

On Knowing and Being Known: Trust and Legitimacy in Co-Producing Desistance

Dr Hannah Graham, *University of Stirling*, guest blog post, 8th May 2015

Online at Co-Producing Desistance blog: <http://www.coproducingdesistance.org.uk/on-knowing-and-being-known-trust-and-legitimacy-in-co-producing-desistance-by-hannah-graham/>

This guest post reflects on issues of trust and legitimacy as they relate to people with convictions and experiences of punishment, and the co-productive forums and relationships in which they take part. Attention is drawn to the relational and moral dimensions of building trust and co-producing desistance which, in return, reflect on those same dimensions of the circumstances and communities to which reintegration is sought.

The co-productive ventures and forums of interest here range from mutual aid groups, peer mentoring and service user/peer advocacy forums, through to cooperatives, time banks, creative arts initiatives, and social enterprises for people with convictions, through to big picture participative social action and awareness raising campaigns. Some of these forums and ventures are positioned directly within and specifically for people in criminal justice institutions; others prefer to operate independently of institutions. Importantly, participation is chosen, not coerced.

A quick scan of the international literature reveals that much has already been said about trust and legitimacy. However, the academic and political spotlight has mostly centred on the legitimacy of institutions and practitioners (e.g., police officers, probation officers), the extent to which people trust them and, subsequently, whether this fosters compliance with the law and with those who enforce it. For those interested, Tom Tyler's contributions are seminal in this area.

The focus here is related but different. With few exceptions (of which Beth Weaver's *Co-Producing Desistance* research is a prime example), the forums that promote desistance and positive change have barely been recognised or analysed for their capacity to (re)develop trust, legitimacy and reciprocity – most importantly, from the perspective of participants' lived experiences. To summarise the work of others, processes of desistance entail more than instrumental compliance and 'being good' (cooperating, obeying rules and conditions, and demonstrating pro-social behaviours), but they are also about 'making good' (generative giving in the context of community, being recognised by others as a moral agent and as having a changed identity) and *being a recipient of social goods* (access to resources, opportunities and rights, reciprocity and belonging in community) (see Maruna, 2001; McNeill, 2012a; Weaver 2015). Shifting the focus to people's perceptions of fairness, respect and the extent to which they trust others involved in a given co-productive forum represents a different line of inquiry to wanting to know about their perceptions of the fairness and legitimacy of sanctions supervised by criminal justice practitioners.

What are the potential benefits of building trust and legitimacy through co-productive forums?

Empirical answers to this question are scarce as it is still under-researched with regards to forums and social ventures involving people with convictions. In general, experiences of respect and belonging and perceptions of 'procedural justice' and fairness influence the extent to which a person will cooperate,

give, trust or commit to others involved (see Tyler and Blader, 2003; Barker, 2009). Arguably, these things are quite relevant in the process of reintegration and co-producing desistance, especially in engaging people who are symbolically, and in some jurisdictions legally and literally, disenfranchised and disengaged.

More broadly speaking, the international literature in the fields of social innovation and social psychology is indicative of numerous potential benefits and opportunities, including:

- Where co-productive forums or social ventures result in high levels of *mutual benefits* and *reciprocity*, high levels of *cooperation* can also be expected (Mittone and Ploner, 2014). Cooperative enterprises have been shown to create *social trust* and *solidarity* among participants, making the cooperative enterprise more *resilient* (Sabatini, Modena and Tortia, 2013);
- Where co-productive forums and social enterprises result in strong perceptions of *procedural justice* (including fairness, respect and legitimacy) and opportunities for *participative decision-making*, participants' levels of *commitment* and sense of belonging to the forum or enterprise are higher – which has positive implications for its *sustainability* (Ohana, Meyer and Swaton, 2012);
- Participants' perceptions of *procedural fairness* and *legitimacy* affect their capacity for *creativity* and *innovation* in a co-productive forum or enterprise (Streicher *et al.*, 2012);
- Similarly, *relational* models of authority and engagement, including *empowering leadership* (enabling participative decision-making) and emancipatory and *authentic leadership* (promoting the self-efficacy of participants), increase *creativity* and group engagement (Tyler and Blader, 2003; Tummers and Kruyen, 2014). This raises interesting questions about 'who leads?' and 'how are decisions made?' in co-productive forums and ventures involving people with convictions.

Issues of identity, solidarity and belonging are highly relevant to processes of reintegration and desistance. Furthermore, co-productive forums and ventures have the capacity to realise other benefits and changes that are more specific to the social problem of crime and the social context and lived experience of criminal justice and punishment.

Co-productive forums and relationships can be redemptive catalysts in restoring the social contract.

Co-productive ventures and forums offer 'a place at the table' for (re)developing trust and a sense of community between actors that may have, in different ways, been estranged or been strangers. Where the breaking of trust and the social contract through criminal (and, in many senses, social) offences has been harmful and alienating, the (re)building of trust and social bonds can be life-giving and life-changing. This has less to do with 'what' interventions and methods (if any) are used or 'what' end results have 'worked' in a given forum, and a lot more to do with the fairness and respect that can be cultivated through the relationships and processes ('who', 'how' and 'why') that exist within it. To borrow a term from the theoretical work of Fergus McNeill and Gwen Robinson (2008, 2012, 2015), such forms and initiatives are beneficial because of their 'relational legitimacy' and moral quality.

Co-productive forums and relationships can offer a safe place for acknowledgement of what has gone before, in order to (re)develop trust. They can foster opportunities for restored moral standing and acceptance, positioning returning citizens as moral actors and agents of change (see Graham, Graham and Field, 2015). The example of becoming a peer mentor and drawing on personal experience to help others desist and change is a helpful and increasingly valorised role in the community. Another example

of a community gardens and food distribution initiative co-designed and lead by people with convictions highlights their voluntary and generative giving to help food banks and people living in poverty (Graham, Graham and Field, 2015). Taking part in forums like these can afford opportunities for ‘ex-offenders’ to demonstrate citizenship responsibilities and moral character, signalling to others their (re)affirmation of the social contract (for more, see Maruna, 2012 on ‘desistance signalling’).

In the interests of improving trust and legitimacy, acknowledging what has gone before should entail a reciprocal element, that is, some recognition of the ‘duality of responsibility’ (White and Graham, 2010) in processes of reintegration and re-building the social contract. Fergus McNeill (2012b) aptly describes this in terms of recognising ‘failure’ in two senses: people with offending histories have failed as citizens because of their part in the betrayal of trust and breach of the social contract that crime entails. However, more often than not, they *have been failed* as citizens by the State, institutions and communities that have not been true to their – *our* – obligations within the social contract, which includes the extent to which we have collectively forsaken our part in enabling their social and moral rehabilitation as returning citizens (see McNeill, 2012a, 2012b). Some people with convictions might have never experienced the social contract as mutually beneficial.

For some people with convictions, reintegration and re-affirmation of the social contract may feel like a zero-hours contract – with much expected of them, but little offered or invested in return.

In light of this, challenging questions emerge. Do community responses engender the trust of people who are reintegrating? To what extent are ‘we’ concerned with upholding ‘their’ rights and valuing their perceptions of justice and fairness in the process of (re)joining ‘us’? How do we seek to edit their scripts and decide what they are known for in the process of building trust and becoming ‘legitimate’ citizens again? Visibility and honest self-disclosure in the process of reintegrating can easily be turned into subjective and imprecise indicators of ‘how well’ a person has reformed which, in reality, is perhaps more an assessment of how well a person *conforms* to the stereotypes and scripts routinely applied to them by others fearful of their return. In light of extensive evidence of the pains and harms of punishment, and the social stigma that people with convictions face, the need for reconciliation in (re)developing trust should not be characterised as one-directional.

Knowing and being known entails a moderate degree of social trust and social proximity; co-production is the antithesis of social stigma and exclusion. Those social ventures and forums with reservoirs of trust, legitimacy and generative giving are likely to stand out – allowing people with convictions to be known and visible for all the right reasons.

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References are available on request.