

The Transformative Power of Trust: Exploring Tertiary Desistance in Reinventive Prisons

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While prisons are often described as places of pain, despair and hopelessness, studies show that some prisoners under certain conditions report positive life changes happening in prison. This paper explores the connections between trust and desistance processes, specifically between the experience of being trusted and ‘tertiary desistance’. I argue that trust can be an engine of positive change in prison and that the experience of being trusted might even acquire additional value from the low-trust and risk-sensitive environment that most prisons normally offer prisoners. Finally, I discuss whether prisons that manage to get this balance right deserve to be called ‘reinventive prisons’.

Key Words: trust, recognition, tertiary desistance, reinventive prisons, Norwegian prisons, staff-prisoner relationships

INTRODUCTION

The growing research literature on desistance processes—broadly defined as the process whereby repeat offenders stop offending and begin to lead law-abiding lives—has not yet given much attention to the question of trust. Researchers have studied the role the criminal justice system and the various prison and probation service actors can play in strengthening and assisting desistance processes (McNeill 2006; McNeill and Weaver 2010; King 2013a; McNeill 2016b; Villeneuve *et al.* 2021), but they have rarely asked whether and how the phenomenon of trust may play a part in the process (see Farrall *et al.* 2014 for a notable exception). Several of the theoretical concepts frequently used in the desistance literature, such as ‘tertiary desistance’ and ‘recognition’, may be said to have some kind of connection with the phenomenon of trust, however. In that sense, the concept of trust can be seen as a theoretical absent presence in the literature.

The concept of trust has fared slightly better in the field of prison sociology. A small but growing literature is developing on trust between prisoners (Liebling and Arnold 2012) and between prisoners and staff (Liebling, assisted by Arnold 2004; Liebling 2016; Liebling *et al.* 2019). The

goal of this article is to connect and contribute to both the desistance and prison sociology literatures. I will argue that examining the phenomenon of trust between prisoners and prison staff has potential use in an exploration of assisted desistance (King 2013a; Villeneuve *et al.* 2021) and tertiary desistance (McNeill 2016a; McNeill and Schinkel 2016) in what Crewe and Ievins (2019) have called 'reinventive institutions'.

The article is part of a larger ongoing longitudinal qualitative research project where I follow prisoners from when they start planning for release, through the release process, and through their return to society. The article is based on accounts by current and former prisoners of their desistance processes (Shover 1985; Schinkel 2014). I will argue that the experience of being trusted by staff can act as a powerful catalyst for desistance. One may even ask whether people experience the trust extended by professionals who are trained to continuously assess the risks that prisoners represent as being particularly significant.

RECOGNITION, TERTIARY DESISTANCE AND FUTURE SELVES

Desisting on one's own, in a social vacuum, may be possible, but for most people, interaction with other people is a vital part of the process (Weaver 2016). Maruna and Farrall (2004) have described two distinguishable phases of desistance: 'primary desistance' refers to any crime-free gap in the course of a criminal career, while 'secondary desistance' happens when this change in behaviour is accompanied by the adoption of a related non-offending identity. More recently, McNeill (2015) has added a third phase to the model: 'tertiary desistance' refers to shifts in desisters' sense of belonging to a moral and political community. This sense of belonging may have different facets and come about in different ways for different people, but research has shown that recognition by others of one's willingness and ability to change can strengthen desistance processes (Gadd 2006). Such recognition can manifest in different ways, be it in the form of verbal acknowledgement or the bestowal of second chances, and different kinds of recognition will be meaningful to different people. Recognition by others does not necessarily lead directly to changes in the subjective sense of belonging associated with tertiary desistance. The opinions of other people can have more or less of an impact on our self-image, but in many cases, the two will be connected. When desisting individuals have changed not only in their own eyes but according to other people as well, it may be seen as both an indication of and a contribution to tertiary desistance.

The terms 'primary', 'secondary' and 'tertiary' do not necessarily imply a linear process. Individual desisters need not reach secondary desistance before they can move on to the next level. Following Mead (1962/1934), the stigma literature (Goffman 1963; Becker 1973) has traditionally argued that changes in self-image and the definitions of self result from changes in the expectations that other people have of us; in this case, the social or relational aspect precedes changes at the individual level. Nugent and Schinkel's (2016) alternative terms—(primary) act desistance, (secondary) identity desistance and (tertiary) relational desistance—have the advantage of sidestepping this version of the 'chicken or the egg' dilemma altogether. In many real-life cases, saying that one aspect precedes the other in an absolute way makes little sense. Secondary and tertiary desistance more likely develop at the same time, mutually fortifying each other in complex feedback processes that are difficult, if not impossible, to untangle empirically.

Desistance researchers have also shown interest in the temporal dimension of desistance processes and how offenders manage to integrate past experiences and past offending behaviour into visions of a crime-free future and in particular the role of non-offending 'future selves' (Maruna 2001; Giordano *et al.* 2002; Hunter 2011; Hunter and Farrall 2018). According to Farrall *et al.* (2014: 52–53), 'the past cannot change but its meaning can and ... frequently does.

In short then, the meaning placed upon the past is a function of who one is, which in turn, is informed by who one can be'. Similarly, according to [Hunter \(2011\)](#), the way we understand our past and our future, and the process of change in between, affects what futures are unlocked for us, in the sense of being seen as possible. Individuals imagine futures for themselves and try to act in the present in ways that will make desired future outcomes more likely. Successful desistance entails developing a sense of what the future will hold and a sense of how the future can be realized. Of course, the structural surroundings shape what futures are possible to imagine (and an individual's chances of reaching them), but when desisters are able to imagine a believable future law-abiding life for themselves despite structural obstacles, desistance processes enter a new stage, according to [Giordano et al. \(2002\)](#).

TRUST, KNOWLEDGE AND UNCERTAINTY

Trust, according to [Luhmann \(2017\)](#), relates to the confidence one has in one's expectations. When I am talking about mutual interpersonal trust in a broad sense, I am talking about my ability to predict, with a reasonable degree of certainty, how someone will behave in the future. [Möllering \(2001\)](#) has similarly described trust as a state of favourable expectation regarding other people's actions and intentions. In this sense, trust is a part of any working social system and any human relationship. It is a prerequisite to any society, and thus a fundamental part of the human experience ([O'Neill 2002](#); [Hawley 2012](#); [Sævi and Eikeland 2012](#)). From the point of view of collectives, trust has been seen as a form of social capital ([Putnam 2000](#)), which makes cooperative and coordinated action possible. From this perspective, high-trust societies in some ways are said to run more smoothly and efficiently than their low-trust counterparts. From the perspective of individuals, trust builds and reinforces relationships ([Hawley 2012](#)). When someone shows me she trusts me and that she is willing to act on that trust, it feels like a powerful invitation—almost a duty—to return the favour. At the same time, when that person acts on her trust towards me, the experience can change the relationship I have with myself. Trust can be transformative at both the individual and interpersonal levels; in real-life mutual trust situations, these levels are often intertwined in virtuous spirals.

No wonder, then, that trust has become an important concept in many different disciplines across the social and human sciences. The theoretical and empirical literature on trust is rich, diverse and growing. At the same time, there is no clear consensus as to what trust actually is and how it comes to be. Different ways of thinking about trust provide different answers to these questions. [Luhmann \(2017\)](#), for his part, moves on from the broad understanding of trust to look specifically at the role of trust in decision-making processes. As human beings living in the present world, we have to make decisions and act in the context of potentially mind-numbing complexity and uncertainty. In a sense, rational action is impossible because we simply know too little about the future. If I can find ways to reduce this complexity, however, I may find ways to cooperate with others in ways that may not pay off immediately or directly, despite the fact that I cannot say that I have perfect information about the outcome. For Luhmann, trust is a way of managing and reducing complexity.

This way of conceptualizing trust resonates with the empirical work of [Gambetta and Hamill \(2005\)](#), who study the everyday trust epistemologies of taxi drivers. Gambetta and Hamill see trust as a kind of risk management in the context of uncertainty, and they look at how people, in everyday life, look for signs of trustworthiness to guide their decisions. This points to an important theoretical as well as methodological problem. Following [Möllering \(2001\)](#), we should separate functional consequences of trust, which may be more or less directly observable (whether taxi drivers choose to pick up a new client or not) and the experience of trust, which is empirically speaking more complicated (whether they actually experienced trust in the

client or chose to pick them up for other reasons, such as financial reasons or pressure from their employers). Hardin's approach is based on a similar division. In his influential book *Trust and Trustworthiness*, Hardin (2002: 89) defines trust as a category of knowledge: 'If, on your own knowledge, I seem to be trustworthy to some degree with respect to some matter, then you do trust me with respect to that matter'. According to Hardin, no act of choosing to trust or not is involved; we either trust someone, or we do not. What is a matter of choice is whether and how we act on trust.

Knowledge is never perfect, however. If we were in a position to *know*, without doubt, that someone is trustworthy, then no trust would be involved, only certainty. The best guesses of experienced professionals and sophisticated risk-assessment tools share the commonality that both sometimes get it wrong. Even family relationships where members come close to trusting each other implicitly will always have an element of what Möllering (2001) has called 'suspension', meaning a kind of faith residue necessary to cope with the uncertainty resulting from the fact that one cannot really fully know another human being.

Trust, then, is based even at the best of times on imperfect knowledge. Given that trust cannot exist completely devoid of every risk, in practice, what we should strive for is what O'Neill (2002; also referred to in Liebling 2016) has called 'intelligent trust', understood as the aligning of the placing of trust with trustworthiness. This alignment can never be perfect, however. When we are talking about trust, we are always talking about imperfect knowledge and acceptable levels of risk. In a sense, from the point of view of individuals being given the benefit of the doubt, this gives added value to the fact that trust is bestowed on them. Trust may give access to resources and opportunities, but because there is always some risk involved, trust may also be given additional meaning because someone, in this specific case, for some reason were willing to live with a residue of uncertainty. In this article, I want to address the experiential elements of trust, and in particular how the experience of being trusted resonates with prisoners' self-image and their ongoing change processes. What does it mean, to a prisoner, to be trusted by agents of the criminal justice system?

TRUST AND RISK IN REINVENTIVE PRISONS

Although prisons are often described as places of pain, despair and hopelessness, studies show that some prisoners, under certain conditions, do report positive life changes happening in prison (Schinkel 2014; Crewe and Ievins 2019; Kazemian 2019). The question in this paper is whether such changes always happen in spite of the institutional setting prisoners find themselves in, or whether some prisons can, in some cases, actually facilitate positive change and assist desistance processes (King 2013a; Villeneuve *et al.* 2021). Building on Scott's (2011) re-analysis of Goffman's (1961) work on 'total institutions', Crewe and Ievins (2019) ask if seeing prisons as 'reinventive institutions' might sometimes make sense. Their data suggest that a minority of prisoners do experience prisons as arenas where positive change is possible but that, even at the best of times, a strong tension exists between reinvention and the prison's other more control-oriented objectives, such as punishment, public protection and containment, which are likely to directly contravene or inhibit processes of change. According to Crewe and Ievins, however, it 'seems possible to imagine institutions that are both bounded and permeable, which ... allow positive forms of moral reflection and change, without the normal harms of punitive sequestration' (2019: 16).

Building further on Crewe and Ievins's work, I will argue that if something like a reinventive prison does exist, it would be an institution where processes of change, when they happen, are recognized and supported and where change in some ways may take priority over control. In practice, this would seem to entail a certain level of mutual trust between prisoners and staff. In this article, I will explore the idea of reinventive prisons in this fairly narrow and specific sense.

Mutual trust between prisoners and staff does seem like a tall order. Prisons are not environments where trust normally thrives (Liebling, assisted by Arnold 2004). One reason is the fundamental differences in power that is characteristic of these institutions. According to Hardin (2002), when one party has much more at stake than the other, which has much more to say, the reciprocity and mutual 'skin in the game' which is often the basis of trust relationships may break down. Therefore, it is difficult for prisoners to trust prison officers, when the relationship is so unbalanced. The fundamental structure of prisons thus make trusting relationships across the prisoner-officer divide less likely.

Another reason is that prison managers and prisons staff are often preoccupied with risk and with the everyday management and reduction of risks (Sparks *et al.* 1996; Ugelvik 2012). Critical voices might even claim that prisons frequently seem risk-obsessed, which is true both with the risk that each individual prisoner poses and with the more abstract aggregate risk that prisoners as a group are seen to represent from the perspective of the institution. The relationship between prisoners and prison officers has been described as characterized by perpetual conflict (Sparks *et al.* 1996). The conflict is not always active and 'hot'; it will often be more similar to a cold war situation (Ugelvik 2014b), where a thin veneer of peace and order covers a fundamental conflict of interest which deeply structures interaction across the prisoner-officer divide. Obvious obstacles thus seem to exist to building and acting on trust in prisons, including elements of the prison officer role (Bruhn *et al.* 2011; Ugelvik 2012) and what has been called the 'convict code' (Cressey and Galtung 1961; Ugelvik 2014a). Officers frequently cultivate a working persona that demands of them that they generally distrust prisoners. This institutionalized professional distrust is built into the routines of the institution and is a vital part of the prison officer's role. Prisoners, for their part, are often under strict obligation to not talk to officers beyond the absolute minimum. Prisoners who do may be accused of sharing privileged information with outsiders—a practice known in prisoner culture as 'grassing' or 'snitching' (Ugelvik 2014a). It is not that trust is totally absent in prison; indeed, prison research has found that normal everyday operations in a prison frequently depend on a certain level of mutual negotiation (Sykes 1958; Sparks *et al.* 1996; Crewe 2009; Liebling *et al.* 2010; Ugelvik 2014b). Beneath the façade of a strict cultural prohibition against cooperation across the prisoner-officer divide, fragile trust does exist (Liebling, assisted by Arnold 2004). However, interpersonal trust across the prisoner-officer divide is very rarely strong enough to cancel out the deeply entrenched distrust that exists between the two groups.

Prisoners often describe a situation where they are subjected to close scrutiny by an institution which is more or less exclusively looking for faults, lacks and dangers—a kind of risk-sensitive gaze which McNeill (2019) has called a 'Malopticon'. This kind of optic has a number of consequences, including at the level of individual prisoners, their behaviour in prison and their orientation towards the future. According to Hawley (2012: 18),

People who are rarely trusted do not have the opportunity to develop their trustworthiness, and cannot be expected to respond with alacrity when trust is offered to them. This is one of the damaging elements of suffering from long-term distrust: in such an environment, it makes little sense to develop traits of trustworthiness, if these will go unrecognized. This in turn makes the habitually distrusted harder to trust, and the downward spiral continues.

While Hawley is not writing specifically about prisons, many (if not most) prison institutions are clearly not ideal arenas for developing trust and trustworthiness. Hardin (2002: 103) goes one step further and explicitly singles out the prison as an arena where trust only very rarely develops successfully:

For example, the structure of prisons and the behaviour of prison guards often provoke distrust between prisoners. Among the most obvious devices, setting up the cells so that any one prisoner cannot see any other but every one of them can hear the noise of every other creates tensions and hostility between individual prisoners. They can become virtual enemies rather than allies who might pose a common front against the guards of the system.

The architecture of prisons, their regimes, rules and regulations, and the ever-present dividing line between prisoners and officers all contribute to creating a low-trust environment in most prisons. Hardin speculates that prisons therefore might be said to be dysfunctional, in the sense that they end up educating prisoners in untrustworthiness and distrust, which again makes them less fit for an eventual return to society, where mutual trust is a form of social capital. If one were looking to catalogue the criminogenic effects of the prison, one might argue that in addition to the process whereby prisoners take on the values and mores of the prison and create and maintain illicit criminal networks, the institution also teaches them that trust should be avoided, and that untrustworthiness may pay off. This dynamic may have wide-ranging consequences. According to [Hardin \(2002: 107\)](#), 'Appropriately learned distrust may be the greatest obstacle to success in life in the larger society for the person who eventually goes to prison, and then prison reinforces that incapacitating distrust'. If trust can create virtuous spirals of reciprocal trust, then the opposite may be true of distrust.

Returning to the topic of desistance, recognition, and reinventive prisons, breaking these negative cycles seems like an important part of desistance processes. Prisons do not, generally speaking, seem like good places to cultivate trustworthiness and trusting relationships, but could some prisons perhaps be better than others? The following analysis will show that some prisons go further than the norm in acting on trust as well as in accepting the uncertainties involved. In creating an environment where positive change is recognized and perhaps even encouraged, these institutions (in some cases at least) seem to approximate more closely the ideal of reinventive prisons.

RESEARCH DESIGN AND METHODS

This article is the first of several planned research outputs resulting from the Oslo Re-Entry Study (ORES), an ongoing study of prison release, the re-entry process and desistance from crime in Norway. Repeat offenders often find themselves trapped in a cycle of crime and incarceration. Studies show that serving multiple short- or medium-length sentences are associated with an increased risk of re-incarceration ([Jolliffe and Hedderman 2015](#)). Successful desistance requires this cycle to be broken. In most cases, simply deciding to change is not enough. The choices of potential desisters are embedded in social and structural contexts. The point of the project is to examine individual, interpersonal and structural resources that are important for successful desistance from crime.

ORES is a longitudinal qualitative research project (cf., [Farrall et al. 2014](#)) which follows 14 male participants over time. Participants range between 22 and 58 years old at the time of the first interviews. The majority were in their thirties and forties. They are all repeat offenders, in the sense that they have two or more criminal convictions in their past. One participant—one of the youngest of the 14—has only gone to prison once, but has received a large number of drug-related community sentences and fines. Most of the participants have spent years in prison on several convictions. Many have gone in and out of prisons for a decade or more; several say they have lost count of the number of times they have been in prison. They have typically been convicted for a series of drug and/or violent offences. One participant has received a very long sentence for murder.

Participants were first interviewed in depth (in some cases over several sessions) between one year before release and one-year post-release. The semi-structured interviews focusing on how participants came to terms with the release process, how they planned to deploy their various resources, what challenges to sustained desistance they foresaw, and how they planned to overcome those challenges. Participants were then subsequently re-interviewed about a year after their first interviews. Additional follow-up interviews are planned for roughly five and ten years after the initial interviews.

In addition to the interviews with participants, I have interviewed one prison and probation system professional per case, nominated by the participants (in most cases prison personal-contact officers or probation service caseworkers), to discuss the participants' cases in detail and to gain a professional perspective on the complex release and reintegration process. In some cases, I have also interviewed a member of the participant's personal network: a friend, colleague or family member, again nominated by the participant. At the time of writing, the project has yielded a total of 45 interviews with 14 participants, six professionals and three network members. The number will increase as I continue to conduct follow-up interviews in the years to come.

Because the aim is to study which resources may strengthen desistance processes, promising cases have been purposefully recruited with the help of the Norwegian correctional services. With one exception, participants were recommended by probation and prison officers as people they believed to be in the process of making significant life changes. In the case of the one exception, the participant nominated himself after hearing of the study through his network. The rationale behind this sample strategy is that a study of the importance of various resources for desistance processes needs participants with access to resources to work. In a case-based project such as the ORES project, the goal is not to create a representative sample in the statistical sense (Small 2009; Becker 2014). Instead, I have tried to recruit what Flyvbjerg (2006) has called 'critical cases', meaning cases that have strategic importance in relation to the specific problem under investigation.

Unlike the average Norwegian prisoner, then, the ORES participants are repeat offenders who have expressed a clear motivation to change their lives, and who have the benefit of a substantial reservoir of individual, network and structural resources available to them. The goal is that what we learn from analyzing these cases and their individual deployment of resources can inform work with prisoners who are released from prison into situations characterized by a larger degree of deprivation and increased marginality (Revold 2015) than the ORES participants.

The interviews were transcribed in full and analysed using NVivo 12 software. I employed thematic analysis (Braun and Clarke 2006) with a combination of theoretical or research literature-driven (in this case, e.g., 'tertiary desistance/recognition') and inductive or data-driven (e.g., 'prison service trust') codes.

FINDINGS: THE TRANSFORMATIVE POWER OF TRUST

The participants in this study described the experience of being seen as untrustworthy as fundamental to everyday life in prisons. The architecture, routines and layout of prisons are all shaped by the fact that prisoners are seen as unworthy of trust. This situation also profoundly shapes the relationship between individual prisoners and members of staff. One of many possible examples in the data is the reaction that one participant, Arne,¹ got when he told a middle manager at Ullersmo prison, a large high-security prison, that he had decided to turn his life around:

1 All names used in this article are pseudonyms; the names have been chosen to reflect the participants' ethnic backgrounds. In addition, the interviews quoted in this paper, originally conducted in Norwegian, have been edited lightly for clarity in English.

[The middle manager] told me ‘Welcome to the club’, and that between five and six, when the prison is on lockdown, there’s a line outside his door of people who want to tell him about how straight they’ve gone and how much they want to turn their lives around.... So telling them that you’ve made some changes, they won’t believe you at all; they know the likelihood of you returning to Ullersmo is, like, 80 per cent. And if it isn’t Ullersmo, it’s another prison, so when you’re on your eighth conviction, nobody listens to you, basically; they don’t believe you. You’ll get no support. You have to take care of yourself. That’s a road you have to travel by yourself.

Participants often reported feeling that they had done everything right—they had participated in all the programmes and expressed their motivation—but still, the prison staff did not trust them (Crewe 2011). The lack of recognition and mistrust he experienced at Ullersmo was frustrating to Arne. In such cases, sincere efforts that go unrecognized may create a sense of disappointment and uncertainty about the future. From such a perspective, a generalized or automatic lack of trust may be seen as one of the many common ‘pains of imprisonment’ (Sykes 1958) experienced by prisoners, and as one of the most common obstacles to reinvention in prisons.

Crewe and Ievins (2019) have observed, however, that despite the cultural, structural and physical limitations that exist in most prisons, narratives of reinvention can sometimes be found in interviews with prisoners. Later in the same interview, Arne highlighted Skien prison, a smaller high-security prison, as a place where positive change is routinely recognized and supported:

The only place I’ve experienced something like that is at Skien prison. I spent five years there, and they were amazing, the officers there. They supported you, they paid attention, they knew how to help you move on.... There you have small units, just six guys per unit. The officers ate their lunch with the prisoners every day, and then they spent time with you watching TV in the living room; there was a proper relationship with the officers. Sure, some of the officers you didn’t want to interact with, but the rest of them you could have long conversations with, and that meant that they were able to see, when you only have six guys in a unit, you’re able to see who to support and who not to, you know. They were very good, really put a lot of effort into it. And [at Skien prison] I got accompanied leave after just having served a year on a 13-year conviction, to go see my kids down in the centre of Skien; we went to the swimming pool, things like that. So I feel they trusted me fairly quickly. They could see that I wanted to make a change.

Arne felt that, at Skien prison at least, his efforts were acknowledged as sincere. The experience of recognition was backed up by practical consequences when he was granted accompanied leave uncommonly early in his sentence. He felt that the prison officers trusted him, and, importantly, they also chose to act on that trust. The manifestation of trust as a relevant action seems to be a potentially significant way for prisons to validate ongoing change processes.

Bård, another participant, described his transfer from a high-security prison to Kroksrud, a small low-security unit connected to Ullersmo prison:

I was lucky I got top grades on all the Christmas exams [at school], and that was the first thing I did at Kroksrud, and when they saw the grades, their reaction was like, ‘OK, nobody here gets grades like that’. He said that to me, the Norwegian-language teacher, that he hadn’t seen anybody as eager as me, ever. It was like, he could give me an assignment, and I would ask for two more because I didn’t want to get bored over the weekend. It was ridiculous—it really

triggered him. And after the school people talked with the officers, I got a lot of freedom. ... I did get some negative reactions from other prisoners, because I could talk with a teacher and say, 'I'm tired today, I didn't sleep so good; can I just go to my room and sleep for a few hours?' and that would be OK. Because they knew that I would get the work done by myself. Later they would check up on me at, like, ten in the evening, and I would be doing my schoolwork; the work got done.

The trust-building spiral can be seen in operation in the interview with Bård. First, his academic performance was recognized by the staff at school, which led to an uncommon level of flexibility by the prison officers. They took a chance and allowed Bård to structure his work day as he himself saw fit. When they later checked up on him, Bård's actions confirmed his trustworthiness. He was therefore allowed to continue his schoolwork with minimal prison regime interference. In the process, he had shown himself as someone who could be trusted to do as he promised, thus presumably strengthening the relationships between him and the Kroksrud staff.

The issue of trust was even more important in one of the interviews with Florent. He was nearing the end of a long sentence at the time and had been transferred to Sandaker transition prison² in preparation of his release.

Florent: I have a son, he's about to turn 16, and last year—thank God I was here at the time—he started to ... you know kids, started running with the gangs and stuff like that, and that was a really ... really difficult time for my whole family. It went on for four or five months. It went so far at one point that I thought there was nothing more I could do here. ... He would say, 'I'll be home by ten or eleven', and we'd have to go looking for him around the city until two or three in the morning. It was insane.

TU: Was this while you were on leave?

Florent: Yes, and when I was here, I was in constant contact with [his family members looking for his son] on the phone. One or two times they even let me out. This one time, at five in the morning, when we couldn't find him, they let me out of here.

TU: From the prison? You went to [the prison officers] and told them that you had a crisis going on?

Florent: Yes, and they understood and let me out. That's why I'm saying that this place is amazing. ... So if you have some sort of problem, they'll understand. But they have to look at who you are as well; you'll have to show them in advance. You can't just act like a bastard and then go tell them that you have a problem, I don't think. But if you gain their trust, they'll understand that a crisis is a crisis, you know?

Arne, Bård and Florent all described their experiences at Skien, Kroksrud and Sandaker prisons (respectively) as significant exceptions to the general rule of distrust and suspicion that characterizes the prison system. All three stories suggest that some prisons occasionally come closer to being reinventive institutions than others, in the sense that their staff are more willing to show some prisoners a degree of trust, at least in certain situations.

Several of the participants did highlight one prison as a place where trust was more of a rule than an exception. Situated on a small island in the Oslo fjord, Bastøy prison is a low-security prison with a capacity of 115 male prisoners. According to the Bastøy staff, trust is part of a coordinated effort to strengthen positive change. The personal-contact officer of one of the participants wanted me to understand the reasoning behind this strategy:

2 In the Norwegian system, transition prisons (*overgangsbolig*) are small low-security prisons where prisoners may spend the last part of their sentence. Prisoners are allowed to leave the prison during the day by themselves to go to work or attend school. They are also allowed the use of a private telephone. The idea is to make the transition back to society as smooth as possible.

Bastøy officer: It's crazy, during the first few years [Bastøy opened as a prison in 1984], Bastøy bought a boat, a Draco speedboat—they even put Correctional Services on the side of it in big letters—and the officers went around the island in that boat every day, with binoculars, to inspect the shore, to make sure that the shore was OK all around the island. It was a cat-and-mouse game. I'm sure that if we wanted to follow that logic today, that pattern, life at Bastøy could have been all about that game. We would have received a lot of positive [drug] tests, confirmation that they can't be trusted, that they're dangerous. ...

TU: Would it in some ways have been ... an invitation to participate in the cat-and-mouse game? You'd get more trouble because the prison was looking for trouble all the time? Is that what you're saying?

Bastøy officer: Yes, in a way, I think so. If we were to tighten our grip and take on a more suspicious attitude, then we would inevitably move away from normal relationships, like we're having now, just talking, the two of us. Our lack of trust would give them a reason to distrust us.

The Bastøy prison staff members I have interviewed for this project frequently expressed the importance of acting—within the limits of prison rules and regulations—on trust in ways that could help recognize and strengthen prisoners' change processes. Some staff members even talked about the need to sometimes bend rules to support change. The following quote from an interview with a senior staff member at Bastøy is illustrative. We discussed the case of Klevis, who at the time was being shown an extraordinary level of trust by the prison staff. He was given leave to go, by himself, to another Norwegian city by airplane to sit his university exam, staying in a hotel for one night to do so.

TU: He's pushing your limits a bit?

Bastøy senior staff member: He is, but it's up to us, but I'm thinking that this is such a good thing for him. But another prison would probably have said no. ... At the same time, I'm thinking that, yes, he gets to travel to [another Norwegian city], has to pay everything out of his own pocket. He goes up there, finishes his exam; yes, he has to spend a night in a hotel. In my mind, this is good for society. I could have argued against it, saying, 'No, let's not take that risk'. But why not? What's the argument against it? There are rules, sure. ... We have to be restrictive, but when we believe it's better for society, it's completely safe, security-wise. So yes, we do say yes when we can.

TU: You show them a lot of trust, to use that word?

Bastøy senior staff member: We do, but you know what? We've had no bad experiences. And I often ask prisoners about trust, and why they don't do anything wrong when we trust them. 'We're thinking about the prison', they say. 'I'm thinking of you; you've approved my application and shown me all this trust, and I don't want to disappoint you'. I hear that a lot.

This article is not an in-depth study of Bastøy prison. Based on the ORES data, providing a full or even balanced account of life at Bastøy is impossible, since I have only interviewed current or former prisoners who were nominated by the correctional services as people who were already engaged in positive change processes. (See [Liebling et al. 2019](#) for a more comprehensive account of a prison that seems to share some of the same qualities as Bastøy.) Like any prison, Bastøy is not without flaws, and despite everything, it is still a prison. Prisoners there experience many of the 'pains of freedom' that can be found in low-security prison regimes ([Shammas 2014](#)). The data do not suggest that all prisoners feel trusted there at all times. But a significant number do, at least in some situations, which may be enough to make Bastøy different from most other prisons.

Prisoners who want to make significant changes in their lives need opportunities to show to themselves and others that they really have changed. Most prisons deny prisoners such opportunities in order to minimize risk. The data suggest, however, that some prisons, such as Bastøy prison and perhaps also Sandaker transition prison, are better than others at accepting a certain level of uncertainty if doing so will help facilitate reinvention. In most prison settings, the level of trust that was shown to Florent and Klevis, in particular, is probably unthinkable. Returning to the literature on trust, trusting someone, in general, is always a risk (Möllering 2001; O'Neill 2002). So when prison staff trust prisoners, and when they choose to act on that trust, there is always the risk that things might backfire. The important question is whether the potential benefits outweigh the risks. With trust in prison, the potential benefits seem significant. As Klevis put it:

You reap what you sow, right? If you treat people well, they will behave well, like good people, more or less. But if you crack down on them, tighten everything, and create a prison based on a logic of revenge, what happens is that if they ever get the chance, they'll do something even worse than what they did before. ... If it's vengeance you want, then vengeance you'll get. ... The trust that they show me, when I'm allowed to leave the island by myself, that means that I don't add to the hatred. I see hope, I see a future, like everybody here.

The problem is, of course, that one cannot see change, growth, motivation or good intentions directly on someone's face. Prisons clearly need to consider risks and manage uncertainty. But they should also work to strengthen individual motivation and facilitate positive change. How can prisons best balance these seemingly incompatible concerns?

DISCUSSION: TRUST, RISK AND DISCRETION

In many ways, 'trust' and 'risk' seem like related yet opposing concepts. If I trust someone, I do not think that he poses a significant risk to me, and vice versa: if I think someone represents a significant risk, I do not trust that person. While it might look like trust is impossible where there is risk, and that risk precludes trust, this is not the most common position within the growing social science literature on trust. Recall Hardin's (2002) definition of trust as a category of knowledge. In real-life situations, sometimes we have insufficient information to know whether to trust or distrust someone—we do not know the person well enough to judge her skill or her intentions. Especially in the context of an ongoing change process, the question of imperfect information is tricky. When a person claims to have changed, do we base our trust (or lack thereof) on information about that person's past, or claims and hopes about his future? If trust, and the lack thereof, is a form of knowledge (Hardin 2002), then change may make that knowledge outdated. A conservative element is at play here when decisions time and again are based on someone's chequered past rather than his current or future situation. Of course, another problem is the possibility that people might strategically misrepresent themselves to gain the advantages associated with being trusted, which will add additional complications. From a prison manager's point of view, the result is often to fall back on what is known about the past and err on the side of safety. Such a stance, however, will systematically limit or remove the social and individual advantages of trusting someone and acting on that trust. Doing so may thus impede desistance processes.

Prisons are often risk-oriented by default. Why are Norwegian prison officers sometimes willing to take a chance and trust prisoners? Following Liebling *et al.* (2020), one might ask if the professional culture of Norwegian prison officers is more future- and change-oriented

than is the case in such cultures elsewhere, which might make such decisions more legitimate, but this is speculation. Another important aspect is more systemic. When prisoners are shown trust, as occurs from time to time in prisons such as Skien and Kroksrud, and more regularly at Bastøy (and, possibly, Sandaker), an important condition that should be noted is the general decision-making culture in the Norwegian correctional services. Unlike the situation in many other jurisdictions (McNeill 2016; Crewe and Ievins 2021), in Norwegian prisons, the 'clinical' discretionary decision-making of experienced professionals has not (yet) been displaced by standardized risk assessment and management technologies. In Feeley and Simon's (1992) terms, Norwegian prison officers still live in an 'old penology' world where prisoners are seen as individuals, not part of aggregates. This means that in situations when prison senior staff and even prison officers on the wings do trust prisoners, they are able to act on that trust, within certain limits, without consulting an actuarial risk-assessment tool first. In fact, staff do not even have access to such a tool—the closest Norwegian equivalent, the electronic needs and resources mapping tool BRIK, explicitly is not meant to measure risk (Hansen *et al.* 2014), and at any rate prisoners may opt out, since the use of BRIK is voluntary. The lack of 'new penology' actuarial risk-assessment tools puts the responsibility for everyday decisions squarely on the shoulders of prison staff, which means that they can choose to live with an acceptable level of uncertainty in some situations.

When risk assessment is done in an automated way, in contrast, no mutual or relational growth occurs. In these situations, even when prisoners are given privileges or moved to a low-security regime, we are not talking about a situation where an individual trusts another and chooses to act on that trust. Instead, a computer has made a prediction based on statistical data. That prediction can be wrong, in which case no human being was directly responsible and accountable, or it can be right, in which case no individual has decided to take a chance on another, with no resulting growth or strengthening of relationships.

There are two sides to this equation. One is how prison officers and managers can find ways to constructively single out individual prisoners as trustworthy while simultaneously taking uncertainties and risks seriously, and also avoiding favouritism and discrimination. The other side is how prisoners, within the confines of a prison and with the resources available to them there, can show themselves to be trustworthy. If a prison is a context that can be risk-sensitive, even risk-obsessed at times, and where a major trust deficit exists to begin with, how can prisoners communicate trustworthiness if they are never given a chance? To make matters worse, from the perspective of staff in the process of making decisions, a prison is filled with people who have shown themselves to be unworthy of trust in the past, and there is always the risk that acting on trust may backfire. Newspaper headlines and ruined careers can be the result. Prisons have increasingly started to take reputational risk under consideration (Whitty 2011), which may lead the field of trust-based decisions in prisons to become even more narrow.

The question of trust in prisons highlights some of the difficult dilemmas that exist at the core of such institutions. To create order and security, you need control. To achieve growth and positive change, you need to give prisoners freedom, space and responsibility. There is often good reason to mistrust prisoners and institutionalized professional mistrust is often seen as a necessary part of the prison officer role. On the other hand, positive growth and rehabilitation seem to depend on giving motivated prisoners who want to grow and take responsibility for their current and future situations the room to do so. Good prison officers are in control of the wing. But good prison officers also help prisoners grow and change. To do this, they have to give up parts of the control that officers are expected to have. In short, good prison officers both limit and live with uncertainty.

CONCLUSION: TRUST AND FUTURE SELVES

If the experience of trust can be seen as a mode in which we understand our own lives, ourselves and our relationships (Sævi and Eikeland 2012), then mutual trust relationships in prison may work as the foundation for what King (2013b) has described as ‘early desistance narratives’ and for what Hunter and Farrall (2018: 306) have called a ‘testing ground’ for the viability of a non-offending future self. According to Villeneuve *et al.* (2021), seeing desistance as a social-relational process (Weaver 2016) raises questions about who can help facilitate the changed initiated by desisters, and how. This article has explored the idea that trust between prison officers and other criminal justice system agents on the one hand, and current or former prisoners on the other, may play a part in ongoing desistance processes. The experience of being trusted can lead to hope and the belief that a better future is possible, post-release. Trust that is acted upon can therefore be seen as a practical and specific way for individuals to experience being recognized as fellow human beings, and not just as offenders. From such a perspective, trust can be an important part of the process leading to tertiary desistance. According to Farrall *et al.* (2014), feelings of trust and belonging are rarely mentioned in the early stages of desistance processes. As desisters rebuild trusting relationships with friend, family and colleagues, these feelings become gradually more and more common. Being trusted was not something that is simply ‘arrived at’ with the passage of time. Its acquisition is an active process of negotiation between desisters and their social environments. This article is part of a larger research project which seeks to study resources that may strengthen desistance processes. I have shown that trust extended by various prison and probation service actors can be such a resource. The role early mutual trusting relationships may play for the later stages of the desistance process is something I might be able to shed light on as I follow participants up over time.

Studies have shown that, if anything, criminal justice system involvement often leads to misrecognition and disempowerment, not trust and positive change (Barry 2016). Writing about the kinds of relationships that may aid desistance processes, Hunter and Farrall (2018: 259) state that ‘many of these relationships are not with those working in the criminal justice system’. The data support this conclusion: The examples of staff who recognize positive change and as a result are willing to give prisoners the benefit of the doubt are described by all participants as exceptions to the rule of risk-orientation and generalized distrust. But the data also suggest that they certainly *can* be, in some admittedly rare situations. The examples discussed in this article seem to clearly show that relationships between prisoners and prison staff *can* play a significant, even life-changing, role in assisting desistance processes. Prisoners have often experienced negative cycles of distrust and untrustworthiness earlier in their lives. When they arrive in prison, they soon discover that the mutual recognition and trust associated with tertiary desistance is absent in most prison settings. Therefore, recognition by staff can feel that much more significant when it actually happens. When trust is in short supply, as in most prisons, being on the receiving end means that much more.

Since trust always has to be placed without absolute guarantees, it is inevitably sometimes misplaced, and prisons should be wary of trusting too much. But they should also avoid trusting too little. According to Hardin (2002), misplaced distrust—trusting too little—creates an aggregate of lost opportunities. On the other hand, misplaced trust—trusting too much—leads to an aggregate of some real losses as well as some real gains. Overall, the gains from acting on trust may in the long run far outweigh the losses from doing so. Trusting a trustworthy prisoner may lead to proper life changes and growth, and thus to major gains in the long run for not just the individual but for society as a whole. According to Farrall and Maruna (2004), ‘desistance-focused’ interventions are more likely to be effective than ‘offence-focused’ interventions, which means that when officers have reason to believe that prisoners are trustworthy, they should extend trust to harness its transformative power.

Trust cannot, of course, be the general rule in all prisons at all times. In many cases, the risks are too high, the uncertainties too many and the potential consequences too serious for proper trust to be possible. But today, in many prisons, distrust is not the result of a sound and informed decision; it is the default position. According to McNeill (2017), when risk becomes a dominant logic that supersedes other possible modes of understanding, ongoing positive changes in the lives of people subject to offender supervision may be undermined. At their worst, risk-based discourses and practices may work to increase and even realize risks of reoffending. A narrow focus on risk—i.e., when staff routinely and automatically decide to err on the side of safety—may paradoxically turn out to be criminogenic.

A reinventive prison, in contrast, is one that manages to balance a suitable risk awareness with an appropriate focus on positive change and mutual trust (Liebling *et al.* 2019). In their discussion of prisoners' stories of reinvention, Crewe and Ievins (2019) did not claim that prisons may be reinventive as such, only that prisoners sometimes claim that positive growth and change happen during imprisonment and that researchers should take these narratives of reinvention seriously. In this paper, I have described situations where desistance processes are recognized and supported in prison, and where change in some ways seems to take priority over control. A comprehensive exploration of the possibilities and effects of reinventive prisons would have to take a much broader approach (e.g., Kazemian 2019). For managers and staff who want to take the idea of reinventive and desistance-oriented prisons seriously, however, the above analysis suggests that creating a situation where trust is possible and where staff are allowed to act on that trust should be a priority.

From the point of view of such a prison, I think it would make sense to create a clear incentive structure and then show trust early on, unless a prisoner has shown clear indications of *not* being trustworthy. That would give the institution a platform for developing trust, for modification of the incentives if necessary and for improving relationships between prisoners and officers. Prisoners who fail to act in a trustworthy way could then be put under closer scrutiny. Control resources could be used in a more focused way. Prisoners could actually be held under the most open conditions possible, which is the official goal of the Norwegian prison system, but which does not always happen in practice. This situation is the opposite of what is happening in many prisons, where untrustworthiness is simply assumed.

FUNDING

The ORES project has not received any grants or external funding of any kind.

ACKNOWLEDGEMENTS

Rose Elizabeth Boyle, Ben Crewe, Alison Liebling, Fergus McNeill, Pernille Söderholm Nyvoll and Sveinung Sandberg have all read earlier versions of this article at different stages of the process. I am indebted to them all for their encouragement and constructive criticism. I have also presented earlier versions of this argument at conferences organized by the University College of the Norwegian Correctional Service, the Centre for Criminological Research at the University of Alberta, and the Scottish Centre for Crime and Justice Research. The feedback I have received at these events has been invaluable for the development of the article.

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