



Restorative justice and policing

Information pack

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“This information pack is an invaluable resource which should be read and used by every police force. It will help forces looking to introduce or increase their use of restorative justice by providing valuable case studies, examples of best practice and useful information about training and accreditation. This will help to ensure that every victim in England and Wales can access restorative justice wherever and whenever they need it.”

Garry Shewan, Greater Manchester Police
ACPO Lead on Restorative and Community Justice

Introduction

This information pack has been developed by the Restorative Justice Council (RJC) to assist police forces in their provision of high quality restorative justice.



The RJC is the independent third sector membership body for restorative justice. Our role, with Ministry of Justice support, is to promote access to high quality restorative justice for all victims of crime across the country. The information contained in this pack is intended to help your force deliver safe, effective restorative justice.

Restorative justice is a victim focused resolution to crime. It empowers victims by giving them a chance to meet or communicate with their offender to explain the real impact of the crime. It also holds offenders to account for what they have done and helps them to take responsibility and make amends. Restorative justice can be used for both adults and young offenders and for any type of crime. It is not, as often portrayed, a soft option, and can be used at all stages of the criminal justice system from out of court disposals to alongside a custodial sentence.

Building confidence in justice and meeting the needs of victims are central to the role of the police. Restorative justice can help to deliver this. Government research has established that 85 per cent of victims are satisfied with their experience of restorative justice. The study also showed that restorative justice leads to a 14 per

cent reduction in reoffending and significant cost savings to criminal justice agencies and the taxpayer. Restorative justice also has the support of the public. A recent poll found that 88 per cent of people believe that victims of crime should have the right to meet the offender.

The use of restorative justice within police forces in England and Wales is increasing at a significant pace but it is developing at varying levels across different forces which can present a confusing picture. In some forces restorative provision is patchy, whereas in other areas it is more developed, with the police involved in multi-agency partnerships with other statutory and voluntary sector organisations to deliver restorative justice.

This pack provides information for all forces, from those hoping to introduce restorative justice to those who have extensive experience and wish to ensure that their use of restorative justice is carried out to the highest standards. We hope you find it useful. If there is further information that you would like to see included in future editions, or you have any comments, please do not hesitate to contact us.

Jon Collins
Chief Executive Officer, RJC

“It is clear that,
done well,
restorative justice
cannot be done
to (or even for)
victims, it must be
done with them”

Garry Shewan, ACPO Lead on Restorative and Community Justice

£1/£8

For every £1 spent on delivering restorative justice, up to £8 can be saved in lowering the cost of reoffending.

£400

A 2010 report found that using a Youth Restorative Disposal was £400 cheaper than using a reprimand.

180

One vulnerable victim made 180 calls to police over nine months. One restorative justice meeting resolved the issue.

85%

85 per cent of crime victims who have been through restorative justice were satisfied with the process.

33%

Only 33 per cent of victims felt traditional criminal justice met their needs.

78%

78 per cent of victims would recommend restorative justice to others.

89%

In Northern Ireland, 89 per cent of victims who attended a victim offender conference with a young offender were satisfied with the conference outcome.

78%

78 per cent of victims in Cheshire felt restorative justice was a better way of dealing with crime.

“Restorative justice face to face meetings mediated by police officers...improved perceptions of the criminal justice system, including the police”

Home Office

Victims say:

"It was so liberating to have a voice, and to know he'd have to listen to what I was saying"

"It gives you closure. People are never the way you imagine them to be"

"For me, restorative justice turned the tables and I don't feel like a victim any more. I'm in control now"

"We've got to stop being patronising and start being imaginative about victims"

Mike Barton, Chief Constable, Durham Constabulary

14%

Restorative justice reduces the frequency of reoffending by 14 per cent.

80%

80 per cent of offenders who took part in restorative justice conferences thought it would lessen their likelihood of reoffending.

<25%

Less than a quarter of offenders given a Youth Restorative Disposal or Adult Restorative Disposal by the police in Bracknell have reoffended.

Offenders say:

"Nothing prepared me for it. I think the main fear was looking into the eyes of the people that I'd stolen from. I even had nightmares over it, I was that worried"

"That [restorative justice] was my turning point. When I realised what effect my crimes had on other people, I felt ashamed and embarrassed"

Restorative justice and policing

What is restorative justice?

Restorative justice empowers victims by giving them a voice. It gives victims the chance to meet or communicate with their offenders to explain the real impact that the offence had on them and potentially receive an explanation and an apology. It also holds offenders to account for what they have done and helps them to understand the impact of their actions, take responsibility and make amends.

What are the ultimate goals of restorative justice?

Restorative justice ultimately aims to:

- repair the harm caused by crime
- empower victims by giving them a voice
- encourage offenders to take responsibility for their offence and take action to change
- reduce crime

Isn't restorative justice soft on crime?

Restorative justice is not soft on crime – offenders often say they found it much harder to face their victim than to go to court. Meeting the victim face to face and hearing about the impact of their actions frequently brings about a real sense of remorse and desire to change. This is the power of a restorative justice meeting.

Restorative justice is about far more than an offender apologising to their victim for a low level crime, and many victims find that it helps

them to come to terms with their experience and move on.

Does restorative justice work?

Research has shown that restorative justice has a positive impact on both victims and offenders. The government funded a £7 million, seven year research programme into restorative justice which showed that 70 per cent of victims chose to take part in face to face meetings which led to 85 per cent victim satisfaction rates. 78 per cent said that they would recommend restorative justice to other victims (only 5 per cent would not). The research also showed that face to face meetings reduced the frequency of reoffending by 14 per cent.

In terms of reoffending, how does restorative justice compare to other criminal justice interventions?

Restorative justice consistently outperforms traditional criminal justice processes alone across a range of offence categories of varying types and seriousness. No other intervention tested in the same way as restorative justice has demonstrated such a substantial effect on reoffending.

What are the standards for a police intervention to be considered as restorative justice?

To avoid confusion, ACPO's Restorative Justice Guidelines and Minimum Standards sets out four minimum standards for an

intervention to be considered as a restorative justice activity. The four standards are:

- 1 The offender must take responsibility.
- 2 The victim, community or other affected party must be involved.
- 3 There must be a structured process that establishes what has occurred and what the impact has been.
- 4 There must be an outcome that seeks to put right the harm that has been caused or an outcome that makes other reparation that may not be directly related to the original case.

What forms can restorative justice take?

Restorative justice activities can take many forms including:

- **Informal use of restorative justice:** Restorative justice techniques can be used informally in day to day work by police officers to deal with low level crime and antisocial behaviour. To be considered restorative, actions must include communication taking place between victim and offender to establish what has happened, who has been harmed and what can be done to repair the harm caused.
- **A victim offender conference:** This involves a formal face to face meeting between victim and offender led by a trained facilitator – police officers can be trained to this level. Supporters for both parties can also attend, usually family members.

- **A community conference:** This is similar to a victim offender conference but involves members of the community who have been affected by a crime.
- **Indirect communication:** Sometimes referred to as shuttle restorative justice, this involves messages being passed back and forth between victim and offender by a trained facilitator. The participants do not meet and messages can be passed via letter, recorded video or audio.

What happens at a victim offender conference?

During victim offender conferences participants meet to discuss a crime in which they have been involved. The discussion is led by a trained facilitator and supporters for both victim and offender can be present. The facilitator will lead a discussion on the crime by asking what happened, who was affected, how they were affected and what can be done to repair the harm that was caused. The participants may decide on an outcome agreement outlining actions to be taken to try to repair the harm caused.

Can restorative justice be used for any type of crime?

The RJC supports the use of restorative justice for all crime categories provided that it is facilitated by a practitioner with appropriate training and experience. Restorative justice has been seen to

work for victims of rape and families of homicide victims. When offered alongside the appropriate sentence, restorative justice can meet the needs of victims, from low level to serious crimes. Restorative justice can now be used as part of an out of court disposal, pre-sentence or post-sentence (including in custody).

However, some categories of crime pose particular challenges for restorative justice practitioners – in particular, cases of domestic violence and abuse. ACPO does not recommend that police officers use restorative justice in the vast majority of cases of domestic violence or abuse due to the risks involved for victims.

When during the criminal justice process can restorative justice be used?

ACPO specifies three levels of restorative justice as used in the criminal justice system:

Level 1: Instant on the street use of restorative justice as an alternative to other, more formal, processes to deal with low level crime and antisocial behaviour.

Level 2: Depending on the crime, this level can be used as an alternative to, or in addition to, the formal criminal justice process. Level 2 formal victim offender conferences can be arranged by police officers where a level 1 resolution could not take place, or for more serious

or persistent criminal offences. Level 2 conferences may include more participants and a risk assessment taking place. Police may refer level 2 offences on to a neighbourhood justice panel where trained volunteers from the local community take on the responsibility of facilitating meetings.

Level 3: Deals with offenders mainly post-sentence (although can be used pre-sentence) and can be undertaken while the offender is in prison. Cases may be complex and sensitive and offenders may be prolific, monitored by integrated offender management teams and deemed at risk of continued offending. These cases require experienced facilitators with specialist skills.

Can police facilitate restorative justice at every level?

Although the police are able to facilitate restorative justice in all the levels mentioned above, the majority of cases facilitated by police officers are for low level crime and antisocial behaviour. Below are some of the ways police can use restorative justice for these lower level crimes:

Out of court disposals¹: Out of court disposals are a category of ways of dealing with usually low level and often first time offending in a

¹ The use of out of court disposals is currently under review and the government is due to respond to a public consultation by the end of 2014.

proportionate way that does not require taking the offender to court. Restorative justice is not a disposal in itself but a process which can be used alongside a number of out of court disposals. Out of court disposals should only be used in cases in which the offender has admitted responsibility for their offence and some forms of out of court disposal can include an element of restorative justice. The use of out of court disposals, as well as the terminology used, varies among different police forces.

Community remedy: Recently introduced, the community remedy gives victims of low level crime a say in how the police deal with their offender. Each local policing body has recently produced a document (which will differ between forces) with a list of possible sanctions that offenders can participate in after committing a low level crime if they are being dealt with out of court.

Victims will be given the chance to choose one of these sanctions which an offender will undertake. If the victim wishes the offender to take part in an activity listed in the document, the offender must take part unless the officer feels it inappropriate.

Many of the community remedy documents will include an element of restorative justice on their list of options. Victims' views should be central to the implementation of community remedy, and the benefits

of restorative justice need to be explained to victims so that they can make informed decisions.

Community resolutions: Community resolution is a type of out of court disposal used by the police to deal with low level crime and antisocial behaviour. Restorative justice can be used as part of a community resolution but the two are distinct and separate and community resolutions can take place without restorative justice. To be considered restorative, a community resolution must meet the ACPO standards set out above. When restorative justice is part of a community resolution, a restorative meeting between victim and offender, which the police officer facilitates, may take place at the scene of the offence to deal with low level crime effectively and proportionately.

Youth Restorative Disposals: Some police forces also use a specific type of disposal for first time offenders under the age of 18 known as a Youth Restorative Disposal (YRD). The YRD involves an informal restorative justice activity taking place directly after a crime has been committed, and was piloted in eight police forces in 2008-2009. Like all out of court disposals, to be considered a restorative justice action the YRD must conform to the ACPO guidelines above. Some police forces also have a similar disposal for adults.

Adult and youth conditional

cautions: Conditional cautions are cautions which have one or more conditions for the offender attached. One of the conditions which can be attached to a caution is for the offender to participate in some form of restorative justice. Restorative justice can also be used as the process by which to decide on conditions for the caution – for example, the victim and offender may take part in a restorative justice process and agree on the offender replacing damaged property.

The police can also refer cases on to other organisations such as charities or other statutory agencies who may be able to facilitate a restorative justice activity depending on local circumstances.

What is a neighbourhood justice panel?

Neighbourhood justice panels (NJPs) provide a form of restorative justice conferencing. NJPs involve trained volunteers from a local community facilitating meetings between victims and offenders for low level crime and antisocial behaviour. Referrals can come from police, local authorities and housing associations among other agencies. A Ministry of Justice pilot project of 15 NJPs found that they were felt to be a useful addition to the existing restorative justice approaches, with “panel meetings successfully opening up communication between the parties involved and facilitating the

agreement of resolutions". Many NJPs have reported excellent results including very high victim satisfaction rates.

What training do police officers need to use restorative justice in their work?

Training in restorative justice is the bedrock of quality practice, particularly for practitioners who facilitate face to face meetings. There are different levels of training which police can undertake depending on the extent of the restorative practices they use. The RJC has an online Trainers Register which lists providers who have signed up to our Code of Practice for Trainers. The Code of Practice sets out the minimum requirements for training in restorative justice.

To learn more about training and accreditation please visit: www.restorativejustice.org.uk/training.

How do you keep people safe during restorative justice?

Restorative justice only works if it is done well. Victims have to know that they are at the centre of the process and trust the facilitator that it will be safe and meet their needs. For this reason national standards, training and accreditation are crucial. The RJC has published Best Practice Guidance for practitioners and provides accreditation for facilitators and a quality mark for services. Any police officer who facilitates

restorative justice activities needs to be properly trained.

What is the difference between reparation and restorative justice?

Reparation involves an offender undertaking certain actions to make amends for their wrongdoing – for example, by paying back stolen money or mending something they have damaged. Restorative justice must involve victims and offenders coming into communication. Sometimes the victim and offender will agree on the offender taking part in some form of reparation but this would be the outcome of restorative justice, not restorative justice itself.

What is the distinction between community resolution and restorative justice?

Community resolution and restorative justice are distinct and separate. Restorative justice is not a disposal, it is a process that can be used at any stage of the criminal justice system for any level of crime alongside – or as part of – an appropriate sentence or out of court disposal. Community resolutions are an out of court disposal that the police can use to deal with antisocial behaviour and low-level crime, and can be used with or without restorative justice.

What is pre-sentence restorative justice?

In an important development for restorative justice, the Crime and Courts Act 2013 gave courts the power to defer or adjourn sentencing in order for restorative justice to take place in cases where both victim and offender are willing to participate. Pre-sentence pathfinders are currently underway in 10 Crown Courts across the country to determine the best way of implementing pre-sentence restorative justice on a national scale.

An interim evaluation of this project will be available later this year with a full evaluation ready by the summer of 2015. Toolkits on pre-sentence restorative justice will be developed in the first half of 2015 which will include lessons learned both from the Crown Court study and from previous pathfinders undertaken in three magistrates' courts. Pre-sentence restorative justice guidance has now been published.

Implementing restorative justice in a police force

Gary Cogan is the restorative justice development officer for Greater Manchester Police. In this article, he talks about the growth of restorative justice within his force.

For the past few years, Greater Manchester Police (GMP) has been at the forefront in the use of restorative justice. During 2009 ACC Garry Shewan, who had recently joined GMP from Cheshire Constabulary, set out a vision for the use of restorative justice in Greater Manchester following the success of its use in Cheshire. Garry saw how it could benefit GMP by giving officer discretion back after a decade of target chasing and by allowing them to re-engage with communities to deal with low level crime and antisocial behaviour in a victim focused way.

Following a successful eight week trial in 2010, GMP made the decision to roll restorative justice out across the force. A training team was established and training commenced in late 2010. This training was key to the successful implementation of restorative justice as it allowed officers to make informed decisions at incidents and act in the best interests of victims. It ensured officers did not use restorative justice inappropriately – while no crime is deemed to be outside the scope of restorative justice, careful consideration must be taken when using it for certain offences, such as domestic violence and sexual crimes. Where it is used for these offences it must only be in exceptional circumstances and rigorous safeguarding and policies have been put in place to ensure this.

Restorative justice is now at

the stage where it is becoming fully embedded at all stages of the criminal justice system in Greater Manchester. Level 1 restorative justice is used for 'on street' incidents which need to be dealt with quickly by response officers. Level 2 is aimed at neighbourhood officers and is designed to deal with incidents which have a wider community impact. Level 3 is aimed at post-conviction prisoners and GMP works closely with Greater Manchester Probation Trust and the Prison Service.

GMP is currently implementing Neighbourhood Justice Panels (NJPs), which use community volunteers to facilitate meetings with victims and offenders, across the force. NJPs allow victims and the local community a louder voice in the judicial process. Greater Manchester is also piloting pre-sentence Crown Court restorative justice in conjunction with Victim Support to offer restorative justice to victims of serious offences when offenders have pleaded guilty in court. All of these processes represent a paradigm shift in the way GMP deal with crime, the way in which victims are dealt with and the important role they play.

In terms of volume the use of restorative justice by GMP has risen consistently since 2010. In 2013 restorative justice use accounted for 16 per cent of all solved crimes, or just over 8,000 crimes. The benefits of restorative justice are clear – reduced costs and improved efficiency, reduced reoffending rates

and increased victim satisfaction when compared to more traditional disposals. A level 1 restorative justice process takes on average one hour whereas a warning takes almost five hours and a reprimand four hours. When looked at across the force, this equates to huge savings in officer efficiency when restorative justice is used.

Evaluation of the trial in 2010 found similar cost savings, with an estimated £700,000 saved across the force in a 12 month period. This did not include any costs incurred by prisoners entering the custody suite and being processed, which would of course also be avoided by the use of restorative justice. A similar story can be found with reoffending rates for those who undergo restorative justice. In 2011-12, GMP undertook a study into reoffending and found that for those who undertook restorative justice, the reoffending rate was lower than for those who did not. However, the greatest reason for the continued use of restorative justice has been seen in the victim satisfaction rates, which continue to be in the 90 per cent range. Victims are no longer left outside of the judicial process feeling little in control but have a voice in how the crime is dealt with – something often lacking with traditional disposals.

Restorative justice is now embedded as a concept in Greater Manchester and looking to the future it is time to see how we can make better use of it. In line with ACC

Shewan's vision, the use of level 2 restorative justice and NJPs will be expanded and this will mean that the quality of restorative justice provided will be further improved. The next 12 months will be an exciting time for the use of restorative justice and its development and GMP will continue to work according to the principles of restorative justice – to achieve victim re-empowerment, challenge offender behaviour and put justice back into the heart of the community.

Gary Cogan
GMP Restorative Justice
Development Officer



Restorative justice on the ground

Alison Precious is a police constable and trained restorative justice facilitator. Here, she talks about the variety of her case load and some of the positive results she has achieved with restorative justice.



The classroom dispute

"A young boy said that he was being bullied by a group of other boys, but once we investigated there appeared to be issues on both sides. A conference was arranged with all the boys and their parents in attendance as well as representatives from the boys' school. Initially some of the parents said that they thought their sons were being unduly targeted. After the conference was completed, however, all the parents stated that they had learnt things about their children that they hadn't known before. Not all these things were positive, so this was a lot for the parents to admit."



The bag theft

"I dealt with an incident in which a woman had stolen a handbag from another woman in a pub. We arranged a conference between them and during the meeting the harmer sat clutching a handbag on her knee the whole time. The offender's mother was present for support and she said that she was devastated that her daughter had stolen the bag. When the conference was completed, the harmer gave the handbag she had been clutching during the meeting to the woman she'd stolen from to replace the one she had taken. She also agreed to other reparation for her victim."



The pub fight

"A conference that had a profound effect on all parties was an incident of violence at a pub. Everyone involved agreed to take part in restorative justice. Even though the licensee was nervous about seeing the harmer, she wanted to speak to him and show him CCTV footage of the night of the incident. Initially when she came in she would not look at the harmer, but as the conference proceeded she became more involved and she showed him the CCTV footage, which really shocked him. By the end of the conference they were talking openly to each other. After the conference the licensee said that she was glad she attended as it took the fear of the man away and she had now seen him as a normal lad. She had not expected the conference to have such a profound effect – she told me that she couldn't believe how much better it had made her feel."

Repairing the Harm

The film *Repairing the Harm* tells the story of a group of teenage boys who damaged a communal garden opened with money raised by the local community. The boys had camped in the garden and had damaged a fence around a children's playground and some memorial trees.

The film shows how an out of court disposal allowed the community to move on from this thoughtless act of vandalism. In a police-facilitated restorative conference, the young men responsible for the crime listened to the affected community and were made to take full responsibility for their actions.

PC Loz Elphick, who facilitated the restorative conference, said: "[The community] do feel that justice has been done. Whereas sometimes going through court, it's a slap on the wrist and that's the end of it, they felt that this was giving more justice than dealing with them [the young men] with more traditional methods."

To watch an excerpt of the film visit: <http://vimeo.com/rjcouncil/repairing-the-harm-excerpt>

Vandalism in Warrington

When a memorial commemorating the victims of an IRA bombing was vandalised and a plaque was stolen, the national media picked up the story. Detective Inspector Adam Ross explains why Cheshire Police decided to use restorative justice as part of an out of court disposal to deal with the offence.

On 20 March 1993 two bombs were detonated in Warrington town centre by the Provisional IRA. Dozens of people were injured and two children were killed by the blast. In 2012, when a memorial to the bomb victims was vandalised and a plaque dedicated to the children was found to be missing, the local community and the national media were outraged.

Detective Inspector Adam Ross, who investigated the case, said: "Everyone in Warrington knows the River of Life memorial to the bomb victims. The IRA chose the town between Liverpool and Manchester to set off two bombs in the early nineties, it was a huge tragedy for the town.

"The case itself was not something that would ordinarily come into the CID office, just a theft of a piece of metal. But it came through to us because of the significance of that piece of metal. It was a very, very emotive case. It was of the utmost importance that we got it back.

"The offenders were caught through good old-fashioned bobbying by my team. An officer who had suffered an injury and couldn't do front line duties was able to do a very time consuming CCTV trawl."

The CCTV uncovered two separate perpetrators. One man, in his twenties, had pulled the plaque off the wall after a night out drinking with friends. An image of this man was released to the press and he handed himself in almost

immediately. DI Ross said: "He was really remorseful, gutted, bawling his eyes out. He thought his life was over. 'A moment of madness', he described it as."

The second offender, a man in his fifties, had later found the plaque in the street and taken it home with him. This man was seen on CCTV acting suspiciously in the area of the crime and, after a routine visit from DI Ross to establish what he knew, he admitted his part in the offence.

The high profile of the crime and its significance to the community and particularly the family of the bombing victims, meant that DI Ross decided to see whether restorative justice could be an option as part of an out of court disposal to deal with the case.

Both offenders expressed willingness to take part in a conference. This would mean meeting face to face with Wendy and Colin Parry, the parents of Tim Parry who had died in the blast and whose name was on the plaque, as well as council officials who maintained the memorial. The younger offender in particular was keen to take part. "He was remorseful and was hoping to move on with his life and do some good for society," said DI Ross.

DI Ross referred the case onto Ellie Acton, the strategic restorative justice lead at Cheshire police. "The meeting took several weeks to organise. There was preparatory work to be done with the council, and with the family of Tim Parry. We went to speak to

them to see how they wanted us to proceed with the case."

DI Ross explained to the family that restorative justice used as part of an out of court disposal could be the most punitive measure available in the case. Due to the nature of the crime, which was low level in criminal justice terms, and the fact that the two offenders did not have relevant previous convictions, it seemed unlikely that a court would pass down a tough sentence.

The restorative justice conference was facilitated by Ellie Acton and attended by both offenders, representatives of the council and Wendy and Colin Parry. It gave Wendy and Colin the chance to explain how they felt after the act of vandalism and how disappointed they were with the actions of the offenders. DI Ross said: "Colin and Wendy Parry gave it to the offenders massively. And so did the leaders of the council."

The conference helped the offenders come to terms with the effect of their actions and coming face to face with the victims of their crime had a big effect. DI Ross said: "The meeting changed the younger offender's life forever. He was extremely remorseful. I don't think that he would even walk on the cracks in the pavement in future if he was told it was illegal. I think it had a massive effect on him."

He continued: "The older offender was accepting of what he had done, but he was still of the mind that he

didn't really realise what he was taking when he picked up the plaque. But that line became indefensible when Wendy and Colin Parry pointed out that he had seen it in the news and had kept hold of it rather than handing it in to the police."

During restorative justice conferences, offenders and victims can create an outcome agreement with actions that offenders will carry out to try to repair the harm they have caused. DI Ross explained: "The offenders agreed at the conference to undertake reparation work at the Peace Centre that the Parrys had set up in memory of the bomb victims. It was a condition of the restorative justice disposal that the offenders carried out the work they had agreed to at the restorative justice conference or I would come looking for them and they would have been charged with the original offence."

He continued: "The younger

offender did a sponsored run for the Peace Centre charity and also did some voluntary work there. The older guy was a cleaner by profession and did some cleaning of toilets at the centre. That was a far more severe punishment than a small fine handed down by a court.

"Wendy and Colin Parry were really positive about the experience, really happy. Because of the impact of this case on the community and people wanting to know what had happened, the restorative justice was a way to show that there was a positive outcome with people admitting the crime and having been dealt with."

DI Ross concluded: "The local authority CCTV operators, the neighbourhood officers, and my team all got chief superintendents commendations and the plaque was presented back to Wendy and Colin Parry and the council."



The black community youth forum

An innovative engagement project in Gloucester is seeking to improve relations between the police and young people from the local black community. The project was set up by the Gloucestershire Constabulary and is run by Paul Mukasa, Becky Beard and Jude Watts from Restorative Gloucestershire. In this article, Paul Mukasa discusses what they have learned so far.



Community engagement comes in many different forms, but this particular project is designed to be restorative, which is reflected in a number of ways. Initially, it's all about the preparation. We work with police officers before putting them together with the young people and get them to think about the effect of their actions and styles of communication. We prepare the young people by talking to them about their experiences of contact with the police. We ask them to tell us about incidents they've been involved in and get them to think about whether their involvement was controversial. Then we encourage them to think about the consequences of their actions on the police during that contact.

Once the preparation has been done the conference itself follows the format of a traditional victim and offender meeting, although there are a lot more people involved. We've had anywhere between 10 and 20 young people in a conference and, including the police officers, there can be up to 30 people in the room. The young people we work with are sourced from local youth groups, and we accept anyone who is put forward. The only proviso is that we have to be able to see them beforehand to prepare them, after which they go away and think about what they might want to bring to the meeting.

The aim of the project is to increase police awareness of how

the young black men and women feel about and react to them and to understand the different forms of communication that the police may have when dealing with young black people. This can often involve subtle nuances, many of which have been raised during the conferences. For the young people, being approached by the police in the street causes anxiety – if they engage, their peers might see them as a 'snitch', which can have serious repercussions. To avoid this, they might nod by way of greeting without actually speaking. To the young people, that's a polite way of acknowledging an officer without having to speak, but to many officers it comes across as rude and antagonistic.

While the young people are unwilling to be seen associating with the police for fear of reprisals, it is frequently their defensive body language which results in an encounter. Participants explained that when they see police: "Hoodies go up and hands go in pockets." Ironically, this is often the behaviour which prompts the police to do a stop and search. Raising awareness among officers of these types of cultural difference could assist with future communication and engagement activities, and the findings from the project are being taken forward and used to develop police training.

Like a traditional restorative justice conference, our sessions have ground rules which we stick

to – this is essential when there are 20 young people and half a dozen officers who all need to be heard. We also allow the participants to make their own ground rules during the preparation stage so they have some ownership of the conference. We stick fairly closely to the restorative script when a young person is talking about their experiences and then we ask an officer to respond. Even though it's not the officer who was involved in a particular incident, this works well.

It has been interesting to observe that even with so many young people in attendance they tend to stick to the ground rules. They're engaged, and they want to ask officers questions, so if one of them is giggling, or behaving inappropriately, the others will pull them into line.

The circle also includes a youth worker, who has been prepared not to say anything unless they need to support one of the young people who might be having difficulty expressing themselves. After an officer has responded, we go back to the young person who described an incident and ask them how they feel having heard the response. If a situation has been described which didn't conform to best practice, the officers in the session have been very open about admitting that.

We see a significant thawing in relations as the sessions progress. In the first session, about 20 young people came in and they were very anti-police – the officers were quite



apprehensive at the start. That conference lasted for nearly three hours. Towards the end, an officer who had moved to Gloucester from South Africa spoke. He told the group how much worse relations are between police and young people where he comes from, and described some of the violence that occurs. At that point, one of the young people responded by agreeing – he said that he was originally from Jamaica, where the police are also ‘10 times worse’ than they are in the UK. Another officer then joined in. He said: “From tomorrow, I’m going to change the way I address people in the street.” That was one of many key turning points.

Some really interesting issues have been raised in our sessions. One of the young people pointed out that a ‘good’ day for the police means arresting lots of people and finding lots of drugs. He went on to suggest that perhaps this should be seen as a ‘bad’ day, with days when police protect people without making arrests or finding drugs being the ‘good’ days.

Another issue raised was the difference between community officers, who are generally perceived as ‘moving forward’ in their attitudes, and response officers. Officers in the room supported the comment that a bad interaction with a response officer could completely undo all the goodwill a community officer has generated. They expressed anger that one of their colleagues, by

not considering the impact of their actions, could have a negative impact on their own interactions within the community. One officer commented: “They harm me when they behave like that.”

Despite overall negative opinions of the police, the young people who have taken part have been able to start discussing ways in which better relations could be built – albeit with the acknowledgement that it might take a very long time. All participants agreed that it would help if officers turned up to community events, like youth clubs and football matches, out of uniform and in their free time. Attitudes were also challenged, with one participant remarking that even when in uniform, officers could do more: “Lose the stance – fit in!”

After the formal conference, there is a reintegration session where pizza and drinks are served and more informal conversations can take place. This is an important part of the meeting when the officers get a chance to mix with the young people. In one meeting, officers chatted with the participants and told them all about how a stop and search should be conducted, and gained understanding of the young people’s families and communities. In another, a group of girls spent time trying on police uniforms and looking at handcuffs and other equipment. Some even asked what they would need to do to become police officers, which would have been unlikely before the session.

From the point of view of the young people, who often have a deeply ingrained fear and mistrust of the police, these sessions humanise officers. They leave understanding that officers are individuals, like them. They then take this back to their peers, which is really important. Usually, young people will only ever discuss instances of bad engagement, and in that sense, their perception of the police is only as good as the worst officers. We are giving them a chance to spread the word about good engagement.

In order to become more restorative generally, the police need to explain to people more about what they’re doing and why. They need to understand how to communicate in different ways with different groups within the community, because people understand communication in different forms. This is difficult, particularly for response officers because they often don’t have the time to get involved with local communities. The only answer is to carry out more engagement work like this, both with young people and communities as a whole.

I hope this project is rolled out nationally. Significant change is going to take a long time, but if the findings from this project and others like it start to be included in police training, it will be a very positive step in the right direction.

Paul Mukasa
Restorative Gloucestershire

Dan's story

Meeting their victims through restorative justice can be a tough experience for offenders. Dan* was sent to a young offenders' institute after being convicted for burglary. Here, he talks about the impact restorative justice had on him and how it helped him to turn his life around.

"While I was in prison I took part in a programme called Jets, which is a bit like restorative justice. They made us see how our actions affect everyone around us, and that's when I first met Alan, my probation worker.

"Alan talked to me about writing letters to victims, and possibly going on day release from prison to meet them. I said I'd be happy to write a letter, but I didn't want to meet the victims while I was inside. It would have looked like I was only doing it to get my early release. I spent a month writing a letter to my victims. I did it about five different times before I felt it was finally good enough to send off.

"I was released after seven months, and the first thing I had to do was go to my YOT [Youth Offending Team] office. Alan mentioned restorative justice to me and I thought it sounded good. Quite a few victims wanted to come forward.

"Nothing prepared me for it. I think the main fear was looking into the eyes of people that I'd stolen from, the people that I'd made feel unsafe and brought pain to. I even had nightmares over it, I was that worried. I wanted to prove to myself that I could actually get through this, and do it. That I wasn't just going to run away and hide from it

like I used to run away and hide from everything else.

"The first meeting came. I remember it was a couple. When they first walked in, I literally felt like cracking in half and disappearing. I didn't want to be there. Paul, the restorative justice facilitator, did the introduction part, and they asked me why I did it, and if they were a specific target. The more the meeting went on, the more I felt comfortable being there, and I opened up more.

"When it was over, I felt on top of the world. The main thing they were worried about was that they were specifically targeted, and that we were going to come back for them again because they'd called the police. I felt really good that I'd taken a bit of the weight off their shoulders, and that I'd done something right.

"I was always scared stiff before every meeting. But then after every meeting, I came out as happy as anything. I felt like I'd got a chance to explain my situation, and they'd got a chance to explain their feelings towards me, which helped me to understand how wrong it was. All in all, that was brilliant.

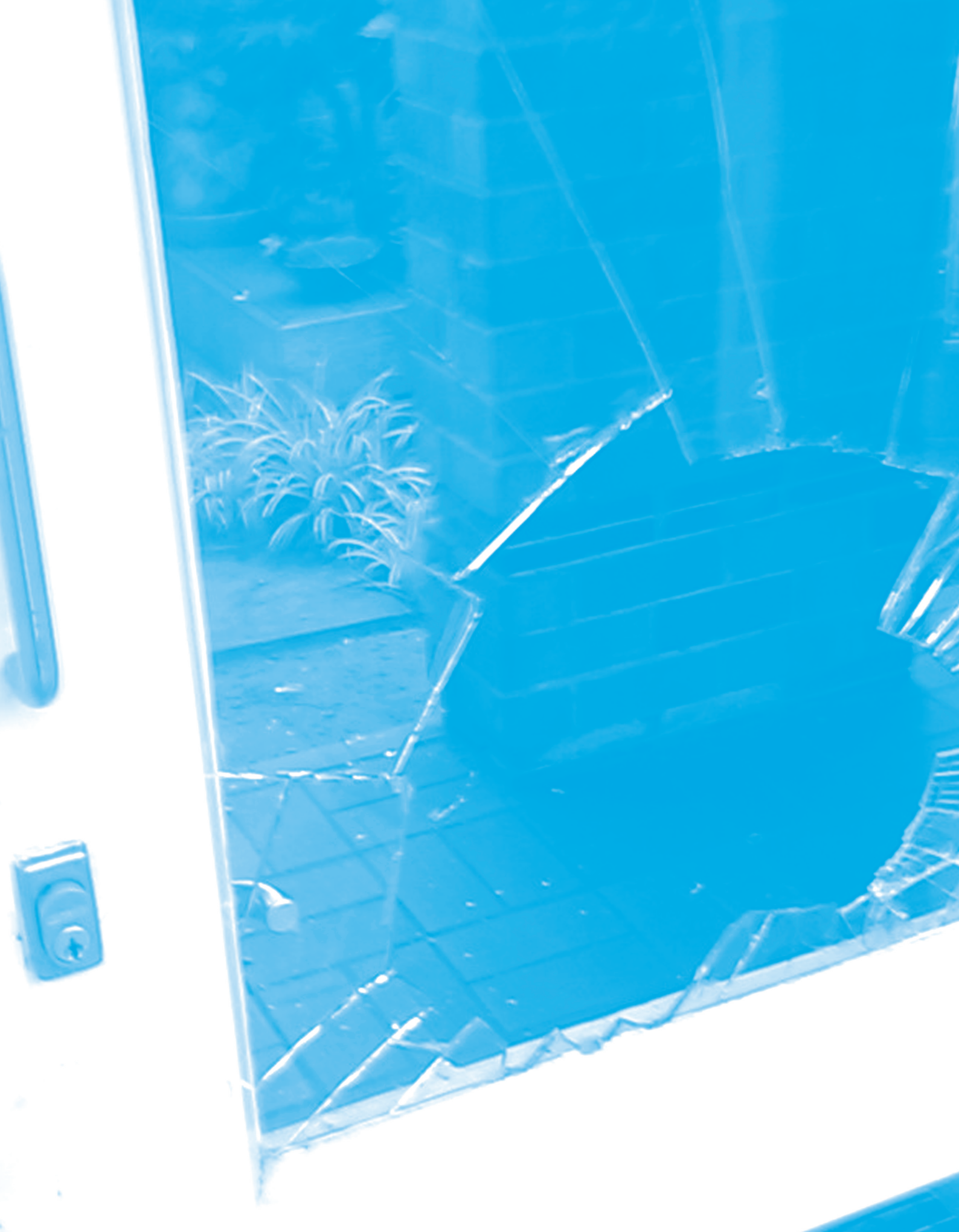
"Going to prison, that's just running away and getting away from it all. But to actually go into a room and

sit down knowing that they're going to walk through that door in a few minutes time and want to know why you stole from them – that's scary for me. Every time, it kind of broke me, but it made me as well. I was looking in their eyes and thinking I don't know these people, they don't know me, they've never done anything wrong in life, as far as I can tell, and I've taken their things. A lot of people would have said, "No, I'm not doing that", but I tried to give them the best explanation I could, and apologise for what I'd done.

"I had a lot of friends who supported me. They were ringing me up the moment I came out, saying, "Well done, Dan!" It really put me on top of the world, and made me think, If I can do this, what can't I do?

"At the moment, I'm being a full time dad to my four-month-old daughter. She's been the main turning point for me, her and my partner. I want to do the best I can now. I'd like to work with kids like me, trying to stop them getting into the life I had. I want to get myself involved in as much as possible and do some good things for the community, to try and give something back. I want to make a difference."

* Dan's name has been changed.



Callum's story

When a child was seriously harmed in a classroom incident, Nottinghamshire Police used restorative justice to meet the needs of the injured boy and his family, and demonstrate to the offender the seriousness of his actions. Here, Callum's mother and Sergeant Deborah Barton-Moran talk about their experience.

The parent

"That morning, one of the school's regular Cover Supervisor Team was taking the class, and things were a bit unsettled. My son Callum has Asperger's Syndrome, so he finds changes to his routine quite difficult. When one of the other lads came up to Callum and tried to take his pen, Callum shrugged him off, and the other lad punched him square in the face. Callum got really upset, and started to have a fit. The teacher put him in the recovery position, and someone called 999, but by then he was turning blue. Luckily, the school's site manager had just been on a first aid course, and knew immediately that Callum needed CPR. If he hadn't made that decision, Callum wouldn't be here today.

"Me and my husband were in the car on our way back from the supermarket when we got the call saying that Callum had been in an accident. We weren't told much, but we knew that the police were involved, and my first thought was that Callum had been stabbed. When we arrived at the school, all I remember was screaming 'Where's Callum?' Then we saw him lying on a stretcher, but we didn't know what was wrong with him.

"It felt like an eternity in the hospital while they tried to work out what was wrong with Callum. He was unconscious for four days – it was a very emotional time. He finally woke up on the Sunday evening, and he had to be re-sedated because he didn't know where he was and became frantic. While we were at the hospital, the police told us that he had been hit by another lad. I remember walking out of intensive care, where Callum was, and kicking the wall – I was so angry I was shaking. I just wanted the lad who'd hit Callum to see what he'd done with just one punch. We found out later that Callum has Sudden Death Syndrome (SDS), so that punch could have killed him.

"When Callum finally came home and we'd all calmed down, I started to realise how lucky we were to have him back. I also started to think about what had happened – it was just two 14 year olds having a disagreement, and one misplaced punch. I didn't want Callum to have to go through court and re-live that, so when restorative justice was mentioned, it seemed like a good idea.

"While Callum was in intensive care, we took photos and kept a diary so that he'd be able to look back later

and fill in the gaps about what had happened. Because of his autism, he was completely against having a face to face meeting with the boy who'd hurt him. That was when I came up with the idea of showing the boy the photographs from the hospital. I thought it would have a much bigger impact than a slap on the wrist from the police – really make him look at what he'd done.

"Sergeant Debbie Barton-Moran who was facilitating the restorative justice, showed the photos to the lad, and she told me that he and his mum were both in tears when they saw them. It was a total shock to them to see what state Callum had been in. The boy wrote a letter to us – he drafted it four times before he was happy to send it. I thought it was very brave of him to write it, and it made me feel a lot better. Callum finally went back to school a couple of months later. It took a while, but he's settled back in now and he's doing well.

"In cases like this, I think restorative justice really works. Just showing someone what they've done has much more impact than being locked in a cell or taken to court."

Lynne Massey

The police officer

"I have a dual role within Nottinghamshire Police – youth issues and restorative justice development. Because Callum was so unwell, this case was treated by the police in the same way as a murder or other really serious offence. I was approached by the CID officers to see what could be done to meet the needs of both boys' families and the demands of the criminal justice system. As I have run many successful restorative approaches over the years it was natural to me that a restorative justice conference would be a good way forward.

"When I met the young man who had punched Callum and his family they were very supportive of taking part in anything to try to put things right. Callum's family wanted the young man to understand how dangerous just one punch could be. The photos they asked me to show him were very harrowing, and showed Callum wired up to life support machines. A great deal of sensitive mediation took place before we all agreed that the photos could – and should – be shown.

"I also went to the school to meet a team of teachers who had been very affected by the trauma of the incident. This was not a formal healing circle but I managed it in a similar way, giving people at least some opportunity to tell their story.

"On the day that Callum returned to school arrangements had been made for me to run a healing circle with the youngsters who had been present on the day along with some of the teachers I'd already met. Callum came into the session – he didn't say a lot but was definitely involved in the process and did answer some of the questions asked. We worked through how people felt about what they had seen and how it had affected them. The group decided at the end of the circle that the school needed to work on the message 'Just one punch can kill'. When asked how they felt about what had been said in the circle, they all said they felt it was better now that they had spoken about it.

"The school have started the journey to developing restorative approaches, and I recently had the pleasure of training 16 of the students in peer mediation."

Sergeant Deborah Barton-Moran

The RJC would like to thank Sergeant Deborah Barton-Moran and the Massey family for sharing their stories with us.



Training in restorative justice

All police officers need to undertake training before using restorative justice in their work. Here, PC Kerrie Cummings of Cheshire Constabulary outlines what that involved and how it has helped her in her role.

I originally received restorative justice training around five years ago. Our neighbourhood inspector decided to pilot the practice and use it as a common tool for dealing with low level incidents and antisocial behavior. As I was part of the community team at that time, restorative justice training was seen as something that would be useful as part of my job description.

On completing the level 1 training I immediately realised that restorative justice was an effective, practical way of resolving issues that needed police action but didn't require further work that would end up with criminal convictions.

However, once I completed the level 2 training it brought to light just how effective restorative justice can be for dealing with the root causes of how and why incidents were happening. Restorative justice addresses the more personal issues behind conflict and gives victims a voice in the process. It is also an effective way of promoting multi-agency work, which can be very useful on the occasions when the police are not necessarily the best placed organisation to deal with a particular incident.

I felt that the training gave me the official go ahead to work in a more holistic way as opposed to seeing an offence only in terms of the potential resulting conviction. Historically I had sometimes found that victims did not want to go to court and welcomed being given

the option to approach the problem using restorative justice.

Each case has to be assessed on its own merit. Any past history, previous criminal convictions, the severity of the offence and the wishes of the victim all have to be considered before restorative justice can be applied, but over the years I have used it on many occasions with varying offences.

Training was essential, even if only to provide the guidelines needed to put restorative justice into practice alongside force procedure. Level 2 training was useful to encompass bigger restorative justice solutions that might need conferences or have multiple victims – it offers a safe learning environment in which to practise and teaches participants what may go wrong when using restorative justice and how to deal with that.

What I like the most is the empowerment restorative justice gives to victims – it enables them to meet face to face with the person who has harmed them, but with the safety net of an officer present. It allows victims to ask 'Why me?', and to move forward.

I have practiced restorative justice as part of a team of two and used it in a wide variety of scenarios and offences. Antisocial behavior, criminal damage, theft, low level assault, bullying and neighbourhood disputes can all be dealt with using restorative justice. I have also been fortunate enough to visit prisons

to see how they use the restorative approach post-conviction for more serious offences such as robbery, burglary and death by dangerous driving. It was quite a profound thing to see how healing the restorative justice process was for those who were struggling to move on from an incident, whether they were victims or offenders.

Restorative justice is an incredibly useful tool for the police, and I believe every force should be given the training and opportunity to use it.

I would encourage officers to attend training which will give them the confidence to use restorative justice within their day to day work wherever they feel it's appropriate. I have gone on to continue my training to level 4 and will soon be helping to deliver level 1 training to my own colleagues.

PC Kerrie Cummings
Cheshire Police

For more information on training in restorative justice visit:
www.restorativejustice.org.uk/training

Becoming an Accredited Practitioner

Sergeant Deborah Barton-Moran serves with Nottinghamshire Police and is a trained restorative justice facilitator. Here, she explains why she decided to become accredited.

How did you get into restorative practice, and what was your background before you decided to become accredited with the RJC?

I have a long history with restorative justice dating back to 1997 and the early police pilots around youth cautions – this was just before the youth offending teams came into being. The positive effects I saw from the pilots and how the skills and different models could be used for a range of other things has made me a keen advocate for restorative justice ever since. I subsequently became a trainer and facilitator and now work across agencies for a number of organisations as well as managing REBUILD multi-agency restorative justice team and working as a Sgt for Nottinghamshire Police.

Why did you decide to apply for direct accreditation?

Times are changing. It is inevitable that as restorative justice takes hold and more people become aware of what it can do and want to access restorative justice services it's vital that practitioners in any capacity can demonstrate at least minimum levels of competence.

What was the direct accreditation process like?

The accreditation process itself is straightforward. Of course the work I needed to put in to show I was meeting National Occupational Standards required effort – it was years since I'd done anything similar so it took me some time to write down my reflections and activities on cases I had run. My written work was followed up by a telephone conversation to clarify my understanding of key points. The conversational aspect of my application was also to test my working knowledge and I had to think carefully about my practice. I actually enjoyed the conversation because afterwards I felt I really knew what I was talking about.

How did achieving Accredited Practitioner status make a difference to your practice?

At first I didn't think accreditation really mattered – I'd managed for a long time without it. I had become adept at getting my experience across and had received work on that basis. However, the experience of achieving the accreditation gave me confidence in my own ability as a practitioner and trainer – I knew I was doing OK because I'd now been accredited by other experienced practitioners in the field. Being able to say that I'm accredited by the RJC is well received.

Why is it important that practitioners should become accredited?

It matters to people. How does a potential employer or individual requiring a facilitator know whether you can do the job if you have nothing that shows a level of ability? I want people who access my service to know I'm capable and skilled at what I do. As knowledge and information about restorative justice is becoming more embedded in the social infrastructure, I'm now increasingly asked whether I'm accredited or qualified.

What would you say to others considering going for accreditation?

Go for it – even with years of experience in the field it gives you and the work you do credibility.

For more information on becoming an Accredited Practitioner please visit: <http://practitioners.rjc.org.uk/>

Further reading

To find out more about restorative practice in policing please visit the links below:

For more information on training and accreditation for police officers:
www.restorativejustice.org.uk/training

Best Practice Guidance for Restorative Practice:
www.restorativejustice.org.uk/best_practice_2011

To find a trainer in restorative practice:
www.restorativejustice.org.uk/trainers

For more case studies demonstrating restorative justice in action:
www.restorativejustice.org.uk/rj-in-action

For ACPO guidance on the use of restorative justice:
www.restorativejustice.org.uk/acpoguidance

For ACPO guidance on the use of restorative justice as part of a community resolution:
tinyurl.com/community-resolution

