

Intersecting Stories

*Narrative therapy reflections
on gender, culture and justice*

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Narrative approaches to restorative justice settings:

*Considerations of power, struggle
and social transformation*

Renee Handsaker

Introduction

The restorative justice work I am involved in brings together a person who has caused death or serious injury through dangerous driving and the 'victim(s)', including bereaved loved ones. Restorative justice has a wide range of applications, and in this context it seeks to provide an opportunity for the person who has been impacted to give voice to their experience of the harm done, and to discuss with the person responsible what future steps might be taken to respond to that harm. This work demands rigour, accountability and the ongoing interrogation and articulation of the guiding vision and principles of restorative processes. I view this work through a feminist lens focused on considerations of power, struggle and social transformation. This has led to questioning reliance on police and prisons to resolve harm and conflict, and raises concerns about how these structures perpetrate discrimination and oppression, and often inflame conflict.

In this chapter, I explore the process of facilitating restorative justice conferences using tools from narrative practice. My hope in writing about this work is to encourage others – particularly those who wish to respond to harm without relying on discourses of shame and punishment – to consider the adaptation of such practices and principles to their own contexts. These ideas are explored through the stories of two restorative conferences that I facilitated. Although they shared similar themes, each was shaped by its specific context and considerations. This chapter sets out the narrative principles that informed my work in the lead-up to and during these two conferences, and reflects on some of the complexities that emerged. In addition, my use of narrative practices is demonstrated through the inclusion of transcripts and details of questions posed during the process.

Restorative processes: exploring alternatives to adversarial justice systems

Restorative justice is a term applied to a diverse array of processes. They share a common framework for thinking about how to respond to acts of harm or ‘wrongdoing’. Restorative justice is interested in relationships among humans and the impact of harm on individuals and communities (Zehr, 2002).

Restorative justice processes are often guided by the following questions:

- Who has been harmed?
- What are their needs?
- Whose obligations are these?
- What is an appropriate process, involving stakeholders, to respond to these needs and obligations? (Zehr, 2002)

Restorative justice frameworks have grown out of recognition of the limitations and failures of the Western legal system that so often deepens societal wounds rather than contributing to peace and healing. It could

be argued that there is very little about our current criminal justice system that contributes to conflict resolution, healing and peace. In his book *Beyond the prison*, David Denborough (1996) argued that ‘we live in a punitive culture – one that equates justice with revenge, in which many relationships end in retribution, and in which ways of addressing conflict often inflame anguish rather than diminish it’ (Denborough, 1996, p. 98). This all too often results in people who have experienced harm feeling neglected, ignored or even further harmed by the adversarial nature of the criminal justice process, which encourages denial, conflict and defensiveness. Unquestioned reliance on the criminal justice system to settle our conflicts means that many of us remain entirely invested in the idea that this system delivers justice, even when people are deeply harmed by the experience. A further taken-for-granted idea that permeates our society is that those responsible for enacting wrongdoing or harm must be punished. Denborough (1996) argued that:

perhaps the more serious the offence, the more an alternative, community-building and restorative approach is required. It may also be true that, at times of profound grief, outrage and anger, perhaps the least healing response is that which is offered by the police, courts and prison – confrontation and retribution. (Denborough, 1996, p. 219)

We must ask ourselves what effects this discourse of punishment and retribution has on our capacity to heal, recover and transform relationships characterised by acts of harm. Can we imagine processes that would build relationships after an act of harm, rather than forcing those involved even further apart?

It is also significant to recognise that the criminal justice system disproportionately punishes particular groups in our community. Sarah Schulman (2016), in *Conflict is not abuse*, argued that police and prisons have repeatedly been shown to be structurally opposed to queer, black and feminist people and interests. These communities have extensive insider knowledge about responding to such systems, and rich histories

of creating processes for addressing harm within their communities without reliance on the state-based responses of police or prisons.

The development of alternative mechanisms for addressing harm by these communities has led to the movement for transformative justice (Dixon & Piepzna-Samarasinha, 2020). In my work facilitating restorative processes, I draw on a number of transformative justice principles. Transformative justice extends a restorative justice approach by seeking to transform unjust relations of power. It seeks not only to address the conflict between a person who has harmed and a person who has been harmed, but also the social and structural context that has influenced the harm (Kim, 2018). To assist with this, I have drawn on the work of a number of community organisations that have developed approaches to accountability, interrupting harm and transformative processes, such as those documented by Creative Interventions (2018)¹ in their StoryTelling and Organizing Project. The ideas documented by Generation Five² (2018) in their *Transformative Justice Handbook* have also been very useful. Generation Five debunk the idea that punishment is a necessary ingredient for changing the behaviour of someone who has caused harm, arguing that:

most of us have been deeply shaped by the false notion that in order for people to behave better, they need to feel worse. In practice we see that humans are more likely to change in desirable ways when they are more resourced, not less. (Generation Five, 2018, p. 53)

In developing my own understanding of these concepts, I have particularly appreciated the idea that:

by standing for everyone's need for healing, we challenge the dehumanising logic that is central to systems of oppression, domination and abuse. By standing for everyone's need for healing, we maintain our commitment to a vision of true liberation. (Generation Five, 2018, p. 56)

This commitment to ‘standing for everyone’s healing’ is something I sought to bring into my work with Simon and Josie.

Restorative process 1: Simon and Josie

Simon was driving back from a pub in regional Australia. He had drunk more than the legal limit of alcohol and was found to have been travelling at almost double the speed limit. He lost control of the car, veered on to the wrong side of the road and collided with an oncoming car. The oncoming car was driven by Gordon Walker. Gordon died in the collision. Simon was sentenced to six years and four months in prison, with a non-parole period of four years. Gordon’s sister, Josie, contacted a local organisation that she knew worked with restorative justice principles and requested a conference with Simon. Josie wanted to meet with Simon for a couple of reasons. The first was that this was something her brother would have wanted her to do. Secondly, she wanted to make sure Simon understood the gravity of the situation and that he would commit to changing his ways in the future. The organisation made contact with Simon who agreed to participate in a meeting with Josie. This was when my involvement began.

Power relations and considerations of context

In approaching this work, it was important to consider the power relations and ethical questions raised by the context Simon and Josie had found themselves in. A narrative approach sees problems, and therefore problems of harm, as existing within cultural contexts. These contexts include power relations relating to race, class, sexuality, gender and disadvantage (Morgan, 2000). It was thus important that I considered how relationships of power might operate between Simon and Josie. There are always multiple operations of power in any relationship. A significant power relation in this context was that Simon had already been subjected to a criminal trial process and was incarcerated. The court had handed down its version of accountability and punishment and it

was important to ensure that the conference process did not serve as a reinscription of the legal proceedings. I needed to be careful to ensure that this process would not be a new way to punish Simon under a different guise. It was crucial that, as Simon was incarcerated at the time and given the nature of prisons and the relationships of oppression and power that are fundamental to their operation, I proceeded carefully to ensure Simon could freely agree or decline to participate in this process and would in no way be coerced.

I also needed to think about Simon's physical and emotional safety, and to avoid having him participate in an emotionally taxing experience only to return to a cell on his own. The words of Blanche, in an interview with Denborough (1996), highlight the risk therapists can pose to people who are incarcerated, while putatively helping them:

You can't dig deep into somebody's psyche and then send them back to the wing after an hour ... you start unravelling bits of what has happened to them ... and you're left to brood on that ... while the prison whittles away your other defences. (Blanche, quoted in Denborough, 1996, p. 93)

Denborough (1996) continued:

prison is a place in which those incarcerated have to shut down and protect themselves, both from others and from overwhelming feelings of worthlessness, in order to survive. It is hardly an environment that facilitates prisoners being able to open themselves up to the feelings of others. As professionals we leave the prison each night, and those with whom we are working return to cells and a system designed to punish and prey upon feelings of guilt and worthlessness. (Denborough, 1996, p. 94)

In this work it is important to be alert to how professionals, such as myself, can so easily become coopted and unintentionally collude with

imprisoning practices that result in the dispossession of spirit, self-worth and hope for the future. In this instance, I needed to ensure that any process Simon participated in was ultimately invigorating and sustaining of his own values, identity and hopes, and to avoid further depleting his connections to them.

An additional contextual factor, one of pivotal importance, was that Simon's actions had resulted in someone's life being lost. It was important to ask myself how this loss of life could be honoured for Josie, who had lost a loved one so unexpectedly and in this way. How could we ensure that the legacy of Gordon was honoured during and by this process? I find hope in the work of Frank Ostaseski (2017) who described the transformative power of death as he reflected on his years of working with individuals and families during and after death. He has suggested that we can 'harness the awareness of death to appreciate the fact that we are alive, to encourage self exploration, to clarify our values, to find meaning, and to generate positive action' (2017, p. 3). Ostaseski's ideas have encouraged me to consider that where there has been death, openings may still be created for those experiencing the loss. Perhaps there are special possibilities for transforming a context of harm through a restorative process where there has been the loss of a loved one. It may be possible to look beyond the impositions created by discourses of punishment towards connection with what is most cherished and precious, and that this reconnection may ultimately be a more helpful way forward for the person experiencing loss, and more honouring of the person whose life was lost.

With these guiding intentions and hopes in mind, I set about preparing to bring Simon and Josie together. Over the course of several months, there were a number of phone calls, followed by one face-to-face meeting with each of them to prepare for coming together.

Transforming the experience and effects of harm

The unexpected loss of a loved one can have profound and devastating effects. It can permeate every tentacle of life and very often leaves

someone in a debilitating state of shock, sadness and anger. Although the person who has enacted harm needs to be responsible and accountable for the harm that has occurred, there can also be debilitating and destructive consequences for that person's life, particularly in the context of dangerous driving, when it is most often the case that the person had not intended to take the life of another. Crippling guilt and identity conclusions of worthlessness are common in this context. The stories we tell ourselves about the harm we've enacted or experienced influence our identities and therefore our capacity for learning, healing and wellbeing. What I describe as 'transforming the experience and effects of harm' is an effort to address and respond to a person's current understanding of, and ongoing relationship to, the harm that has taken place. This includes the person's understandings of and relationship to the person or people who were harmed: a relationship that is singularly characterised and defined by the incident of harm.

A powerful way we can do this is to create opportunities to re-author, expand and change the stories we tell ourselves, including the stories we tell ourselves about the other person. Each person who has been affected by the harm can be offered opportunities to develop new meanings and expanded storylines. These new understandings, developed through expanded storylines, may provide a preferred position in which to stand in relation to the harm that has been done. This repositioning in relation to the harm can happen when each participant is given the opportunity to tell stories in personally resonant ways, while the facilitator elevates points of resonance between participants' own stories and the storylines of the other (Denborough, 2011). The current experience and effects of harm can be transformed by the storylines that become available to understand it.

Once again, Creative Interventions (2018) informed my thinking as I sought to transform the experience and effects of harm. By following their principles of directly linking expanding options and opportunities for safety with the capacity to take risks, new opportunities for transformation were created.



Figure 1. Transforming the experience and effects of harm in restorative processes

Expanding options and opportunities for safety

I particularly appreciate how the idea that expanding options and opportunities for safety doesn't imply that safety is a fixed state of being. Rather, it is recognised as requiring constant renegotiation through questions and conversations. Addressing the topic of safety, Generation Five's *Transformative justice handbook* states that:

safety is not a 'state' to arrive at, but a dynamic set of questions, choices and skills that allow each of us to exercise agency: making choices, owning those choices, reflecting upon the outcomes of those choices, and letting our learning inform future actions. (Generation Five, 2018, p. 39)

In my preparatory meetings with Simon and Josie, I sought to expand options and opportunities for safety through enquiring about their needs, preferences, skills, hopes and fears. I invited Josie to imagine sitting across from Simon and asked about worries or concerns that she might have. When she told me she was concerned that he would sit silently and not say anything, I asked a series of questions designed to bring forward options available to her, and to demonstrate that her choices could guide our next steps:

- If that were to happen, would you still want to go ahead with the meeting?
- If that happens, what would you like me to do?
- If that happens, how can you stay connected with or hold on to a sense of who you are, what you care about and what you know about yourself?

Invitation to take risks

Jeanette Winterson has also written on the relationship between safety and taking risks. She reasoned that safety does not come without risk, and that risk itself illuminates what we value (Winterson, 2001). Winterson's sentiment uncovers possibilities for exploring 'absent but implicit' (White, 2000) values, hopes and commitments that underpin participants' decisions to take part in the process. Through rendering visible the risks Simon and Josie were taking, and what was absent yet implicit in their decisions to take part, new opportunities for re-authoring single-storied versions of themselves were made possible. These stories illuminated what Simon and Josie each gave value to. Their accounts of committing to proceed with this meeting, despite the risks of further distress, invited the sharing of additional stories about the people in their lives who might join with them in these values and hopes.

Throughout this process I extended the invitation to take risks to myself. Bringing people together under such difficult and splintering circumstances can definitely feel risky. At times I felt the weight of not wanting to 'mess it up', and was concerned that I might do further harm during the process. This was countered by the idea that there might also be risk in leaving people with distressing and unhelpful single-storied versions of themselves, the other person and the incident of harm. It is, of course, important to acknowledge that there was also risk in *not* providing the opportunity for Simon and Josie to have a conversation with each other, a consideration that could all too easily be overlooked, (D. Denborough, personal communication, August, 2018). I found

particular inspiration in Sharon Welch's (1990) 'feminist ethic of risk', which spurred me on in moments of worry and doubt. Welch has argued that 'responsible action does not mean the certain achievement of desired ends but the creation of a matrix in which further actions are possible, the creation of the conditions of possibility for desired changes' (1990, p. 20). At times when the responsibility of doing no further harm has felt overwhelming, I have been comforted by the idea that this work prioritises movement towards preferred goals and by Welch's position that we can choose 'to care and to act although there are no guarantees of success' (1990, p. 68).

Preparatory conversations

During our conversations in the lead-up to the conference, I drew on understandings from narrative practice. I understand these practices to be linked to the expansion of safety. The following are neither verbatim transcripts nor an exhaustive list of narrative practices and questions used. My aim is to provide readers with a snapshot of what happened during a series of conversations that took place over a three-month period.

Testing out opportunities for alternative meanings

In order to identify opportunities for the generation of alternative meanings, I adopted a 'willingness to listen for cracks or openings in the conflict story' (Winslade, 2009, p. 567). In my meeting with Simon, I learnt that he was convinced that Josie and her family members would detest him, be angry and want to yell, and that they would be happy to see him locked away in prison. This was a painful conclusion for Simon to consider living out for the rest of his life. For Josie, it was the absence of a story of Simon that felt difficult. She had no knowledge of what he looked like, no sense of who he was or what he was like. The only information she had was from the court sentencing transcripts. Simon remained an invisible yet powerful entity that caused her pain because she had no way to integrate a storyline of Simon with what

had happened. Through these preparatory conversations I began to see significant potential for re-storying the meanings that had developed for both Simon and Josie.

Inviting re-tellings of what the person holds dear

A key hope for inviting re-tellings of what Simon and Josie held dear was to identify fertile ground for re-authoring conversations (White, 2007) that could be revisited and built on throughout this process. An additional hope was to build a foundation for Simon and Josie to stand on prior to traversing more painful and difficult areas of discussion. Sue Mitchell (2006) has discussed how people who have experienced traumatic events can be 'invited to re-tell their story from the perspective of a safer ground, a different territory of identity than that evoked by the traumatic experience' (2006, p. 105). This is what I sought to achieve for Simon and Josie.

I invited Simon and Josie to share with me the values, beliefs and hopes that underpinned their participation in this process.

Renee: Simon, you had a belief going into this process that Josie would want to yell and abuse you – and despite this you agreed to participate. Why is it important to you to participate in this conference? And was the decision to participate an easy or a difficult one?

When Simon replied that it had been an easy decision to make because he believed it was the right thing to do, I invited him to thicken this story by enquiring about the history of this value. I asked him who else would know that 'doing the right thing' was important to him. Were there other people in his family who came to mind when he spoke of knowing something was the right thing to do?

Renee: Josie, imagine yourself six months after the conference. You look back at the conference and are able to feel a real sense of pride in your participation. What is it you have conveyed to Simon, and what values would you be expressing in doing this?

I went on to ask Josie about the history of the values she spoke of, and whether they were values she shared with her brother, Gordon. We also spent time reflecting on who Gordon was, what values and beliefs were important to him and if there were ways she might be able to honour Gordon's values and beliefs in this process.

Making both participants' skills and knowledges accessible to them

In difficult times, it is easy to become separated from the skills, knowledges and learnings that we have previously accessed and relied on in our lives. Through reconnecting Simon and Josie to their own skills and knowledges, my hope was to return this 'conflict' to the original owners of it, so Simon and Josie could decide on the most meaningful and personally resonant ways for them to progress. Simon spoke of his fear of 'shutting down' in the conference, or of getting his words jumbled, and that Josie would interpret this as him not caring. One of his biggest worries throughout our preparatory conversations was that he would not be able to articulate himself clearly and that this would confirm Josie's belief that he was 'a piece of shit' who didn't care about what he had done. We spent a good deal of time talking about how he might recognise when 'shutting down' was happening, and whether there were ways I could help him be on the lookout for 'shutting down'. In doing so, I enquired about what Simon knew about 'shutting down', when it happened and what past experience had taught him he might need in order to help him find his words again.

Sharing information between Simon and Josie

Gaining permission to share some of what I learnt in my conversations with the other participant was important to preparing both parties for the meeting. I was deliberate and influential in choosing the information I shared with each participant. I was particularly interested in discovering and highlighting shared ground or hopes, in particular vulnerabilities and anxieties that might elicit compassion and understanding from the

other, and in territory where seeds of alternative narratives and meanings might be planted. An additional purpose in sharing information between participants was to aid any possibility for the 'conflict narrative' to lose momentum prior to participants coming together (Winslade, 2009). With Simon's permission, I shared with Josie his worry about 'shutting down' and not being able to articulate himself, and his concern that Josie would interpret this as him not caring. I relayed what I had learnt from my conversations with Simon: that it was important to him to show her that he did care. Together, Josie and I spent time thinking about how she might react if Simon did 'shut down' and she wasn't able to get the answers she desired. I also shared with Josie that Simon had developed a strategy of 'taking some time out' to collect himself and I obtained Josie's agreement that she would be understanding if Simon needed this option on the day. Josie said it was helpful to know this prior to going in to the conference as it would help her understand and interpret Simon's actions more accurately.

Listening for shared territories and possible places of joining

In my conversations with Simon and Josie, both expressed a desire to help the other. They also shared a hope for change in Simon's life. When I hear of shared hopes it alerts me to possibilities for contribution. Denborough (2008) has written of the helpful effects of 'enabling contribution' and facilitating opportunities for individuals and communities who are going through hard times to make contributions to others who are going through similar difficulties. I wondered whether Simon and Josie would be able to contribute to one another's lives, or the lives of others.

Doing no further harm and taking care

Dominant social and cultural narratives about what constitutes justice have a significant influence on the way those who have enacted harm think about what they 'deserve' and how they expect to be treated. Simon believed that Josie would be very angry at him and it was okay with him if she wanted to yell and scream at him. I was able to convey to Simon

about Josie's wish to have a respectful conversation, and that her hope for the meeting was to be able to ask some questions. I also reiterated to Simon that behaviour experienced by either party as threatening or intimidating would not be allowed in this process. Simon seemed surprised, but somewhat relieved, by this information.

A further demonstration of the careful preparation involved was the negotiation of who should begin the conversation, what questions would be asked and what areas of conversation were comfortable enough for both participants to navigate. It is important in my work that the preparation serves to minimise surprises and alleviate the almost inevitable anxieties or concerns that arise when two people meet for the first time under such difficult circumstances.

Inviting others to join the conversation

With permission from Simon and Josie, a further important aspect of this process was to extend an invitation to others who may have been impacted to join the process. Simon decided there was no-one from his family, friendship or broader community who he would like to invite; he preferred that Jenna, his custodial officer, be invited to attend the conference as a support person for him. Simon had a trusting relationship with Jenna that felt comfortable to him. We invited Jenna into the process, and she joined us for the face-to-face preparation meeting. I was a little tentative about how the inherent imbalance of power in their relationship might operate, and with what effects, but I was also pleased to hear that Simon had established trust with someone inside the prison who would be able to support him. Josie was also clear there was no-one else she wanted in the room for her meeting with Simon, but we did organise that her partner would travel with her and offer support once the conference was over.

Restorative conference: Simon and Josie come together

One of the challenges in undertaking the conference inside prison walls was a lack of influence over the physical space. Prison staff determined

that a family visiting room would be used. The room was far from ideal. It was small and furnished with two frayed leather couches, plastic chairs, a sink and a double bed. I wondered how this rather odd setting might affect Josie and Simon's sense of comfort as they navigated what was going to be an uncomfortable conversation.

In the preparatory conversations I had introduced narrative practices that support the expansion of safety, risk taking and possibilities for transforming harm. The diagram below illustrates how incorporating additional narrative practices into restorative processes can powerfully contribute to the transformation of harm. I attempted to bring these narrative themes into focus during the conference and used them as a guiding map for traversing difficult territories.

Locating harm in the social context

To locate the harm in the social context, I invited Simon to begin the conference by describing himself a little – his family and what life was like leading up to the collision. Simon described a lot of family pressure leading up to the accident and spoke of drinking very heavily on a day-to-day basis. He talked about working in scaffolding and how he had been

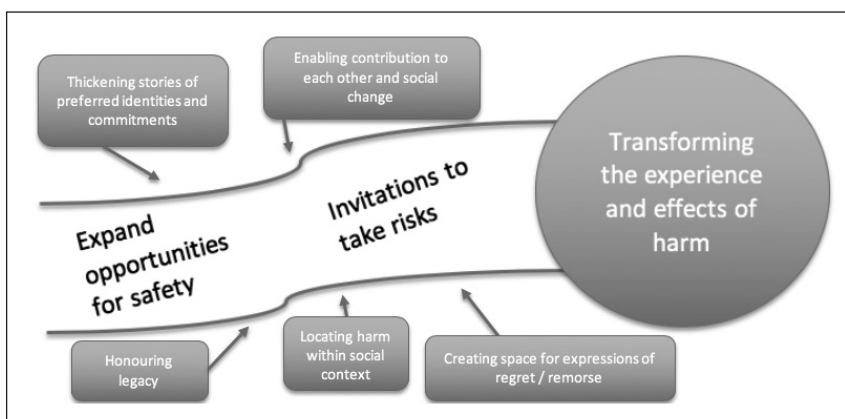


Figure 2. Incorporating narrative themes to transform the experience and effects of harm in restorative processes

instructed that in construction work there was an expectation to drink every day – and this was a message he took seriously. He reflected that it wasn't uncommon for him to drink a slab a day. He explained how his father had never told him not to drink and drive: drinking and driving was something that his father did and his father didn't want to be a hypocrite. It is pertinent to note here that striving to render visible social and structural contexts presents a tension in this work. Because people from backgrounds that carry certain disadvantages are overrepresented in the criminal justice system, it is a particular ethic of this work to find ways to bring broader structural and systemic effects and considerations into the conversation. However, it has been my experience that people who have been impacted by harm are sometimes sensitive to what they perceive to be 'excuses'. An ongoing dilemma is how to locate harm in a social and structural context without diminishing responsibility and accountability.

Thickening stories of preferred identities and commitments

During the conference, Josie raised the concern that when Simon was released he would be going back to the same situation and experience the same 'triggers', which might cause him to start drinking again. When Josie asked Simon how he planned to resist these triggers, he spoke of his commitment to not going back to his 'old ways' and of the people he had on the outside who would be able to help him resist taking up drinking again. Josie appeared frustrated by the lack of detail Simon was providing about his plans to resist his old ways and relayed that if he went back into exactly the same environment she found it difficult to believe that anything would be different. Simon replied that his family was his family, and he couldn't just go and get himself a new one.

At this point, I found it necessary to become more influential in the conversation to help strengthen the narrative of Simon's commitment to not going back to old ways. I asked Simon who in his family and community circle might join with him in this commitment to resisting

his old ways: Who would be excited to hear him talk in this way? Who might he call on for support if he found himself in danger of slipping into old ways? Simon named some of his friends, his mum and his cousin as people he could turn to for support and who would 'get behind' his new commitments. I asked Simon to consider whether there were other things he might need on the outside to support not going back to old ways. Simon suggested that developing a healthy routine would be very helpful in resisting triggers to drink, and he described the importance of making sure his new routine would not involve alcohol. I invited Jenna, his support person, to speak about the skills and values she had witnessed in Simon that he might draw on after his release to strengthen his commitment. Jenna described how she had witnessed Simon's impressive work ethic, his ability to build good relationships with those around him, and the unusual trust he had earned from the prison staff, all of which had contributed to him being a valued member of the unit.

I invited Simon to share his hopes for the future in line with this commitment, and he spoke of his wish to start a family, and of the possibility of doing educational talks to help others headed down a similar dangerous path.

Honouring legacy

Attending to the commitment to honour the loss of life, I asked Simon if he was open to hearing about who Gordon was and the kinds of things that were important to him during his life. When Simon agreed that he would be open to that, Josie had the opportunity to share how Gordon had been a person who was committed to social justice, how he left his estate to providing educational scholarships for disadvantaged young people and volunteered weekly at a soup kitchen. Without any input from me, Simon said that, while he knew he could never be a replacement for Gordon, the soup kitchen was close to his house and when he was released from prison he would be keen to undertake some volunteer shifts there. I asked Josie whether she thought Gordon would

welcome this initiative, and Josie replied that Gordon most certainly would.

Creating space for expressions of regret, sorrow and remorse

A key concern was to ensure that experiences of regret or sadness could be spoken of, and I asked Simon if there were particular thoughts or sentiments that he wanted to let Josie know about. Simon relayed that he understood that an apology was not enough in these circumstances, but he did want Josie to understand that he was very sorry and cared very much about what he had done and the pain he had caused to people through his actions. Simon produced a letter of apology he had written to Josie, and spoke again of his sincere regret and remorse for causing Gordon's death.

Enabling contribution to each other and to social change

I had gone into this conference believing in possibilities for contribution to the lives of others as a consequence of this process, so I asked Josie what her hopes and wishes were for Simon's future. She said she didn't want two lives destroyed by this experience. When I asked if she thought Gordon might join with her in this hope, she reflected that Gordon would want Simon to have a fulfilling life, and to go on to make a positive contribution to the lives of others in the future. In response, Simon told Josie that it was important to him that she knew he was serious about his commitments and wondered if Josie would be open to future contact so that he could keep Josie up-to-date on how his commitments were going. He reflected that being in touch with her might also help him stay accountable to these commitments. Josie and Simon agreed that when Simon was released from prison, he and Josie would have contact every six or 12 months to talk about how Simon and his commitments were going.

During the conference, Josie learnt that Simon wasn't yet eligible for parole as he had not completed the required drug and alcohol programs.

He had been on a waiting list for years, but a backlog meant his name still hadn't come up. Josie was furious with the prison that Simon had been incarcerated for four years without receiving any services to address his struggles. After the conference, Josie wrote to the parole board to support Simon's application for parole.

Restorative conference as a powerful ritual

Rather than focusing solely on the restorative 'conference' in which Simon and Josie came together face-to-face, it is important to emphasise that this was a *process* that began from the very first interactions I had with the participants. The preparation process was crucial to providing the space to linger and build the foundations for the narrative themes of enabling contribution, thickening preferred storylines, honouring legacy and locating harm in wider structural contexts. This preparation enabled the conference to become a space of ritual in which preferred ways of being, identities and commitments could be made visible, with the other as an audience. I link this to the work of Barbara Myerhoff (1982), and to narrative therapy's use of definitional ceremony (White, 2007). Conference participants act as witnesses to one another. In this way, a restorative justice conference can operate as a powerful ritual for assisting people to redefine and reclaim their identities. The process can also provide public and community acknowledgment of preferred identity claims that stand in stark contrast to accounts, common in the criminal justice system, that are single-storied and often demonising of persons who have enacted harm.

After the conference

The restorative process did not end with the conference. Through phone calls I followed up with Simon and Josie about how they were feeling after the meeting. Simon relayed that he was glad he'd had the opportunity to talk to Josie. It was important to him that she knew he cared and didn't think of him as 'a piece of shit'. He said that knowing that Josie now

knew that he cared helped him feel better about himself. Simon reflected that the conference had given him a voice and the chance to speak up, even if only a little. Simon said that meeting Josie had provided him with a face and stories to connect to Gordon, which he hadn't had access to previously.

Josie told me that she was pleased that she had met with Simon, and now had a better understanding about him and what had happened. She said she believed that Simon was willing to listen to her and take on what she had to say. She believed him to be genuine and not a bad person. Josie said that Simon's interest in Gordon and in learning from Gordon's ways was 'brilliant'. She recognised that Simon had a strong work ethic, which she thought, if channelled into good things, could make a difference.

In these phone calls I also clarified whether Simon and Josie were still willing to share their contact details with one another, in order that either party could make contact in the future. With their permission I sent them both the same letter documenting what had been talked about in the conference and some of the feedback captured during the follow-up phone calls. In this way, it was possible to create a counter document (White & Epston, 1990) that further thickened the preferred identity conclusions and commitments articulated during the conference. This letter recorded their preferred storylines and commitments, as witnessed by the other.

Further reflections: Sharing insights and learnings

I found myself wanting to better understand what had gone well in this conference. And, importantly, what could be shared with people in similar situations who were considering coming together to talk. I felt inspired to capture any reflections that might add to broader discussions about designing processes for accountability and responding to harm – ones not based on dominant discourses of punishment and retribution. In relation to his 'circle justice' work, Gatensky (1996) has reflected

that the most powerful helpers are those 'who have gone through that very same process themselves ... they are the ones that can represent and speak from the heart' (1996, p. 199). Epston (1999) has argued that knowledges that are documented and compiled so they can be made available to others who are facing similar predicaments are 'fiercely and unashamedly pragmatic' (1999, p. 142).

So, a few months after the conference I sent Simon and Josie some questions about the skills and knowledge they had used during the process, and about the values that had supported their participation. I also asked what difference (if any) the conference had made. Both were happy to participate in this follow up, generously agreeing to their answers being made available to others, especially anyone considering taking part in a restorative justice conference. The following are extracts from their responses.

Renee: How did you know you were 'ready' to participate in a restorative justice conference?

Josie: For me, it was not really a question of being ready. I needed to know about the person who had caused the situation I was in and needed to hear what he had to say about it. Anything to shift the feeling of being a bystander in the justice process. I did not want to see myself as a victim; I wanted to regain some feeling of control over the situation – in a way that was more useful to me than the obvious response of anger and blame.

Simon: I just knew it was the right thing to do.

Renee: What kind of preparation did you do that you found helpful?

Josie: I talked to people who I thought would have some insight into the pros and cons of pursuing this. I visualised what it would be like to meet, what I would say and why. I thought about the fact that I might strongly dislike the person and that their response

might be disappointing. I thought about what approach I could take to help make a meeting a positive experience. The exchange of information about our respective attitudes and feelings prior to the meeting helped me to prepare.

Renee: What was your goal or hope in participating?

Josie: To be engaged personally with the person rather than being an observer in an impersonal criminal justice system in which I had no control. For him to take responsibility for what happened and not make excuses. I didn't want to blame, belittle or refuse to listen to him. I hoped a consequent change in his behaviour/addiction/attitude would mean he would have a better life rather than worse life on release from prison. I also wanted to speak for my brother, so that it became more personal than Simon's role as a helpless player in the criminal justice system and mine as a victim.

Simon: To look Josie in the eyes and say sorry. I know that will never bring him back. I also wanted to show her that I'm learning from my stuff ups and once out of jail will stay on the right track.

Renee: What was most important to you in this process?

Josie: Honesty, mutual acknowledgment and understanding of the awful situation and the effect it had. The chance to have a conversation – listening, not just talking.

Simon: To talk to Josie face-to-face, to tell her that if there was anything she would like me to do for her brother I was down to do it. To tell her that I would never go back to being the old Simon.

Renee: What values/principles/beliefs did you draw on to guide your participation in this process?

Josie: The idea that change is possible. A person should not be imprisoned forever by their past. I could have an effect by the way I acted and should do that. I believe the social and criminal justice systems are flawed and was concerned that incarceration would reduce rather than increase his chance of a better life.

Renee: What were the parts of the process that felt the most scary, unknown or intimidating?

Josie: That moment of meeting for the first time. In my imagination this made me the most apprehensive.

Simon: The part that felt the most scary would have been that going into this, I did not know how I was going to be looked at. But the people involved made me feel safe in the room and I could open up then.

Renee: Was there anything that you were surprised by throughout this process?

Josie: I was surprised at how personally rewarding it was. He was frank, open and took responsibility. I felt able to give back, not through forgiveness but by letting him know that I had a stake in his future, which was a positive experience and I was surprised by how much I was willing to 'give' in this exchange. I was surprised that he felt deserving of a lengthy prison sentence and that he wasn't resentful and cynical about the lack of rehabilitation he had had in prison and that parole was still not on the agenda.

Simon: It surprised me how laid back it was. The biggest surprise would have been Josie. She made me feel like a person and did not talk down to me.

Renee: Did your view of the other person change during or after this process?

Josie: Yes. Most people have more courage than you expect. I left feeling hopeful for his future.

Simon: My view changed a lot because at first I really did think that the other family hated me. But as soon as I saw Josie she made me feel welcomed and let me open up a little. I thank Josie for that.

Renee: What kind of difference (if any) has participating in this process made to your life?

Josie: I have been able to deal with some of the feelings and experiences that followed the death of my brother, the investigation and the trial. It has made me conscious of the value of this restorative justice process and the pitiful ways in which our prison system fails offenders and society. It has encouraged me to do what I can to draw attention to this.

Renee: What would you want to share with someone else who was considering whether they wanted to participate?

Josie: It may be harder for others as I did not lose a child or my partner. I'd say try to be open minded and aware that it is a two-way process. 'Giving' to another person is actually very rewarding. Take the rare opportunity to talk and to listen to a person you would otherwise never meet, and who is critical to what you feel. Be brave and remember they probably have to be braver still. You have more to gain and less to lose by doing this than not, if you can manage it. There is no point participating if all you want to do is shout, belittle and blame the other person. There is no value in that for you.

Simon: All I would say to someone who wanted to take part in this is that at first you may feel the unknown about it all. Maybe you'll have 100 things going around in your head, but I can tell you that with all the people involved they make sure at all times

you know what's going on and what will be asked. So there isn't anything from left field. They make sure you're happy with everything and you can stop at any time.

Simon and Josie's reflections highlight so many knowledges, learnings and insights that warrant further exploration.

My reflections on Josie and Simon's conference

I experienced Josie and Simon's restorative justice conference process as incredibly moving and encouraging. I witnessed the courage and generosity of spirit demonstrated by both parties in coming together, and the way they were able to sustain a respectful, honest and robust discussion.

I appreciated the way Josie was able to carry multi-storied hopes for the process and for Simon, and was able to express her desire to hold Simon accountable while simultaneously holding compassion, hope for his future and concern for his wellbeing. Fundamentally, her interactions with him were characterised by respect for Simon's humanity and dignity, despite the devastating harm his actions caused. I am interested in what made this stance possible for Josie, and in how this stance could be shared with others who have experienced harm. This might invite new understandings, or access forgotten or hidden desires for peace, that have potential to transform their own context of harm in powerful ways. I am interested in the effect this stance had on Simon and the subsequent conversation. I wonder what effect Josie's refusal to totalise Simon as the 'offender' have had on his ability to view himself differently. There is such a dominant social narrative that holding someone 'accountable' consists of making them feel bad about who they are and what they have done. It appears that Simon felt able to participate and share something of his life and that future accountability to commitments has been established through being treated with respect and dignity. I am interested in what these reflections can contribute to broader understandings of law and order, and to discourses of shame and punishment.

Of particular interest to me was Josie's desire to 'give' in this exchange. I'm also interested in the distinction she makes between her desire to 'give' and 'forgiveness'. I suspect this distinction might be important for others who have been harmed, who may feel the weight of the broader social narrative that the path to peace is to forgive. The concept of forgiveness is often devoid of notions of accountability and actions of repair. Josie positioning this 'giving' as having a stake in Simon's future strikes me as a powerful contribution to the possibility of transforming broader social conditions and contexts that have contributed to the occurrence of harm.

It has also been encouraging to see how this process enabled Simon to develop momentum for an alternative narrative of being 'someone who cares'; a counter story that stands in contrast to being a 'cold-hearted' person. Winslade and Monk (2000) suggested that we can think of this as a process of repositioning in relation to a dominant discourse. People can refuse the positions to which they are called and can establish their preferred positions as a response. These reflections also outline the significant development of multiple counter stories to the 'conflict story' between Simon and Josie. This collection of counter stories can be understood as a 'narrative of relationship' between the parties that is now incompatible with the stories associated with the original context of harm (Winslade & Monk, 2000, p. 4).

Following the conference, Josie sent me a song she had written and recorded, documenting some of her reflections and experience of the conference.

'Conviction Song' by Josie Walker

*We met in the prison on a Monday morning
Neither of us knew how this would feel
He'd taken a life and I'd lost my brother
So a meeting like this just couldn't be real
They brought him in to where I sat waiting
Neither of us knew what we would say
He did not speak so I offered my hand
And the pain in his eyes looked back at me.*

*Do the crime do the time
make 'em all toe the line
And keep 'em locked away
Til the time is up, the time is up, the time.*

*He said you must be bitter you must be angry
Worthless kind of a man you think
You can shout you can swear for I am guilty
I killed your brother through drugs and drink
I've done four years and I want to promise you
I'll never do a thing like this again
But I can't help my 25 years of history
An honest promise might be in vain.*

*Do the crime do the time
make 'em all toe the line
And keep 'em locked away
Til the time is up, the time is up, the time.*

*I said no I'm not bitter, I'm not angry
That won't change what happened that night
But a promise to me must never be broken
I know now you can tell wrong from right
You've got to quit the drugs like you've had to quit drinking
Soon you'll be out and on parole
Parole means word and word means promise
It's a way we can make our two lives whole.*

*Do the crime do the time make 'em all toe the line
And keep 'em locked away
Til the time is up, the time is up, the time.*

*There's a big blank page that's called the future
A life where you fill the blank page in
Be a father raise your children
Or stay back where this begins
I'm reminded talking to you
That we are not worlds apart
Some bad choices lead to heartbreak
But the good ones give us heart.*

*Do the crime do the time make 'em all toe the line
And keep 'em locked away
Til the time is up, the time is up, the time.
Til the time is up, the time is up, the time.*

Restorative process 2: the Hall and Dows families

On a long stretch of road in rural Australia, Tom's car crossed over on to Steven's side of the road and collided with Steven's car. That collision took the lives of two men, Tom and Steven. The coroner's report stated that Tom had suffered from severe mental illness for a large portion of his life and had expressed suicidal ideation in the days prior to the collision. Tom was unlicensed, had taken his mother's car without her knowledge and was not wearing a seat belt. The coroner concluded that suicide was a possibility, but she could not rule definitively on the cause of the collision due to Tom having an existing heart condition, exacerbated by the effects of long-term antipsychotic medication.

To Steven's family, the evidence provided pointed to suicide. They felt angry and upset at the coroner's findings, which left them with more questions than answers. They felt that Steven's life had been rendered 'invisible and worthless' through the process, and with no culpability assigned, or recommendations for future preventive actions, their feelings of 'injustice' compounded their immense sense of grief. Steven's mother was adamant that her son's death should not be for nothing. Steven's parents, Rosalie and John, reached out to investigate the possibility of having a restorative conference with Tom's family. Steven's parents were clear that they didn't blame Tom's family and meant them no harm, but they were devastated, angry and desperate for answers. In their minds, it was Tom's mental health that led to the death of their precious son. They hoped to honour Steven's legacy by contributing to change within the structures that had failed Tom. They wanted to know more about Tom and the circumstances and events that led up to the collision. Rosalie hoped there might be ways that both families could join together to advocate for improved care, and that some good might come from this tragedy.

Preparation

In thinking about bringing the two families together, I found myself considering a number of questions:

- How could we create a process for Steven's family that would give value and consideration to Steven's life? What difference would such a process make to their experience of 'injustice'?
- How could we create and enact such a process without burdening Tom's family with feelings of additional grief, blame and responsibility?
- How could we also honour the life of Tom and the suffering Tom and his family endured, alongside honouring the life of Steven?

Tom's mother, Rosalyn, and two sisters, Michelle and Elaine, agreed to meet with Steven's mother, Rosalie, father, John, and wife, Maggie.

During the preparatory conversations, Tom's mother said that she would never know what happened that day. She relayed how she wondered whether he might have looked down at the radio or perhaps he had a blackout. Although it broke her heart, she could accept that Tom may have made a decision to end his life by driving into a tree, but she could not accept, knowing the kind of person Tom was, that he decided to take his own life in a way that would also take the life of another. This sentiment was reiterated by Tom's sisters.

Both families demonstrated generosity and kindness in preparing to meet with the other, but this was fragile ground for both families. Preparatory conversations were key in firming up the ground beneath them. A key aspect of these preparatory conversations was working with both parties to define and agree on the purpose of coming together. Through multiple conversations with both families, everyone agreed on the following purposes for coming together:

- to help make sense of the loss through sharing information
- the possibility of creating some shared understandings
- to share grief, condolences and care
- for each family to honour and build on the legacies of Steven and Tom throughout the conversation

- to contribute to social and cultural change in the mental health system, or other advocacy.

The other crucial way of ensuring that both families could stand on more solid ground when they came together was inviting and celebrating preferred stories of Steven and Tom through the preparation process. This was made possible through questions drawn from re-remembering practices (White, 2007):

- Catch me up on who Tom was. What was he like? Are there stories you can share with me that remind you of that quality?
- How will you keep this memory alive of Tom as you participate in this conversation? Who can help you with this?

Through tears, Tom's family relayed many stories about a kind, creative poet and photographer with a beautiful singing voice, who could sing the old South African anthem from memory. I asked similar questions of Steven's family, and Steven's mum and dad proceeded to tell me story after story, speaking over the top of each other, their faces lighting up as they remembered the kindness, positivity and brilliant mind of an engineer committed to sustainability. These conversations were crucial in making the process valuable for Steven's family. It was just as important that I did this for Tom's family, as they faced having lost their son and brother, and the possibility that he had acted intentionally, causing the death of someone else's son and brother. I needed to be sure that this process would allow Tom's family to continue to remember him in their preferred ways, and avoid making them feel responsible for Steven's death.

Part of the preparation was the careful process of introducing the families through sharing information and presenting each of the men who died in the collision to the other family. I worked with Steven's family to devise questions that were sent through to Tom's mother and sisters. My hope was that these questions would be gentle and accessible

and elicit possibilities for discovering shared struggles, hopes and avenues for joining together. Through facilitating this exchange of questions and answers, I tested out opportunities for alternative meanings to be shaped, and for 'the diversity of available viewpoints' (Friedman, 1995, p. 224) to be made apparent. Winslade (2009) suggested that we can easily become separated and disconnected from our inner knowledges, desires for co-operation and hopes for living in peace when we stay in a single-storied version of the other and the way they have hurt us. For Steven's family, the understandable conclusion (due to a lack of conflicting evidence) that a faceless Tom had deliberately driven into their beloved son was an oppressive one. Learning alternative stories about Tom, his struggles, his hopes, his values and the reasons that Tom's mum was certain that this would not have been deliberate, could indeed be liberating for Steven's family.

Together, Steven's family and I constructed a series of questions, which Tom's mother and sister responded to in writing. I met with Steven's mother, father and wife to share the responses. I include here a few of the responses from Tom's mother.

How have you and your family been coping?

Rosalyn: Ups and downs, which I believe is normal. For me, a constant desperate sadness as I felt there was potential for a better chapter ahead for Tom, as he had just moved closer to home. Questions do not go away, same as the 'if only' thoughts. I have tried to keep busy, and take to my bed when it all gets too much.

The coroner's report only left us with more questions. How have you made sense of your son's and our son's deaths?

Rosalyn: I have not made sense, because of the questions; my thoughts are always 'perhaps this' or 'perhaps that'. I feel traumatised with the thought that Steven lost his life as a result; another family lost a loved one as well. I do not believe that Tom would have wanted or planned that. It was not in his nature.

Who was Tom and what was he like?

Rosalyn: Tom was an independent spirit, adventurous, had a good sense of humour, was intelligent, practical, caring and kind, loved the outdoors and cared about the environment.

What were his struggles?

Rosalyn: Mental health issues brought struggle into his life. Over 17 years he had periods where he fought desperately to manage his life again. He had periods when he was reasonably well and enjoyed different things, all the while having to deal with 'the system' and endure the horrible side effects of medication, which always plagued him.

Would you like to know more about Steven and his life? Who he was and what he was like?

Rosalyn: This is hard. I have thought of him as 'the other man' who lost his life in the collision, and that there is a family out there who have also lost a loved one and are going through what we are going through. I would like you to share something of him, even though I know it will be hard. I am going to meet his wife and his parents, and hear him talked about by name, and for me he will no longer be 'the other man'; he will be a very real person. This is hard. There are not many times when I think of Tom that I do not also think of Steven and his family.

Do you have any feelings or thoughts that we can make something positive come out of this?

Rosalyn: Being able to offer condolences, sympathy and care to you personally would be a positive for me.

Do you or your family have ideas about how the mental health system could have been improved to help your son and his family?

Rosalyn: This is a very big question, and a very complex one. Saying that, we have over time written to various ministers, complaints ombudsmen, hospitals etc.

As I read these responses to Steven's family their tears flowed, and the grief was palpable. There was a sense that these sentiments were longed for by Steven's family, especially Tom's mother expressing that whenever she thought of Tom, she also thought of Steven and his family. As I read this part aloud, I too wept with the family. Similarly, when I expressed Steven's family's sentiments to Tom's mother and sisters, particularly when they heard that Steven's family would like to know more about who Tom was and what his struggles were, there were tears of incredible grief – and perhaps of relief. They spoke of having wanted to send Steven's family a card at the time of the crash but not knowing how it would be received. At the time it felt too risky so they chose not to.

Restorative conference: Hall and Dows families come together

In the spirit of taking risks to create the conditions for possibilities, action and transformation, Steven's and Tom's families came together in a meeting room attached to a local library in rural Australia.

Conscious of the increased levels of anxiety the participants might experience in meeting for the first time, I spent time creating physical reminders in the room to orientate participants to the purpose and principles of the meeting. I placed chairs in a circle. In the middle of the circle of chairs I placed circles of paper, capturing the shared purposes of our coming together. In among these I placed another set of circles capturing some of the principles each participant had suggested were important to them in this conversation. And with the participants' prior consent, I also added principles I had witnessed them display towards one another in preparing for this meeting.

The collective guiding principles were:

- generosity (acknowledging the generosity of each participant in agreeing to meet)
- kindness (show care and compassion to each participant)
- curiosity (openness to new learnings and understandings)
- patience (for the time it takes to build trust and relationships)
- respect for diversity (of opinions, ways of grieving, understandings, future hopes).

Both families' capacity for kindness and generosity was expressed as the participants entered the room, met each other in person for the first time and immediately embraced. I invited them to join me in the circle and began by acknowledging their generosity, courage and the deep respect I had for each participant in agreeing to take part. I shared that I was continually inspired by my conversations with each one of them, and that witnessing what these two families had agreed to do in coming together sparked courage in my own life to do things that were difficult and painful. I intentionally chose to start the conversation by offering something to the group to build good will among participants and help to solidify the ground from which we would traverse to more difficult or painful topics. I had gathered quotes from my preparation meetings with the participants that spoke to the intentions and hopes they carried into the meeting. I shared them with the group as a way of introducing the participants to each other. These quotes offered sympathy and condolences to one another. They spoke of shared grief, confusion and of thinking of the other family. They told of knowing this would be a difficult and stressful process but hoping that understandings could be arrived and that everyone would find something positive in the process.

I then invited the families to share something with each other about how they had been coping and/or responding to losing Tom and Steven.

The conversation between the two families flowed from this point. As a facilitator, I chose to say very little, just guiding the conversation on a few occasions. I had a strong feeling that my role was primarily in the preparation work of building trust and connection between the two families prior to them coming together, and the more the conversation could flow between the two families without my help, the better.

The following is a summary of the conversation captured under themes that were discussed.

Sharing grief, condolences and care

The Dows family talked about the pain of losing Steven, and the Hall family of the pain of losing Tom. Both families also spoke of recognition of one another's suffering, their shared experience and the regret that any of them had to go through this at all.

Throughout the meeting, stories of the strategies they used for managing the grief emerged. Much of the support that had been offered by others had gradually drifted away, leaving expectations that they should move on. Rosalyn felt she was on 'autopilot' some days. Rosalie commented that it was like trying to make sense of something that didn't make sense. They acknowledged the different ways people cope and how sometimes it felt hard to find purpose again. Elaine spoke about organising an exhibition of Tom's photos to express her pride in him and his creative talents. Both families spoke of how the other family had often been in their thoughts since the collision.

Tom and his family's journey with the mental health system

The Hall family relayed some of Tom's 17-year history with the mental health system, during which he had 23 inpatient admissions, some of up to three months. They spoke of a system that had failed to respond to Tom as an individual person who needed care, and focused on medicating people. Frequent staff turnover, with some not suited to

working with vulnerable people, meant that Tom could not establish a relationship of continuity with the people treating him. The Halls saw this as an important factor in Tom losing trust in those responsible for his treatment. The psychiatrist only met with Tom once or twice a year and, despite Rosalyn's repeated requests, never agreed to meet with her. It was this psychiatrist who had changed Tom's medication, marking the beginning of a particularly hard time for Tom and his family, without assistance with the withdrawal process.

A case manager visited to administer Tom's medication daily at 2pm, completely wiping him out for the second half of every day, which he hated. But the mental health service said they could not accommodate a different schedule. The case manager would go through a checklist of questions with Tom, asking him 'are you suicidal?' in a very routine way and there was no sense they were genuinely interested in how Tom was doing. This contributed to Tom's disengagement. The Hall family talked about how the mental health system's failure to include the family in Tom's treatment meant they experienced years of frustration and feeling 'kept in the dark' by a system that limited their ability to help Tom to their fullest capacity, leaving Rosalyn feeling useless and helpless. Rosalyn spoke of the need to focus on improving people's quality of life and nurturing the person, something Tom did not receive from those responsible for his treatment.

How things were for Tom leading up to the crash

The Halls told how Tom had lived in public housing that was ridden with mice, horrible and unsafe. Tom worried about his safety and kept his security door locked at all times. The general environment was so depressing that to get Tom away from this awful living situation, Michelle and Elaine had bought him a flat in a town close to Rosalyn. The Hall family had all helped Tom move and he was very happy about his new place, giving the family hope that this would be the start of a new, brighter chapter for Tom. However, things continued to be hard and

his medication was not working for him. The Halls think he was very depressed, overwhelmed and couldn't see a way out. Tom desperately wanted a job, something meaningful to do, and his physical health was poor. Rosalyn told of how the Friday before the crash she met with Tom's case manager, and told her Tom was scared to walk to the supermarket in case he collapsed. Rosalyn believed something was going on with Tom's physical health.

Rosalie and John also talked about the coroner's report, stating that in the days before the crash, Tom had told his case manager that he no longer wanted to live. They wanted to know how this was responded to by those treating Tom, commenting that such a statement means the person needs help and care. The Halls didn't know what steps the mental health service had taken in response to Tom's statement and also felt let down by the coronial process that failed to investigate the mental health service's actions.

Maggie asked the Halls if they knew where Tom was going on the day of the crash, but they didn't know. Tom hadn't driven in years, and Rosalyn wondered if Tom had a plan to drive into tree or a dam, but she did not believe he would have planned to drive into another person. Nor could she discount cardiac arrhythmia as a possible explanation.

Advocacy for mental health system change

The Halls made complaints both before and after Tom died, but found multiple barriers. Rosalie and John also felt committed to advocating for change within the mental health system to prevent others from experiencing something similar. Each family member talked about taking steps towards advocating for change, arguing that help should aim to avert a crisis not wait until someone is in a crisis before intervening. They spoke of people needing support, care and nurturing, and of families needing to be kept informed and included. They acknowledged the need for a societal response to mental health.

Honouring Steven's legacy

Rosalie and John said Steven was 'delightful' as a child with the 'gift of the gab', always making, inventing and experimenting. Steven and his sister each had a calf when they were children and Steven suggested making methane gas out of cow poo and a tin can, successfully carrying out this project. Once he towed home 200 metres of poly pipe on his motorbike to make a wind turbine, and had been very interested in renewable energy throughout his life. He'd say to John, 'I want to make a hydrogen generator. Let's go down to the shed'. John shared very happy memories of working on projects with Steven, and said that he still had conversations with Steven when he was working in the shed. Steven was a 'people person' who 'made fun wherever he went' and 'lit up the room'. Maggie said, 'Steven was a wonderful man. It took me a long time to find him. He ticked all the right boxes. I miss him'.

Honouring Tom's legacy

Before he became unwell, Tom was athletic and active. He was interested in technology and design. After finishing high school, he went backpacking around the world for 10 or 11 months with Michelle and Elaine. Tom's family described him as kind and gentle, unable to walk past someone without offering to help. He would help old ladies in the supermarket, and engage with the person at the supermarket checkout to get them laughing. When he lived in Melbourne, even though it was a hard time, Tom had friends. People at the local op shop and cafes knew him and were kind to him. Tom knew how to connect with people, and Elaine described him as a 'big merry guy with lots of wild hair'. Tom took beautiful photographs and wrote poetry.

Towards the end of the conference, one of Tom's poems was read out to the group.

*I've caught a dusting of sunshine,
a starfish, teasing butterflies
tender kisses:
a pocketful of dreams*

*Then woven these threads of silver and gold,
coloured with laughter, a wink
gentle warmth:
a cloth of rays that gleams*

*As full as any picnic basket
packed up tightly with fond memories
for when you're sad
or not as bold*

*When on unfolding,
spreading all around, igniting your soul
from deepest blue
to brightest gold*

In a compassionate and tender gesture, Steven's mother asked if she could take a copy of Tom's poem home with her.

After three long and emotional hours of questions, sharing, tears and occasional laughter, all participants agreed that they were happy to draw the conversation to a close.

Post-conference reflections

In follow up conversations, Rosalie and John shared some moving and important reflections about what they had learnt about Tom, which highlighted the multiple and varied stories they now carried of the person they believed to be responsible for their son's death. They now understood more of his life and struggles, and the systems that were

against him. They also offered post-conference reflections about the importance of having found ways to honour both men through this process, and how this gave Rosalie and John a sense that their son's life was of some consequence. They reflected that honouring Steven's life in this way was in direct contrast to the lack of justice they experienced interacting with an impersonal Coroner's Court.

Following this process, both families agreed to stay in touch, and to find ways to collaborate in broader advocacy in response to the failings of the mental health system.

Conclusion

As I reflect on the ongoing isolation and the dominant, all-encompassing narratives that each of these participants was carrying before the opportunity to come together to share their experiences, concerns, pain and hopes from an experience of harm and loss, I feel as though I have been given such a precious opportunity. I feel privileged in having had the opportunity to interrupt the dominant meanings and narratives that those involved in these conferences had previously cemented, not only as a consequence of the profound losses they experienced, but due to the destructive mechanisms of the criminal justice system that encouraged conflict, and failed to address their needs for or understandings of justice, healing, information, connection or peace.

Both of these restorative processes suggest to me that rich story development and uncovering the resonances found in sharing stories, commitments and purposes can transform identities, beliefs and stances. These experiences also suggest that capacity for safety, accountability, social change and healing from harms can be found in acknowledging our collective humanity and having the courage to travel together to places where harms can be addressed – and sometimes even harnessed for future transformation of individual and social conditions. I feel invigorated when I see the possibilities created by this work. In these moments I get a feeling that the world I want to see is possible; that

human beings are capable of the kind of reflection, strength, spirit, generosity and wisdom that will ensure we are all going to be okay. Maybe even better than okay.

Postscript

Since this chapter was first written, Simon has been released from prison. Since his release, Simon and Josie have had a long phone conversation and agreed to keep in contact. Rosalie and Rosalyn collaborated on a joint submission to the Royal Commission into Victoria's Mental Health System and advocated to VicRoads for improved safety provisions at the scene of the collision. They remain in contact and have met on various occasions for coffee and lunch.

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Notes

- ¹ Creative Interventions is a grassroots organisation in California, USA, that seeks creative and collective responses to end interpersonal violence. For more information see: <http://www.creative-interventions.org>
- ² Generation Five is a small volunteer organisation in the USA, dedicated to the eradication of childhood sexual abuse without relying on police or prisons. For more information see <http://www.generationfive.org>

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