Co-production and Criminal Justice

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Chapter 8

Now what?

8 Now what?

[The] messy, unhinged, unanchored, adrift feeling that comes with collaboration, when you're not holding the reins.[1]

This book started with questions: What is co-production in criminal justice contexts? What or who makes the "co" in co-production? And what makes co-production in and about criminal justice unique or distinct from co-production in other contexts? These are questions we have grappled with, explored through the case studies, and to which we return here, at the end of this book. In the previous chapter, we analysed the case studies through the conceptual lenses of *power and hierarchy* and *ways of knowing*, and identified themes of time, space, and identity in examining co-production in practice. In this chapter, we continue our analysis, moving beyond the case studies, to think more broadly about the pitfalls and challenges of co-production in criminal justice. We reflect, finally, on the principles and possibilities we have gleaned through working–making–doing this book together, and what they might mean for producing knowledge about criminal justice *with* people entangled in criminal justice.

Our approach is both practical and conceptual. We have looked at what people *do* (practices) and what people *think* (the underlying meanings, ideas and assumptions) when co-producing knowledge in/about criminal justice. We approached the case studies with a methodological lens that privileged the telling of each project's story while acknowledging that not all stories have been told. Delving deeply into different examples has allowed us to move beyond *what should happen* in co-production, to conceptualise *what does happen*, to identify the pitfalls and possibilities for others. The case studies suggest that the reality of co-production means iterative, often messy processes of negotiating temporal, spatial, and relational boundaries and differences, and meeting people *where they are*, and that these occur at the speed of trust, according to cultural and relational rhythms. The case studies show that co-production is not one thing. There are many ways of doing it.

What or who makes the "co" in co-production?

Chapter 1 opened with a definition of "co" as a prefix denoting working–making–doing *together*, *jointly*, *mutually*, and *indicating partnership or equality*. The question of who or what makes the production of criminal justice knowledge "joint" or "mutual" points to our discussion below about the omnipresence of Justice,[2] not least in terms of who holds power to decide. But we can also see, through the case studies, that there are different ways people and projects *do* push and stretch the constraints of Justice, working collaboratively, to bring together different ways of knowing what we know. We consider these briefly now as a kind of continuum, a diversity of practices, illustrating varying degrees of reciprocity or mutuality, partnership or equality.

Collaborative workers

Reflecting on *what or who makes the "co" in co-production*, people's orientation towards knowledge and their relations with the people they are working with are key. For some, knowledge is always partial and gaining a full perspective and deep understanding means taking in different points of view. Some projects were not initially framed as co-production at all, yet might accurately have been conceptualised in co-production terms. In the Youth Justice case study, for instance, Tim valued reciprocity and the opportunity for young people to tell their stories, to convey their perspective on things that matter to them. His genuinely respectful listening skills and professional experience enabled him to work relationally. He assumed young people's expertise in their own lives, which is a clear and powerful statement given the statutory relationship between imprisoned young men and a worker in "the system". It signals a degree of power-sharing. It recognises the limits of adult knowledge about young people's perspectives on the world, how adults always look back, down, and through a different temporality. It suggests that co-producing knowledge means learning to see from below and outside the ken of those *doing the looking*.

This case study reveals the overlap between practices that are labelled co-production and participatory approaches that produce knowledge in collaboration with research participants. We are suggesting here that something that is *not* conceived or identified as co-production can still generate co-produced knowledge. Sinead, for instance, initially rejected the co-production label because the Mothers' Project did not fully incorporate the stages of co-design, co-planning, co-delivery, and co-evaluation. This raises the question: When is co-production *not* co-production? Ascertaining the boundaries of "co-pro" is not straightforward; perhaps it becomes

easier when its instigators engage explicitly, intentionally with power and partnership, such as those we have come to think of as champions and innovators.

Champions and innovators

The combination of personal insight and professional training oriented towards social justice and reflexivity can be a powerful motivator for collaborative approaches to knowledge-making, as Straight Talking suggests. This case study also clearly shows how power relations remain firmly and rigidly ordained by the Justice hierarchy: the clear separation between those with official "decision-making clout" and professional influence and those without – the "have-nots" – while allowing the latter "to have a voice" (Arnstein, 1969: 217). As a professional with Justice influence, Claire's role in bringing forth the "co" in co-production was to bridge these rungs on the hierarchy. Yet, despite the creativity embedded in Claire's idea of Straight Talking, the freedom to involve peers in supporting peers and to work collaboratively (as she imagined) was constrained by this rigid power structure and its bureaucracy.

The case studies involving imprisoned women were similarly circumscribed by Justice yet showed less restriction on collaboration. In terms of what and who made the "co" in Birds Eye View and the Mothers' Project, Johanna and Sinead embarked on collaborative relationships with women early on in their projects. Birds Eye View began with co-conception, gradually involving women in the co-development and ultimately co-creation of the podcast as a lasting artefact of the women's experience. This included substantive roles including co-editing and, importantly (given it extended beyond the project timeline), co-promotion of the podcast in the public arena. Birds Eye View thus gave women opportunities to participate in a project about their experience, to be recognised as partners, to decide how their stories would be presented, and to be heard as experts in their collective story. Designing projects grounded in people's lived experience, and working together as partners, was thus one way that people did the "co" of co-production. This was motivated by a firm belief in the rights of criminalised people – as citizens – to have a voice and participate in things that affect them. For these projects' champions and innovators, the opportunity for "better justice" or "improved services" always appeared secondary to this deeper rationale.

Keeping on Country exemplified a broader political agenda in terms of non-Indigenous co-producers explicitly championing the principle of self-determination for First Nations peoples. While the research brief very much reflected government priorities and language, on the ground the

project was described as a partnership from the outset. The non-Indigenous expert researchers and clinicians, Glenn and Andrea, saw themselves as co-researchers with local community members, Sarah and Beau. From the beginning the project was defined as co-production, bringing multiple knowledges – different ways of knowing – together. This was done on community terms: Sarah and Beau selected activities and insisted on taking everything back to their communities in a careful, iterative process of communication, going back and forth, checking, from the preparation of questions to the reporting of findings. It would be problematic, in the context of Australia as a settler-colonial state, to elide the obvious power dynamics arising from two white researchers working with Indigenous communities. But, acknowledging that we live and work on unceded land and that historically unequal power relations shape ongoing relations, the non-Indigenous researchers demonstrated a strong personal and professional commitment to social justice, power-sharing, and action.

Rebels and entrepreneurs

There are different kinds of activists in Justice: one is the lived experience activist, an opportunity-seeker and risk-taker who resists or opposes the established order. User Voice's Mark Johnson is a prominent example. Based on his own life experiences, including being helped and supported in his recovery by peers, together with his entrepreneurial skills and drive, Mark has led the development of a national organisation, employing many others with similar life experiences to his own, and bringing about changes in how prisons and probation services operate. Seeds of Affinity co-founder, Linda was similarly self-directed (with the support of co-founder and parole officer, Anna). These examples represent a certain "type" that we describe as the *rebel entrepreneur*, who carries their lived experience as a torch, illuminating injustices they have experienced and lighting the way for others. This type[3] is perhaps most likely to drive co-production from the ground up, by pressing for lived experience to be recognised and valorised as expertise, to change both attitudes and practices.

Of the case studies we examined, User Voice embodies a full co-production story, beginning with the intention to create an organisation run for, by, and with ex-offenders. Its operation in high-security prisons ironically subverts the pervasive risk logic of criminal justice; sometimes, as we describe below, the "tightness" of the prison may contribute to a corresponding "looseness" in the constraints on the project. Perhaps it permitted the chaotic nature of the organisation to be contained and thereby perceived as less risky in broader Justice terms. Birds Eye View – another prison-based project – embodied this looseness in a different way.

Although it was similarly characterised as slightly chaotic, it was a project that unfolded organically, gathering high levels of peer involvement as it went. The entrepreneurial aspect of this collaboration is evident in how a storytelling project initially aimed at reducing alcohol-related harm evolved into a podcast, elevating authentic stories previously unheard. The way this project was conceptualised and implemented encouraged "rebels" to find their voice in legitimate ways they may not otherwise have found.

Summing up the what and the who

The "co" in co-production can be driven by individual motivations, pragmatic concerns about exclusion and inequality, and broader aims of transforming social relations. The "co" implies working–making–doing *with* people with lived/living experience of crime or criminalisation. But as our earlier discussion and case studies show, the categories of *expert by experience*, *lived experience worker*, and other professionals are blurry and not necessarily mutually exclusive. They overlap in various ways. Thinking about the "wounded healer" motif that often accompanies lived experience, for example, User Voice clearly illustrates this category with so many of its workforce having been criminalised and imprisoned themselves; but so too does Claire in Straight Talking (having previously been the partner of an imprisoned man). In Seeds of Affinity, Fiona had been in prison and is now a volunteer and social work graduate. In this way, the case studies exemplify perspectives from inside, outside, and across the us-and-them divide. Identifying these different roles – collaborative workers, champions and innovators, rebels and entrepreneurs – leaves the question for all of us seeking to co-produce: who is most able to disrupt the status quo, challenge power and hierarchy, and bring forth different ways of knowing?

This question reminds us, from our discussion in Chapter 2, that whoever is *doing the looking* is holding the power to define (both problems and solutions). Working together in mutual partnership, to bring forth different ways of knowing as equal in value, therefore requires looking from below and within; looking through and past established boundaries. Learning to see from below does not require any special permission or power. It does require a commitment to imagining things differently and to challenging how things are. It means recognising power where it exists and acknowledging that inequalities may stymie genuine participation. The challenge is how to name and meaningfully engage with power when it is both palpable and diffuse, both obvious and invisible. The power structures and dynamics and the us-and-them categories that characterise Justice create unique conditions for co-production. "Contestation over punishment is constant" (Smith & Kinzel, 2021: 102), yet we tend to smooth over and silence these

moral questions by looking/acting through a technocratic, evidence-based, managerialist lens. The role of co-producers is to credential storytelling, to valorise lived experiences and counternarratives of social harm and State coercion, and, ultimately, to humanise Justice.

The omnipresence of Justice

The question of what makes co-production unique in criminal justice reminds us that existing co-production principles and practice guidelines draw largely on lessons from mental health, which tend to focus on relations and interactions at the individual level. Our analysis broadens this focus to take in the wider context of norms, assumptions, and attitudes towards justice-involved people. In Chapter 7, we applied the lenses of *power and hierarchy* and different *ways of knowing* to the case studies, exploring themes of time, space, and identity. Running through these themes is an underpinning and overarching presence: Justice itself, the system, its workings and imperatives. We think of Justice as a widespread, ever-present, intangible entity; an atmosphere, milieu, set of conditions; a territory, without a single fixed place, yet that permeates and suffuses many spaces. In all our conversations, our case studies, this amorphous presence of Justice was always *felt*. That is not to say it was uniformly experienced. While Justice was always there, hovering over, in, or behind every project, its manifestations varied. When we consider what makes co-production distinct in criminal justice contexts, we conclude it is this inescapable mesh of legal, moral, administrative, and discursive threads: *the omnipresence of Justice*. We explain this omnipresence and how Justice pervades or shadows co-production in our case studies under three headings: *risk*, *bureaucracy* (and its settler-colonial logic), and *lived experience* as an identity.

Risk

Risk permeates every facet of Justice. Every interaction is mediated through the lens of risk, from decisions about who is granted access to certain places, to the use of risk assessment instruments designed to measure an individual's likelihood of reoffending according to population-based statistical modelling. This actuarial logic seeps into and shapes the assumptions embedded in everyday decision-making, creating a self-perpetuating risk logic loop. This is how the omnipresence of Justice manifests in diffuse yet fundamental ways. The case studies showed how projects were variously shaped and constrained by the omnipresence of risk and risk-management thinking, including about how to do co-production and with whom. This was most obvious in Straight Talking, where certain groups of people were

excluded from being mentors in the project (convicted sex offenders, those on parole) due to considerations of risk both real and perceived. But it was also apparent in how – by not accepting government funding – Seeds of Affinity sought to separate itself from Justice, its constraints and KPIs.

Projects that had been funded by the governmental arm of Justice, or had received ethics or access approval to do their work within one of its institutions, found themselves in a situation where they were being given enough rope to undertake the exploratory, unconventional work needed to establish relationships for co-production. Indeed, we found it telling that these case examples – all except Seeds of Affinity – were the same examples where those who led them had already been vetted as "safe", not risky, already implicitly trusted to know that they should not take that step too far, or in the wrong direction. At the same time, they were very aware that if they were to overstep these limits – or indeed go in the "wrong" direction – the retraction on that rope would be swift and consequential. As Johanna in Birds Eye View put it, there was always a sense of that project being vulnerable to the whims of "someone at the top" getting "cold feet".

Decisions about who is deemed risky, based on their history, lifestyle, or criminal record, show how Justice looms large, shadowing people's lives in concrete and material ways. Yet we see that the most serious risks and safety needs are those borne by the criminalised people at the heart of each case study. For the men and women efficiently dispatched via "Con Air" to prisons more than 1,000 kilometres away from family and community, for example, being released to the liminal space of return, often without support or resources, leaves them vulnerable to reimprisonment. For women released without the support of a welcoming community, such as Seeds of Affinity, the reality of poverty and social isolation due to a persistent criminalised identity can lead to loneliness and despair. User Voice employees know, from their own experience, what this feels like, and that these risks are often beyond an individual's control. For people with this lived or living experience, the risk of making a mistake, the assumption or expectation of failing (again), is never far away. Justice is thus a *risky* omnipresence in many people's lives. The risk for criminalised people as co-producers of criminal justice knowledge – if the source of their knowledge is not treated with due care or *gentleness* (Dufourmantelle, 2018), if Justice cannot bear witness to itself – is that they might be set up to fail.

The way risk both holds and folds around people's lives recalls Foucault's (1976/2012) "mesh of power" and how it monitors, controls, and *disciplines*. Earlier we raised the question: When is co-production *not* co-production? As our case studies hinted, there is a palpable and ever-present risk that Justice powerholders can label activities co-production as a box-ticking exercise, without shifting any decision-making power to the

hands of co-producers; without ever letting go of the reins. Thus, in ostensibly *managing risk* by maintaining control, Justice *produces risk* for co-production projects by delimiting the possibilities for reciprocity, mutuality, genuine, or equal partnership. The intertwining threads of risk, power, and hierarchy – specifically the power of Justice bureaucracy – thus constitute the mesh of power that Justice casts. This mesh is experienced individually, in existential and everyday ways, recalling notions of "grip" and "tightness" (Crewe, 2011; Crewe & Ievins, 2021). This mesh is also felt collectively: in the risk of co-option, the risk that *co-pro* becomes just another Justice programme.

As co-production terminology becomes increasingly normalised, the ever-present risk of discursive co-option is in some respects an inevitable, largely benign example of neoliberal expansionism, part of the surface layer omnipresence of Justice in our lives. At a deeper level, however, it signals the manifold dangers of reformism. As transformative agendas are subsumed under the guise of political pragmatism, emancipatory values and aspirations can be rendered seemingly trivial, impractical, and irrelevant to the unassailable rationale and continuity of the Justice juggernaut. As co-production becomes part of a Justice reformist agenda, it risks becoming a tick-box exercise, or worse, what we might call *faux co-pro*. For instance, as Scotland's Children and Young People's Commissioner recently observed:

> Some very strange examples of "co-production" being discussed at the moment. If you have very limited involvement of young people and then ignore their views, you can't call it co-production just because they were in the room.
>
> (@Bruce_Adamson, Twitter, Jun 3, 2021)

When co-production smacks of tokenism, or the empty ritual of *non-participation* (Arnstein, 1969), the risks are high. People whose life experiences are commodified in this way risk being invisibilised: their voices silenced, their knowledge subordinated, their existence further marginalised.

Bureaucracy (and its settler-colonial logic)

As we wrote in Chapter 2, one of the main threads constituting Foucault's mesh of power is *rationality*, embedded in the assumption that reality is *programmable*, and that individuals and populations can be regulated through their *knowability*. Justice maintains its grip through these rationalities and the practices arising out of them. How is this grip felt? In a correctional context, it can be experienced as "tightness": "oppressive yet also somehow

light … like an invisible harness" (Crewe, 2011: 522). For many, Crewe and Ievins (2021) contend, this invisible harness can feel heavy, onerous, invasive; for others, in certain situations, being "held or contained" (p.64) might feel assistive, even reassuring; where it is felt too loosely, through laxity or inconsistency, some can feel "abandoned and invisible" (p.62). Graeber (2016) suggests that bureaucratic rules hold all of us in a sense of safety, predictability, the comfort of knowability. Crewe and Ievins (2021: 65) suggest that the tightness of this "institutional grip" is tolerable *only* "when it is supportive rather than coercive, and where it recognises and maintains the integrity of the individual". Arguably, however, Justice is always coercive. We are alert to situations where institutional attention may be welcome, but precisely and only because of its absence at other critical moments in people's lives, as women's traumatic histories attest (in Chapter 4), for instance. In these circumstances, the omnipresence of Justice risks standing in for genuine human relationships and relational bonds, its grip always limiting possibilities for self-determination.

The omnipresence of Justice bureaucracy is a feature of settler colo-nisation, as Keeping on Country shows. The project's funding, timelines, and parameters, not least its focus on recidivism, signify the bureaucratic reach of Justice as an arm of the State, and its power to *look at* and define the problem *of* or *for* (rather than *with*) First Nations people. The govern-mental grip of Justice is most obvious in its harms – penal sanctions that mean people are imprisoned and released miles from their Country, for instance – yet equally diffuse and far-reaching in its more benign mani-festations, including government-funded research projects. That is not to impugn the genuine, respectful, and collaborative work of the Keeping on Country researchers, whose approach demonstrated a sincere commitment to embracing and valuing different ways of knowing and relating to each other. It is to acknowledge the wider political-cultural context.

That is, there are forms of knowledge – and ways of producing it – that fit neatly into spreadsheets, timelines, budgets, evaluation protocols, and government reports. These bureaucratic frameworks tend to domi-nate the gathering and accumulation of criminal justice knowledge: the statistics, data, and "facts" that inform the policies and practices that govern, control, or otherwise impinge upon the sovereignty of colonised peoples.[4] In all these ways, the omnipresence of Justice is felt, resisted, and negotiated by Indigenous peoples constantly, from everyday interac-tions with authorities to political decision-making. First Nations voices are still too often mediated, measured, and judged according to settler standards of what is and what should be. In this context, the challenge for co-producers is to push against the grip of assumptions, the tightness of institutional strictures and bureaucratic structures, and work into the

spaces in between. In this way, co-production can loosen the hold and the homogenising tendency of Justice by opening spaces for multiple ways of knowing to be valued equally.

We have observed (in Chapter 7) the temporality of the Justice bureaucracy and how control is exerted through the power of *delay* (Habdankaitė, 2017). The frustrations of the "risk-bureaucracy" and its inconsistency are especially noticeable in prisons (Crewe & Ievins, 2021: 53), where delay functions as a reminder that bureaucratic power shadows human lives. Delay is not just about the management of time and space, though. Delay also creates shadows, waiting places, and pockets of time, and it is in these fuzzy spaces of in-betweenness that co-production can take place and – more importantly – claim space. For example, our case studies hinted at the ways that participating in the co-production process often lessened the burden of imprisonment for those involved, at least temporarily. The women in the Mothers' Project and in Birds Eye View, in Chapter 4, spoke of the levity, lightness, and laughter these projects generated for them. We might say, then, that co-production holds possibilities for loosening the grip, lessening the weight of the omnipresence of Justice, at least for a moment. But our case studies also hint at ways that co-production can potentially transfigure people's lived experiences of Justice, ways that are not so fleeting.

Lived experience as an identity

The stigma of criminalisation and punishment can disfigure a person's identity for life (Goffman, 1963). Our case examples suggest, however, that co-production processes can loosen the grip of Justice, the tightness of its hold over criminalised people's lives. What stood out in all the examples we considered was how involvement in these projects allowed for new stories to be told, and for new purposes to be found. We saw this in Seeds of Affinity, for example, where women were empowered to "gain an identity other than being criminalised women" (Fiona). The Birds Eye View podcast similarly provided some of the women an escape route to an alternative identity such as "storyteller". But particularly striking was the User Voice example, where being a formerly imprisoned person now involved in the co-production of knowledge about imprisonment – in prison, with other prisoners, through prison councils – offered a portal to a new identity: a *lived experience* identity. As Garry from User Voice put it, the life experiences that had led to criminalisation and punishment now gave him an "edge" to his work and life as a self-proclaimed ex-offender. His insider knowledge became his credentials. User Voice illustrates that for some people the tightness of Justice's invisible harness can shift "from something to

be endured" into "a personal project or occupation" (Crewe, 2011: 522). Thus, in co-production projects, encounters with Justice – typically oppressive, constrictive, constraining – can also hold liberatory potential.

This is not to laud encounters with Justice, however, or to minimise the deep scars they can leave. The case studies highlight the fragility of the *lived experience* identity as one often grounded in trauma, shame, and humiliation, and forever shadowed by risk. Lived experience both holds and conceals this fragility. It is vulnerable to the risk of relapse, failure, or burn-out, as alluded to in Birds Eye View. Yet its vulnerability is masked by its emergence as a category, its embodiment in individual lives, and, through the accretion of these layers, its solidification as *an ongoing thing*. It becomes a social identity with currency; it carries credentials. Staking claims to this identity – such as User Voice's claim: "We are the evidence base" – shores up its validity, but also hides its vulnerability. The commodification of lived experience risks further effacing its fragility as a social identity. We see this in Straight Talking, where people are suspended in an in-between zone of acceptability, their inclusion in the program being conditional upon their being "good" (whatever that means). Lived experience as an identity is thus performed and performative; it may yield approval, even applause, yet always risks a swift return to condemnation and exclusion.

Perhaps the tenuousness of the lived experience identity gives rise to a willingness to play the game, as it were, as a pathway to perceived and certified success. Perhaps the past experience of being stigmatised as unworthy because of a criminalised identity, which then becomes the thing translated into something seen as worthy, makes tolerable the possible tension between being a co-producer, being responsibilised for oneself, and the subsequent governing of others (recall Foucault's idea of governing – we return to this below). Perhaps this is what Crewe and Ievins (2021: 65) mean by institutional tightness being experienced as "supportive rather than coercive":

> where it recognises and maintains the integrity of the individual through authentic engagement with his or her full personhood rather than trapping him or her in the amber of the past.

Being seen *as a whole person*. Perhaps, under such conditions, the contrast of the coercive grip of penal control makes the loosening of the harness feel like freedom. And perhaps, compared to having been ignored and silenced, the opportunity to participate in knowledge production about the experience of coercion – and being listened to – *feels like* authentic engagement. In this way, the lived experience identity provides a pathway into an imagined future.

Stigma is one of the most distinguishing features of co-production in Justice compared to other settings, such as mental health. While the stigma of mental illness and the power of the State to impose involuntary detention under mental health legislation evoke similar power dynamics, the difference lies in the construction of people's identity in terms of their past and future behaviour *and* their moral character. The medical conceptualisation of mental illness – seeing the "patient" as ill and in need of care – allows for treatment and recovery. An "offender" may similarly be pathologised for their behaviour. Yet the aims of punishment and denunciation work against the supposed rehabilitative aims of Justice and therefore counter the possibility of recovery. Instead, Justice demands that a person rehabilitates and redeems themselves – and *demonstrates* their rehabilitation and redemption – as an *ongoing* project, all the while bearing the stigma of criminalisation, which persists long after punishment supposedly ends. The key feature of co-production in criminal justice settings, then, is the focus on the Justice subject – the *offender client* – as a perennially risk-bearing individual, distinct from a patient or otherwise designated recipient of "care". Certainly, mental illness can still carry a stigma. Yet a medical record does not diminish a person's decency, integrity, morality, or trustworthiness as does a criminal record. And such status, once lost, is hard to regain.

The omnipresence of Justice metastasises through language. Justice constructs identities that are indelibly marked by the stigma of criminalisation: people become offenders or prisoners; then ex-offenders and ex-prisoners. The stickiness of criminal labels makes them difficult to remove. The omnipresence of Justice similarly pervades the language of co-production. Think of how alternative identities – "service user", "consumer", "lived experience [person]" – are made available and normalised in Justice discourse. When these terms are used uncritically, unthinkingly, and become normal through everyday usage, they become a way of rebranding the stigma of criminalisation. They smooth over how and why people are criminalised. They disguise institutional harms and colonial violence (inflicted through punishment, control, neglect or abandonment), and they impose a common-sense logic of rationality and choice, rendering these harms *individual* problems. Individual problems require individual solutions, which implies a degree of freedom to choose that may in fact be tightly constrained. In this respect, talking about "equal partnership" can obscure persistent underlying inequalities and give the impression that deep-seated structural disadvantages are surmountable by individuals having enough grit and determination, and simply choosing the right pathway. Language governs by constructing and normalising identities that can become totalising. Thus, being labelled a professional, credentialled "ex-offender" risks becoming a pathway out of one form of criminal othering into another.

What are the possibilities for co-production in criminal justice?

Our intention in writing this book was to identify current understandings of the key elements and principles of co-production in criminal justice. What has been revealed is confusion, contradiction, and complexity. There is confusion over terms and definitions: what is and isn't co-production. There is contradiction between aspirations towards freedom and encircling forms of control, and between pledges to partnership and persistent, unyielding hierarchies. And there is complexity in multiplicity, in the fact that co-production is *not one thing*; that working–making–doing together inevitably and always involves competing demands, collisions, and compromises between different ways of knowing and being in the world. In raising these points, we bring cautious optimism to practitioners and project leaders aspiring to co-produce knowledge in and about Justice. We use language intentionally to challenge assumptions about everyday notions, such as criminal justice, and to think differently about *what we know* and about questions of identity, belonging, and otherness. We see possibilities for co-production in disrupting dominant constructs of criminalised people – either as "unworthy" or as "consumers" providing a commodifiable type of "evidence" – and, instead, creating space for people to narrate their own stories. By bringing multiple perspectives and experiences into play, co-production expands knowledge, inviting new insights and deeper understandings, and challenging limited ways of seeing.

We've gathered examples – albeit a small selection – to show what co-production can be. We offer these stories (and our interpretation of them) as possibilities to explore through further practice and experimentation. Co-production is about *doing*. It's about trial and error. Co-production is risky and requires imagination and a commitment to working–making–doing and *learning* together, allowing uncertainty to unfold. It takes time. It requires patience, trust, and gentleness. It demands relational engagement based on proximity, meeting each other as humans, not as parts of a system or machine. This is a challenge when working within the constraints of Justice and its risk bureaucracy. It's also a challenge in terms of criminal othering. As formerly imprisoned Paula (2021) warns, co-production "cannot start with 'the other' and preparing 'the other' for the process"; it must be a mutual encounter. But what of the institutional grip of Justice, and the risk of co-production being co-opted into a reformist agenda, of becoming only ever an improvement strategy? What can *co-pro* do to disrupt power relations that are so deeply entrenched? The case studies show what might be possible.

Expanding accountability

Justice-making hinges on accountability: holding someone to account for their wrongful behaviour. Being accountable to each other is also key to working in a mutual trusting relationship, which – as we have seen – is required for genuine co-production to unfold. In the first instance, this means acknowledging the hidden costs of co-production, borne by individuals who invest the time, care, and emotion in the relationships on which co-production depends. It demands that Justice takes account of this investment and provides adequate support for this role. Certainly, this form of relational accountability can germinate and grow in the in-between spaces of Justice. But genuinely mutual encounters between co-producers demand relations of equality that Justice cannot bear or allow. This kind of relational engagement – for it to even manifest, let alone becoming generative and normative – requires holding Justice to account, demanding that *Justice bear witness to itself*.

More broadly, this means demanding that governments, policymakers, decision-makers, funders – all those invested with the State's power to punish – acknowledge that the hold of Justice over people's lives often *works against its implicit aims* to right wrongs, to address the harms of crime and violence. To achieve these aims means halting the ever-expanding scale and reach of Justice, shrinking its footprint; it means acknowledging the capacity for communities to participate in the everyday work of justice-making, and making room for this to happen. The possibilities for expanding notions of accountability from the individual to the relational arise out of the central principles of participation, partnership, and power-sharing. These are not merely reformist add-ons. These principles are pathways to thinking differently, together, human-to-human, in mutual encounters.

Out of mutual encounter arises the possibility of relational accountability: seeing each other as interrelated, *in relationship*, understanding the obligations and fulfilling our roles in that relationship (Wilson, 2001). In this way, co-production holds the possibility – as our case studies and others attest – of shifting the ground of relations between people. Only by doing this at the local level can larger transformations unfold. Certainly, decoupling the juggernaut of Justice from the machinery of the settler-colonial state is no easy task. But each time a co-production project works into the in-between spaces of Justice and stakes its claim to those spaces, there is the possibility of expanding these out, making them larger, making Justice able to hold multiplicity and difference, gently.

Space for lived experience

Making, holding, and keeping space for truly collaborative knowledge-making to unfold begins in physical space. In the case studies, holding the

keys (literally and metaphorically) signified the recognition of co-producers as trusted partners. Co-production projects created opportunities for doors to open both inwards and outwards – even prison doors – as the User Voice, Straight Talking, and Birds Eye View examples showed. In User Voice and Straight Talking, lived experience provided credibility among others deemed offenders, while emerging leadership, the capacity to listen, and a willingness to share their expertise provided their professional credentials. It was through working–making–doing things together that their lived experience could be articulated in their collective voice. This voice becomes louder and clearer as these practices proliferate. As our case studies show, co-production thus makes it possible for co-producers to claim space for lived experience to be valued and valorised as a crucial insider perspective. Recalling Foucault's *lutte de pouvoir* (power struggle), the verb *lutter* (to wrestle) evokes the sense of how this often inevitably means an ongoing wrestle for power, wrangling space to do this work together.

Symbolic space is, of course, as important as physical space for lived experience to be treated with care. The world of Justice divides people into two categories: those who offend and those who are offended against. This binary does not hold, yet still it persists. Co-production invites collaboration that, in many ways, undermines this categorisation. Producing knowledge together requires *seeing* each other, recognising and relating to one another as equals. Being accountable to each other. Criminal justice services are grounded in control and the power to punish (Weaver, 2011). Co-production gives space for this power to be loosened, for workers to push at the edges, stretch the boundaries, to relinquish *power over* people. Co-production can claim space that allows people to *see each other as people*, exposing the false offender/non-offender dichotomy and revealing that we all are *equally human*.

Room to make mistakes

Clearly, there are plenty of risks involved with co-producing knowledge in/about Justice, on all sides. For criminalised people, the risk of failure adheres to a criminal record like an unshakeable shadow. For powerholders, sharing power with those over whom they have previously exercised power risks ceding some of their own. Professionals may fear that valorising lived experience will diminish their expertise. Co-production champions and innovators risk their efforts being co-opted by Justice and subsumed into its reformist agenda, thereby further entrenching settler-colonial carceral logic. This logic undergirds carceral responses that paradoxically *cause harm* while seeking to address the harms of crime and violence. The risk for co-production as an emancipatory, democratising practice is that it becomes

a buzzword, hollowing out these larger transformative aspirations. In each scenario, trust is the first and last casualty.

If we take heed of the rebel entrepreneur, though, these risks become a challenge to be taken on rather than avoided. We have shown that co-production is not one thing. And that co-production is in the doing. Learning to co-produce means learning by doing. Guiding principles are an important starting point, as a kind of safety harness. But at some point, it is necessary to just get on with it and see what is possible. The real safety harness is the space to learn and make mistakes. This requires trust. Time is needed to build trust, to recognise the humanity of the other; mutual encounter by mutual encounter. Echoing Tim's words, this needs to be slow and long-winded and people need to be able to make mistakes and not be judged.

Taking time

Time, and the time it takes to do things, is one of the ways the omnipresence of Justice is felt. We see this in Keeping on Country, in how bureaucratic city time was normalised through project timelines and fly-in fly-out schedules. Yet by *Keeping on Country*, literally, this project was able to rescale this tempo, to alter its speed and the proximity to its Justice context, requiring the co-producers to move lightly, gently, slowly. As an example of slow storytelling, Birds Eye View similarly shows how working–making–doing together can and does take time; the time needed to work at the speed of relationships, the speed of trust. Through mutual encounter, sharing stories, and working–making–doing together, thereby building trusting relationships, self-sustaining support networks such as those generated by Seeds of Affinity and User Voice can emerge that will outlast any single co-production project.

Co-production brings forth the possibility to adjust the tempo of justice-making to match its place and context, to honour its purpose and engage respectfully with its partners and participants. This is what it means to meet, to encounter each other in relation, as citizens. In prisons – where important aspects of citizenship have been withdrawn – opportunities to enact and practise citizenship allow people time to see and make a future beyond prison. In communities, opportunities for people to see each other, to listen, to learn by working–making–doing together, over time, can break down otherness, can build trust. The stigma of criminalisation and imprisonment can last a lifetime. Re-tempoing Justice according to co-production rhythms can allow for pathways to acceptance – as returning citizens, and holders of knowledge – to unfold. This unfolding is possible as long as mutuality, partnership, and equality are – at the very least (to use Paula's words) – the destination. Creating these possibilities is incremental, it takes time, relational time, transformational time.

Notes

1 As Johanna described in Birds Eye View, Chapter 4
2 The criminal justice system comprises an interconnected web of relations; multiple systems of interrelated practices, meanings, processes. We use "Justice" as shorthand for this complexity.
3 Though ex-prisoner activism and organisation is far more well-established in the United States, we note several examples of organisations led by formerly imprisoned people in the Australian Justice landscape, including abolitionists Sisters Inside, penal reformers Justice Action, and First Nations support organisation Deadly Connections.
4 We note the push for "data sovereignty" led by Indigenous scholars in Australia and beyond; see, for example, Maggie Walter, Tahu Kukutai, Stephanie Carroll Rainie, and Desi Rodriguez-Lonebear (Eds.) (2021) *Indigenous Data Sovereignty and Policy*. Oxon/New York: Routledge.

References

Arnstein, S (1969) A ladder of citizen participation, *Journal of the American Institute of Planners*, 35(4): 216–224.

Crewe, B (2011) Depth, weight, tightness: Revisiting the pains of imprisonment, *Punishment & Society*, 13(5): 509–529.

Crewe, B & Ievins, A (2021) 'Tightness', recognition and penal power, *Punishment & Society*, 23(1): 47–68.

Dufourmantelle, A (2018) *Power of gentleness: Meditations on the risk of living*. New York: Fordham University Press.

Foucault, M (1976 [2012]) The mesh of power (trans. C Chitty), *Viewpoint Magazine*, September 12, 2012.

Graeber, D (2016) *The Utopia of rules: On technology, stupidity, and the secret joys of bureaucracy*. Brooklyn/London: Melville House.

Goffman, E (1963) *Stigma: Notes on the management of spoiled identity*. Hoboken, NJ: Prentice-Hall.

Habdankaitė, D (2017) Delay as (non)foundation of bureaucracy, *Filosofia*, LXII: 59–73.

Paula (2021) Thoughts from Paula. In *Prison: A place for co-production*, UCL Public Engagement Blog, January 18. https://blogs.ucl.ac.uk/public-engagement/2021/01/18/prison-a-place-for-co-production/

Smith, JM & Kinzel, A (2021) Carceral citizenship as strength: Formerly incarcerated activists, civic engagement and criminal justice transformation, *Critical Criminology*, 29: 93–110.

Weaver, B (2011) Co-producing community justice: The transformative potential of personalisation for penal sanctions, *British Journal of Social Work*, 41(6): 1038–1057.

Wilson, S (2001) What is Indigenous research methodology? *Canadian Journal of Native Education*, 25(2): 175–179.