

ARTICLE

Exploring exemplarity in in-prison restorative rehabilitation to recover normativity

Jane Anderson*

Abstract

The ambiguous status of a prisoner as citizen has implications for rehabilitation and reintegration. Using Mazzucato's (2017) philosophical work on the responsive-restorative model of justice and the potential of exemplarity as a guiding theory, this article explores how prisoners can be incentivised to become fully citizens. Three concepts for action have been identified in Mazzucato's work: the virtuous zone, rules of conduct and exemplarity. These actions are reviewed and used to compare in-prison retributive practices and those exercised in a restorative rehabilitation programme which brings together prisoners and surrogate crime victims. The programme was designed in response to high rates of crime and incarceration associated with drug possession and supply in a regional city in Australia. The article concludes with a summary and findings that show how restorative responses can challenge the consequences of prison segregation, recover agency directed to voluntary compliance and exemplify normative conduct. It also demonstrates that restorative rehabilitation can have a residual effect. Some prisoners on release connected with a peer support service, the same organisation from which surrogate victims were drawn for the programme. Restorative rehabilitation is thus shown to have potential for giving ongoing support to prisoners in their transition to full citizenship.

Keywords: exemplarity, prison, rehabilitation programming, peer support, problematic drug abuse.

1 Introduction

The question of how to transition prisoners from the ambiguity of their carceral status to that of being law-abiding citizens is a perennial one. The shift must

* Jane Anderson is Adjunct Research Fellow at the School of Population and Global Health, The University of Western Australia, Australia.

Acknowledgements: My thanks go to the prison superintendent and staff for supporting the restorative rehabilitation initiative. I am grateful to the peer reviewers for their constructive criticism which has led to substantial improvements to this article.

Corresponding author: Jane Anderson at jane.anderson@uwa.edu.au.

navigate the consequences of their incarceration, ranging from personal feelings of being social outcasts to various discriminations that flow from a society's recognition of them as imprisoned offenders (Duff, 2005; Sykes, 2007). Their doubtful status is also compounded and confirmed by conventional rehabilitation programming which conceptualises 'offenders' as being different to law-abiding citizens (Bonta & Andrews, 2017; Kendall, 2002). Prisoners are expected to engage in treatment programmes – a key element of which is their presentation of a core narrative of their offences that is used by therapists to identify and correct 'criminogenic factors' (Waldram, 2008: 428). The emphasis on correcting 'cognitive distortions', however, not only individualises crime, but also communicates that they are 'wrong' or 'sick' relative to 'normal law-abiding' citizens (Birgden, 2004). Indeed, this approach risks the preservation of a 'condemned sense of self' (Day & Halsey, 2022: 10). In effect, multiple negative pressures divert prisoners away from reflecting on what it might mean to be fully citizens.

Mazzucato's (2017) philosophical work has its objective in moving away from the emphasis given by criminal law (law) and criminal justice (justice) on punishment, and by extension, incarceration. However, I identify in her work on the responsive-restorative model of justice and the potential of 'exemplarity', a guiding theory that is useful for investigating in-prison retributive approaches and retrospectively assessing a restorative rehabilitation programme (RR). Retributive approaches result in incarcerated individuals becoming fully prisoners. As for RR, it was designed mostly by me, the author of this article and scholar-practitioner of in-prison restorative justice-oriented rehabilitative practices. The programme was a response to high rates of crime and incarceration associated with drug possession and supply in an Australian regional city where I live. RR brings together prisoners, mostly convicted of drug crimes, and unrelated crime victims, meaning that the victim does not meet up with their actual offender. Most victims are parents of adult children who experience problematic drug use and who are supported by a peer support organisation. The programme offers participants an opportunity to take part in

an approach to justice that involves, to the extent possible, those who have a stake in an injustice to collectively identify and address harms, needs, and obligations in order to heal and put things right as possible (Zehr et al., 2022: 50).

Three concepts for action have been identified in Mazzucato's work for progressing normative civil conduct: the virtuous zone, rules of conduct and exemplarity. These concepts are reviewed as a basis for comparing in-prison retributive practices with those of RR. The article highlights the purpose of prisons to punish individual offenders, while, contrastingly, foregrounds the anticipation of restorative justice to heal interpersonal relationships. It shows that the inclusion of reparative actions in carceral environments can open up transformative spaces within the prison and between the prison and community via a peer support organisation. It concludes with a summary of findings and commentary about the effects of imprisonment on

prisoners and the potential of restorative justice to give ongoing support to prisoners in their transition to full citizenship.

2 Review of Mazzucato's philosophy

Mazzucato contends that classical theories of punishment contain '[an] inner truth: retribution and prevention (deterrence and neutralisation, including "armed" forms of rehabilitation as a means of incapacitation)' contradicting the ideals and principles of modern democracies and to human rights (2017: 242). She goes on to say, '[a]s practically performed, both retribution and prevention share the same imprint: punishment, coercion and the use of force. In a word: violence' (2017: 242). The punitive imposition of 'pain, suffering and violence' on those who harm to 'make things right' may enforce but it can never elicit an individual to give normative consent, become involved and make a commitment to be a citizen (2017: 244). To overcome this 'disconnect', Mazzucato argues that the 'what is' of law and justice and the 'ought' of ideals and principles can find consonance in restorative justice which considers crime to be a violation of interpersonal relationships between the offender and victim within communities (2017: 245). The corollary, then, is to move law and justice away from emphasising punishment and incarceration, and, relatedly, the rehabilitative emphasis on correcting criminality.

To advance her argument, Mazzucato asserts that the goal of citizenship can be reached by bringing victims, offenders and communities together in facilitated dialogues that concentrate on repairing harm, and from which 'reparation and commitments for the future may voluntarily spring' (2017: 244). While her concern is to avoid the adverse consequences of climbing the 'enforcement pyramid' with its apex in incarceration and negative punishments that can only be 'inflicted' and passively 'suffered', prisons, nevertheless, can host restorative encounters (2017: 248). Such dialogues occur in some jurisdictions as evidenced in victim-awareness and empathy programmes, amends programmes, victim-offender mediation/dialogues, and conflict resolution practices (Noakes-Duncan, 2015: 3-7). The events not only indicate the benefits of bringing prisoners and crime victims together, but they also suggest that these encounters provide potential for guiding prison reform (Dhami, Mantle & Fox, 2009; Van Ness, 2007).

Mazzucato's challenge to retributive justice has its theoretical thrust in Braithwaite's (2002) 'republican' theory of justice and idea of 'responsive regulation.' Accordingly, 'republican' justice should maximise 'dominion' or 'freedom as non-domination' – a republican notion of civic freedom in which one is free when one enjoys equality before the law (Braithwaite & Pettit, 1990). Ten (1991) further asserts that dominion is a social status, and, hence, the extent to which one enjoys it cannot be viewed in isolation from how one fares when compared to others in one's society. Dominion or perfect freedom is not intrinsic to the human but a relational property that one has only if one enjoys as much exemption from relevant constraints as others do. Moreover, dominion cannot be promoted unless 'invaded dominion' is restored, indicating that the repair of harm

should be ‘the target for the criminal justice system (being viewed now as a restorative justice system)’ (Walgrave, 2000: 169, 174). In this article, it is the recovery of dominion that is of concern, that is, how freedom can be regained and repaired. Consideration is given to how a (former) prisoner can be viewed not as a stigmatised or deficient citizen but as an individual, who, in voluntarily respecting and avoiding victimising others, can recover full legal and social status.

The ‘enjoyment of dominion’ is further supported by parsimony – a concept that is closely related to that of satiability, but which has greater capacity to restrain domination. Satiability ‘restricts the potential coercive intervention by an upper limit’ by placing a check on state power over individuals (Walgrave, 2000: 169, 174). Parsimony, however, excludes the setting of a lower limit in a justice intervention, requiring in its contract ‘an active involvement to search for non-coercive ways to restore dominion’ (2000: 174). Parsimony, moreover, asserts an egalitarian component and is instrumentalised in listening to multiple stakeholders and making deliberative and flexible (responsive) choices from regulatory restorative strategies (Braithwaite & Pettit, 1990). The concept aims to secure compliance through dialogue and persuasion, leading to validation of ‘the democratically “healthier” parts of law and justice devoted to protection, not to punishment and control’ (Mazzucato, 2017: 243). This article employs the parsimony principle to theoretically obtain albeit temporary liberating equality for prisoners so that they might initiate the repair of past actions and recovery of the norms of conduct. For it is only through supporting them to voluntarily concede to a consensus of norms that they can become fully citizens (Mazzucato, 2017: 246).

3 Background to restorative rehabilitation

In 2014, I became involved in an in-prison programme known as ‘The Sycamore Tree Project’ under the auspices of Prison Fellowship Western Australia (PFWA); first, as a crime victim; second, as a local administrator and facilitator. I, thereafter, comprehensively revised the ‘faith-based’ programme to foreground its restorative principles (Anderson, 2018). Two years later, assisted by a team of trained volunteers, we were delivering it eight times a year. Nevertheless, PFWA were displeased with these developments – reasons that were not clearly disclosed and prevented us from continuing the programme. In mid-2019, I ended my association with the organisation in the belief that there was little likelihood of reconciliation. I subsequently designed RR informed by ‘restorative values’ which ‘are typically the same characteristics people aspire to when they are at their best’ (Pranis, 2006: 60). These values are considered to be crucial for realising the transformative outcomes sought in restorative interventions. RR was piloted three times. The Department of Corrective Services then cancelled the programme in mid-2020 because, accordingly, it did not fit with conventional expectations for rehabilitation. Since then, we have battled to have RR reinstated with recent departmental indications suggesting it can resume in 2023.

The design of RR was also informed by the problematic use of methamphetamine in our city and region. The Department of the Premier and Cabinet’s (2018)

Methamphetamine Action Plan (MAP) reported that its prevalence was due to social isolation, boredom and limited social and employment options. Problematic drug users were also hampered by limited-service availability, vast geographical and travel distances, concerns about stigma and high costs and cultural barriers in service access. At the same time, these individuals risked unemployment, homelessness, familial estrangement, social isolation and incarceration (Anderson, 2021: 10). They also had minimal trust in mainstream rehabilitation services and were fearful of being exposed to the legal consequences of their drug use. Between 2018 and 2019, drug seizures reached an all-time high as did related incarceration rates of young adults in our region (Australian Criminal Intelligence Commission, 2020).

In 2016, two mothers protested the lack of timely support for their ‘meth using’ adult children. Their reactions reflected the views and sentiments of other parents whose advocacy for better services was predicated on their recounting stories of methamphetamine’s impact on the community (Anderson, 2021). In 2017, the social movement established itself as a not-for-profit organisation, and, later that year, I was elected as Chairperson. We set up a drop-in centre using a peer support model to meet the needs of individuals and family members affected by problematic drug use. We employed peer workers (i.e., paid staff and volunteers) who have lived experience and experiential knowledge of drug use. In this role, they give informal and personal support to clients by ‘offering and receiving help based on shared understanding, respect and mutual empowerment’ (Mead, Hilton & Curtis, 2001). They mainly assist ‘clients’ to build relationships, socialise and improve self-esteem and skills. They provide mentoring and goal setting, make connections to resources, advocate and facilitate groups (Jacobson, Trojanowski & Dewa, 2012). Peer workers essentially operate relationally, acting as exemplars of ‘recovery in action’: they assist peers to heal, repair and normalise their lives and relationships to become fully citizens (2012: 8).

4 Restorative rehabilitation origins

RR had its genesis in the needs of two related cohorts. My experience of delivering ‘The Sycamore Tree Project’ familiarised me the narratives of prisoners in which they recounted how problematic drug use had ‘landed them in prison’. As Chair of the peer support organisation, I was also privy to hearing parents talk about the harms they had suffered from their drug-using children. They commonly endured ‘insults (verbal abuse), threats (emotional abuse), violence (physical abuse) and damage to property and possessions (financial abuse)’ (Svensson, Richert & Johnson, 2019). They also experienced ‘associative stigma’, meaning a sense of shame, inferiority and lack of self-worth (Marshall, 2013). In coming to the drop-in centre, they found non-stigmatising peer support, resulting in a reduction in fear and an increase in understanding of their own and their children’s plight, some of whom had been incarcerated (Anderson, 2021). It is from this group that representatives volunteered for RR to share the impacts of drug use on their lives, to help and to learn from prisoners to increase understanding of their predicament.

Regarding participant intake, potential victims are initially assessed for their readiness 'to share their story' and without judgement of others in the programme. No such stipulations, however, are placed on possible prisoner-participants. Anecdotal evidence indicated that 80 to 90 per cent of prisoners coming into the prison have drugs in their system, implying comprehensive fit with RR intentions. Where exceptions did occur, it was accepted that there were associated strains. If drugs did not play a direct or indirect role in their crime, other linkages could be established, for example, violence. To register for RR, prisoners lodge an expression of interest with transitional officers and are screened by prison administration to ensure security. Crime victims and prisoners are also prepared in separate introductory sessions. They are given information about the underlying purpose and values and their respective roles in RR, instruction about how they are expected to contribute to the programme and practical details regarding its delivery.

In research literature, crime victims who volunteer for restorative justice programming are commonly referred to as 'surrogate victims' (Van Ness & Strong, 2002: 192). These victims are defined as individuals who have experienced actual harm, but not by the offender who participates in the process. They are commonly used to populate groups and multiple meetings to 'create communities of support and accountability' (Umbreit & Armour, 2010: 304). Surrogate victims commonly share similarities either with the offenders who harmed them or with the victims that they harmed. In RR, such similitude is identified in the shared impacts of problematic drug use and local familiarity; for example, victims often recognise that prisoner-participants attended the same school as their own children, and vice versa. These connections work to extend the concept of surrogacy to include familial arrangements. Both victims and prisoners tend to want to 'restor[e] the value of family in the hope that the original bond will be restored or repaired' (Anderson, 2021: 9).

5 Concepts of recovery

In this and subsequent sections, three concepts which Mazzucato considers instrumental to recovering civil conducts are reviewed and applied, first, to the prison context; second, to RR.

5.1 *Review of the virtuous zone*

Mazzucato (2017) uses the concept of the 'virtuous' zone to challenge the use of classical punishments and to explore the potential of creating a moral space for undertaking restorative justice interventions. In her usage of the term, 'zone', it is assumed by me, the author, to be an adaptation of the 'virtuous circle'. In exploring the component parts of the compound noun, the adjective 'virtuous' describes the quality of being 'morally excellent' (Virtuous, 2022), whereas the noun 'circle' is an enclosure that has no apex but maintains a base character. In this structure, egalitarian encounter is emphasised, trust is developed and accountability and transparency are heightened (Hyndman & McConville, 2018). As a compound, the meaning of 'virtuous circle' is 'a chain of events in which one desirable occurrence

leads to another in a continuous process of improvement' (Virtuous circle, 2022; Braithwaite, 2002: 33, 117, 123, 216-223). Organisations can use virtuous circles to guide how ethical issues should be addressed and what boundaries are deemed to constitute ethical behaviour directed to achieving morally desirable ends (Hollister, 1953; Teresi et al., 2019). As for their use in restorative justice encounters, they assist communities to come to know 'about many crimes and react to them restoratively, motivat[ing] others to speak up, increasing community knowledge of crimes they will want to do something about' (Braithwaite, 1999: 60).

Classical punishments, in contrast, are differently administered. Mazzucato asserts that in

escalating the [enforcement] pyramid, the relationship between the citizen and the law shifts from an optimal area of ample freedom, self-regulation and self-responsibility to a less virtuous zone of compliance, due to a self-interest and convenience, ending in the problematic, yet last resort, areas of deterrence and of incapacitation as *ultima ratio* (2017: 250).

When penalties are intensified, there is less capacity to appeal to the norm of conduct and to elicit a positive response from the offender. Note, while Mazzucato is subtle in her argument about the consequences of eroding dominion, Braithwaite (1999) bluntly asserts that retributive justice is a 'vicious circle' resulting in punitive actions and its collateral costs of silencing and preventing restorative actions. In vicious circles, reasoning is concealed in a complex chain of events that reinforces itself through a feedback loop with detrimental results (Schlesing & Heskett, 1991; Vicious circle, 2022). In the case of incarceration, feedback loops reduce the potential for responding to crime based on

participation (instead of segregation); consent (instead of coercion and imposition); compliance (instead of enforcement); respect for the dignity of both the victim and the offender (instead of the isolation of the former and the stigmatisation of the latter) (Mazzucato, 2017: 242).

To reverse the adverse effects of 'repression and punishment', Mazzucato proposes an ever-expanding and distinctive virtuous zone, where all stakeholders in crime are provided with opportunities to repair civility, as characterised by freedom and capacities for 'self-regulation and self-responsibility' (2017: 243, 249-250). It is only in this optimal moral space that stakeholders have sufficient freedom to individually recover the positive capacities of the self, and collectively recover and reinforce normative agreement about what constitutes civil conduct.

5.2 *The prison zone*

Scrutiny is given here to the retributive condition of the 'prison zone' and its outcomes. Prisons are designed to separate sentenced individuals from society, while, interiorly, they are tightly regulated environments which grossly restrict civil freedoms. In this highly structured zone, uncivil behaviours are used to

segregate, coerce and enforce, which has operational consequences in ranking, homogenising and dividing prisoners. Hierarchically, they are subordinated by omnipresent correctional officers whose orders they must follow. In the prison zone, they are required to reconfigure their public persona and learn to integrate socially as non-citizens in a non-democratic setting (de Viggiani, 2012). In the homogenising process, personal and social identifiers are removed (e.g. personal belongings, civil relationships, social roles, first name, civilian clothes) (Goffman, 1961: 20-32). (NB: prisoners are addressed by their surname and wear uniforms.) As for segregation, this is actioned by one's security rating, which has its consequence in where they are housed (in depersonalised blocks not houses, cells not bedrooms) and restrictions placed on their movements. In effect, the prison zone reduces the exercise of civil conducts.

Within the prison zone is the micro zone of 'the programmes' room' where prisoners are further homogenised, divided and hierarchised. The objective of conventional rehabilitation is to reduce misconduct and improve their behaviour, that is, to obtain compliance (Duwe, 2017). Prisoners are separated by offence type and 'enrolled' in respective subtypes of rehabilitation programming, which, nevertheless, homogenises them in its emphasis on 'criminal thinking' (Bonta & Andrews, 2017). As for the ranking of treatment providers and prisoners, there are stark power imbalances, with the former demanding from their subordinates, candid disclosures, which normally are reserved for intimate relationships, and acceptance of full responsibility for their individual criminal acts (Day, Tucker & Howells, 2004). In this top-down arrangement, providers give dispassionate analysis of prisoners' 'identities and subjectivities: the essence of who they are' which is compiled in standardised reports, the content of which is not revealed to them but upon which they rely upon for navigating their release (Crewe, 2014: 58). In the micro zone, prisoners are compelled to align themselves to prison norms in the self-governing of their behaviour and as architects of their own future (Khan, 2022).

5.3 *An in-prison virtuous zone*

Entry to the prison zone is restricted partly by the mistrust of both staff and prisoners (Bosworth et al., 2005). In the case of RR, that suspicion was reduced by the slow and cautious introduction and development of restorative rehabilitation programming, and by a superintendent and select staff open to progressive ideas for improving prisoners' life prospects. What is also required is a roster of individuals who have a vested interest in addressing the impacts of crime. Such crime victims demonstrate a civic virtue in their willingness to secure justice and equality in ways that traverse prison boundaries. During the actual event of entering the prison zone, staff create a portal through which civilian facilitators and victims are escorted to the 'virtuous zone' of the prison chapel, where prisoner-participants similarly assemble. Elsewhere I have described the movement of this gathering using the rite of passage theory (Anderson, 2018; Van Gennep, 1909). Prisoners and civilians are respectively separated from the established structures of prison and society. In this virtuous zone, social hierarchies are temporarily dissolved, continuity of convention becomes uncertain, and future

outcomes once taken for granted may be thrown into doubt. Within this area, prisoners can set aside the negative influences of imprisonment, engage in the prospect of 'pure possibility', elevate themselves socially, and advance the potential of their inclusion as citizens.

In RR, recovery of dominion is made evident in non-coercive virtuous engagements. From the outset, the voluntary programme affirms each person's capacity for agency, that is, the author of their own actions – a notion that is often considered to be tightly intertwined with freedom (i.e., to choose), and key to developing and maintaining a virtuous zone (Pettit, 2001: 32). For prisoners who choose to proceed – most – they demonstrate a readiness to step out of their prison ranking and into novel patterns of connection. Upon commencement of RR, participants move into 'social-presence' using 'virtue signalling'; an act that disseminates social norms and communicates the hope of seeing one's moral reputation improve in the eyes of another (Pillet-Shore, 2008; Westra, 2021: 158). The signalling is further cultivated in the giving of virtuous labels. Prisoners are referred to as 'residents'; victims as 'visitors'; all are addressed by their first names. This signalling is additionally cultivated in virtuous behaviours. Residents and visitors are encouraged to shake hands with each other to improve the quality of the interaction and the sharing of information that is of common interest. These engagements have an egalitarian intent; they differentiate and individuate each person from equal others in the group, prison and society, prompting warmth and interest, leading to spontaneous and liberating conversations.

5.4 Virtuous circles in practice

RR is intensified in the use of virtuous circles which provide safety and support for dialogues that seek to address the harms of crime. Participants take a seat in the circular sitting arrangement, signalling the equality of all, including the facilitators or 'circle keepers' who shepherd the circle process (Hyman & Mills, 2020). They are largely free to determine where they sit; choice-making that has its purpose in recovering civil norms of self-determination and freedom of association. In RR, dialogues are anchored in restorative narratives (as discussed in the following sections) that assist exploring what happened, what now and whereto. One set is drawn from Australian life and history, another set is delivered by the victims who tell of how they have been impacted by crime. Prisoners are not under any obligation 'to share their story', although many do, for it is in the act of exercising agency over one's own story, that an individual asserts standing as a person in the civic order.

Facilitators maintain security and integrity of the virtuous circle by keeping the process moving in a circular fashion, redirecting the participants' focus only when necessary, gauging the participants' moods, and using a talking stick (Pranis, 2005). This stick regulates the flow of communication (only the person holding the talking stick may speak) and structures dialogue which arises variously from storytelling. The giving of undivided attention to each individual speaker allows for full expression of emotions, deeper listening, thoughtful reflection and an unhurried pace. In granting individuated opportunities for disclosure, hurts and pains can be aired, as can strengths and possibilities. As each participant takes a turn, a sense of equivalence is generated in the group; quieter members are

Jane Anderson

prompted to speak, while the vociferous are modulated. Listeners, conversely, can experience vicariously the thoughts and feelings of the speaker which motivates shared learning and personal understanding about crime, its impacts and possibilities for healing and recovery.

In circularised communications, participants find themselves connected in a new democratic community, although this does not mean that differences between residents and victims have been removed, rather, that relations have changed (Chapman & Kremmel, 2017: 159). These in-group communications potentially create a chain of responses that amplify programme objectives, prompting participants to reframe the challenging and difficult experiences of crime and its impacts. This chain is intra-linked in feedback loops that assist them to develop character strengths, connect with what is relevant and meaningful to their lives and make future-oriented decisions. The circles of virtuousness continue in the direction of their momentum until an external factor intervenes and breaks their impetus (e.g. the return to prison routines). The residual effect of circles, however, can be sustained in ongoing conversations among prisoners and individual reflection of beneficial possibilities for civil action.

6 Rules of conduct in practice

Within virtuous zones, rules of conduct apply. Mazzucato asserts that to progress responsive regulation, a guiding framework has to be put in place. These rules ‘really matter’ because they contain ‘indications and directions for the behaviour of citizens’ (2017: 245). They ‘contain the description of the expected behaviour together with the invitation to follow it and to abstain from other conducts’ (2017: 244). They enable an ‘intellectual and social journey in search of justice [that] starts and moves from injustices ... [to] how “rights” (and rules) come from *real* “wrongs”’ (original emphasis; 2017: 244). Normativity is communicated in the provision of instruction which tells us what ‘we should (not) do’. Such messaging is exemplified in invitation, asking, requests and via incentives, potentially producing multiple responses. Victims and communities, for instance, can be positioned to take a tough stand on offenders taking responsibility for past and future actions. Offenders are required to be active in taking responsibility and being accountable to others.

In these events, victims, offenders and other stakeholders are, moreover, given time to understand more fully what has happened, and from which mutual decisions and commitments are made. As a relational process, each person is to hold oneself open in conversation to arrive at an understanding which is larger than and beyond oneself to affect the moral repair of the group or community. In restorative responses, ‘law and justice ultimately aim to resemble what they want to promote not what they want to deter,’ which leads to sanctions becoming flexible and adaptable to the responses of citizens situated in plural societies (2017: 247).

6.1 Prison rules

Prisoners learn rules of conduct through ‘prisonisation’, a process whereby they are socialised into carceral norms through interaction with prison officers and prisoner groups over time (South & Wood, 2006). These rules enable them to adjust and enhance their participation in the tightly bounded prison society. Not only must they obey correctional officers, but they must also submit themselves to the ranking that prisoners give to each other – some to avoid, others to befriend; with each arrangement curtailing communication and sociability (Sibley & van Hoven, 2009: 199-201). Such rules encourage, rather than discourage, coercion, brutality and violence among prison staff and prisoners, with the latter becoming victims (Goulding, Hall & Steels, 2008: 140). The rules and the conduct they elicit are variously explained from a deficit perspective as are their exponential effects. The greater the deprivation (i.e. loss of freedom, personal security, material goods, supportive services and sexual relationships), the greater the increase in environmental problems (e.g. overcrowding), the greater the likelihood of prisoners rejecting the rules of conduct expected of them by civil society and prison administration (Baggio et al., 2020).

During prisonisation, prisoners undergo the ‘mortification of the self’, a process by which the civilian self is slowly deprived of links to the wider community (Goffman, 1961). The identity they once held – informed by autonomy or freedom, pursuing one’s own interests, making one’s own choices, or associating with persons of one’s own choosing – is gradually erased. The individual breaks with past roles and takes on an institutional role that supersedes any previous role to make life liveable (Dryer, 2000). The mortified self becomes increasingly defined by the social relationships of the prison which are constituted in people who, mostly, have had troubled and difficult pre-prison and prison experiences. Prisonisation effectively erodes social identity; it transforms civil selves into fully prisoners.

6.2 Restorative rehabilitation rules

In the context of the virtuous zone, participants are given agency to determine the rules of conduct. Confidentiality and non-judgementalism are commonly prioritised, and although it is beyond the scope of this article to elaborate, frequent mention is also given to showing respect; listening well; being honest, polite, empathetic and punctual; encouraging and supporting others. These conducts invite prisoner-participants to demonstrate behaviours directed to the recovery of normative citizenship, thereby enabling progression from a criminal past to a law-abiding future. As for confidentiality, the rule allays the fear of personal information and experiences being shared outside of the group. This has particular importance for prisoners given that information sharing can lead to undesirable outcomes such as coercion or reprisals (Noakes-Duncan, 2015: 15). Internal to the group, confidentiality fosters mutual disclosure from which trust can be mobilised and commitments made to the group and beyond. By screening off risks and dangers, participants are able to set aside defensiveness and be self-revelatory, to have open and honest exchanges about their lives. By rendering emotional support, they can begin to deal with the harms of crime, directed to securing new identities of citizenship.

Being non-judgemental side lines preconceived ideas and personal opinions, and prevents counselling, blaming and shaming. The rule assists participants to address actual or perceived threats to individual freedom to 'make one's own judgements about one's own life', which has particular significance for prisoners who are largely denied self-determination (Winslade, 2013: 520, 525). Non-judgementalism provides an opportunity to actively engage in justice. On the one hand, prisoner-participants can deconstruct negative judgements (e.g. stigma, adverse stereotypes) operating on them and push back against their consequences. On the other hand, they can construct judgements about the acceptability of the standards of normality, providing them with a chance to take 'responsible action' and renew their sense of civic membership (White, 2007: 266). RR, thus, provides a moral space for prisoners to renegotiate personal and group identities directed at advancing the potential of their inclusion as citizens.

7 A philosophical review of exemplarity

In the pursuit of 'new architectures' in law and justice, Mazzucato asserts that it is more important to communicate and to carry on a dialogue about the rules of conduct with a 'description of the offensive/harmful behaviour than sanctions' (2017: 50). Such dialogue represents congruence between the 'states "commitment to a culture of rights"', and 'the need for voluntary and participatory compliance by citizens' (2017: 250-251). Additionally, she recognises a resemblance between this form of representing law and justice and forms of aesthetic reflective judgement, which refers to the sensory contemplation or appreciation of an object (e.g. as commonly experienced when gazing upon a significant art work) (Nuzzo, 2013).

To explore the idea and application of aesthetic reflective judgement, Mazzucato draws on the Enlightenment philosophy of Immanuel Kant (1724-1804). Kant argued that 'the unity of consciousness itself presupposes orderly experience, tied together in accordance with universal and necessary laws' (Blackburn, 1994: 205). The primary task of the human, hence, is to interrogate nature so that moral judgements might be determined (as in science) or realised through reflection (as in aesthetics). Mazzucato explains that determinant judgements are speculative and 'coercively result from an a priori principle which is rigidly applied to a particular case' (2017: 251). In this type of judgement, one has only to execute or apply an a priori rule (i.e. a universal) whose source is the understanding (i.e. of a particular). An individual, therefore, is to organise and subsume one's life to that particular (Nuzzo, 2013: 11). Reflective judgement, however, 'involves and activates an insight which enables us to discover the universal "in" the particular: only the particular is given, but within this particular, under certain conditions, the universal can be "traced"' (Mazzucato, 2017: 251). This type of judgement requires the individual to search for the universal from the particular, thereby expanding the individual's awareness of social possibility.

Retributive law and justice are placed in the lineage of determinant judgement. Kant argued from the standpoint of a universal law that individuals should always respect the humanity in others, and that one should only act in accordance with

rules that could hold for everyone (Gregor, 1996: 6). Everyone must, ergo, recognise the consequences of one's actions and accept the deserts of one's misdeeds in punishment. Kant considered rule breaking to be a rational, conscious decision that has its remedy in the infliction of pain, and that serves to balance and censure wrongful behaviour (Walgrave, 2008: 62). This retributive account of justice was highly influential and has evolved into the present-day uniform schema for sentencing and punishing offenders (Garland, 2001: 8).

Hannah Arendt (1906-1975) opens up a different perspective on Kant and justice in her philosophical argument that there is an unwritten argument in his philosophy that can be used to build a theory of judgement (D'Entrèves, 1994). This view has its origins in Arendt's personal experience of the Holocaust, which led her to critique the universal claim to the value of human reason as a bulwark against the temptations of evil-doing. The event, which had normalised terror and torture, had shown that ordinary people can reason themselves into justifying what ought to be unthinkable (Cotkin, 2007: 480). Arendt asserted that the only reliable safety net against the numbing effects of mass culture on the individual's ability to think morally and complexly is that of 'thinking' which she connected with judgement,

[w]hile thinking 'can be assessed in terms of consistency, logic, soundness, coherence' and willing can be appraised 'by its resoluteness or the capacity to determine our actions, judgements share some of these features but is not exhausted by any of them: in judgement we look not only for soundness or consistency, but also for discrimination, discernment, imagination, sympathy, detachment, impartiality and integrity' (D'Entrèves, 1994: 102).

Arendt viewed judgement as 'the capacity to think representatively, that is, from the standpoint of everyone else.' Judgement is not simply determined, it expands the vision of what ought to be done; it enables an understanding of things from someone else's position or perspective; it makes possible the recognition of 'what is held in common', and in so doing, provides a guide to action (Ferrara, 2008: 43).

Like Arendt, Ferrara (2008) recognised how cognition is altered or revised by social life as shown in contemporary challenges mounted by pluralistic societies to universal norms. He proposed a strategy for transcending the particularity of context without contradicting pluralistic intuitions by centring on exemplarity. In this plan, Ferrara draws on Kantian concepts of reflective judgement to disclose exemplarity and in the way that its force can bring about 'what is as it should be' (2008: 1-2). First, 'the force of the example is *affective*' (Ferrara et al., 2010: 194). Exemplarity sets the 'imagination in motion and produce[s] the feeling of expansion', [resulting in the enhancement or furthering of] 'the range of possibilities of our [social] life' (Ferrara, 2008: 79). Second, 'the exemplar is *exceptional*', meaning, 'the exemplary enshrines the typical but remains distinct from the normal' (Ferrara, 2008: 48; Ferrara et al., 2010: 194). Third, 'the exemplar derives its validity by appealing to a human sensibility (the *sensus communis*) that is more general than the particular context in which is originated' (Ferrara et al., 2010: 194). Ferrara's idea of the *sensus communis* 'consists of this universal capacity

to sense the nourishing of human life and what favours it' (2008: 31). The 'force of the example', thus, has the capacity to transcend a sense of existence because it uses intuitions that run deep in the 'constitution of subjective activity' about 'what it means to enhance or further, or to constrain and stifle, life' (2008: 61, 60).

In following the Kantian lineage of aesthetic reflective judgement, Mazzucato (2017) contends that the 'force of the example' has potential for the exercise of law and justice. Under certain conditions, exemplars have persuasive capacity; they appeal to human dignity and justice: '[i]f both rules of conduct and (positive) sanctions are "reflectively" and "exemplarily" drafted, they can create voluntary compliance' (2017: 253). Exemplarity has a capacity to recall the universal ideal of justice inside a particular case in ways that encourage compliance. Valid examples can reconcile opposites by merging the 'what is' and the 'ought', which 'liberate an energy that sparks our imagination' (2017: 252). Exemplarity can stimulate reflection in its 'description of the offensive/harmful behaviour', directed to 'designing and understanding how legal rules in criminal law (should) address citizens, and vice versa' (2017: 250-251, 252). 'Rules of conduct and (positive) sanctions which are "reflectively" and "exemplarily" drafted' can appeal to the consensus of citizens if they address both the 'negative exemplarity of those "particular" human experiences that recall a "universal" lack of fulfilment of human dignity and lack of justice' (2017: 253). In a restorative encounter, the 'force of the example' has creative potential for linking citizens' agreement and participation in determining rights from wrong in plural societies with universalistic law and justice (Ferrara, 2008).

7.1 Prisoner exemplars

There is a dearth of literature on the use of the exemplar in the prison context, but a limited resemblance can be identified in the concept of the 'role model', defined as an individual who, under certain conditions, is perceived to be admirable and worthy of emulation (Watson & Hill, 2015). Role models can function variously but with conditions. They serve as behavioural models, but which need to embody a role aspirant's already existent goals; 'representations of the possible' but need to be perceived by the role aspirant as attainable; sources of inspiration, but need to be perceived as desirable (Morgenroth, Ryan & Peters, 2015). In the prison context, the role model is said to function as a prosocial pivot to offenders, countering the effects of antisocial models (e.g. weak parental models, antisocial peer models) (Walters, 2016). In practice, some prison staff recognise the importance of acting as role models for motivating change, but others send the contradictory message of indifference (Kozar & Day, 2012). Nonetheless, claims made for prison staff as role models are contestable. Staff are not likely to personify prisoners' goals or communicate desirability and attainability because they are the product of the carceral environment, closely tied to individual experiences, time bound to the period of incarceration, and offer a narrow range of ways for emulating behaviour. In effect, the function of prison staff to segregate, coerce and enforce or dispassionately assess and report obscures role modelling.

7.2 *Restorative exemplars*

In RR, exemplars are constructed from published accounts of popular public figures, written up in session sheets that are made available to all participants, and read out loud by volunteers. The abstracted personalities somewhat reflect the life course of prisoner-participants. They are typically Anglo-Australian males, aged in the early-20s to late-30s, of working-class origins. In composing these exemplars, emphasis is given to their capacity to evoke affective engagements. Referred to as 'aesthetic experiences', the exemplars are styled to elicit interest, awe, beauty, confusion and surprise (Silvia, 2012). Exemplars, like prisoner-participants, have taken the path of combining their work roles with mostly methamphetamine use to explore new possibilities. But these horizons of promise proved to be desolate realities characterised by estrangement from family and friends and loss of work and health. Exemplars maybe typical, but they remain distinct from the normal (Ferrara, 2008: 48). In contrast to prisoner counterparts, they have addressed multiple damages resulting from problematic illicit drug use and have recovered normative conduct. As exemplars, they have merged the 'what is' of their past lives to the 'ought' of their citizenship.

Narratives about exemplars have been widely utilised for moral inspiration and moral education (Han et al., 2017). They enable individuals to organise the details of their experience, frame their understanding of reality and communicate with others (Bruner, 2003: 63). In RR, these narratives are guided by Van Gennep's (1909) theory of a three-part transitional process to assist participants to make sense of what happened, why they are in the place they find themselves and where they are going. Restorative narratives typically begin with the exemplar's backstory (e.g. childhood experience) to advance restorative intentions and arouse emotional connections. Thereafter, the sequence is communicated as follows. The exemplar has worthy goals befitting a citizen but failure to observe civil standards has its consequence in one's separation from society. To distance oneself from isolation and related effects of desolation and ambiguity, the exemplar moves into the transition stage typified by the struggle of accepting what needs to be done to re-engage; a task that finally progresses with the aid of a guide or mentor. After having re-imagined oneself positively and, at the same time, having been affirmed in that estimation, the exemplar crosses the threshold and transitions into becoming a full citizen.

7.3 *Emulating exemplars*

Within RR virtuous circles, all participants are given opportunities to communicate their own restorative narrative; the format of which, again, is guided by Van Gennep's (1909) three-part transitional process. In a 20 to 25-minute time frame, they are to introduce their backstory, report on the crime and its impacts, and provide an imaginative account of life anew. These narratives are not psychological interrogations (as required by conventional rehabilitation programming and evidenced in detailed accounts of the criminal self) but are aimed at achieving sociological connection, as expressed in tales of personal bonds once blighted, and now seeking repair. After the story has been told, participants reflect quietly on what has been said; exteriorly, out of respect to the storyteller; interiorly, to absorb

Jane Anderson

what has been communicated. Subsequently, participants can ask a question or make a comment; with most expressing gratitude or giving affirmative responses.

Many prisoner-participants are unaware of the broader consequences of their criminal behaviours: they have been offenders precisely because they have cut themselves off from a capacity to experience remorse over the suffering they have caused (Braithwaite & Strang, 2000: 215). That lack is compounded by incarceration. Prisoners' ability to think of themselves in relationships with others, or as relational beings, is inevitably diminished in a carceral environment (Crocker, 2015). Their perspective can change, however, when they listen to victims' stories. These highly personal accounts can assist them to make connections between the collapsed 'world' of the prison and the larger 'worlds' of victims. Drug crime, often resulting from problematic drug use, has significant adverse effects on families. Such families commonly experience overwhelming problems, exhaustion, messy lives and broken relationships, with members often trying to understand, hoping for change and endlessly adapting to survive, while ensuring that their difficulties remain invisible, leaving them lonely, and if revealed, humiliated (Lindeman et al., 2022). In listening to victim accounts, prisoners become aware that crime is not a one-on-one event or the mere taking or handling of illicit goods. Rather, crime dramatically impinges on the lives of others, including and especially their own families. They grasp the negative outcomes of their own actions, prompting them to accept responsibility and be accountable to significant others.

Prisoner-participants are allocated time and space in RR to voluntarily recompose and narrate the 'what is' and the 'ought' of their lives. In telling their stories, they begin reconciling their old selves to the advantage of the new. They typically begin with a brief account of early life hardship, leading to ongoing vulnerabilities or marginality; the strains of which have reflexively pressured corrective action, with crime being a response to perceived or actual threats (Agnew, 2010). Next, having aesthetically experienced the restorative accounts of exemplars and crime victims, they revise how they might conduct themselves normatively. In the supportive conditions of the virtuous circle, prisoners can imagine possibilities of how to associate with others in morally acceptable ways. Traversing the emotional terrain of remorse and grief, they acknowledge the harm to their own and others' lives. In accepting their faults and failings, they revise their values, altering how they relate to a responsible life in which the sceptre of illicit drugs and related crimes is weakened, and the worth of significant relationships is strengthened. By projecting their own civil status before normative others, prisoners shift from identifying as offending citizens to identifying as law-abiding citizens.

8 The prison zone aftermath

Prisoners in preparing for reintegration must navigate a multitude of experiences and demands. In leading up to their release, some or most will experience 'release anxiety' and disculturation (i.e. the loss or failure to acquire some of the habits currently required in a society) (Goffman, 1961: 70-74). Upon entry to an open

society, many will not have been exposed to prosocial exemplars and positive networks that might help them bridge the distance between prison life and the challenge of resuming a law-abiding life (Stern, 2005). Instead, they must negotiate often baffling law and justice demands, including those putatively intended to help them (e.g. welfare regulations and processes and parole requirements) (Baldry et al., 2018: 4). They do so usually with a lack of material means, reduced self-worth, problems with substance abuse and obstacles resulting from multiple forms of stigma (Turney et al., 2013). These multiple strains can lead to poor community adjustment, psychological distress, social withdrawal and poor mental health (Moore & Tangney, 2017). Former prisoners, in having had their freedoms curtailed and without exemplary support, find it difficult to achieve normative compliance.

As mentioned in section 3, victim participants are mostly associated with the local peer support organisation. By participating in RR, they represent and create an avenue for prisoners to move from one virtuous zone to another. During RR, prisoners not only personally identify with these victims, but they also get to know about the service and its inclusive ethos, resulting in an alternate re-entry avenue. Some newly released prisoners have connected with the local organisation which has been further identified as a surrogate home for chronically marginalised people (Anderson, 2021). The drop-in centre provides them with a hospitable space which not only lightens the burdens associated with a depleted civil status, it also offers safety and support, which is needed for managing their reintegration. The centre holds regular 'talking circles', enabling former prisoners to share and address pressing matters about re-entry and life. It provides socially positive connections that assist with the development of more law-abiding interests and pursuits. It facilitates networks that access opportunities and resources which would otherwise be difficult or not available. The centre essentially operates as a virtuous zone in which service users who have a shared experience of the deleterious impacts of problematic drugs, including incarceration, can respond restoratively to its harms, initiate healing, pursue normative compliance, and recover civil dignity.

9 Conclusion

This article seeks to address the question of transitioning prisoners from the ambiguity of their carceral status to that of becoming 'fully' citizens as theoretically guided by Mazzucato's philosophical work (2017: 249). She argues that the responsive-restorative model of justice, specified in concepts for action – virtuous zones, rules of conduct and exemplarity – should be used generously before climbing the 'enforcement pyramid'; ultimately, to incarceration (2017: 249). In this task, her critical thinking is applied to foreground the difficulties that prisons and societies have in viewing prisoners as citizens while showing how restorative encounters can incentivise normative conduct.

In summary, first, the virtuous zone operates to produce a moral space for responding restoratively to the harms of crime and the healing needs of multiple stakeholders. The prison zone, however, not only distances prisoners, but also represses their individuality, which precedes active citizenship. RR, on the other

Jane Anderson

hand, creates a virtuous zone to regain, albeit temporarily, liberty and equality, from which emerges an egalitarian community whose civic engagement initiates the repair of damaged relationships. Second, rules of conduct are made to resemble what they aim to promote, and, ideally, in the case of law and justice, normative conduct (Mazzucato, 2017: 247). Prisons, however, cultivate carceral rules through prisonisation, requiring prisoners to submit to rankings which curtail communication and sociability, resulting in their becoming fully prisoners. RR has a contrasting set of conducts. Confidentiality protects participants from outsiders, while 'inside', cultivates mutual disclosures needed for addressing harms of crime and undertaking repair of relationships. Being non-judgemental counteracts negative judgements while elevating individual agency as is expected of citizens. Third, the exemplar has the capacity to communicate law and justice in ways that encourage normative compliance by reconciling and merging 'what is' and the 'ought'. In the prison, a loose equivalence has been made with staff acting as role models but their function to segregate, coerce and enforce obfuscates emulation. RR, in contrast, uses exemplars liberally to communicate how prisoners as resident individuals, with the support of guides, can reconcile their old wounded and errant selves with the new of being fully citizens. In short, RR, as guided by Mazzucato's critical thinking, shows that restorative encounters can challenge structural demands and prisonisation, recover agency directed to voluntary compliance, and, by provisioning exemplarity, incentivise normative conduct.

RR has further implications for rehabilitation and reintegration in that it encounters and engages prisoners as citizens not as 'criminals'. The programme highlights a need for transforming their prison selves into civil selves directed to the normativity of the community into which they are to be integrated. RR delivers a process that signals moral inclusion, wherein all participants make a mutual effort to address the harms of crime in order to move forward individually and collectively. What is required within a prison environment, therefore, is a virtuous zone supplemented by rules of conduct that work against its corrosive forces. Within this moral space, exemplars are to be composed in ways that not only reflect universal striving for justice but are also attainable and relevant to participant cohorts of representative pluralistic communities.

Moreover, this article indicates the potential of an alternate re-entry process. In bringing together victims and prisoners who have a shared interest in addressing particular crimes, RR creates a new, but provisional, democratic community. It also produces a virtuous vector that propels prisoners on release in the direction of another virtuous zone, namely, to the peer supported drop-in centre. In this moral space, peer workers protect individual endeavours to pursue normative conducts. Collectively, they guard against drug use relapse and drug-related offending, while fostering normative agreement about what constitutes civil conduct. By expanding concepts for action, RR initiates and the peer support organisation maintains the often arduous and lengthy transition of former prisoners with drug offending histories to become fully citizens.

References

- Agnew, R. (2010). General strain theory. In M. Krohn, A. Lizzotte & G. Hall (eds.), *Handbook on crime and deviance* (pp. 169-183). New York: Springer.
- Anderson, J. (2021). Peer support workers' conceptions of drug users and the implications for service provision. *Anthropology and Medicine*, 28(4), 477-492. doi: 10.1080/13648470.2021.1875317.
- Anderson, J. (2018). Introducing and theorising an in-prison restorative justice programme: the second-generation Sycamore Tree Project. *The International Journal of Restorative Justice*, 1(2), 210-229. doi: 10.5553/IJRJ/258908912018001002003.
- Australian Criminal Intelligence Commission (2020). *Illicit drug data report 2018-19*. Canberra City: Australian Criminal Intelligence Commission.
- Baggio, S., Peigné, N., Heller, P., Gétaz, L., Liebrezn, M. & Wolff, H. (2020). Do overcrowding and turnover cause violence in prison? *Frontiers in Psychiatry*, 10, 1015-1015. doi: 10.3389/fpsyt.2019.01015.
- Baldry, E., Bright, D., Cale, J., Day, A., Dowse, L., Giles, M., Hardcastle, L., Graffam, J., McGillivray, J., Newton, D., Rowe, S. & Wodak, J. (2018). *A future beyond the wall: improving post release employment outcomes for people leaving prison research project* (Final Report). Sydney: UNSW. doi: 10.26190/5b4fd2de5cfb4.
- Birgden, A. (2004). Therapeutic jurisprudence and responsibility: finding the will and the way in offender rehabilitation. *Psychology, Crime and Law*, 10(3), 238-295. doi: 10.1080/0683160410001662771.
- Blackburn, S. (1994). *The Oxford dictionary of philosophy*. Oxford: Oxford University Press.
- Bonta, J. & Andrews, D. (2017). *The psychology of criminal conduct* (6th ed.). New York: Routledge.
- Bosworth, M., Campbell, D., Demby, B., Ferranti, S. & Santos, M. (2005). Doing prison research: views from inside. *Qualitative Inquiry*, 11, 249-264. doi: 10.1177/1077800404273410.
- Braithwaite, J. (1999). Restorative justice: assessing optimistic and pessimistic accounts. *Crime and Justice*, 25, 1-27.
- Braithwaite, J. (2002). *Restorative justice and responsive regulation*. New York: Oxford University Press.
- Braithwaite, J. & Pettit, P. (1990). *Not just deserts: a republican theory of criminal justice*. Oxford: Clarendon Press.
- Braithwaite, J. & Strang, H. (2000). Connecting philosophy and practice. In T. Gavrielides (ed.), *Restorative justice: philosophy to practice* (pp. 203-220). Aldershot: Ashgate.
- Bruner, J. (2003). *Making stories: law literature, life*. Cambridge: Harvard University Press.
- Chapman, T. & Kremmel, K. (2017). Community in conflict in intercultural contexts and how restorative justice can respond. In B. Pali & I. Aertsen (eds.), *Restoring justice and security in intercultural Europe* (pp. 144-163). Abingdon: Routledge.
- Cotkin, G. (2007). Illuminating evil: Hannah Arendt and moral history. *Modern Intellectual History*, 4(3), 463-490. doi: 10.1017/S1479244307001357.
- Crewe, B. (2014). Inside the belly of the penal beast: understanding the experience of imprisonment. *International Journal for Crime, Justice and Social Democracy*, 4(1), 50-65. doi: 10.5204/ijcsd.v4i1.201.
- Crocker, D. (2015). Implementing and evaluating restorative justice projects in prison. *Criminal Justice Policy Review*, 26(1), 45-64. doi: 10.1177/0887403413508287.
- D'Entrèves, M. (1994). *The political philosophy of Hannah Arendt*. London: Routledge.
- Day, A. & Halsey, M. (2022). Desistance theory and forensic practice. In C. M. Lagton & J. R. Worling (eds.), *Facilitating desistance from aggression and crime: theory, research,*

Jane Anderson

- and strength-based practice* (pp. 3-18). New York: John Wiley & Sons. doi: 10.1002/9781119166504.ch1.
- Day, A., Tucker, K. & Howells, K. (2004). Coerced offender rehabilitation: a defensible practice? *Psychology, Crime and Law*, 10(3), 259-269. doi: 10.1080/10683160410001662753
- de Viggiani, N. (2012). Trying to be something you are not: masculine performances within a prison setting. *Men and Masculinities*, 15(3), 271-291. doi: 10.1177/1097184X12448464.
- Department of the Premier and Cabinet (2018). Methamphetamine action plan taskforce: final report, Western Australia. Retrieved from www.wa.gov.au/government/publications/methamphetamine-action-plan-taskforce-final-report (last accessed 22 April 2023).
- Dhami, M., Mantle, G. & Fox, D. (2009). Restorative justice in prisons. *Contemporary Justice Review*, 12(4), 433-448. doi: 10.1080/10282580903343027.
- Dryer, J. (2000). *The perpetual prison machine: how America profits from crime*. New York: Basic Books.
- Duff, R. (2005). Introduction: crime and citizenship. *Journal of Applied Philosophy*, 22(3), 211-216. doi: 10.1111/japp.2005.22.issue-3.
- Duwe, G. (2017). The use and impact of correctional programming for inmates on pre- and post-release outcomes. Washington, DC: US Department of Corrections. Retrieved from www.ojp.gov/pdffiles1/nij/250476.pdf (last accessed 27 November 2022).
- Ferrara, A. (2008). *The force of the example: explorations in the paradigm of judgment*. New York: Columbia University Press. doi: 10.7312/ferr14072.
- Ferrara, A., Castiglione, D., Richardson, J., Schaap, A. & Wagner, C. (2010). Review symposium on the force of the example. *Political Studies Review*, 8, 192-207. doi: 10.1111/j.1478-9302.2009.00210.x.
- Garland, D. (2001). *Culture of control: crime and social order in contemporary society*. Chicago: University of Chicago Press.
- Goffman, E. (1961) *Asylums: essays on the social situation of mental patients and other inmates*. New York: Doubleday.
- Goulding, D., Hall, G. & Steels, B. (2008). Restorative prisons: towards radical prison reform. *Current Issues in Criminal Justice*, 20(2), 231-242. doi: 10.1080/10345329.2008.12035806.
- Gregor, M. (ed.) (1996). *Kant: the metaphysics of morals*. Cambridge: Cambridge University Press.
- Han, H., Kim, J., Jeong, C. & Cohen, G. (2017). Attainable and relevant moral exemplars are more effective than extraordinary exemplars in promoting voluntary service engagement. *Frontiers in Psychology*, 8(283). doi: 10.3389/fpsyg.2017.00283.
- Hollister, W. (1953). Conduct and the circle. *The Journal of Philosophy*, 50(3), 57-70. doi: 10.2307/2021519.
- Hyman, M. & Mills, M. (2020). The virtuous circle. *Illinois Bar Journal*, 108(4), 38-42.
- Hyndman, N. & McConville, D. (2018). Trust and accountability in UK charities: exploring the virtuous circle. *The British Accounting Review*, 50(2), 227-237. doi: 10.1016/j.bar.2017.09.004.
- Jacobson, N., Trojanowski, L. & Dewa, C. (2012). What do peer support workers do? A job description. *BMC Health Services Research*, 12(205), 1-11. doi: 10.1186/1472-6963-12-205.
- Kendall, K. (2002). Time to think again about cognitive behavioural programmes. In P. Carlen (ed.), *Women and Punishment* (pp. 182-198). Cullompton: Willan Publishing.

- Khan, Z. (2022). A typology of prisoner compliance with the incentives and earned privileges scheme: theorising the neoliberal self and staff–prisoner relationships. *Criminology & Criminal Justice*, 22(1), 97-114. doi: 10.1177/1748895820947456.
- Kozar, C. & Day, A. (2012). The therapeutic alliance in offending behaviour programs: a necessary and sufficient condition for change? *Aggression and Violent Behavior*, 17(5): 482-487. doi: 10.1177/0306624X17717143.
- Lindeman, S., Titlestad, K., Lorås, L. & Bondas, T. (2022). An unknown invisible intrusion. Impact of an adult family member's problematic substance use on family life: a meta-ethnography. *Drugs: Education, Prevention & Policy*, 29(5), 464-476. doi: 10.1080/09687637.2021.1943316.
- Marshall, O. (2013). Associative stigma among families of alcohol and other drug users (Honours). Perth: Edith Cowan University. <https://www.ecu.edu.au/schools/arts-and-humanities/staff/related-content/lists/adjunct-emeritus-and-honorary/honorary-appointments/dr-greg-dear> (last accessed 25 April 2023).
- Mazzucato, C. (2017). Restorative justice and the potential of exemplary: in search of a persuasive coherence within criminal justice. In I. Aertsen & B. Pali (eds.), *Critical restorative justice* (pp. 241-258). Oxford: Hart Publishing.
- Mead, S., Hilton, D. & Curtis, L. (2001). Peer Support: a theoretical perspective. *Psychiatric Rehabilitation Journal*, 25(2): 134-114. doi: 10.1037/h0095032.
- Moore, K. & Tangney, J. (2017). Managing the concealable stigma of criminal justice system involvement: a longitudinal examination of anticipated stigma, social withdrawal, and post-release adjustment. *The Journal of Social Issues*, 73(2), 322-340. doi: 10.1111/josi.12219.
- Morgenroth, T., Ryan, M. & Peters, K. (2015). The motivational theory of role modelling: how role models influence role aspirants' goals. *Review of General Psychology*, 19(4), 465-483. doi: 10.1037/gpr0000059.
- Noakes-Duncan, T. (2015). *Restorative justice in prisons: a literature review*. Occasional Papers in Restorative Justice Practice. Wellington: Victoria University.
- Nuzzo, N. (2013). Reflective judgment, determinative judgment, and the problem of particularity. *Washington University Jurisprudence Review*, 6(1), 7-24. Retrieved from https://openscholarship.wustl.edu/law_jurisprudence/vol6/iss1/2 (last accessed 16 December 2022).
- Pettit, P. (2001). *A theory of freedom: from the psychology to the politics of agency*. New York: Oxford University Press.
- Pillet-Shore, D. (2008). Coming together: creating and maintaining social relationships through the openings of face-to-face interaction (Unpublished PhD Dissertation). Los Angeles: University of California.
- Pranis, K. (2005). *The little book of circle processes: a new/old approach to peacemaking*. New York: Good Books.
- Pranis, K. (2006). Restorative values. In G. Johnstone & D. Van Ness (eds.), *Handbook of restorative justice* (pp. 59-74). Cullompton: Willan Publishing.
- Schlesinger, L. & Heskett, J. (1991). Breaking the cycle of failure in services. *Sloan Management Review*, 31, 17-28.
- Sibley, D. & van Hoven, B. (2009). The contamination of personal space: boundary construction in a prison environment. *Area*, 41(2), 198-206. doi: 10.1111/j.1475-4762.2008.00855.x.
- Silvia, P. (2012). Human emotions and aesthetic experience: an overview of empirical aesthetics. In A. Shimamura & S. Palmer (eds.), *Aesthetic science: connecting minds, brains and experience* (pp. 250-275). New York: Oxford University Press.

Jane Anderson

- South, C. & Wood, J. (2006). Bullying in prisons: the importance of perceived social status, prisonization, and moral disengagement. *Aggressive Behaviour*, 32, 490-501. doi: 10.1002/ab.20149.
- Stern, V. (2005). *Prisons and their communities: testing a new approach*. London: International Centre for Prison Studies.
- Svensson, B., Richert, T. & Johnson, B. (2019). Parents' experiences of abuse by their adult children with drug problems. *Nordic Studies on Alcohol and Drugs*, 37(1), 69-85. doi: 10.1177/1455072519883464.
- Sykes, G. (2007). *The society of captives: a study of a maximum security prison*. Princeton: Princeton University Press. doi: 10.2307/j.ctv14164hw.
- Ten, C. (1991). Review essay/dominion as the target of criminal justice. *Criminal Justice Ethics*, 10(2), 40-46. doi: 10.1080/0731129X.1991.9991902.
- Teresi, M., Pietroni, D., Barattucci, M., Giannella, V. & Pagliaro, S. (2019). Ethical climate(s), organizational identification, and employees' behavior. *Frontiers in Psychology*, 10, 1356-1356. doi: 10.3389/fpsyg.2019.01356.
- Turney, K., Lee, H. & Comfort, M. (2013). Discrimination and psychological distress among recently released male prisoners. *American Journal of Men's Health*, 7(6), 482-493. doi: 10.1177/1557988313484056.
- Umbreit, M. & Armour, M. (2010). *Restorative justice dialogue: an essential guide for research and practice*. New York: Springer Publishing Company.
- Van Gennep, A. (1909). *The rites of passage*. Chicago: University of Chicago Press.
- Van Ness, D. (2007). Prisons and restorative justice. In G. Johnstone & D. Van Ness (eds.), *Handbook of restorative justice* (pp. 312-324). Cullompton: Willan Publishing.
- Van Ness, D. & Strong, K. (2002). *Restoring justice*. Cincinnati: Anderson Publishing.
- Vicious Circle (2022). Merriam-Webster.com dictionary, Merriam-Webster. Retrieved from www.merriam-webster.com/dictionary/vicious%20circle (last accessed 17 December 2022).
- Virtuous (2022). Merriam-Webster.com Dictionary, Merriam-Webster. Retrieved from www.merriam-webster.com/dictionary/virtuous (last accessed 17 December 2022).
- Virtuous circle (2022). Merriam-Webster.com Dictionary, Merriam-Webster. Retrieved from www.merriam-webster.com/dictionary/virtuous%20circle (last accessed 17 December 2022).
- Waldram, J. (2008). The narrative challenge to cognitive behavioural treatment of sexual offenders. *Culture, Medicine and Psychiatry*, 32(3), 421-439. doi: 10.1007/s11013-008-9102-6.
- Walgrave, L. (2008). *Restorative justice, self-interest and responsible citizenship*. Cullompton: Willan Publishing.
- Walgrave, L. (2000). Restorative justice and the republican theory of criminal justice: an exercise in normative theorising on restorative justice. In H. Strang & J. Braithwaite (eds.), *Restorative justice: philosophy to practice* (pp. 165-183). London: Routledge.
- Walters, G. (2016). Someone to look up to: effect of role models on delinquent peer selection and influence. *Youth Violence and Juvenile Justice*, 14(3), 257-271. doi: 10.1177/1541204015569317.
- Watson, J. & Hill, A. (2015). *Dictionary of media and communication studies* (9th ed., Credo Reference). London: Bloomsbury.
- Westra, E. (2021). Virtue signaling and moral progress. *Philosophy & Public Affairs*, 49(2), 156-178. doi: 10.1111/papa.12187
- White, M. (2007). *Maps of narrative practice*. New York: Norton.

Exploring exemplarity in in-prison restorative rehabilitation to recover normativity

Winslade, J. (2013). From being non-judgemental to deconstructing normalising judgement. *British Journal of Guidance and Counselling*, 41(5), 518-529. doi: 10.1080/03069885.2013.771772.

Zehr, H., Amstutz, L., Macrae, A. & Pranis, K. (2022). *The big book of restorative justice*. New York: Good Books.