



Understanding the harms of criminalisation for “veteran offenders”

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Fourteen years ago, the National Association of Probation Officers (Napo, 2008) reported 'alarming levels' of over 20,000 former military personnel imprisoned or under community supervision in England and Wales. This led to the political category of 'veteran offender', alongside asking all those who encounter criminal punishment systems to disclose whether they have ever 'served' in the armed forces. Despite initial interest in how best to support ex-forces personnel, a national strategy is yet to be produced and examples of good practice remain at local levels (Moorhead, 2021).

Driven by a social harm approach, my research offers a critical insight into life before, during, and after military employment in the 21st century. This involves exploring the lived experience of interactions with state institutions and transitioning from the armed forces more generally, not just for those criminalised. Based on 14 visual and narrative interviews with ten British ex-forces personnel, it was found that processes of 'becoming' militarised are deeply embodied and carried into post-military life (Wilkinson, 2017). As one participant explained:

"It's the training process of breaking someone down, and then, building them back up. And at no point has anybody re-broken me down, to build me back up as something else. So that's still how I am."
(Harry)

The 'hero to zero' fall

In a recent [article published in Probation Journal](#), I argue that the categorisation and governance of ex-forces personnel - however well-meaning in terms of support - is fraught with exclusion, misrecognition, and potential harm. It appears criminalised ex-forces communities face a



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complex 'dance of disclosure' while navigating post-imprisonment transitions. People must risk the potential shame of revealing and tarnishing their military past, in addition to the 'civil and social death' (Henley, 2018) that accompanies practices of criminal record disclosures.

A veteran is defined as anyone who has served one day in the Armed or Maritime Forces, regular or reserve (MoJ, 2019). Yet in practice, the vast diversity of military roles, experiences, and careers is not always understood. To offer a glimpse into this diversity, my article (Wilkinson, 2022) draws on case studies from two interviews with criminalised veterans, 'David' and 'Oliver'. Like many imprisoned ex-forces personnel (Albertson et al., 2017), David was convicted for violent offences and was continually criminalised for addiction, and Oliver was convicted of a sexual offence.

David was employed by the British Army at the age of 16, straight from the care system. After a positive drugs test in the Infantry, he was dishonourably discharged with no access to resettlement or support. David described life from this point as desperately trying to re-enter disciplined institutions:

"The worst thing that ever happened to me is I went to prison the first time [...] I just need that structure now you know? That I originally had in the Army. Kind of got that from care a little bit. So, I've moved, well really from one institution to another, to another." (David)

Oliver was employed by the British Royal Navy as a field chef at the age of 17. During his service he became addicted to alcohol and gambling. After being made redundant, Oliver worked as a prison officer and in prison kitchens for several years. In contrast to David's experience, Oliver craves the freedom of autonomy. Below, he discusses life in charity-provided housing under probation supervision:

"I'll be using this facility for the least amount of time as I have to. I want my individual life back. To make decisions for myself [...] and get out of here." (Oliver)

'More risky' yet 'more vulnerable'

'Veteran offenders' embody a tension. On the one hand, they may be managed as 'more risky', due to the drilled resource of being able to kill (Murray, 2014). On the other hand, criminalised veterans may be in greater need of support, precisely due to militarisation and potential exposure to the harms of war (McGarry et al., 2015).

'Doubly bad'

David and Oliver discussed being governed as 'high risk' and perceived to be 'more dangerous', due to an assumed capacity for violence linked to being ex-military:

"I was on three man unlock, because I was seen as high risk [sniffs]. Um, I had to lie on the floor with my hands behind my back every time they come into my cell." (David)

As a 'veteran sex offender', Oliver was also subject to degrading daily restrictions, such as having to detail a short walk:

"Classic one. I got a new probation officer ... he said, "did you know that there's a school nearby?" [explains walking routes] I made sure they knew. ... I get that they're concerned for the public. It's their job. I'm a veteran sex offender now. Doubly bad! But you've got to be reasonable." (Oliver)

'Doubly sad'

Alongside being governed as 'more violent', criminalised ex-forces personnel are frequently medicalised through the lens of post-traumatic stress disorder (PTSD). Like most ex-forces people, David was not deployed to an area of active conflict. Nonetheless, practitioners routinely assumed his mental health struggles were war-related PTSD:

"I hate it. I don't suffer with PTSD, but I suffer with real bad depression ... [sniffs] ... They, kind of, tie depression, do you know what I mean, automatically to PTSD [sniffs]" (David)

Those managing David were likely trying their best to offer support. Yet connecting David's criminalisation to the mental traumas of war compounded a deeper level of symbolic pain and shame caused by a *lack* of war experience - an issue rarely discussed in literature:

"You have to keep telling people... [Sucks in air] No. No, I didn't, I didn't see conflict [...] We never got called up. I was disappointed we didn't go ... I'm really jealous" (David)

David and Oliver explained how being asked to disclose details about military service to practitioners led to feelings of guilt about receiving veteran-specific support, while others with war experience may be 'more in need':

"I'm ex-forces. ... A veteran is somebody who's served in a war, served the country that way. I'm not a veteran. [...] Especially the lads, what they're having to go through now with dirty warfare. They're the ones that really need help [sighs]" (Oliver)

This chimes with Sim's (2017: 197) argument that establishing 'vulnerable identities' can generate competition for scarce resources.

Social Harm

David and Oliver had joined the armed forces to escape the harms of poverty, echoing a common narrative among ex-forces personnel (Gee, 2017). Struggles surrounding the 'reverse culture shock' of leaving militarised institutions (Bergman et al., 2014; Cooper et al., 2016) collided with difficulty accessing basic resources to survive, such as food and housing. The ability to flourish as a human (Pemberton, 2016) had therefore worsened amid a time of violent Conservative austerity and life on Universal Credit:

"Money there's not a lot I can do on that. Just [air quotes] 'live within your means'. [pfft]... I'm slowly but surely getting used to that amount. I eat every day now." (Oliver)

Although the Armed Forces Covenant may intend for the disclosure of a military past to assist with targeted support (MoJ, 2019), it may be forcing thousands of people into the difficult space of bringing the shame of a conviction to their military service. Oliver's conviction tarnished his veteran identity and destroyed the relationship with his family and Navy friends - resulting in a loss of purpose in life, the loss of supportive social capital, and a painful loss of belonging:

"Now my family get together and go away on holiday once a year. Me not invited. Still hurts." (Oliver)

Trying to re-find a sense of belonging and purpose with a criminal record

Like millions of people navigating the barriers flowing from criminal record disclosures (Henley, 2018), life after imprisonment for David and Oliver involves being systematically excluded from full citizenship. It's worth actively remembering that living in precarious and uncertain socio-economic conditions, especially with a criminal record, disrupts the ability to imagine and plan a positive future:

"Trying to get work with my convictions and stuff like that. It's going to be near impossible ... wouldn't even get a step in the door." (David)

"With so much behind you, above you, and all the rest of it. So many restrictions ... I've got to start again, a career, from scratch. Hard ... What I'm hopeful for is a relationship with my daughter ... That's why I'm still alive. Erm, and to be alive is not enough. I've got to be happy. [laughs] [pause] Which is easier said than done." (Oliver)

Final thoughts

Notions of 're-habilitation' assume a return to a prior, 'acceptable' way of being (Mawby, and Worrall, 2013). When supporting criminalised ex-forces communities, I'd urge practitioners to remember that for most people who enter the military between the ages of 16 and 18, 'civilian life' has never been 'habitual' as an adult. Further, ex-forces people have often existed within a militarised team, with external goals and purpose, rather than as an 'individual'.

Governing criminalised ex-military people's life choices through civilian ways of understanding may therefore be problematic and potentially counterproductive. Supporting ex-forces personnel to navigate the forever changing demands of 'civvy street' will likely require learning, patience, and a wealth of trust. I hope sharing the experiences of David and Oliver will mean that disclosing previous military employment does not result in more risk-driven restrictions on people's ability to live without further criminalisation, especially amid a turbulent cost-of-living crisis.

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