small case study approach—and thus small number of participants—to this research, more specific information about the data source is not provided; participants are not differentiated, either between groups or modes of data collection, to ensure privacy.

**Table 1: Study participants by data collection methods**

<i>Participant group</i>	<i>Interview</i>	<i>Focus group</i>	<i>Questionnaire</i>	<i>Total</i>
<b>Staff</b>	4	5	7	16
<b>Volunteers</b>	2	0	0	2
<b>Total</b>	6	5	7	20

### *Understanding consumer participation*

In general, participants expressed general support for the idea of consumer participation. They described a variety of similar motivations, including: to provide direction for the organisation and improve service delivery; as well as recognising and valuing the expert opinions of consumers, or to use for advocacy in the future.

It's just about opening up conversation between services and consumers for those services.

We want to help people ... Not-for-profits are ultimately value-based and that's why it's being done.

Generally, respondents in this study did not show a sophisticated understanding of the scope of consumer participation or of the competing ideological bases. While participation by consumers was described in a range of ways, from giving feedback to sharing their knowledge in the development of the services ('recognising that we [service deliverers] don't know everything'), the most common explanation was of participation simply as 'feedback'. Data further indicate that participants were typically agreeable to receiving consumer opinions via feedback, but were less likely to agree with having consumers contributing to the development and implementation of services. Although the more broadly framed aims of consumer participation are outlined in the organisation's action plan, these appear not to have filtered down to direct service delivery staff. Interestingly, it was the first author's observation that, following the opportunity to discuss the concept, focus group and interview participants showed more motivation than initially to expand consumer participation.

One barrier to the understanding of participation, a factor not previously discussed in the literature, is staff retention. A high level of staff turnover was described as detrimental to understanding and 'buying in' on concepts like consumer participation.

Sixty percent of the staff that were trained [in participation] are possibly all gone which is why [education and training for consumer participation] has to be so cyclical. Because that means that there are another sixty percent here that wouldn't have a clue what we're doing already.

### ***Barriers to doing participation: environmental and individual factors***

#### *Timing of participation*

Another issue of particular relevance to criminal justice not previously examined is the impact of where an individual is situated in their passage through the criminal justice system. This was seen by study respondents to dictate consumers' readiness to participate. Service provision by the organisation was noted to be clustered at first contact or at the point of release. As a result, it was commonly thought that, while some service users may be interested in contributing, offers for potential participation may be made at inopportune moments, when clients may be in crisis, with more immediate and demanding concerns. At these times, *'raising ... potential participation seems trivial'*. Some felt, therefore, that the organisation's *'ability to touch base with consumers that are "ready" is going to be quite limited'*. Timing was also seen to potentially complicate service users' ability to reflect on their journey and provide coherent input.

You'd need to go to people who are at the end of the program ... who have been through the process [and] are stable and functional and they're in a position to give you some objective feedback.

It is evident, despite the focus on timing, that some responses remain driven by the premise that participation comprises only feedback.

#### *Perceptions of consumers*

Additionally, data indicate a view of consumers as having complex needs, including physical and mental health difficulties and poor literacy as well as conflicting priorities, all of which have the potential to significantly lessen their ability to contribute to the organisation in a positive and productive way.



The difficult thing in the group that we're dealing with is that there aren't too many [reasonably well functioning individuals] involved. If they were like that in the first place they probably wouldn't be in this situation.

Participants frequently referred to consumers in a negative manner, using language such as, '*never going to be mainstream*', '*irrational*', '*dysfunctional*', '*incoherent*', '*illiterate*', '*disorganised*' and '*untrustworthy*', deeming many not suitable as co-producers. These views reflect those of staff participants from Bryant et al. (2008b) research in the AOD sector. That study reported the contrasting position of service users who expressed a willingness and desire to be involved.

#### *The organisational context*

Participants described barriers resulting from the broader contexts: the organisation, funding expectations and community views. Respondents provided observations of a staff culture that was resistant to change: '*A lot of people said "this sounds like a lot of extra work - I can't do it"*', perhaps unsurprising given the staff turnover previously described. The need to develop and articulate a clear purpose to participation was highlighted, with an acknowledgement of the time needed to embed new concepts into an organisation's culture.

There are still issues around priority, around understanding, and it just becoming part of the culture I think. And anything new takes a long time to be embedded in your culture

Some respondents described observing developments in the organisational culture over time. VACRO was described as initially seeking a consumer voice solely to be able to say they were engaging in the process of consumer participation, whilst, of late, the focus was more on the intended outcomes.

Although previous study findings have noted the perceived risks to the community resulting from participation of consumers, respondents in the current study drew attention to a different aspect of risk: that for the consumer. Findings emphasise the need for the organisation to ensure that participants are protected during the process.

We just naively assumed that because we are involving consumers in something ... that meant we were doing the right thing without thinking about whether it was the right thing for those particular consumers ... If you look back on it, it simply feels like you're abusing their experience rather than making it an informative process where their views go somewhere and they feel they're contributing to something that is worthwhile.

I don't think it's enough to say don't do it at all. I just think there needs to be a lot of thought into how you mitigate that risk.  
... We're providing the pathway and if we don't do it well enough ultimately we're accountable for anyone's trauma or pain.

The findings also highlight the importance of considering the environment within which community-based criminal justice services work: providing services to clients of the statutory system. The latter funds many of the organisation's services and is a powerful driver and determinant of the direction of services.

... so, in some ways [statutory services] are a consumer of our service. They have to be happy with what we are doing before the client is.

They're likely to also block or make harder for us, any kind of inclusion of consumer participation in our current service delivery.

Even for community-based services provided without government funding, respondents described these services as typically being provided within environments 'owned' by statutory bodies, notably prisons. Participants spoke of it being uncomfortable asking consumers to participate as '*some prisoners and families have a code of not assisting authority or workers*', due to a lack of a trusting relationship.

Participants subsequently spoke of the need to have statutory funding bodies understand the benefits of consumer participation. The current criminal justice approach to the treatment of offenders was described as being '*punitive*', whereby there was a dominant focus on community protection rather than rehabilitation of offenders.

I think it's a big shift from them [statutory system] initially saying 'we value you guys [service users], we value your opinion and we value you' ... and I don't think they do!

Findings further highlight the importance of considering the community setting in which the organisation is located. Many referred to the negative community perceptions of offenders and the consequences for the agency's reputation of having offender opinions heard, noting the impact of some sections of the media specifically.

It's not a voice that people want to hear.

... the community would see the organisations [incorporating consumer participation] as 'crim lovers'. [Organisations] may lose their legitimacy.

There's all those sort of news stories that could come out of it - 'Sit around and have friendly chats with sex offenders and have cups of tea and muffins' - that's the hard one ... The old [newspaper] front page test.

Some study participants also expressed the need to show the benefits of consumer participation to the community in relation to reducing reoffending. These included; improved service delivery, improved community safety, and '*improved scenarios for all the clients which means they are less likely to continue and be recidivists*'. One participant, described how social exclusion is one of the largest contributing factors to social fracture in the community; reducing stigma of offenders by seeking a consumer voice has the potential to increase social inclusion, in turn reducing reoffending and community safety.

### ***Reframing participation: 'You also want to hear the story of restoration'***

Although participants did not explicitly describe any individual therapeutic outcomes from consumer participation, it became evident in the data presented that participants believed involvement in consumer participation should have some restorative and rehabilitative outcomes for the consumers as well as the organisation.

I would hope the benefits [to consumers] are around their self-esteem and ... having their experience validated in a way that's ... not about 'poor you, you've had this experience let's help you and fix you'. But allowing them to learn from their experience and use it as a springboard to their own self-worth and or becoming employment-ready simply because they're active, they're involved in something.

The general respondent position could be summarised as: while not all consumers have the ability to participate in a coherent and productive way, participation has the potential to be a positive and prosocial experience. Some study respondents spoke of their desire for consumers to be empowered through engagement with the organisation as a volunteer or staff member, and to have their *'needs voiced and listened to. It may empower them in their lives generally'*. Participants highlighted, however, that the structure of the criminal justice sector at present does not value consumer opinions and, for empowerment to be possible, this needs to be altered.

## Discussion

This case study provides initial evidence to suggest that multi-layered factors—individual, organisational, environmental and discursive—need to be considered when seeking to develop and implement consumer participation in the criminal justice sector. Unique to criminal justice, the findings identify the difficulties in valuing the lived experience of this particularly maligned group and seeing their participation as beneficial for both offenders and communities, rather than as simply risky for communities and organisations.

Whilst providing general support for the notion of consumer participation, the study findings illustrate respondent views as typically narrow. The presence of consumer participation as an objective in the strategic plan of the case study organisation, and that organisation's development of a specific action plan for including the voice of consumers in the compilation of procedures and processes, suggest that there is an agreed and shared understanding of the concept. The findings, however, indicate that this is not the case. Respondents tend to describe participation in similar ways to those noted in previous studies (Crawford et al. 2003; Elstad and Eide 2009), predominantly as 'feedback'; this is considered to be at the more tokenistic end of Arnstein's (1969) spectrum.

This narrow, or even hesitant, approach may be partially explained by the lack of clarity among frontline service staff regarding the nature and purpose of service user participation. Although staff hesitation is evident in previous findings in similar settings (for example, see Bryant et al. 2008a; 2008b), data from the current study align with Voorberg, Bekkers and Tummers's (2015) conclusions about the influence of the specific consumer group in its particular environment. There is clear evidence of the impact of multiple and specific pressures operating in the criminal justice context.

High staff turnover means that new messages about involving consumers may not be well embedded in the organisational culture. This is also occurring in a wider environment shaped by a strongly punitive 'law and order' agenda, and the increasing bureaucratisation of programs. The latter is evident in the findings that indicate consumer participation is considered by some as simply 'extra work', requiring increased reporting. This also suggests an unstated understanding of a more managerialist view of participation (Smith et al. 2012), linking 'customer feedback' to upwardly focused accountability. This does not particularly reflect an inherent value on 'lived experience'.

The impact of the broader discourse about offenders is evident in the study in a number of ways, from respondents' awareness of wider community negativity about offenders through to the stated views of the respondents themselves. On one hand, the expressed views on participation seem to be a strategy for managing community expectations. Conceptualising 'participation' as feedback is the most common position, perhaps because it is one of the least complex types of participation. It is also the least risky with an uncertain client group and is, therefore, the least controversial position and the one least likely to draw unwanted media attention. On the other hand, it is important to note that the findings specifically indicate that, whilst those who work in the criminal justice sector are aware of the impact of negative community views about offenders, they too, are influenced by and even share some of these views. Although not examined

in this study, it is also likely that respondents' partial understanding about participation is shaped by wider political discourse on this topic. Previous discussion highlights poor attention to the idea in criminal justice settings and debates (Weaver 2011), while attention to the concept in Australia has been confined mostly to the health arena.

Service user views on participatory processes are not examined here. If, however, organisational/staff attitudes influence (as suggested by Voorberg, Bekkers and Tummers 2015) or act as a barrier to participation (Elstad and Eide 2009), this study's respondent perceptions of consumers may be a hindering factor to future acceptance of consumer participation practices in criminal justice settings.

Our review of the literature clearly illustrates that, for participation to be successful, both an organisational culture that is conducive to participation and staff who want to hear what it is that consumers can contribute (Bennetts, Cross and Bloomer 2011) are required. The current study did not examine the specific participatory processes being planned or implemented or, indeed, the perceived organisational culture. Yet, existing evidence (Hardina 2011) indicates that trying to incorporate consumer participation by overlaying this onto existing structures creates challenges.

Study respondents do, however, provide a nuanced view of the challenges of doing participation in this specific sector. The crisis-driven nature of the criminal justice system and an awareness that participation may, at times, be an additional burden for clients must be considered. It would seem that a significant challenge to those in the criminal justice sector is how to not only frame but also implement consumer participation as a process that can benefit both the individuals and the community.

Widely incorporating consumer experiences in other areas such as in health, including the mental health and disability sectors, has become more accepted and understood in the past decade due to a change in focus for these services to recovery-based practice (Department of Health 2011a). Raising awareness of individuals' potentials and reframing issues in a de-stigmatising way has resulted in greater value being placed on the lived experiences in rehabilitation (Department of Human Services 2006). Drawing from life experiences is now considered to be both a rewarding and beneficial process, encouraging the idea that vulnerable individuals with mental health issues can, in fact, recover (Bennetts, Cross and Bloomer 2011). A key challenge to implementing participation in criminal justice is that the concept of recovery or restoration is not a dominant part of the ideology. Offending is still framed as an individual's 'bad choice' (Weaver and Weaver 2016). In the context of current societal discourse, criminal justice consumers continue to be framed negatively and simply as perpetrators, requiring punishment rather than as people in need of support and rehabilitation (Weaver 2011). This hinders the ability to incorporate consumer participation in a way that is accepted and encouraged by the wider community.

## **Conclusion**

This small case study contributes to the limited body of knowledge with regard to the incorporation of consumer participation in criminal justice services. While the findings provide support to existing knowledge about consumer participation more generally, they add specific knowledge about the challenges in this sector, notably the broader political discourse and the crises inherent in the criminal justice sector. The findings provide clear but tentative guidance about issues for consideration when designing and implementing such an approach.

Organisations need leadership, which shapes and reinforces a clear view of what consumer participation means in that organisation: its extent and nature. Including participation as a fundamental component of an organisation's value statement and mission would assist with

all stakeholders being 'on the same page'. But words are not enough. A commitment to such an approach is also likely to require reconsideration of existing structures and processes. The purpose of participation, and its desired outcomes—for the individual, organisation and the community—must be explicitly articulated and communicated in an ongoing way to staff; this is vital in building a culture that values a partnership approach. Given the reasons why services users are in contact with criminal justice organisations and the crisis points which emerge, there is a need for a flexible approach to participation; one size will not fit all. The current and increasingly punitive context reinforces the need for the desired rehabilitative and restorative outcomes (LeBel, Richie and Maruna 2015) of participation to be made clear. In conclusion, it is also evident, and implied in the findings, that there is a need to investigate the broad outcomes of a participatory approach in the criminal justice sector. This case study has been a small but important first step.

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<sup>1</sup> 'This research was conducted whilst this author was a student in the Bachelor of Health Sciences/Bachelor Social Work (Honours) program at Monash University.

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