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## **The value of 'bearing witness' to desistance**

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## **Abstract**

This paper aims to contribute to the debate on making probation practice 'desistance-focused'. It does this through considering the body of knowledge on responding to trauma through 'bearing witness' to the person's story – attending to their values and lived experience – and applying this to probation practice. It addresses why the literature on trauma has relevance to work with people who have offended. Then it explores the epistemological, performative, moral and political dimensions of 'bearing witness' and the relevance of each of these to desistance. It highlights the potentially critical role of the audience (in this case the probation practitioner) in the co-construction of the desistance narrative. Additionally, the paper argues that insufficient attention has been paid to the moral space in which such narratives are co-constructed. In a context where the voices of people who have offended are silenced and their experiences of victimisation or structural violence are written out, I suggest that 'being present and being with another' (Naef, 2006: 146) enacts a moral responsibility to support a transition from object to subject and to recognise and endorse the humanity of those who have committed crimes. The paper provides a practice example of 'bearing witness' to desistance. Finally it addresses potential challenges in asking probation officers to 'bear witness' to desistance.

## **Introduction**

Human relationships matter in desistance. As a relational intervention, probation – or criminal justice social work (Scotland) – is potentially an important site for supporting desistance (McNeill, 2006; Weaver and McNeill, 2010; Farrall et al., 2015). Yet its potential to do so is seriously undermined by a contemporary climate of growing instrumentalism, commodification and privatisation of criminal justice practice (particularly England and Wales, see Robinson, 2016; for Scottish context see McNeill, 2016). This paper aims to contribute to the debate on making probation practice 'desistance focused', by applying the body of knowledge on responding to another relational breach, interpersonal trauma, through 'bearing witness'. I argue that an ethos of managerialism, focus on risk assessment, and deprioritisation of face-to-face contact, all limit the practitioner to seeing and hearing for proscribed purposes only, silencing the lived experience and – sometimes extensive – traumas of those subject to probation. This can discredit offenders as human subjects, just rendering them objects of policy. This paper challenges these restrictions and encourages practitioners to 'bear witness' to the stories of people who have offended, drawing attention to the critical moral and political purposes of doing so, as well as practical ones.

'Bearing witness' is to see, attend to and testify to lived experience, and is linked to ideas of narrative, voice and truth. Recent research suggests that relationships may support desistance if the context within which they are played out presents alternative prosocial means for obtaining 'relational goods' (e.g. trust or loyalty) (Weaver and McNeill, 2015; Weaver, 2016) or 'recognition' (Barry, 2015) that they seek and value. This suggests we need to take seriously that which people who have offended value, and the meaning that they ascribe to criminal behaviour. 'Bearing witness' not only takes this seriously, but also has the potential to establish relationships that provide such relational goods or recognition.

I will discuss the epistemological, performative, moral and political dimensions of 'bearing witness' in relation to those who have offended. Adopting this lens, the dialogic nature of this process is foregrounded, highlighting the critical role played by the audience as *co-creator* of the narrative.

Drawing parallels between the literature on desistance from offending and on recovery from trauma, I will explore the practical value that 'bearing witness' might have in supporting change. I suggest that the co-creation, performance and acceptance of the desistance narrative can facilitate a shift from object to subject, increasing feelings of personal agency and enabling the transformation in narrative identity that takes place in desistance from offending (Anderson and McNeill, forthcoming). In this way, the literature on 'bearing witness' may offer an important contribution to debates on 'what works?' or 'what helps?' when working with people who have offended (the latter better acknowledging the necessary, active role of the individual in desistance).

However, such outcomes-focused debates are usually silent on moral questions of how we *should* act. Insufficient attention has been paid to what is the morally right, good or responsible thing to do when working with people who are trying to desist. One notable exception is Duff (Duff, 2005), who suggests that offending is essentially a relational harm, resulting in a relational breach between the offender, victim and community, and which must be repaired for rehabilitation to occur ('moral rehabilitation'). However, as elsewhere in the literature on the ethics of punishment, and in common discourse on moral issues in the practice of punishment and rehabilitation – the focus is primarily on the *offence*. While this is an important site of relational harm, this narrow focus excludes the wider lived experience of the offender and other relational harms that have opened up breaches between them and the community – of which the offence may be just one (in some cases relatively minor) part. Nevertheless, Duff's theory does allow him to draw attention to the moral problems associated with punishment where 'offenders' have been the victims of social injustice (Duff, 2003). McNeill and Farrall (2013) emphasise questions of legitimacy of criminal justice processes and the moral performance of practitioners, both critical when working with people who have been victims as well as offenders or who have experienced significant institutional or structural violence and disadvantage.

People in the criminal justice system who have experienced such problems may have troubled or absent family lives and transient lifestyles. In the total absence of another empathic listener it will fall to the probation practitioner to bear witness to the person's narrative. I suggest – as Naef does in the context of healthcare – that in the context of probation practice 'being present and being with another' (Naef, 2006: 146) has value *in itself*. Blinkered responses that see people only as offenders and write-out lived experiences of disadvantage and victimisation can be experienced as an act of violence, rendering the person an object of someone else's interpretations and language. In contrast, I suggest that bearing witness enacts a moral responsibility to support a transition from object to subject and to recognise and endorse the humanity of those who have committed crimes.

### **The relevance of trauma to people who have offended**

Before expanding on 'bearing witness', I wish to acknowledge the sensitivities and dangers of transplanting ideas from writings on experiences including rape, war and genocide, including the Holocaust, into a discussion about responses to people who have committed crimes (including, in some cases, perpetration of violence on others). These forms of trauma are particular experiences that rest at the very extremes of human suffering.

Nevertheless, I believe that in our response to the extremes we may find something useful for our response to the everyday. Moreover, the 'everyday' in the lives of many – although not all – people who have offended includes significant experiences of victimisation, as well as community

persecution through structures that systematically disadvantage and exclude them. These experiences are highly distressing and in some cases traumatic.

There is debate around exactly what constitutes a 'traumatic event'. Nevertheless, there is broad agreement that it is to experience or witness an event that involves a threat to life or serious threat to someone's physical or psychological integrity. It may evoke feelings of fear, helplessness, or horror that overwhelms the person's internal resources (Briere and Scott, 2006). The medical definition has been progressively narrowed since DSM-III and in DSM-V is limited to threatened death, serious injury or sexual violation, removing language about the emotional response to such events (American Psychiatric Association, 2013). This narrow definition unhelpfully denies that experiences such as extreme emotional abuse and degradation can be traumatic in isolation (Briere and Scott, 2006). Conceptualising traumatising in terms of responses to a 'traumatic event' can also be misleading, since traumatic events act cumulatively and some traumatic experiences, such as domestic abuse, can be experienced for a sustained period of time.

There is substantial evidence that prisoners face multiple problems including poor mental and physical health, problems with drugs and alcohol, experiences of homelessness, family and relationship problems, unemployment and financial problems and learning difficulties and disabilities (Anderson and Cairns, 2011; SEU, 2002). The Surveying Prisoner Crime Reduction (SPCR) survey was a longitudinal survey of adult prisoners in England and Wales sentenced to between one month and four years in 2005/06. Compared to the general population, the sample had higher levels of self-reported disability (34% vs 19%), homelessness (15% were homeless immediately prior to custody; only 3.5% of the general population report ever having been homeless); and receipt of benefits (64% reported receipt of benefits in year prior to custody; although not directly comparable, in 2003 the national take up of certain key benefits by people of working age was 14%) (Cunniffe et al., 2012; Hopkins, 2012; Williams et al., 2012b). 24% reported having been taken into care at some point as a child (Williams et al., 2012a); 27% of male and 53% of female prisoners reported experiencing emotional, physical or sexual abuse as a child; and 41% reported witnessing violence as a child. In a highly masculinised prison-based context such experiences may well be under-reported, in which case these figures may be even higher. Experiencing abuse or observing violence was more likely among people who reported that a family member had had a drug or alcohol problem, who were more likely to need help with a drug or alcohol problem themselves.

Other research suggests that levels of post-traumatic stress disorder are also higher among prisoners (Goff et al., 2007), along with other conditions associated with trauma, notably borderline personality disorder (Singleton et al., 1998; for overview of relationship, see Ford and Courtois, 2014). Research on women prisoners in particular has found traumatic histories, including childhood and adult experiences of domestic abuse (Moloney et al., 2009).

Moreover, institutional and systemic responses to these issues may exacerbate earlier traumas and could, in some cases, be considered traumatic in their own right. Imprisonment involves incapacitation and control by others, potentially inducing feelings of disempowerment, helplessness and constrained agency. In addition, imprisonment experiences may include verbal or physical assault from staff and fellow inmates. Operational procedures within prisons, such as body searches, might also be experienced as an assault on physical integrity (Moloney et al., 2009). In the community, exclusion from social communities, employment, accommodation and financial

resources – including denial of a service from agencies that are supposed to help – could be experienced as neglectful, dehumanising and enforcing helplessness. The desistance process itself also involves struggle and suffering: coming to terms with the past, recognising and repairing harms caused and fractured relationships, and overcoming personal challenges such as addiction or deconstruction of former peer groups.

Drawing attention to these experiences is not to deny the serious harm that can be caused by criminal offending, particularly where it involves sexual or physical violence towards another person. My point is that subsequent – or prior – involvement in offending does not erase the experiences of victimisation and disadvantage that populate their life histories. Nevertheless, through institutional and systemic responses that isolate the offence from the life history, we act as if it does. Society ‘no platforms’ the person’s story, essentially an act of collective denial of the reality of this lived experience. This has both practical and moral significance.

### **What is bearing witness?**

‘Bearing witness’, in its essence, is to undergo a personal experience and then to testify to that experience to an audience. As well as face-to-face, bearing witness can also happen through art and rituals that enable the act of bearing witness to be sustained through time and across audiences (Naef, 2006). The term ‘to bear witness’ has been used across literature studies, trauma studies and psychoanalysis both in and about writings on survivors of trauma, war, torture and genocide (Herman, 1997; Hukanovic, 1997; Perlesz, 1999), and in particular in writings related to the Holocaust (Wiesel, 1970; Laub, 1992; Schindler et al., 1992). Bearing witness has been applied to responses to illness and suffering in the healthcare context, explained by Naef as:

‘...being with and relating to others that is based on values and beliefs that give rise to a commitment to attend to, honour, and stay with persons’ truths, perspectives, priorities, hopes, and dreams; that is, their lived experience’ (2006: 149).

Cody describes it as ‘attesting to the veracity or authenticity of something through one’s personal presence’ (2001: 289). Firstly, physical: being there to see and hear for yourself. Secondly, temporal: being there over time. Thirdly: something akin to attentiveness to the experience in question. This transcends ‘active listening’, involving a genuine attempt to see and understand the world from someone else’s viewpoint, embracing subjectivity and inhabiting someone else’s meaning frame. Ideally each sense requires accompaniment over time through their journey.

Both parties within the process are ‘bearing witness’ to the story of at least one party’s lived experience. The ‘audience’ is critical as bearing witness involves validation of the person’s experience back to them, as well as giving voice to this experience to others where the person themselves is powerless to do so (a further act of bearing witness). In the context of offending, this sits in stark contrast to a societal response to offending which denies this experience, prioritising through punishment a Durkheimian expression of collective outrage at the offence.

Bearing witness has a number of interlinked dimensions, each of which will be discussed in relation to work with people who have offended.

### ***Epistemological***

Writers on bearing witness to trauma emphasise that trauma and recovery narratives are not conveyed fully formed. In the act of telling they become known, not just to the listener but to the teller, both of whom are together engaged in a 'pursuit of truth within a human relationship' (Blackwell, 1997: 82). Psychoanalyst Laub explains that:

'Knowledge in the testimony is...not simply a factual given that is reproduced and replicated by the testifier, but a genuine advent, an event in its own right.' (1992: 62)

Describing listening to one Holocaust survivor's story, Laub explains that, despite containing historical inaccuracies, he:

'...came to understand not merely her subjective truth, but the very historicity of the event, in an entirely new dimension. / She was testifying not simply to historical facts, but to the very secret of survival and of resistance to extermination.' (1992: 62)

Attentiveness to the testimony, inaccurate in one sense, nevertheless helps us to understand a different truth about the event. So bearing witness to people who have offended is not to accept the person's account as an objective empirical 'fact' about the events that occurred, nor is it to agree with 'antisocial' attitudes. But nor is it about mere subjectivity; it is about a different type of truth than say, a sequence of events. Bearing witness is to try – sincerely – to understand the person's perspective and to attend to what it is that the story is really telling.

Having listened to the narratives of people who have committed serious violent crimes, Winlow (2012) suggests that in some cases experiences of past abuse have left 'the self' vulnerable and heightened to any risk of further domination from others. Bearing witness to their stories, Winlow comes to understand '...the dread and fear that one might feel these emotions [of humiliation] again can be a powerful impetus to violent action' (2012: 207). Winlow invites us to take seriously the interaction of the self's attempt to protect itself from the humiliation of further domination with a socio-cultural-political context of class subjugation and class-defined ways of commanding respect and performing masculinity.

Weaver's relational theory of desistance suggests that in bearing witness to people who have offended we might understand the *relational goods*, such as loyalty or trust, which are being sought through offending behaviour and why access to such goods is restricted or denied through conventional means (Weaver and McNeill, 2015; Weaver, 2016). In a related vein, Barry suggests that offending can act as a means of achieving *recognition* within peer groups, in the absence of love and attention from – or in the context of loss of – parents, and in the absence of opportunities for recognition from within the 'moral mainstream' due to socio-economic marginalisation. Recognition is understood as 'the giving and receiving of acknowledgement, encouragement and affirmation to promote social identity and respect' (Barry, 2015: 92). With people who have experienced significant interpersonal and structural violence, we owe it to them to seek to understand why stealing or violence may be seen as the best (or only?) option available to them.

### ***Performative***

As well as a shared quest for and achievement of new knowledge, recovery itself is coming into being in the act of 'bearing witness' to trauma; enabling reconnection to, reconstruction of, and

repossession of traumatic experiences (Herman, 1997; Perlesz, 1999). Indeed, this forms the basis of many trauma-responsive therapeutic models.

As we have seen, a traumatic event by definition threatens someone's physical or psychological integrity, overwhelming their internal resources. Brison suggests that interpersonal trauma, such as sexual assault, involves an:

'undoing of the self... a radical disruption of memory, a severing of past from present and, typically, an inability to envision the future' (1999: 39).

In the traumatic event, the person is transformed from subject of their own wishes to object of someone else's will. She suggests that this transformation is reversed through 'bearing witness':

'...by transforming traumatic memory into a coherent narrative that can then be integrated into the survivor's sense of self and view of the world,...also by reintegrating the survivor into a community, reestablishing connections essential to selfhood.' (Brison, 1999: 39-40)

Through the very act of telling a recovery narrative, recovery itself is being performed. However, as Goffman (1990) has argued, a performance has to be accepted by the audience. In this case, the audience has to accept the recovery narrative. This has two important and interlinked benefits: external and internal. The performance, and its acceptance, re-establishes connections with others. Additionally, the (continued) acceptance of the performance by others initiates and/or furthers the person's own belief in the sincerity of their performance. The role that is performed, that of the trauma *survivor*, is increasingly incorporated into their own personal identity.

Links between social and personal identities, and personal identities and offending behaviour, have recently been a focus of desistance research (Farrall, 2005). It has been proposed that a 'Pygmalion Effect' might operate – as evidence suggests it does in education – whereby positive assessments from others of potential and progress may actually promote positive change (a kind of self-fulfilling prophecy) as these positive assessments are reflected back on to the desister to promote and embed emerging positive identities (Maruna et al., 2009). Reintegration rituals could play a role in the entrenchment of non-offending identities (Maruna, 2012) offering a formal mechanism for society to bear witness to the veracity of desistance narratives and to the person's journey in full, including progress as well as setbacks.

### ***Moral***

Cody (2001) and Naef (2006), writing about healthcare, have emphasised the moral dimension of bearing witness. Naef argues that 'bearing witness' should be understood as enacting a moral responsibility, following the philosopher Levinas' ethics of the face. Levinas' (1979) argument is that through coming face-to-face with the other, I become aware of our shared humanity, and so the encounter with the human face results in an awakening of moral consciousness. That I have moral responsibility towards that person is not a logical deduction from the recognition that we are both human, rather it is engendered through this recognition. Naef argues that 'bearing witness' is an explicit enactment of this moral responsibility to the other. While I cannot deny this responsibility, I can *turn away*, denying their lived experience: their 'truths, perspectives, priorities, hopes, and dreams' (Naef, 2006: 149). But this alternative, to turn away from the other, requires a denial of their humanity; it requires 'negating the other, which is an act of violence.' (Naef, 2006: 148)



Laub uses the example of the documentary film, *The 81<sup>st</sup> Blow*, about the experiences of Jewish people in the Holocaust. In this film, one man, having survived the concentration camps, tells his story to an audience who respond that it cannot have happened. The film suggests that it is this denial of his experience that constitutes the final, mortal blow:

‘The absence of an empathic listener, or more radically, the absence of an *addressable other*, an other who can hear the anguish of one’s memories and thus affirm and recognize their realness, annihilates the story’ (Laub, 1992: 68; emphasis in original).

Brison takes seriously survivors’ claims that they are ‘no longer the same person’ as they once were, arguing that interpersonal trauma shatters the person’s sense of self (Brison, 1999). Laub and Brison’s writings suggest that, in refusing to hear the survivor’s narrative, the person who chooses not to bear witness inflicts a second trauma that mirrors the first, annihilating the self along with the story.

This violent act of turning away is precisely how we, as a society, currently respond to people who have offended: we deny their lived experience. Their voices are silenced in public and political debate, which instead labels, stigmatises and dehumanises them as ‘benefit scroungers’, ‘junkies’, and ‘lags’. It is not unreasonable to surmise that these repeated acts of ‘turning away’ by society may act cumulatively to undermine someone’s sense of self, in some cases already fractured from previous trauma.

McNeill and Farrall suggest we should attend to the moral performance of criminal justice practitioners that come face-to-face with people who have offended. Building on the work of Naef (2006) and her application of Levinas’ (1979) theories, I suggest that ‘bearing witness’ to people who have offended enacts a moral responsibility arising out of one’s recognition of our shared humanity through this interpersonal encounter.

Recognition that the person’s sense of self may be vulnerable, should give practitioners added reason for caution to avoid ‘turning away’ in work with people who are trying to desist. In Farrall et al. (2015), one woman, interviewed retrospectively about her experience of probation, recounts her involvement with one officer who, she said:

‘...*annihilated me*, she said things about me, it was like, I spoke to you and I’ve been more honest with you than I have with anybody in five years, cos I’ve not spoken to anybody. And I think you sort of understand me, I’m probably sounding a bit crazy to you, but you’re getting what I’m saying...[...] And then I find out you write a report about me, and you write a report like I’m absolutely somebody else [...] ... you talk about me with the most negative approach...It was horrendous’ (woman interviewed in Farrall et al., 2015: 152; emphasis added).

The woman experiences the probation officer as turning away from her, denying as opposed to attending to her truths, perspectives, priorities, hopes, and dreams. Echoing Laub’s argument, I suggest that the refusal to hear the woman’s desistance narrative risks *annihilating* it, along with the personal (nonoffending?) identity that the narrative is sustaining.

To reiterate, this is not to say that we should accept the person’s account as an objective empirical ‘fact’ about the events that occurred. Indeed I have suggested that the desistance narrative is finding

shape in the telling. But bearing witness is to turn towards them, to seek to understand their perspective and most importantly to acknowledge their humanity.

### **Political**

The final interlinked dimension of 'bearing witness' is a political one, for choosing to 'bear witness' is a political act. Late modern societies have brought the individual to the fore emphasising personal freedom and individual rights over any common moral framework and associated obligations. In contrast 'bearing witness' is an attempt to close the gap between us and the 'other', countering the individualism of late modern societies, which 'turns away' on a grand scale. As Blackwell (1997) highlights, to bear witness is to recognise that beneath a contemporary discourse of personal freedoms, some truths are silenced or denied by those in power. He argues that:

'Bearing witness is a personal and a political activity. It is to constitute ourselves as some sort of testimony to the history with which we are engaged...To engage in bearing witness, we constitute ourselves in a dialectical relation to our clients: a struggle in which we seek to recognise each other...It is out of this synthesis of our otherness to our clients and their otherness to us, that we have a basis on which to constitute ourselves in dialectical opposition to the forces of oppression. But this will only be a true dialectical opposition if we can recognise within ourselves and within our clients those oppressive forces.' (1997: 87)

Blackwell highlights the impact of torture on communities as well as individuals. Parallels can be drawn with the ubiquitous impact in some communities of what Winlow terms 'symbolic violence', a violence of language which reflects '[t]he desperate struggle to reduce the other and elevate the self, to inspire envy in others', which he argues, 'is essential to the social order of contemporary liberal capitalism' (Winlow, 2012: 204). 'Bearing witness' acknowledges how the lived experience of the individual is related to the broader socio-cultural-political context within which their story takes place. In attempting to close the gap between ourselves and the 'other', it fundamentally challenges that context.

'Bearing witness' is about honouring the truth of someone's lived experience. One way in which to do this is to facilitate further acts of bearing witness, allowing that voice to speak *directly* to those in power. This may require us to look for activities and environments that better enable us to come together as humans and, momentarily at least, inhabit the world from someone else's perspective. My recent experience taking part in a song-writing workshop in prison with the organisation Vox *Liminis* has encouraged me to think that the growing arts movement within criminal justice practice may provide fertile ground for such acts of bearing witness to be borne; plays, paintings, songs and poetry may better allow voices to be heard unmediated across boundaries – in particular the boundary between prison and community, but also boundaries between communities and between classes.

However, in a socio-political context that conspires to silence certain voices, opportunities to allow the most marginalised voices to speak directly to power may be severely restricted. Where the person themselves is unable to do so, we can honour the truth of someone's lived experience through giving voice to this experience to others – being cautious that in claiming to speak *for* them we do indeed honour *their* voice. Horder and Blackwell (1998) draw attention to the traditional role of social workers as advocates and campaigners against poverty, inequality and oppression,

highlighting the role for social workers to play as activists, speaking out about structural harms experienced by their clients; while recognizing that such activism has been suppressed by tight government control. Similarly Duff (2005) proposes that probation officers have a role to mediate between the person who has offended against society, and the society who may have treated this person unjustly:

‘she must speak for the polity to the offender in terms that are censorious but also apologetic – terms that seek both to bring him to recognise the wrong he has done and to express an apologetic recognition of the injustice he has suffered: and she must speak to the polity for the offender, explaining what is due to him as well as what is due for him.’ (Duff, 2003: 194)

In Barry’s work on the role of recognition in desistance, a concept which has similarities to ‘bearing witness’, she highlights that ‘little attention [is] paid to ‘exchange’ or ‘reciprocity’ in interactions between offenders and the state’ (Barry, 2015: 94). She identifies a fundamental role for the state in providing opportunities for recognition, with recognition at least in part conveyed through investment and achieved through redistribution. Probation practitioners must be free to speak out about the individual, institutional and structural harms that are faced by those who end up in the criminal justice system and to advocate for such opportunities for recognition. But the culture of silence is insidious. Too often these voices are also silenced, whether expressly – by the government, by the private companies that employ them, by fearful managers – or subtly through the complex way in which institutional power manifests and exercises control over those working within them.

### **Bearing witness: a practice example**

In 2012-13, while employed at the charity Revolving Doors, I was responsible for an evaluation of *Street Talk*, a counselling service for women facing complex problems, particularly involvement in prostitution<sup>1</sup>, illicit drug use, and other criminal activity (Anderson et al., 2014). A notable feature of the service’s model was that it provided open-ended support; cases were never closed only de- and, if necessary, re-escalated. As a counselling service, drawing on Object Relations Theory in their work with women who had, for the most part, experienced significant trauma, ‘bearing witness’ – and related ideas from psychoanalytic psychotherapy such as holding, containing, and accompaniment – were presented as both an activity and outcome of the service’s work. Echoing Naef and Blackwell’s arguments, one worker explains that such activities have moral value, and should not be judged on practical value alone:

‘A big aspect of this work is accompaniment, you know it’s not about changing lives ....So we do have miraculous and beautiful stories of women who [recover] but...for me just reaching out to people who have nobody and humanising them in that moment is an end in itself and it doesn’t tick any boxes and nobody wants to fund that but for me...it’s an end in itself.’ (Counsellor interviewed in Anderson et al., 2014: 63)

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<sup>1</sup> I use the service’s preferred term ‘involvement in prostitution’, which reflects their experience that violence, coercion and highly constrained choices were common among their clients. I recognise the appropriate term is contested; some prefer ‘sex work’ believing that the term ‘prostitution’ problematically denies the women’s agency, differentiates commerce of sexual services from other forms of labour, and ignores that women in poverty enter many occupations in the context of highly constrained choices.

The women's accounts (analysed *prior* to the staff interviews) also emphasised that one of the most beneficial aspects of the service for them was presence, in Cody's three senses; temporal and emotional 'accompaniment' on their journey, reiterated through physical accompaniment at significant life events, such as family court proceedings or graduation from training programmes:

'And she's [counsellor] worked a good few years with me now, about four years, maybe longer...She's been through all the court cases with me, she's been there, right right through it and still, [now] the kids are home [out of care], and she's still there for me.' (Woman interviewed for Anderson et al., 2014: 63)

Blackwell (1997) warns that 'helping' people can reinforce helplessness arising from trauma and that the focus should be on facilitating others to make positive changes in their life. Clarifying this position, Horder and Blackwell (1998) emphasise that while 'rescuing' should be avoided, some helping actions can have important symbolic value that we should attend to. Importantly for this service, 'being there' at critical points has symbolic as well as practical value in showing that they care, but also that the person is *worth caring about*.

Consistently, women who had been in contact with the service for an extended time placed value on having someone who knew their history, was there at key moments, and could bear witness to trauma, setbacks *and progress*:

'...cheering for me from the sidelines...' (Woman interviewed for Anderson et al., 2014: 63)

'You can cry on her shoulder, she cries with you.' (Woman interviewed for Anderson et al., 2014: 45)

Their accounts expressed the importance of validation of their lived experiences: 'being believed' and recognition of the extent of the harm done to them.

'My ex-partner always said that I was fucking mad and he'd get me locked up. He always said you're fucking mental in here [points to head]. And it was him that was the sick one. It was him! But it was him they were believing. And not me.' (Woman interviewed for Anderson et al., 2014: 45)

An important role of this service was advocacy, giving voice to these women's experiences, for example in testimony provided to the courts, as well as engaging where possible with policy debates affecting this group of women.

There is clearly a need for extreme caution in extrapolating conclusions from a small number of interviews with clients of a service with a highly individualized service model. However, the small number of women interviewed from this project valued someone who remained with them over time through progress and setbacks, someone who listened, believed and understood the challenges that they had faced, someone who reflected the validity of these experiences back to them but also who gave voice to those experiences to others. They understood these acts of 'bearing witness' to have value in themselves, and also reported that such support had aided their attempts to make positive changes in their lives.

## **Discussion**

I have argued that understanding the relational aspects of desistance through the lens of 'bearing witness' to someone's story draws attention to multiple interlinked dimensions of this relational process: epistemological, performative, moral and political. This lens attunes us to the way in which emerging desistance narratives may be co-constructed with the practitioner, as audience, playing a critical role. As a desistance narrative is told or performed – and critically, as that performance is accepted by the audience – the person is no longer an object of control but made active subject of their own story. In the performance, desistance may actually be coming into being.

Moreover, I have suggested that in an era focused on outcomes ('what works?' or latterly 'what helps?') the moral and political dimensions of supporting desistance have been overlooked. Desistance occupies a moral space that includes what the community owes to the offender, as well as what the offender owes to the community. I have suggested that in the context of practice with people who have offended 'being present and being with another' (Naef, 2006: 146) has value *in itself*. This runs counter to the individualising tendency of late modern societies to 'turn away' from people who have offended, denying their lived experience of victimisation and marginalisation. I have argued that such turning away is an act of violence, which is fundamentally immoral, as well as practically damaging to desistance efforts. Hearing and testifying to desistance narratives is a moral and political act.

But alongside considerable practical challenges in doing so for probation practitioners in the contemporary context, there are a number of important theoretical challenges to be considered. Firstly, is the act of 'bearing witness' compatible with the need of probation practitioners to *supervise* the offender? In other words, to what extent should the probation practitioner aim to stand in the offender's shoes: to understand and affirm the meaning frame through which the offender views the world? Is the 'commitment to attend to, honour, and stay with persons' truths, perspectives, priorities, hopes, and dreams' compatible with the direct role of probation practitioners – and more broadly society's wish – to *condemn* antisocial beliefs, attitudes and behaviour, and their responsibility to protect the public?

In response I would reiterate that 'bearing witness' to someone's lived experience is not to *condone* their attitudes or their choices, but to *understand* them and the context in which these attitudes are formed and these choices were made. Nevertheless, 'bearing witness' is inconsistent with condemnation, where it is the actor – rather than the act – that is condemned. Condemnation is about distancing ourselves from the other, and not about closing the gap between us. Additionally, bearing witness *may* assist with another probation function: to avoid further offending through supporting desistance to come into being.

Secondly, it is reasonable to ask whether 'bearing witness' is an appropriate task for probation practitioners. Would it sit better outside the criminal justice system, ideally within a personal relationship where someone is able to 'travel' alongside them on their journey? Perhaps, but for those who have experienced significant marginalisation and for whom there is a total absence of any continuous person in their lives to audience their self-story and reflect back progress – there may simply not be anyone else to fulfil this role. It is these people whose story most needs to be heard. Additionally, Barry's (2015) work also suggests that recognition is needed from others within the 'moral mainstream'. Moreover, the political dimension of 'bearing witness' tries to bridge the gap between those in power in society and the powerless, and between mainstream society and the

marginalised 'other'. Probation practitioners and probationers face each other from across that divide.

Identifying a role for 'bearing witness' within the probation practitioner-probationer relationship, is not to suggest it should be the sole, or even primary, focus of activities. But we should think about what aspects of 'bearing witness' can be incorporated within probation practice. It is also worth emphasising that many probation practitioners are *already* bearing witness to trauma. In denying trauma exists, we also stay silent on the emotional consequences for practitioners. There needs to be explicit recognition that 'bearing witness' to trauma is not cost-free for staff, with attention paid to the vicarious trauma that can arise from working with human distress.

Thirdly, Cody argues that bearing witness-not bearing witness is:

'a fundamental rhythm of human coexistence...Choosing to bear witness in a certain way to one phenomenon is simultaneously choosing not to bear witness in a different way or to different phenomena.' (2001: 288, 290)

In choosing to bear witness to the offender's story, are we choosing to turn away from the victim's? A criminal justice system which *turns away* from victims is equally undesirable. But we can and should bear witness to both. 'Bearing witness' seeks to mend the relational breaches that have opened up between us and the 'other' – between the 'offender' and the community, and the 'offender' and the victim. I would argue that doing so is in the interests of both the person who has offended and the person who is victim of that offence. We should look for opportunities to 'bear witness' to both stories and for all parties to engage together in the pursuit of shared truth about that event. Here we might look to restorative justice approaches – underpinned by a 'peacemaking' philosophy – that seek to engender mutual understanding and humanise all parties.

Mainstream criminal justice responses can isolate the offence from its context and write out the 'offender's' victimisation and dehumanisation by individuals, language, institutions and structures. Far from healing the relational breaches, this treatment creates further distance between us and the 'other'. 'Bearing witness' situates offending within a whole life which includes both victimisation and offending, emphasising our shared humanity, acknowledging shared culpability, and offering hope that we can live together. In contrast, 'turning away' risks turning relational breaches into irreparable relational chasms.

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