



Criminal justice, representation and the lived experience scholar

Incarceration

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Abstract

This article examines the integration of lived experience narratives into criminal justice, highlighting a significant shift towards a more inclusive and experiential approach within the field. We explore the contributions of scholars with lived experiences of the criminal legal system (CLS) to the academic and advocacy landscape, emphasising the emergence of convict criminology and lived experience criminology. These subdisciplines centre on the insights of those directly impacted by the CLS, offering a critical view from within and a broader perspective on personal interactions with the system. We argue that incorporating lived experiences can enrich criminal justice research and practice, leading to more effective, empathetic policies and interventions. However, we also identify a gap in the literature concerning the representational dynamics within this emergent paradigm, specifically the sociodemographic constitution of lived experience contributors. Utilising Hanna Pitkin's seminal theories on political representation, we critically evaluate the extent to which lived experience narratives embody both symbolic and substantive representation. We suggest that while individuals with lived experiences may not fully encapsulate the demographic diversity of those impacted by the CLS, their narratives provide crucial insights that transcend mere demographic congruence. We conclude that more needs to be done to encourage and value diverse voices within this space, highlighting the need for criminal justice to address power dynamics, bridge the gap between academic and experiential knowledge, and promote public engagement and discourse. This engagement with lived experiences is posited as essential for driving meaningful policy and systemic reform, ultimately contributing to a more equitable and just CLS.

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Introduction

The integration of lived experience narratives within the domain of criminal justice signifies a pivotal transformation in the discipline, signalling a prominent shift from conventional, empirically based methodologies to a more inclusive and experiential approach. This trend, highlighted by the inclusion and amplification of a lived experience panel at the 2023 Australian and New Zealand Society of Criminal justice (ANZSOC) conference (ANZSOC, 2023), mirrors similar movements in related social justice fields, including the disability sector (Charlton, 1998), social work (Baidawi et al., 2023; Duvnjak et al., 2022) and psychology/psychiatry (Sunkel and Sartor, 2022). In Australia, an emerging body of scholars, such as Antojado (2023a), McPhee (2021), Carey et al. (2022a), Linnane et al. (2023) are joining the community of international scholars in the United States, Canada, Ireland and the United Kingdom (e.g., Brierly, 2023; Earle, 2018; Honeywell, 2023; Kavish, 2017; Newbold and Ross, 2013; Ortiz et al., 2022; Tietjen and Kavish, 2020) who have personally navigated the CLS and are transitioning into roles as researchers and advocates within the academic, practice and policy space. This evolution within criminal justice has given rise to specialised subdisciplines within criminology that focus on the personal, experiential narratives of those directly impacted by the CLS. Two notable examples are *convict criminology* and *lived experience criminology*, each centring on unique yet interconnected aspects of the criminal justice experience. Convict criminology explores the insights and perspectives of formerly incarcerated people, offering a critical view from the inside (Carey et al., 2022a; Earle, 2018; Newbold, 2017; Richards and Ross, 2001; Ross et al., 2014; Tietjen, 2019). Lived experience criminology, albeit currently less developed, encompasses a broader range of personal interactions with the CLS, including those of victims, law enforcement officers and legal practitioners, as well as those who have experience with some form of criminal justice sanction (Antojado, 2023a; Antojado et al., forthcoming).

Although this article is focussed on the experiences of people with lived experience of the CLS (e.g., incarceration/imprisonment), we recognise the scope for this to also include the voices of people who have been subject to other forms of 'coercive confinement' (O'Donnell and O'Sullivan, 2020), such as detention for immigration purposes and in psychiatric facilities. In this context, we note the seminal voice of Behrooz Boochani, a refugee advocate who has held numerous academic appointments. Boochani's (2018) memoir was written while he was detained, while his second book: *Freedom, Only Freedom: The Prison Writings of Behrouz Boochani* (Boochani, 2023), included contributions from others to explore issues around imprisonment, human rights and politics. In the context of psychiatric detention, there is a growing body of literature, drawing on the lived experiences of those who have been in-patients, often involuntarily, and at times likewise subject to significant human rights abuses (see Rose, 2022; Smith, 2012).

The scholarly discourse surrounding these emerging fields emphasises the considerable benefits of integrating these diverse, experiential perspectives, significantly enriching the fabric of criminal justice research and practice. By incorporating these lived experiences, especially of those who have experience with the carceral system, we argue that criminal justice can gain a deeper, more nuanced understanding of the complexities and realities of the CLS. This incorporation could potentially inform police and interventions that move from criminalisation of marginalised populations to

criminal justice policy that is based on solidarity, care and inclusion. This ideological perspective is not ignorant of the potential for lived experience contributors to be tempted into co-optation. Rather, the goal of this incorporation is to include valuable contributions, without voices being lost to hegemonic institutions, which may take credit without enacting real change (de Jong and Kimm, 2017). However, we argue that the criminal justice discourse noticeably lacks an in-depth exploration of representational dynamics within this emergent paradigm. The trajectory towards a lived experience profession, such as in academic and advocacy work, predominantly attracts individuals who diverge from the conventional demographic archetype prevalent in these fields. This observation, derived from the first author's autoethnographic engagement with the CLS, suggests a nuanced complexity in the representation of lived experiences. It raises pivotal questions about inclusivity and diversity within the CLS's embrace of lived narratives, thus warranting scholarly inquiry into representational authenticity and breadth in this context. This gap in the literature signifies a need for a more granular analysis of the sociodemographic constitution of lived experience contributors, exploring whether their narratives sufficiently encapsulate the heterogeneity of those affected by the CLS.

Pitkin's (1967) seminal theories on political representation are well placed to address the identified issue of representational dynamics within the lived experience paradigm in criminal justice. Pitkin's (1967) framework, particularly her conceptualisation of *symbolic* and *substantive* representation, offers a nuanced lens through which to examine the veracity and breadth of representation by individuals with relevant lived experiences within the CLS. Symbolic representation pertains to the emblematic meaning of the representative's actions or presence, while substantive representation involves the representative's actions in advocating and enacting policies that benefit the constituents. Applying this dichotomy to the current context raises a fundamental enquiry: How can individuals with lived experiences claim to proffer nuanced perspectives of criminal justice interaction when their own demographic composition does not mirror the broader demographic within this milieu? The purpose of this article is to critically evaluate this paradox, utilising Pitkin's (1967) theories as a foundational framework. We believe Pitkin's conceptualisation of representation provides a lens as to the diversity and potential of lived experience scholarship and we provide examples of this throughout the article. The central argument posited here hinges on the proposition that, while individuals with lived experiences may not fully encapsulate the demographic diversity of those impacted by the CLS, they can nonetheless offer crucial, substantive representation. Their narratives, borne out of personal encounters with the system, furnish insights that transcend mere demographic congruence. Thus, contributing to policy formulation and practice within the sector. In essence, this article argues that the value of lived experience narratives in criminal justice should be appraised not solely on the basis of demographic representativeness, but rather through the substantive impact of these narratives on policy and practice. By drawing on Pitkin's (1967) theories, we aim to elucidate how lived experiences, despite potential demographic incongruities, can offer profound, substantive contributions to the criminal justice discourse, thereby enriching and diversifying the spectrum of perspectives within the field. Ultimately, we conclude that in Australia, individuals active in this space do offer symbolic and substantive representation in the commonalities of the challenges people in prison and formerly incarcerated people face. However, more needs to be done to encourage and value the diverse voices of people in prison and formerly incarcerated people, so that we, as a community of researchers and policymakers, can gain a deeper and more nuanced understanding of the realities of the CLS.

Understanding lived experience in criminal justice

In the realm of criminal justice, the term *lived experience* pertains to the direct encounters and perceptions of individuals who have been either involved in, or impacted by, criminal activities, the workings of the CLS, and various forms of social harm (Maier et al., 2022). This concept broadly encompasses the experiences of criminal justice professionals and those who have been subjected to criminalisation and penal measures. However, we argue that the term *lived experience* should be prioritised to describe the first-hand knowledge of those with experience of criminalisation, in the context of criminal justice. The essence of *lived experience* is grounded in the recognition of the subjective realities, emotional responses and viewpoints of those directly affected by crime and the CLS (Antojado, 2023a). Lived experience underscores the value of the unique knowledge and insights derived from personal interactions with criminality and the judicial apparatus, insights that might elude capture through conventional academic or empirical methodologies (Antojado, 2023a). The inclusion of lived experience in criminal justice discourse is not a novel concept; it is deemed integral within feminist criminology (Carlen, 1985) and cultural criminology (Fraser, 2013). This approach provides a lens to examine both the tangible and intangible facets of crime, transgression and social regulation. Moreover, it is our view that lived experience transcends mere demographic data and statistical analyses, advocating against the reduction of human experiences to mere numbers and multifactorial assessments. Narrative criminology emerges as a valuable theoretical framework in this context, facilitating an exploration of how individuals construct their identities and interpret their experiences within socio-cultural frameworks (Presser and Sandberg, 2019).

Both convict criminology (Richards and Ross, 2001), as developed in the United States, and lived experience criminology (Antojado, 2023a), as emerging in Australia, are subdisciplines centred around the experiences of those with prior interactions with the CLS. This includes individuals who have faced sanctions, employees within the system, or those seeking reparation from harm. Although, convict criminology is focussed more on those who are subject to sanction, rather than the broader remit of lived experience criminology. These fields predominantly focus on the lived experiences of those who are or have been incarcerated, positioning these narratives as central to the formation and evolution of criminal justice discourse and knowledge (Newbold et al., 2014). In doing so, both convict and lived experience criminology see and indeed privilege the voices of individuals with such experiences, allowing them to influence and shape the course of criminal justice discourse and understanding. But we do acknowledge that not all criminal justice scholarship influences, or even wants to influence, policy and not all lived experience scholarship influences policy. This article focuses its analysis and discussion on the lived experiences of criminalised people, specifically those who have transitioned into professional roles, as academics, practitioners and/or advocates. In tandem with Antojado's (2023a) critique of the term 'convict' and its negative connotations for Indigenous people, thereby making it inappropriate for the Australian context, we use the term 'lived experience,' as is consistent with the emerging lived experience criminology paradigm.

The lived experience of incarceration profoundly shapes and influences an individual's life, deeply impacting their perceptions and views of the CLS. Incarcerated people often undergo significant emotional and cognitive changes. These changes can manifest as an institutionalisation syndrome, where individuals become dependent, unable to initiate action and suffer from a diminished sense of self-worth. This psychological impact is a crucial aspect of how incarceration shapes a person's life, often leading to long-term mental health issues (Haney, 2001). The social

implications of incarceration are equally significant. Pager (2003) highlighted the social stigma and isolation faced by formerly incarcerated people. This stigma can severely hinder their ability to find employment and secure housing, exacerbating feelings of alienation and further marginalising them from society. Additionally, the experience of incarceration also significantly influences individuals' views of the CLS. Personal experiences with the justice system shape individuals' perceptions of its fairness and legitimacy. Often, these experiences lead to a perception of the CLS as being unfair and illegitimate (Herbert, 2003). Furthermore, as acknowledged by Sykes (1958) over 60 years ago, incarcerated individuals may develop antagonistic attitudes towards authority and law enforcement. It is within the richness of these experiences, in which new forms of knowledge are born; it is the understanding and experiencing the layers of incarceration that breeds a new epistemological approach, a potential that has seemingly been untapped, at least in Australia.

In the domain of Australian criminal justice, scholars who work within convict and lived experience criminology often do not reflect the typical demographic profile found within Australia's prison population. This phenomenon may be attributed to the inherently punitive nature of prisons, which we argue are not designed to empower or amplify the voices of those confined within their walls. We see that individuals who exit the prison system with the encouragement to utilise their lived experience and advocate for much-needed reform tend to be more fortunate. As we show below, these individuals often possess robust social support post-incarceration and higher levels of education, which might engender more favourable perceptions from prison authorities. However, those who remain profoundly affected by trauma, familial cycles of intergenerational incarceration, and similar adversities are less likely to receive such encouragement. For example, recent statistics indicate that the most common offences leading to incarceration in Australia include acts intended to cause injury (26%), sexual assault and related offences (16%), and illicit drug offences (13%) (Australian Bureau of Statistics, 2023). Furthermore, individuals in prison generally have lower levels of educational attainment and higher incidences of learning difficulties and disabilities compared to the broader community (Australian Institute of Health and Welfare (AIHW) 2023; Dodd et al., 2022; Kendall and Hopkins, 2019). The pursuit of university education during incarceration (at least in the Australian context) is fraught with challenges, which is particularly pertinent for those aspiring to pursue academic careers. For instance, Torre and Fine (2005) underscore the systemic barriers and bureaucratic hurdles faced by incarcerated individuals seeking higher education. Nationally, around a third of people in prison participate in education programmes to some extent (Baldry et al., 2018), although demand generally exceeds supply (Graffam et al., 2014). Eligibility for educational programmes is usually limited to people with medium- to long-term sentences, while those serving short sentences or on remand usually have limited engagement with accessing educational programmes (Baldry et al., 2018). This limitation particularly affects women, who generally serve shorter sentences. In addition, continuity and completion of programmes are variable and even those who complete a Vocational Education and Training (VET) programme are not always able to get formal credentials that can be used on resumes after release (Baldry et al., 2018).

However, the Australian scholars with publicly disclosed personal experiences of the CLS who are currently engaged in academia within criminal justice do not mirror the wider demographic characteristics of the prison population, which highlights a gap between the lived experiences of the majority of the incarcerated population and those represented in academic circles. For example, Dwayne Antojado was convicted of fraud-related matters (Schelle, 2022) – this offence type only represented 2% of offending recorded in 2022 (Victorian Sentencing Advisory Council, 2022). Antojado also has a university degree and is pursuing other academic ambitions,

which do not reflect the milieu of those in prisons (Antojado, 2023b). Therefore, the question arises: how can one claim to represent, or at the very least, resonate with the views and experiences of a population segment that they do not embody? To address this conundrum, we turn to Pitkin's (1967) seminal work on representation. This work provides a theoretical framework to understand the complexities and nuances of representing experiences and perspectives that are not one's own, offering insights into the principles and dynamics of effective and authentic representation in academic and societal contexts.

Pitkin's theories on political representation

The discussion of representation has historically focussed on elected government officials and their relationship with their constituents. However, associating representation only with political processes can be said to avoid discussions on how one can provide adequate representation to others and what exactly is being represented (Heywood, 2015; Kurebwa, 2018). Representatives are authorised to act on behalf of those who are unable to, or prevented from speaking for themselves, on the issues being considered. The term representation implies feeling seen, heard and considered, in discussions relating to oneself in the broader system of society, even if not every individual has a seat at the table (Bartoszko, 2021; McPhee, 2021). In representative democracies, elected officials may not be the desired choice of a considerable proportion of their constituents, much less will they be able to perfectly reflect the opinions and values of all who elected them (Dovi, 2015). It is particularly relevant here to consider that those serving a sentence of 5 years or longer in Australia are unable to vote. Hence, this highlights a clear need to enable vicarious expression, as the right to vote is viewed as holding great symbolic value (Hill, 2000). It is important to consider that representation also extends beyond elected officials to include individuals and agencies. These include advocates, organisations and social movements, which seek to fill these voids in representation (Kurebwa, 2018). For example, representatives with a lived experience perspective allow for first-hand knowledge, to help inform policy where those impacted are adequately considered in the process, which can be seen in areas such as mental health. However, a dilemma for those with lived experience of mental health is the trouble and management of their participation. There is a risk of losing their position if they remain authentic without altering to suit the existing narratives of dominant groups (Voronka, 2015). Therefore, it is important to allow for authentic representation without co-opting views of marginalised groups (Voronka, 2015). Pitkin's (1967) conceptualisation of representation is 'to make present again' (Kurebwa, 2018, 50), in the sense that the voices of the represented groups are present and that the person doing the representing has some link to the represented group (Kurebwa, 2018, 50). In this way, individuals feel a sense of symbolic power, being part of the discussion through accurate and meaningful contributions (Pitkin, 1967).

Pitkin (1967) approaches representation as conceptualised through four dimensions: formalistic, descriptive, symbolic and substantive representation. This conceptualisation posits that a comprehensive understanding of representation necessitates a thorough grasp of the various contexts and manners in which this concept is applied (Kurebwa, 2018; Pitkin, 1967). *Formalistic representation*, which encompasses elements of authorisation and accountability, pertains to the institutional norms and directives that govern the initiation and conduct of representation (Kurebwa, 2018). *Descriptive representation*, on the other hand, seeks to accurately reflect the characteristics of those being represented, though its implementation is challenging, due to the complexities and subtleties inherent in lived experiences (Bartoszko, 2021). *Symbolic representation* focuses more

on the perceptions of the representatives, rather than their actual identities or actions, emphasising the influence of representation on both the represented group and broader public perceptions (Dovi, 2015). Thus, symbolic representation underscores the significant impact that arises from having a representative from within a particular group, affecting not only the group itself but also societal perceptions at large (Askew et al., 2022; Bartoszko, 2021). *Substantive representation* advocates for representatives to address the needs of those they represent, regardless of the representatives' personal characteristics, highlighting the necessity of fulfilling the represented individuals' requirements effectively (Kurebwa, 2018). Specifically, this can be applied to addressing the needs of those represented via enacting or advocating for policy change (Kurebwa, 2018). This article delves into symbolic and substantive representation, setting aside formalistic and descriptive representation. While all aspects of representation merit attention, it is recognised that descriptive representation falls short in capturing the intricacies of lived experience. Moreover, although the considerations of status, power and accountability integral to formalistic representation are significant and warrant further exploration, they may yield limited insights, when analysing individuals from, and those representing, marginalised groups.

Central to the discourse on symbolic and substantive representation is the premise that individuals within a group are less likely to feel accurately represented by those without direct affiliation with or the capacity to authentically articulate their perspectives (Dovi, 2015). While it might be challenging to find representatives who embody every individual characteristic within a group, the presence of representatives who actively engage with and comprehensively understand the needs and expressions of those affected by policy and reform enhances the depth of insight into complex narratives. Such representatives, armed with pertinent knowledge and experience, are pivotal in steering transformative changes. In the realm of criminological policies and processes, the imperative for suitable and impactful representation becomes evident. The implementation of these principles has led to contention when entities are established or policies revised concerning a specific group, without incorporating their input into the deliberation process (Askew et al., 2022; Bartoszko, 2021). This discourse further extends to the challenges representatives face in encapsulating the breadth of lived experiences, without oversimplification or generalisation. Additionally, societal resistance towards the reintegration of formerly incarcerated individuals underscores broader challenges in acknowledging their right to participate in conversations on matters directly impacting them, thereby highlighting the barriers to achieving meaningful representation and inclusion (Richards and Ross, 2001; Ross, 2024; Ross et al., 2014). This underscores the critical need for mechanisms that facilitate the inclusion of diverse voices, particularly those historically marginalised or silenced, in shaping policies and reforms that directly affect their lives and communities.

Hence, the necessity of integrating individuals with lived experience into discussions is distinctly evident. This integration enables people with lived experience to more effectively address issues marred by stigma, providing representation both symbolically and substantively. This approach draws upon the first-hand knowledge of those who have been incarcerated, empowering them to advocate for essential policy reforms (Anazodo et al., 2019). It is acknowledged that symbolic and substantive roles do not imply that a representative will embody the descriptive attributes of every individual they represent. Nonetheless, critical insight can emanate from the involvement of someone belonging to a broader collective, without presupposing uniformity, in dialogues where they can champion the needs of those affected by policy and reform change (Bartoszko, 2021). Involvement in this process extends beyond policy modifications, to also have the potential to alter public perceptions and related stigma in a positive way. Thus, emphasising the advantages

of engaging individuals with lived experience in the field of criminal justice not only fosters inclusivity but also underscores a set of skills uniquely possessed by those who have experientially understood scenarios that others may have merely studied or learnt about second-hand. For example, when considering diverse characteristics such as gender, culture or race in relation to the experience of incarceration, simply having someone convey the needs of a group but has no relatable experience may fall short. Those offering a symbolic representation, however, can be viewed as more able to effectively convey needs and create benefits for minority groups which extend beyond policy to greater interest and confidence in government and politics (Kurebwa, 2018). While there is not the assumption that all people belonging to a particular group have inherently the same experience, having some connection, for example, race, gender or culture, is still viewed as assisting in the representation of collective similarity of experience. With the overarching representation being that of the lived experience of incarceration.

In the United States during the mid-1990s, the paradigm of lived experience began to materialise and has subsequently been embraced in various areas, including the United Kingdom and Canada (Carey et al., 2022a). The ambition of this initiative is to forge an innovative approach for research within this sphere, facilitating the academic and professional progression within criminal justice of individuals who are currently or have previously been incarcerated (Ross, 2024). The prevailing concern underscores that, in the absence of this essential viewpoint, academic and policy-making circles might promulgate perspectives and implement decisions that fail to accurately reflect or benefit those most impacted (Doyle et al., 2021; Earle, 2018). This endeavour is motivated by an appreciation for the profound impact that the lived experiences of these individuals can contribute to discussions, advocacy and the formulation of policies (Ross, 2024). Further highlighted is the ability of individuals with first-hand experience to provide distinctive and pivotal insights symbolically, while also using their knowledge to meaningfully influence policy reforms (Carey et al., 2022a). The prevailing concern underscores that, in the absence of this essential viewpoint, academic and policy-making circles might promulgate perspectives and implement decisions that fail to accurately reflect or benefit those most impacted (Doyle et al., 2021; Earle, 2018). The auto-ethnographic researcher occupies a unique position, bridging internal and external perspectives, and thereby offering a comprehensive understanding of the subject matter (Earle, 2018). While incorporating such perspectives through qualitative research methods represents progress, it does not equate to the provision of a substantive role for representatives who are actively engaged in effecting change. Prior studies have illuminated the grievances of formerly incarcerated individuals, expressing that their experiences and the subtleties thereof are not fully grasped or accurately communicated (Bartoszko, 2021; Earle, 2018). The essence of authentic representation hinges on its ability to be meaningful both symbolically and substantively, necessitating the inclusion of individuals endowed with first-hand experience.

Application of Pitkin's ideas to lived experience work

It is acknowledged that effective policy should be shaped by the insights of those it impacts. This principle has been progressively recognised in the realms of health and disability, for example, where lived experience contributions on disability policy can be seen to offer a broad crucial perspective, to ensure that services are appropriately tailored to the unique and diverse needs of people with disability (Charlton, 1998; Meltzer et al., 2021). However, this principle remains insufficiently explored in relation to individuals with incarceration histories. As acknowledged by Quinn and Swirak (2023), who recognised barriers, while discussing the development of a model built

around positive disclosure of criminal history, there is a need for recognition of progress and active participation in breaking down stigma as argued by (Doyle et al., 2021). Hence, this oversight may partially be attributed to the stigmatisation and societal perceptions attached to those possessing first-hand experience of imprisonment (Ross, 2024). Historically, societal narratives have often relegated those previously or currently experiencing incarceration to the role of passive recipients of punitive measures, not affording them the right to actively contribute to the betterment of prison conditions and outcomes (Antojado, 2023a; Doyle et al., 2021). Nonetheless, as argued by Doyle et al. (2021), the nuanced narratives of those who have navigated the incarceration experience are invaluable, offering critical perspectives that contribute to dismantling prevailing negative stereotypes and fostering more inclusive engagement. Individuals providing symbolic representation vary in their criminal charges, duration of imprisonment, and demographic backgrounds, yet they share a commonality in the challenges encountered both during and after incarceration (Carey et al., 2022a). Through symbolic representation, opportunities arise for these individuals to assume active roles in policy formation, research and advocacy. Thereby facilitating substantive engagement, the representee and the represented can unite in their lived and learnt experiences. Underscoring the value of their participation as advocates and symbolic representatives, without claiming to embody a *typical* or purely descriptive representation (McPhee, 2021). Crucially, their role enables the establishment of trust with the represented communities, as opposed to reliance on authority figures devoid of shared experiences (Seppings, 2016).

In the application of Pitkin's conceptual framework, particularly regarding symbolic and substantive representation in the context of lived experience, it is imperative to acknowledge instances, where such representation has catalysed positive transformations and opened avenues for further contributions from those with relevant experience to impact policy, academia and reform. The efforts of emerging Australian scholars, including Dwayne Antojado, Damien Linnane, Sarah Tucker, Tina McPhee and Lukas Carey, though not *descriptively representative* of the majority with incarceration experiences, underscore a commitment to symbolic and substantive representation, fostering a deeper understanding and encouraging broader participation in academia. Combining their academic background in criminal justice and their personal experience Antojado (2023a) and McPhee (2021) advocate for the creation of pathways that enable individuals with similar backgrounds to pursue academic careers and influence discussions on pertinent issues. Focusing on the Australian setting, examples of individuals with incarceration experiences who have dedicated themselves to further studies and advocacy for CLS reforms (Antojado, 2023a; Carey et al., 2022b; Linnane et al., 2023; McPhee, 2021). Linnane et al. (2023) leveraged their lived experiences to advocate for Medicare access for incarcerated individuals, alongside promoting enhanced education and mental health programmes. Linnane's editorial role at *Paper Chained*, a magazine presenting stories and art by people affected by incarceration, further amplifies the voices and connections among those within the prison system (*Paper Chained*, n.d.). Moreover, McPhee coordinates a lived experience advocacy programme under the Justice Reform Initiative, aiming to train individuals with incarceration experiences in storytelling and advocacy (Coleman, 2023). These efforts align with Pitkin's (1967) portrayal of representation as making present, endeavouring to make substantial contributions to education and policy advocacy for the inclusion of those with incarceration experiences. Organisations such as Sisters Inside (n.d.) and Deadly Connections Community and Justice Services (n.d.) champion the increased involvement of individuals with incarceration experiences in discussions impacting them (Deadly Connections Community and Justice Services, n.d.; Sisters Inside, n.d.). Sisters Inside, founded by Debbie Kilroy, advocates for women and girls in the incarceration system, utilising collective

experiences to foster systemic reform (Sisters Inside, n.d.). Kilroy, with her legal background and personal incarceration experience, though not representative of all incarcerated women, facilitates engagement and policy reform, through symbolic representation. Sisters Inside therefore serves as an example of benefits pertaining to the symbolic representation of women by women. As previously mentioned, the benefits of symbolic representation can provide further benefits. While not all characteristics nor experiences of every woman experiencing incarceration are identical, this still offers improved perceptions of a person's ability to accurately represent group needs. Similarly, Deadly Connections addresses the enduring challenges faced by First Nations Australians, emphasising the importance of self-determination and advocacy by those with personal experiences of incarceration (Deadly Connections Community and Justice Services, n.d.). Given the ongoing legacy of colonisation and consequent over-representation of Aboriginal and Torres Strait Islander people in the Australian CLS, it is particularly important that This organisation, co-founded by Keenan Mundine, exemplifies the unique perspectives, not only of someone with lived experience of incarceration, but also an Indigenous person who can better advocate for CLS reform which encapsulates racial and cultural needs, and while uplifting others who can then see themselves reflected in this (Doyle et al., 2021). This collective effort among scholars and advocates with lived CLS experiences highlights a unified aspiration for reform and the uplift of individuals within or formerly within the incarceration system, showcasing the significance of active engagement and consultation in driving change.

Future considerations

The inclusion and (hopeful) empowerment of lived experience perspectives within criminal justice heralds a transformative shift, towards a more inclusive and holistic understanding of the CLS. This evolution challenges traditional, empirically-driven methodologies, advocating for an integration of personal, experiential insights from those directly impacted by the CLS. As the discipline progresses, it is imperative to critically examine and embrace the complexities of representation, ensuring that the diversity of lived experiences informs research, policy formulation and practice. In this final section, we outline seven future directions for criminal justice, focusing on academic considerations and strategies for engaging with individuals with lived experience of the CLS.

First, we call for an expanded scope of representation. The current landscape, as illuminated by the pioneering work of scholars with lived experience, underscores a crucial but underexplored facet of criminal justice – representation. Future scholarship must delve into the nuances of representational dynamics, ensuring that the breadth of experiences within the CLS is authentically captured. This will involve a granular analysis of the sociodemographic constitution of lived experience contributors, aiming to bridge the gap between the narratives presented and the heterogeneity of those affected by the CLS. Currently, there is a universal paucity of scholarly research investigating the demographic characteristics of academics with lived experience of the CLS. Nevertheless, the authors' anecdotal observations indicate that those scholars who openly draw upon their lived experience to inform their academic work do not reflect the wider demographics of individuals entangled within the CLS. Consequently, it is imperative to develop and implement pathways that address and mitigate the intersectional subjugation and barriers faced by these individuals. Such efforts are crucial for fostering inclusivity and diversity within the criminological discourse, particularly in light of the burgeoning lived experience movement. Embracing Pitkin's (1967) conceptualisation of symbolic and substantive representation, criminal justice must strive for a balance, where lived experiences not only reflect demographic diversity but also influence policy and

practice substantively. By embracing this concept, it will facilitate a move towards more effectively addressing the needs of those with lived experience. We however acknowledge this does assume a unified body within criminal justice as a discipline, which is often not the case. We acknowledge that enhancing representation alone will not provide a panacea for the ongoing discourse on lived experience within criminal justice. Incorporating a diversity of voices will however yield a more accurate and comprehensive depiction of the realities associated with interactions with the CLS. There is clearly a need for varied voices that can speak to intersectional (Crenshaw, 1989) lived experiences of the CLS, through the prism of race, class, gender, sexuality, disability and age, among others. This broader representation is crucial for fostering a nuanced understanding and advancing meaningful reform. Given the ongoing legacy of colonisation in Australia and the consequent over-representation of Aboriginal and Torres Strait Islander people in the CLS, it is particularly vital that Indigenous voices be at the forefront of the Australian lived experience movement.

However, we must acknowledge that while increased representation in this field is crucial, it is equally important to recognise that this is an emerging area of practice and scholarship. There is a risk that lived experience may be temporarily commodified within the context of populism, only to be relegated to the background once it is no longer in vogue. As with many new movements, we contend that currently, there is an opportunity for what Antojado (2023a) refers to as the 'common experiential narrative' which can serve as a conceptual tool, representing the views and experiences of individuals entangled within the CLS. Without this common thread, the lived experience movement risks becoming overly subjectivist and interpretivist, lacking a cohesive narrative that individuals on the periphery of the movement can understand and subscribe to. Without this cohesion, arguments may emerge that trivialise personal experiences, undermining the movement's impact and significance.

Historically, the convergence of predominantly White women to portray a unified movement fighting for women's rights was significant due to their effective collectivisation (Htun and Weldon, 2012). While intersectionality (see Crenshaw, 1989) has since critiqued and enriched the feminist project, it is worth considering that had the feminist movement initially focussed on intersectionality, the fragmented efforts of female activists might not have achieved the same impact. Similarly, we argue the lived experience movement must establish a unified narrative or position, at least in its genesis, to ensure its efficacy and sustainability to position itself as a mainstay of criminal justice. In other words, the narratives of the small yet formidable and passionate group of lived experience scholars and advocates in Australia must be approached with the understanding that they are shared with benevolent intentions and likely represent common experiences for those entangled in the CLS. There is no formal committee or steering group that systematically determines what constitutes common experiences – it has to be taken at face value. Consequently, the perceived need for representation among criminal justice scholars and practitioners may lead to excessive subjectivism, which risks trivialising this movement. We recognise the need for varied voices, to ensure a comprehensive understanding of and development of intersectional policy responses to the CLS. Therefore, we argue the calls for diversification in representation articulated in this article must be carefully balanced against the inherent risks and current precarity of lived experience knowledge and expertise with the criminal justice milieu, which could ultimately undermine the movement's future.

A second future direction is issues around power dynamics and inclusivity that need to be addressed. The criminal justice discipline must critically address the power dynamics inherent in the academic and research realms. This involves rethinking who is able to narrate lived experiences and whose narratives are valorised within academic discourse. There exists a manifest and

seemingly intractable issue in Australia: no scholar who openly utilises their lived experience to inform their academic work is employed on an ongoing basis by an Australian university. Unlike initiatives in the United States, there are no designated Australian academic positions in criminal justice specifically reserved for individuals with lived experience. This situation highlights the almost elitist nature of academia, which tends to marginalise those with lived experience, welcoming their expertise only when it may be deemed necessary. This issue aligns with critiques of universities, as institutions that perpetuate marginalisation. In universities, marginalised groups are often compelled to assimilate to predominantly White, Eurocentric norms and practices (Buckingham et al., 2023). Furthermore, the operationalisation of universities, exemplified by the use of academic language (e.g., Vanyoro, 2020), inherently distances marginalised individuals, making it difficult for them to resonate with the institution's modes of operation. This dynamic exacerbates the exclusion and marginalisation of these groups within the academic sphere. Moreover, from our observations initiatives aimed at integrating lived experience perspectives into criminal justice discourse are frequently led by scholars who lack personal lived experience. This dynamic exacerbates the exclusion and marginalisation of these groups within the academic sphere. Therefore, efforts should be directed towards dismantling barriers to participation for individuals from historically marginalised or silenced groups, ensuring their voices are not only heard but are instrumental in shaping criminal justice discourse. This underscores the argument that the discourse on lived experience should be led by individuals who possess such experience. While Charlton's (1998) mantra 'nothing about us, without us' is widely recognised, after reflection, we propose an extension: 'led by us, for us'. This extension signifies that individuals with lived experience should not merely contribute to the discourse but should serve as its leaders and proprietors, thereby asserting their central role in shaping and directing the conversation on lived experience. In turn, this will ensure that this movement will foster an environment where the lived experiences of women (Bozkurt et al., 2020), Indigenous peoples, individuals with disabilities, and those from socioeconomically disadvantaged backgrounds are actively sought, integrated and taken into account.

Third, criminal justice, as a discipline, needs to bridge the gap between academic and experiential knowledge. A significant challenge lies in reconciling academic knowledge with the experiential insights of those with lived experience. Future directions should include the development of interdisciplinary methodologies that value experiential knowledge as equal to empirical data. This could involve collaborative research models, where individuals with lived experience are not merely subjects of research, but are partners in knowledge creation, contributing to the formulation of research questions, data interpretation and policy recommendations. As Johns et al. (2022) have recognised, however,

[c]o-production is risky and requires imagination and a commitment to working – making – doing and learning together, allowing uncertainty to unfold. It takes time. It requires patience, trust, and gentleness. It demands relational engagement based on proximity, meeting each other as humans, not as parts of a system or machine (p. 134).

Fourth, to truly integrate the lived experience into criminal justice, there must be a concerted effort to enhance educational and professional pathways for individuals impacted by the CLS. This includes providing scholarships, mentorship programmes and academic support, tailored to the needs of those with lived experience, facilitating their transition into academic and professional

roles. On this note, we commend the organisers of the 2024 Reintegration Puzzle conference, under the supervision of the late Professor Joe Graffam at Deakin University, for providing scholarships to people who have lived experience of the CLS. In another noteworthy development, Joe Kwon started his Bachelor of Commerce at the University of New South Wales (UNSW) while incarcerated and went on to establish ConFit Pathways, which ‘engage[s currently] ... and formerly incarcerated young people through mentorship, education and employment, creating transformational change in all aspects of participants’ lives’ (University of New South Wales, n.d.). ConFit and UNSW have now established a partnership, with scholarships and accommodation for young people leaving incarceration. However, criminal justice as a discipline must also advocate for systemic changes within the higher education and professional sectors, to accommodate and value the unique perspectives and skills brought by individuals with lived experience. This also includes removing barriers, such as unnecessary criminal record checks, that impose a ‘status fragility’ (Tietjen and Kavish, 2020, 66) on (aspiring) academics with justice experience.

Fifth are ethical considerations and safeguarding. Engaging with lived experiences in research and academic discourse necessitates a nuanced understanding of the ethical implications of such engagement, including the risk of re-traumatisation. Future efforts must ensure that the participation of individuals with lived experience is voluntary, informed, and respects their autonomy and dignity. This involves developing ethical guidelines that address the potential risks and emotional impacts of recounting personal experiences with the CLS and ensuring that individuals are supported throughout their engagement with academic and research processes. As Gacek and Ricciardelli (2020) have highlighted, institutional ethics processes are more likely to impede than promote the voices and causes of those with lived experience of the CLS. Increasingly, institutional processes appear to be more concerned with form over substance, when it comes to ensuring *ethical* practices. By contrast, we commend the Justice Reform Initiative for covering a session on sharing stories safely in their lived experience training pilot programme. This is an example of ensuring individuals with lived experience feel safe and supported while providing such valuable contributions.

Sixth, policy advocacy and systemic reform. The ultimate goal of integrating lived experience into criminal justice is to inform and influence policy and systemic reform, drawing on ethnographic experiences of what is, and is not, effective in the criminal justice space. Future directions should emphasise the translation of lived experience narratives into actionable policy recommendations, advocating for changes that address the systemic inequities and injustices within and contributing to engagement with the CLS, for example, lived understanding of homelessness, unemployment and family violence. This will require building strong partnerships between academics, practitioners, policymakers and communities affected by the CLS, ensuring that reform efforts are grounded in the realities of those most impacted. Rather than reform efforts being driven by those who may have little understanding of the day-to-day realities of the issues about which they are developing policy responses.

Finally, promotion of public engagement and discourse. Criminal justice must extend beyond the confines of academia, engaging the broader public in discussions about the CLS and the importance of lived experience. This involves leveraging media, public forums and community events, to disseminate research findings and lived experience narratives, fostering a societal discourse that challenges stereotypes, reduces stigma and promotes a more nuanced understanding of criminal justice issues.

The inclusion of lived experience in criminal justice represents a critical step towards a more empathetic, equitable and effective CLS. All of the authors have experienced the gulf between

theory and practice and have seen rich examples of both what does and does not work. Far too often, the expertise of those with the most in-depth, lived understanding of the justice system is ignored, rather than seeing these accounts as a critical piece of the puzzle to refine and reform how the system operates. As the discipline moves forward, it must grapple with the complexities of representation, power and ethics, ensuring that the diverse narratives of those impacted by the CLS are central to the evolution of criminal justice thought and practice. By embracing these future directions, criminal justice can contribute to a societal shift towards a more just and understanding approach to criminal justice, one that values the voices and experiences of all individuals affected by the system.

Conclusion

How can individuals with lived experiences claim to offer nuanced perspectives of criminal justice interaction when their own demographic composition does not mirror the broader demographic that constitutes the makeup of people involved in the CLS? Throughout this article, we have shown how, in recent years in Australia, there has been some positive change, in terms of incorporating the experiences of individuals directly impacted by the CLS. While the Australian individuals active in this space may not fully encapsulate the demographic diversity of those impacted by the CLS, by invoking Pitkin's (1967) theories on political representation, we have shown how they do offer symbolic and substantive representation in the commonalities of the challenges people in prison and formerly incarcerated people can face.

But what's next? While we commend the work of our Australian colleagues, such as Antojado, Carey, Kilroy, Linnane, Mundine and McPhee, we see there is a need for further representation of lived experience in the Australian CLS in driving change. More needs to be done to not only encourage voices but also ensure that we, as a community of researchers and policymakers, are valuing these diverse voices. More also needs to be done to recognise that people in prison and formerly incarcerated people can provide substantial contributions to the CLS. These changes therefore may require further work by researchers and policymakers in ensuring they offer comfortable and safe spaces for the different socioeconomic groups in prison and post release. It is only through these changes that we can gain a deeper, more nuanced understanding of the complexities and realities of the Australian CLS.

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