

ARTICLE

# A language of convergence: the co-created handmade thing as a 'conversation starter' within restorative justice processes

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## Abstract

*Literacy and language challenges amongst offending populations are well-documented and yet restorative justice processes rely heavily on oral and literacy competencies. Through a qualitative practice-based study, the co-creative making and gifting of a handmade thing as part of a restorative justice process is found to enable the formation of a 'physical' and 'non-offending language' within the person responsible (offender). In this way, a handmade thing is viewed as a 'conversation starter', and as helping to form connections, so-called solidarities, across the space between participants in restorative justice encounters. Through phenomenological and thematic analyses of the data, co-creative making and gifting are shown to be innately about the formation of solidarities between people. It is proposed that they contribute towards a language of convergence in which non-verbal components are primary, with verbal elements emerging secondarily. This language draws on the author's own definition of solidarity in restorative justice research and practice as a place of convergence, meaning to bend or turn towards the other.*

**Keywords:** language, co-creation, gifting, solidarity, restorative justice.

## 1 Introduction

In my recent doctoral research, a handmade thing co-created and gifted as part of a restorative justice process was described by the gifter as a 'conversation starter'. This suggested that the gifted thing, a garden bench, was imbued with language in and of itself. Based on findings from my study, I examine this suggestion further and highlight the fact that language and literacy considerations, alongside making metaphors, are inextricably intertwined with restorative justice practice and research.

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There is a high prevalence of language and literacy challenges within offending populations (Anderson, Hawes & Snow, 2016; Hopkins, Clegg & Stackhouse, 2016; Hughes et al., 2017; Snow & Powell, 2011, 2012; Winstanley, Webb & Conti-Ramsden, 2019). This is particularly so among incarcerated individuals for whom research and reports consistently demonstrate low levels of attainment, poor experiences of education and literacy difficulties (Cropsey, Wexler, Melnick, Taxman & Young, 2007; Donnelley, 2008; HMIP & Ofsted, 2022; Morken, Jones & Helland, 2021; Shannon Trust, 2021; Tett, Anderson, McNeill, Overy & Sparks, 2012; Winn & Behizadeh, 2011). Evidence also suggests that where education programmes in prisons are ‘more contextualised and active’ and asset rather than deficit based (such as focusing purely on literacy), learning is more effective (Tett et al., 2012: 172). Yet, restorative justice processes rely heavily on oral language competencies<sup>1</sup> (Hayes, 2017; Snow & Hayes, 2013; Snow & Sanger, 2011). This is in parallel with suggestions that language used to describe, and within, restorative justice processes can promote class inequities (Willis, 2020) and maintain existing power structures (Bava & McNamee, 2019; Schiff & Hooker, 2019), thus hindering restorative justice’s transformative potential (Schiff & Hooker, 2019).

Furthermore, research suggests that participation in restorative justice conferences for young people with language impairments, particularly where undetected (Snow & Sanger, 2011), may be detrimental and even harmful, and ‘Australian research on the oral language skills of young offenders shows that one in two has a clinically significant, yet previously undiagnosed language impairment’ (Snow & Powell, 2011, 2008, cited in Snow & Hayes, 2013: 2). Where challenges in oral language competencies exist, participation in restorative justice processes is potentially problematic as,

Restorative conferences represent a reversal of the axiom that ‘actions speak louder than words’ because words are the means by which such conferences are transacted and are the key vehicle by which remorse, regret and accountability can be conveyed. (Snow & Hayes, 2013: 6)

I posit that within restorative justice processes the axiom that ‘actions speak louder than words’ can become true by merging the restorative justice process with active co-creative making and gifting processes. I describe this as a *language of convergence* composed of the three elements of *co-creative making*, *gesture* and *word*. It is a language in which the verbal element is enabled through the co-creative making and gestural ones, removing such a strong reliance on oral language and linguistic competencies.

I begin the article by describing my background, methodology and data collection methods. These are followed by an outline of co-creative making and gifting and their relationship with restorative justice. I then detail the particular theoretical lens through which I viewed my research and offer my proposition of a

1 ‘Oral language competencies’ are the abilities to ‘process the spoken language of others – to understand words and the ways in which these are connected grammatically to convey a range of meanings’ (Snow & Hayes, 2013: 3).

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language of convergence supported by findings from my research. I end with a discussion and conclusion in which I argue for a critical examination of our restorative justice processes where they focus heavily on oral competencies.

## 2 Background

Over the past two decades, I have developed the co-creative making of a handmade thing as part of participants' restorative justice processes. The co-creative making occurs between the participant and a professional artist and/or designer who is also trained as a restorative practitioner. The handmade thing is sometimes gifted to the other party – most usually from the person responsible to the person harmed and only with the permission of the person harmed. Occasionally, from the person harmed to the person responsible, or sometimes as a joint exchange, but only with risk assessments by practitioners and consents from both parties. This can be directly as part of a joint meeting or indirectly as part of a shuttle dialogue process. The co-creative making and gifting process is strengths (rather than deficit) based (Tett et al., 2012), person-centred (Rogers, 1945, 1961; Rogers & Stevens, 1967), trauma informed (Brummer & Christen-Schneider, 2021; Harris & Fallot, 2001) and embedded within the restorative justice process. It is also voluntary – participants choose whether or not they wish to participate in co-creative making as part of their restorative justice process. Space2face, a creative restorative practices organisation I co-founded in Shetland, Scotland, has pioneered this way of working.<sup>2</sup>

## 3 Methodology

This article is based on the findings of my PhD research in restorative justice and design (2017-2022), which evolved from my practice as both a creative and a restorative practitioner. The overarching methodology was qualitative and practice-based, within which I took an embodied and relational phenomenological stance as a researcher-practitioner (Heidegger, 1982; Merleau-Ponty, 2014; van Manen, 1990, 2014; Wilson, 2008). Data collection methods were a longitudinal case study and semi-structured interviews. Alongside these, I conducted a workshop with dancers that specifically investigated the role of gesture and movement within restorative justice processes (see Figures 10-12) as an understanding of 'bodily movement', which has been described as 'essential to an understanding of all aspects of life' (Warburton, 2011: 66). There is also considerable cross-disciplinary interest in dance scholarship as a way of understanding our knowledge and experience as human beings (Stinson & Dils, 2008; Warburton, 2011). Additionally, a body of my own 'thinking through making' (Gray & Malins, 2004; Lexicon of Design Research, n.d.; Marshall & Wallace, 2017; Nimkulrat, 2012) handmade work was created, which reflected on my research with others, an example of which is used as an illustration (Figure 7).

<sup>2</sup> Co-founded with Alyson Halcrow. See [www.space2face.org](http://www.space2face.org).

The case study, interviews and dance workshop were audio recorded, while the workshop was additionally filmed. Recordings were transcribed by me to protect anonymity. The study involved 26 research participants who included restorative justice practitioners, restoratively trained artists, restorative justice scholars and current and former participants in restorative justice encounters (people harmed and people responsible for causing harm). There were 22 females and 4 males. The research participants (anonymised) I refer to in this article are as follows:

Luke: case study participant (person responsible).

Caitlin: interviewee (Justice Social Worker who referred Luke for a restorative justice intervention).

Sally: case study participant, the manager of a community organisation and 'messenger' (her word) for a community related to Luke's offence. Luke and Sally took part in a face-to-face restorative meeting as the direct person harmed was unable to participate.

Robbie: interviewee (former participant in a restorative justice process as a person responsible).

Hannah: interviewee (former participant in a restorative justice process as a person harmed in the same case as Robbie).

Duncan: interviewee (former participant in a restorative justice process as a person harmed).

All of the people harmed and the people responsible were recruited through Space2face and had taken part in a co-creative making process and given or been gifted a handmade thing. Offence types were stalking, assault, theft and fraud. I also reference the professional interviewees (recruited by me) and the dance workshop participants (recruited through Northumbria University), who all kindly gave consent for their full names to be used.<sup>3</sup> The data was analysed phenomenologically and thematically.

The limitations of the study were that there were only a small number of total research participants (26) and that all the people-harmed participants had a prior relationship with the person responsible in their case – either as a step, foster or biological parent. This was with the exception of Sally, who was unknown to Luke. Additionally, the decision to conduct one longitudinal lived experience case study in the specific island location of Shetland,<sup>4</sup> Scotland, rather than conducting several in contrasting environments, makes transferability to different contexts potentially more problematic. I addressed these limitations by utilising the three different aforementioned face-to-face data collection methods (interviews, case study and

3 The dance artists were Georgia Bates, Greta Heath, Esther Huss, Alys North, Liz Pavey and Sarah Riseborough. While the dancers gave consent for their names to be used, they did not wish their names attributed to specific quotes.

4 Shetland is an archipelago of islands in the north of Scotland.

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workshop). This enabled triangulation and a multi-perspectival view. A strength of the study, however, is that my methods and choices resulted in rich and immersive data that I believe would otherwise have been difficult to collect.

Throughout the article, I use the terminology of ‘person harmed’ (victim) and ‘person responsible’ (offender).<sup>5</sup> I see this as a way of addressing the divisiveness of language labelling (Bava & McNamee, 2019) – both are people – while also putting the restorative process at the heart of my language; there is someone who has been harmed and someone who is responsible for causing that harm.

#### 4 Co-creative making and gifting within restorative justice processes

There is a paucity of research literature on the intersection between restorative justice and participatory design/arts (Farrier, Froggett & Poursanidou, 2009; Froggett, 2008; Froggett, Farrier & Poursanidou, 2007; Gamman & Thorpe, 2016; Toews, 2016), and there is no research literature (apart from this study) on the *embedding* of co-creative making and gifting within a restorative justice process.

The language of making and materials, however, is often used as a metaphor by restorative justice scholars, for instance, Zehr’s (1990) well-known metaphor for restorative justice as seeing the world through a different lens, referencing his practice as a photographer. The restorative justice process is described as ‘the art of creative thinking...’ and as a ‘...means of crafting and experiencing the mysterious art of doing justice ...’ (Varona Martinez, 2020: 465, 468), while artworks themselves are used as a metaphor for the restorative justice process (Pali, 2017, 2020).

As an expansion of making as a metaphor within restorative justice language, in what follows I turn the focus onto understandings of making, particularly co-creatively, in relation to restorative justice processes, adversity and trauma.

##### 4.1 Co-creative making

The use of co-creative making activities within criminal justice contexts enables improvements in health, well-being and confidence (Arts Council England, 2018; Bilby, Caulfield & Ridley, 2013; Creative Scotland, 2012; Tett et al., 2012) and can encourage secondary desistance (Bilby et al., 2013). In restorative justice contexts, co-creative making activities with the person responsible may lead to a greater openness to restorative justice work, empathy towards the other (Gamman & Thorpe, 2016) and more willingness to engage in reparative and dialogical processes (Farrier et al., 2009; Froggett, 2008; Froggett et al., 2007).

5 In the UK context the same terminology is used, despite their title, by SACRO (Scottish Association for the Care and Rehabilitation of Offenders), a Scottish community justice organisation that delivers mediation and restorative justice services in Scotland ([www.sacro.org.uk/](http://www.sacro.org.uk/)). The Scottish best practice guidelines for restorative justice services (2008) used the same terms, but in the Scottish government’s broader restorative justice delivery guidelines (2017), the terminology of ‘victim’ and ‘person who has harmed’ is utilised, while the Restorative Justice Council in the UK, based in England (<https://restorativejustice.org.uk/criminal-justice>) still uses ‘victim’ and ‘offender’.

Co-creation may be described as to ‘together (co-) make or produce something (new) to exist (creation)’ (De Koning, Crul & Wever, 2016: 267) through ‘a collective interweaving of people, objects and processes’ (Bjögvinsson, Ehn & Hillgren, 2012b: 130). By co-creative making within restorative justice, I intend a making process that is primarily relational and includes both human as well as non-human actors. It occurs between a professional artist and/or designer who is also trained as a restorative practitioner working alongside a participant in the same making activity. In this, non-human elements are utilised such as drawings, prototypes, etc., which are naturally created as part of any visually creative process. This draws on the participatory design and co-creation literature in which the end users (non-professionals) of a service or product become involved in the design of it alongside designers (professionals) as co-creators/designers (Bjögvinsson, Ehn & Hillgren, 2012a; De Koning et al., 2016; Manzini, 2016; Sanders & Stappers, 2008). This is also called a process of ‘thinging’, which references the etymology of the word ‘thing’ as a place of assembly (a Thing). Thinging is the design of common places or agonistic public spaces (Bjögvinsson et al., 2012b; Mouffe, 2007) that include ‘those who have opposing matters of concern but who also accept other views as “legitimate”’ (Bjögvinsson et al., 2012a: 109). Thus, the word ‘thing’ in my title refers not only to the made object but also to the thinging process (in this context, co-creative and restorative) through which it is constructed and an understanding that justice is a ‘relational by-product’ that is ‘humanising and co-creative’ (Bava & McNamee, 2019: 290).

The word ‘making’ is often used synonymously with creativity (Gauntlett, 2018; Ingold, 2010). In the Scots language, for example, ‘Makar’ refers to the national poet and ‘ta mak’ in the Shetland (where some of my field research was based) dialect is to make something by hand. Making is described as including ‘... crafting objects, organising activities, telling stories, and designing systems and experiences. All of these can be vessels of knowledge expressed in ways other than through words alone’. This process of gaining knowledge through making is iterated as a ‘thinking-through-making’ process,

in which making and thinking alternate back and forth all the time, in rapid iterations. The making or designing could be taking place intuitively. Reflecting on what has been made helps create knowledge and insights. (Lexicon of Design Research, n.d.)

In these ways, making activities can provide participants with thinking through making space. Varona Martínez (2017: 1-2), for instance, suggests ‘restorative memory’ to be ‘a form of slow and crafted justice for the irreparable’ for which ‘artistic language brings new perspectives’. This references the role that design and the arts can play in healing divided communities as part of transitional justice and memorialisation programmes given that verbal language cannot adequately capture trauma (Broudehoux & Cheli, 2022; Garnsey, 2016; Simić & Volcic, 2014). Memorial architecture is, for example, described as a ‘non-verbal language’ (Broudehoux & Cheli, 2022: 160). The fact that trauma is ‘initially organised

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without semantic representations' (Ataria, 2015: 1051) leads to limitations in the verbal articulation of it.

Barrett (2003: I, para. 4) summarises the making or experiencing of the aesthetic image in relation to trauma as 'both psychological and physiological trauma can be restructured and resolved if they are given form, thereby making them accessible to conscious thought'. Barrett (2003: V) continues: 'in simple terms, one can conceive of a multi-dimensional flow between physiological processes, images and words or conceptual thought: body < > image < > word.' In this simple diagram, Barrett (2003) suggests that the act of making ('image') can fathom the language of what is happening in the traumatised body ('body') in order to enable a thinking through and a verbal articulation ('word') of the trauma.

This is highly relevant for restorative justice practice, which works with people harmed who have experienced the trauma of crime (see Shapland & Hall, 2007) as well as the prevalence of ACEs (adverse childhood experiences) among those responsible for committing crime (for research on the prevalence of ACEs in the prison population in the UK context, see Carnie, Broderick, Cameron, Downie & Williams, 2017, and when compared with general populations, see Bellis et al., 2015).

Gift-giving is a natural extension of making something with our hands. In the following section I explore the relationship between gifts and solidarity and offer examples from my experience of gift-giving within restorative justice processes.

## 4.2 Gift-giving

There is a belief that something made by hand = love and that when people are selecting gifts for their loved ones their preference is for handmade gifts; 'handmade products are perceived to be made with love by the craftsperson and even to contain love' (Fuchs, Schreier & Van Osselaer, 2015). Purbrick (2014: 14) argues that 'giver and receiver become inextricably linked through gift-giving acts' and that 'gifts create cycles of exchange, enforcing solidarities of indebtedness...'. Douglas (1990: vii) also iterates the relationship between gift-giving and solidarity as 'the theory of a gift is a theory of human solidarity.' Gifts can perpetuate inequalities (through those able to give more than others) (Komter, 2005), have coercive and controlling qualities (Turney, 2012), but simultaneously force 'inclusion across asymmetries and hierarchies of social life' and 'can express the significance of a person that cannot be contained in words' (Purbrick, 2014: 19-20). There are clear links, therefore, between gift-giving and solidarity.

In my experience, gift-giving already happens within restorative justice processes, for example, the gift-giving of our time, our emotional expression and psychological energy, the sharing of parts of our life stories and the answering of questions. Zellerer (2013: 269) refers to restorative justice as being about gift-giving as well as co-creating. Sometimes, this is taken a step further, and actual things are gifted. The following (Figures 1-6) are examples of co-created handmade things gifted as part of restorative justice processes (prior to this research) through the aforementioned Space2face project. Some were gifted between individuals and some to communities who had been harmed through the gifter's offending. One was gifted by a person harmed to a person responsible who was a family member.

**Figure 1** *'Sorry' photograph. Source and copyright: Chloe Garrick and Space2face, 2012.*



**Figure 2** *'Talking box' with handmade book. Source and copyright: Space2face, 2016.*





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**Figure 3** *Park bench. Source and copyright: Clair Aldington and Space2face, 2011.*



**Figure 4** *Photographic mural. Source and copyright: Chloe Garrick and Space2face, 2011.*



**Figure 5** *Photographic mural detail. Source and copyright: Chloe Garrick and Space2face, 2011.*



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**Figure 6** *Tree sculpture. Source and copyright: Clair Aldington and Space2face, 2016.*



The theoretical lens through which I viewed my research was interaction ritual, which offers a particular understanding of solidarity.

## 5 Lens: interaction ritual and solidarity

In any successful interaction between people, whether it be a conversation, a football match or a restorative justice encounter, a turning point is reached that generates positive emotional energy (Collins, 2004; Rossner, 2013). This can be expressed through subtle gestures such as maintaining eye contact or more expansive movements such as a pat on the shoulder, or even a hug. These physical expressions are referred to as expressions of solidarity within interaction ritual theory, which has been applied by several scholars to restorative justice (Collins, 2004; Pemberton, Aarten & Mulder, 2017; Rossner, 2013; Strang et al., 2006). It is these physical expressions of solidarity in restorative justice encounters that the

dancers, as movement specialists, investigated. What exactly does the word ‘solidarity’ mean, however, when viewing restorative justice through the lens of interaction ritual?

### ***5.1 A place of convergence: a definition of solidarity within restorative justice***

The predominant dictionary definitions of solidarity are as unification.<sup>6</sup> There is also a common assumption that solidarity is about similarity (Featherstone, 2012) and a confusion around its understanding and usage (Bayertz, 1999; Kelliher, 2018; Stjernø, 2005). To avoid adding to the confusion, I constructed the following definition of solidarity for use within restorative justice research and practice, an earlier version of which (Aldington, Wallace & Bilby, 2020: 180) was tested with research participants and then shaped by their responses into the following iteration:

Etymologically, solidarity encompasses a range of meanings relating to wholeness and solidity whilst also embracing injury, harm and reparative obligations. It is an active and inventive word, related to emotion, and in the context of restorative justice I would define solidarity as a permeable place of convergence between two parties symbolised by gesture, movement, and material things. This can occur without them meeting but at its most profound it is reciprocal and in person. (Aldington, 2021)

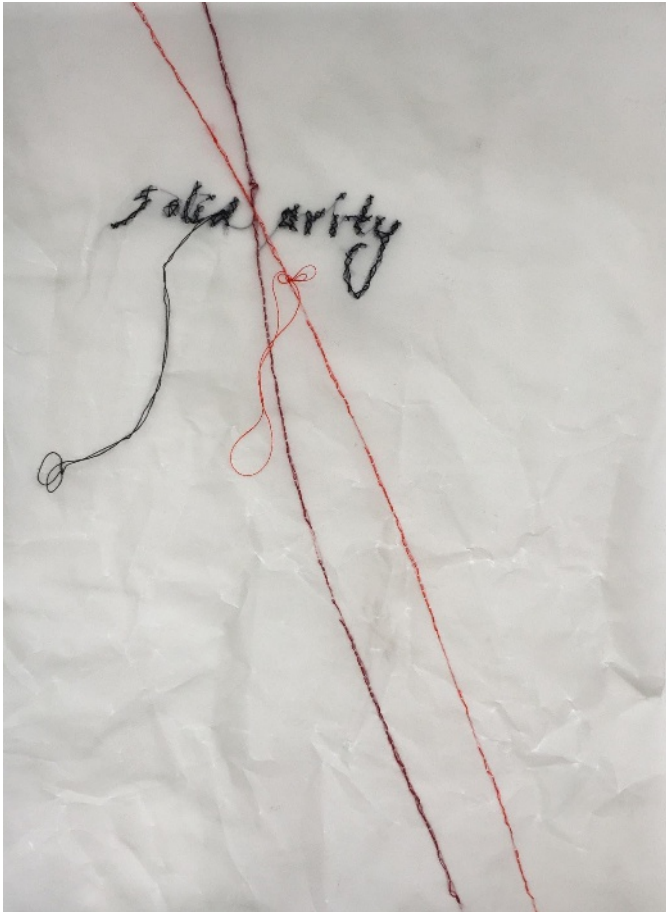
The definition has two parts – the first to reflect the tensions within its etymology, the second its use within restorative justice. Regarding seeing solidarity as ‘a place of convergence’, to ‘converge’ is ‘to tend to meet in a point or line’, which is from the late Latin ‘convergere’ meaning ‘to incline together’ from ‘vergere’ (to bend, turn, tend toward) and the PIE<sup>7</sup> root word ‘\*wer-(2)’ meaning ‘to turn, bend’ (Harper, n.d.). Figure 7 is my visual portrayal of solidarity as a place of convergence.

6 For example, dictionary definitions of ‘solidarity’ include the following. From Chambers 21st Century Dictionary (Chambers Harrap, 2014), ‘mutual support and unity of interests, aims and actions among members of a group’. From Collins English Dictionary (Harper Collins, n.d.), ‘unity of interests, sympathies, etc. as among members of the same class’.

7 Proto-Indo-European.

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**Figure 7** *Solidarity; Place of convergence, tracing paper (crumpled), digital print and stitch. Source and copyright: Clair Aldington, 2017.*



## 6 Proposition: a language of convergence

Things, then, far from being static, inert, and mute, may be compared with other more current vehicles of meaning such as words. Like words, things are part of an informational system, the meaning of which is created within the context of social interaction and mutual communication between people. (Komter, 2005: 32).

By a 'language of convergence' I mean the 'language' that nurtures this place of convergence and solidarity (as defined previously) in restorative justice processes and an understanding that the practice of language is not confined to words but is embodied action (Bava & McNamee, 2019). This proposition emerged through my research findings as outlined in this section.

## 6.1 The three elements: co-creative making (and gifting), gesture and word

### 6.1.1 Co-creative making

When I asked Caitlin (interview) how (and if at all) she thought Luke had developed and changed over the course of his restorative justice work, she responded *'he got a language, I mean a physical language, for what he'd done ... so, he could speak about it now'*. She elaborated that it was through *'the process of doing the art and stuff ... and getting his hands oily or inky'* that she felt this had happened. As Luke (case study) himself recognised, his co-creative making process was a metaphor:

Since this whole thing's [restorative justice process] started ... I do look deeper at things ... like, on the outside world, this is just me putting blocks into a box [wooden printing blocks], but ... as I'm doing things, I'm thinking about what kind of hidden meanings it can have ... this can quite easily ... portray putting things back together after what's happened [brackets the author's]. (See Figure 8.)

**Figure 8** *'Hidden meanings'; Luke using the wooden printing blocks to print on his handmade paper and 'getting his hands oily or inky'. Source and copyright: Clair Aldington, 2018.*



The co-created gift was described as being a language in and of itself through being there when the word 'sorry' was not enough (Halcrow,<sup>8</sup> interview), and Robbie (interview) described his gift (a handmade wooden garden bench – see Figure 9) as a *'conversation starter'* and that it helped to *'break the ice'* without which *'I don't think [Hannah's husband] would have spoken to me again...'* [brackets the author's].

8 Alyson Halcrow, co-founder of Space2face, has an MA in Restorative Justice, Hull University, UK, and is a mediator and restorative justice practitioner.

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Hannah (interview) also stated that their gift had ‘ongoing’ qualities; ‘it’s still doing it, it’s still helping to maintain and repair the relationship’, suggesting an extension of the gift’s communicative power beyond the restorative justice process through being ‘a reminder of something good, of something really good and something what went into the making of it’.

**Figure 9** *Robbie’s co-created garden bench gifted to Hannah and her husband.*  
*Source and copyright: Clair Aldington and Space2face, 2015.*



In the words of Hannah (interview),

If you used the term solidarities as things like you mentioned, things like eye contact, or a touch, or a, some sort of communicative thing, then obviously, the making and gifting are the sort of ultimate solidarities ... if it’s [the gift] offered and accepted. [brackets are the author’s]

Or as McGoe (interview),<sup>9</sup> stated, 'I think making and gifting is completely appropriate as an act of solidarity ... and, I think, yeah, the making engages somebody in an act of solidarity.' Thus, within the limitations of my study, *co-creative making and the act of gifting a handmade thing to the other were found to be innately about solidarity* within restorative justice processes.

It was seen as important to separate out the making from the gifting; 'making is a way of articulating some of the feelings around the event, but gifting is separate because it contains ideas of making good and reparation' (Munro, interview).<sup>10</sup> Additionally, the end result of the co-creative making process may not be the gift – the gift-making process may be separate. While participation in co-creative ways of working as part of a restorative justice process is voluntary, the restorative artists<sup>11</sup> both commented that, in their experience, if they asked participants 'oh, are you creative...?', then they all said "no" but, actually, when you presented some sort of creative way of working with them, they all tapped into that'. They also acknowledged the necessity to nurture confidence if participants chose co-creative work:

you approach wi [with] a level of confidence because you're [the restorative artist] confident in creative practice but that doesna mean to say the person you're going wi [with] has had any positive experience wi creative practice ... so that's your job tae [to] try and support that and find ... a place that ... they've come tae themselves is really important – thinking about [about] what they want to use, what they want to do ... so that they have as much confidence as they can ... [brackets the author's].<sup>12</sup> (Colvin, interview)

The co-creative making process was therefore found to enable an 'unblocking' (Arnett, interview) and an opening up to new possibilities within the restorative justice participant through the time, effort and the equalising, quiet (sometimes silent) thinking space that it offered. As Robbie (interview) stated of his co-creative making process, 'it wasn't like a sorry card. It took for ages, a lot of thought'. The equalisation is not only through the side-by-side co-creative act with the practitioner, but also with the receiver of the gift through 'thinking about [about] it fae [from] the other person's side' during the making activity [brackets the author's] (Colvin, interview). Similarly, Duncan (interview) stated the importance of the making process in connecting with the other person, 'the making ... really

9 Kathleen McGoe, at the time of the interview, was the Executive Director of Longmont Community Justice Partnership (LCJP), Longmont, Colorado, USA. She is also an experienced restorative justice practitioner.

10 Mary Munro, former senior visiting fellow at the Centre for Law, Crime & Justice at the Law School, University of Strathclyde, Scotland. Professional background in legal practice and probation practice. Founder member of the Scottish Forum for Restorative Justice.

11 Ana Arnett and Amy Colvin are both restoratively trained artists who have worked with Space2face creative restorative practices organisation.

12 In the transcription of this interview I endeavoured to maintain elements of the Shetland dialect as spoken by the interviewee.



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focuses your thoughts and you're actually focusing on the other person as much as yourself...'

The co-created gifted thing was seen as offering a tangibility to the restorative justice process. For instance, 'there's always stuff that's so slippery with restorative justice because of how intangible so many things are...' and that the gift is 'a way of capturing all that stuff that's in the air into one thing' as it's 'a creation of some kind that's a real tangible artefact' (Toews, interview).<sup>13</sup> Other interviewees similarly described the gift as a 'tangible artefact' (Rossner, interview),<sup>14</sup> 'tangible thing' (Johnstone, interview)<sup>15</sup> and 'tangible expression' (McGoey, interview). Within the case study, the gift also acted as visual notes for Luke and a tool in the joint meeting between him and Sally (Figure 17). The solidity and permanence of the gift, as opposed to an ephemeral one such as flowers or cake, was viewed as significant as it provided the recipient, particularly if a person harmed, with an object that could physically 'acknowledge the harm' and 'a place' they could 'go to' (Johnstone, interview) alongside 'a more flexible timeframe for acceptance' (Colvin, interview). This was because it offered the possibility for the gift to be both something 'you can put away and tak [take] out and reflect on when you're ready' as well as something 'you can display and you can reflect on really often' [brackets the author's] (Colvin, interview). Thus, empowering the recipient.

In its tangibility, however, the gift was found to be accompanied by obligations that extend the convergence between participants beyond the moment of the encounter, as Hannah (interview) intimated. If the giver is the person responsible, there is an obligation to transition from offending. For example,

I think the gift often goes beyond just the moment in time and ... can I see that this has, the gift has, that actually this has been transitioned, and this person's changed? (Johnstone, interview).

For the recipient, there is an obligation to utilise the gift and an acknowledgment that if the obligations are not met, the gifted thing may become a trigger for anger; 'the next time that harm's done, it's almost, like, well, you're angry at the object' (Duncan, interview). Consequently, one of my findings was that solidarity within restorative justice needs to be a 'leaky boundary' and contain notions of 'permeability' (Munro, interview) to allow for people changing over time – the 'permeable place of convergence' within my solidarity definition.

13 Barbara Toews, assistant professor of criminal justice, University Washington Tacoma, USA (at the time of the interview), and an experienced restorative justice practitioner. Her research interests are restorative justice, architecture/design and psycho-social-behavioural and judicial outcomes for offenders, victims and justice professionals.

14 Meredith Rossner, professor of criminology, Australian National University. Meredith's research interests are RJ, emotions and criminal justice, online and virtual courts, lay participation in justice, juries and jury deliberation, courts and tribunals, architecture, technology, and justice, sociology of punishment.

15 Jenny Johnstone, lecturer in law, Newcastle University, UK, and a founding member of the Scottish Forum for Restorative Justice. Jenny worked on the UK Home Office Independent Evaluation of Restorative Justice Schemes (2001-2009). Jenny's research interests are criminal justice, youth justice, human rights, restorative justice, legal profession, civil justice and provision of legal services.

In contrast to utilising making and gifting elements, the more usual restorative justice process was iterated as follows:

like our process is very verbal – people sit in a circle for a long time talking and I know that that is – that’s limiting in terms of, like, people’s comfort, their cognitive capacity, their ability to integrate the experience. (McGoey, interview)

Toews (interview) also described this as an over-reliance on western-centric culture and values:

you know, restorative justice processes so often have become really Euro-centric, white dominant ... that is really about valuing the written word, and valuing certain ways of talking and certain ways of knowing, and creativity is a way of knowing, and so I like the idea of making and bringing in creative expression ... as a way of valuing all the different ways that people communicate, so that person who maybe can’t put into words what they’re feeling, can put it into something that they’ve created...

In this, Toews echoes criticism of restorative justice that it is maintaining the systems that produce cultural and racial inequality (Schiff & Hooker, 2019; Valandra & Hokšila, 2020) through its lack of challenge of them (‘valuing the written word’, ‘certain ways of talking’ and ‘knowing’). This is iterated, in an English context for example, as a predominance of language use that favours middle class participants (Willis, 2020). More widely, that ‘currently formulated and languaged restorative justice can never be more than aspirational’, resulting in the call for a ‘new language’ and ‘conversational domain’ around restorative justice (Schiff & Hooker, 2019: 238).

As McGoey and Toews suggest in their interviews, overvaluing the written word, specific language abilities and remaining static for long periods is limiting (and potentially damaging and excluding) in terms of engagement. This prompts the second element of my proposed language of convergence – gesture.

### 6.1.2 *Gesture*

Hannah (interview) cites making and gifting in the same list as the gestures of solidarity (eye contact, touch), and McGoey (interview) refers to them as ‘an act of solidarity’. Hannah further elaborates by stating that prior to the gifting it was necessary to have the ‘more subtle’ gestures of solidarity, ‘cos otherwise it could be artificial, or rote, or yeah, “I accept this, but...”’ The dancers’ detailed investigations into gestures of solidarity highlighted these and the intricate range of meanings and nuances one gesture can have; the importance of being able to ‘read’ these in human interactions, and the potential impact if these are perceived incorrectly (see Rossner, 2013). The dancers revealed that this ability to both read the other’s (sometimes only slight movements), as well as understand fully one’s own gestures, and of being present (embodied) in and connected with the place of the encounter were seen as key to the success or not of the interaction; *‘it was more like a*

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*communication through that hand, like a kinaesthetic thing'* (Dancer, workshop) – see Figures 10 and 11.

**Figure 10** *'A kinaesthetic thing' – communication through the hand. Source and copyright: Clair Aldington, 2019.*



**Figure 11** *'A kinaesthetic thing' – communication through the hand. Source and copyright: Clair Aldington, 2019.*



This was alongside movement, walking, for example, stillness, and a lack of movement being viewed as a way of processing what had gone before, as well as planning the next action and releasing something, either potentially or actually, both within themselves and towards the other. This release led to gestures towards the other, which created a greater openness and the possibility for new actions of bodily solidarity, such as a 'hug' or a different 'choreography'. See Figure 12, for example.

**Figure 12** *'And your arms sort of growing bigger and then moving into this hug' (Dancer, workshop). Source and copyright: Clair Aldington, 2019.*



This is another form of 'creative process unblocking things' (Arnett, interview) – a thinking in movement (Sheets-Johnstone, 1981, 2013) alongside a thinking through making (Gray & Malins, 2004; Lexicon of Design Research, n.d.; Marshall and Wallace, 2017; Nimkulrat, 2012).

### 6.1.3 *Word*

In Caitlin's words, it was Luke's

'physical language' of making that unblocked his 'non-offending' verbal and written language, because actually what he [Luke] also did was find his non-offending ... find a language to describe what he'd done and, and speak about it without it being too much to bear ... but because he was working on stuff [making], it's a different, it's a healing way of speaking, or a non-threatening way of speaking the words so that in the end he could say the words ... it helped him to know what he was taking responsibility for ... and then take responsibility for it, and then say sorry and move on [brackets the author's]. (Caitlin, interview)

Caitlin further articulated Luke's co-creative making process as assisting him in a 'rite of passage'; a shift from perceiving himself as an offender to an ex-offender (see Maruna, 2011). Examples of Luke's words formed through his co-creative making process may be seen in Figures 13-16,

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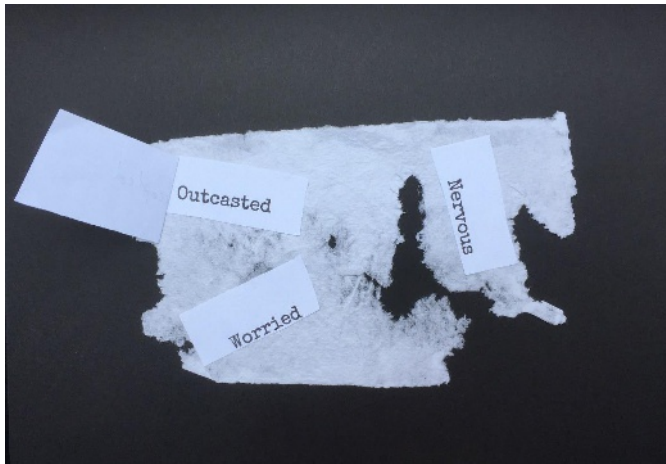
**Figure 13** Luke's words from case study session 3 on co-created handmade paper. Source and copyright: Clair Aldington, 2019.



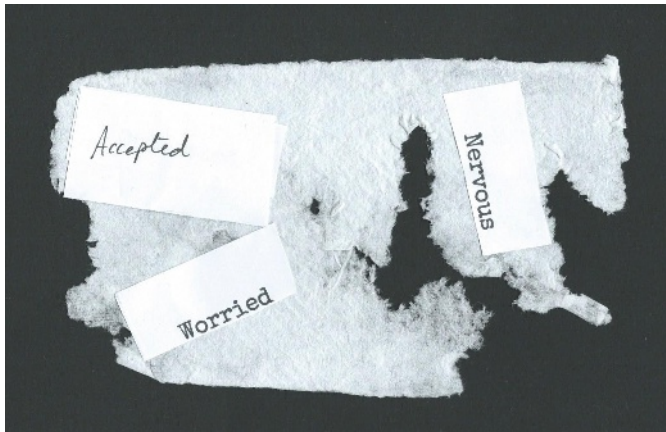
**Figure 14** Luke's words from case study session 17; 'upset to happy', 'embarrassed to educated', 'remorseful to reformed'. Source and copyright: Clair Aldington, 2019.



**Figure 15** *Luke's words from case study session 3 on co-created handmade paper. Source and copyright: Clair Aldington, 2019.*



**Figure 16** *Luke's words from case study session 17; 'outcasted to accepted'. Source and copyright: Clair Aldington, 2019.*



The recipients of Luke's gift concurred with this. Sally iterated the gifted handmade book her community organisation had received from Luke as creating a sense of solidarity (see Figures 17 and 18). This was through its ability to put 'into words' and to 'showcase his understandings of his actions' (Sally, interview); an example of Luke's 'non-offending language' (Caitlin, interview).

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**Figure 17** Luke's co-created handmade book gifted to Sally's community organisation – cover. Source and copyright: Clair Aldington, 2019.



**Figure 18** Luke's co-created handmade book – pages. Source and copyright: Clair Aldington, 2019.



## 7 Discussion and conclusion

Based on my findings, I propose a *language of convergence*<sup>16</sup> for use with participants in restorative justice processes, referencing solidarity as a ‘place of convergence’ (Aldington, 2021) and composed of the three elements of *co-creative making*, *gesture* and *word*.

My research found that co-creative making and gifting are innately about solidarity. I suggest this creates a predisposition for participants of such activities to collectively achieve solidarity and convergence with one another, thereby potentially creating more transformational restorative justice encounters when viewed through the lens of interaction ritual. I assert this because there are potential existing links between the extension of positive emotional energy (expressed through solidarities) beyond the time of the restorative encounter and a reduction in offending (Rossner, 2013). This corresponds with my finding that co-creative making formed a ‘physical language’ and nurtured confidence, which, in turn, opened up a new verbal language of a ‘non-offending ... healing way of speaking’ as the physical process of Luke getting his hands oily and inky enabled him to discover new words to express himself (Caitlin, interview). This accords with the literature finding that co-creative making activities can open up the possibility for change in participants and improvements in empathy, health and well-being (Arts Council England, 2018; Bilby et al., 2013; Creative Scotland, 2012; Farrier et al., 2009; Froggett, 2008; Froggett et al., 2007; Gamman & Thorpe, 2016; Tett et al., 2012). It also references my finding that the meaning of solidarity is contained both within and outwith the time of the restorative justice process; a tangible moment within the encounter and outwith as a permeable fluid concept – both these are embodied within the co-created gift and ongoing reactions to it, confirming that justice is a living concept (Bava & McNamee, 2019).

The gifted thing appears to have obligations attached to it, requiring actions from both gifter and receiver – the reciprocities and entanglements surrounding gifting in the literature (Komter, 2005; Turney, 2012). It was an unexpected finding from people harmed, and other interviewees in this study, that the gifted thing needs to be solid and permanent (in contrast to ephemeral or consumable gifts). While the permanence of the gift enhances solidarities, it also prolongs connections (Douglas, 1990; Purbrick, 2014) between gifter and receiver. How safe and appropriate this is within restorative justice processes and encounters remains at the discretion of the restorative and creative practitioner through their knowledge, skills and sensitivity with which they interact with and prepare participants as a co-creator.

Underpinning the *language of convergence* proposition are the primacy of oral language competencies within western restorative justice processes (Hayes, 2017; Snow & Hayes, 2013; Snow & Sanger, 2011) compared with the evidence around the literacy and oral competencies of people responsible (Anderson et al., 2016; Hopkins et al., 2016; Hughes et al., 2017; Snow & Powell, 2011, 2012; Winstanley et al., 2019), particularly those incarcerated (Cropsey et al., 2007; Donnelley, 2008;

16 This was first proposed during the Restorative Justice World Conference in 2020 (Aldington, 2020).



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HMIP & Ofsted, 2022; Morken et al., 2021; Shannon Trust, 2021; Tett et al., 2012; Winn & Behizadeh, 2011). In addition, language's potential within restorative justice processes to reinforce social class inequities (Willis, 2020) and existing divides and power structures (Bava & McNamee, 2019; Schiff & Hooker, 2019). Alongside these considerations are the difficulties in verbal articulation following trauma (Ataria, 2015; Barrett, 2003, 2014; Varona Martínez, 2020).

If we are truly to become trauma informed (Brummer & Christen-Schneider, 2021; Scottish Government, 2017) and equalising (Willis, 2020) within the restorative justice services we offer, we need to take a critical look at many of our restorative justice processes that over-rely on being verbally articulate and remaining seated for long periods. These maintain power imbalances and focus on particular learning methods while discounting others – for example, kinaesthetic, and visual ways of learning (as McGoey, interview, suggested) and ignore language as being embodied action (Bava & McNamee, 2019). This disadvantages some participants, makes it potentially harder for their stories to be told and creates language and articulation imbalances. For example, the 'communication skills of participants' and 'English language skills' are viewed as potential 'risk factors or issues' in assessing the risk of a joint meeting (Restorative Justice Council, n.d.).

By proposing a *language of convergence* I do not intend to denigrate the high-quality restorative justice practice that already occurs. Based on my research, however, and as outlined in this article, I am asserting that co-creative making, gifting and gesture allow an articulation and communication of a different kind and add a greater inclusivity to the restorative justice process. This is because they offer an alternative method of speaking for participants with literacy difficulties and oral language competency challenges, as well as for those who struggle to articulate the trauma related to their offending or victimisation. As Toews suggested in her interview, 'creativity is a way of knowing'. This has implications for how we facilitate restorative justice processes, how we train restorative justice practitioners, and the pool within which we look to recruit practitioners. For instance, 'talk from the body' (Warburton, 2011: 68), alongside co-creative making and movement knowledge, is perhaps a rich area for the restorative justice practitioner to investigate and acquire basic expertise and training in. (In the future I would like to develop a 'lexicon and methodology of restorative making and co-creation' to aid this.)

The findings of this study provide an opportunity for a reimagination (González & Buth, 2019; Pali, 2017, 2020), and perhaps also 're-naming' (Hooker & Schiff, 2019: 238), of restorative justice through the lens of a *language of convergence*. In this sense, the co-created handmade gifted thing is a '*conversation starter*' not only for participants within restorative justice encounters but also for restorative justice itself – one in which actions *do* speak louder than words.

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