

Resolution

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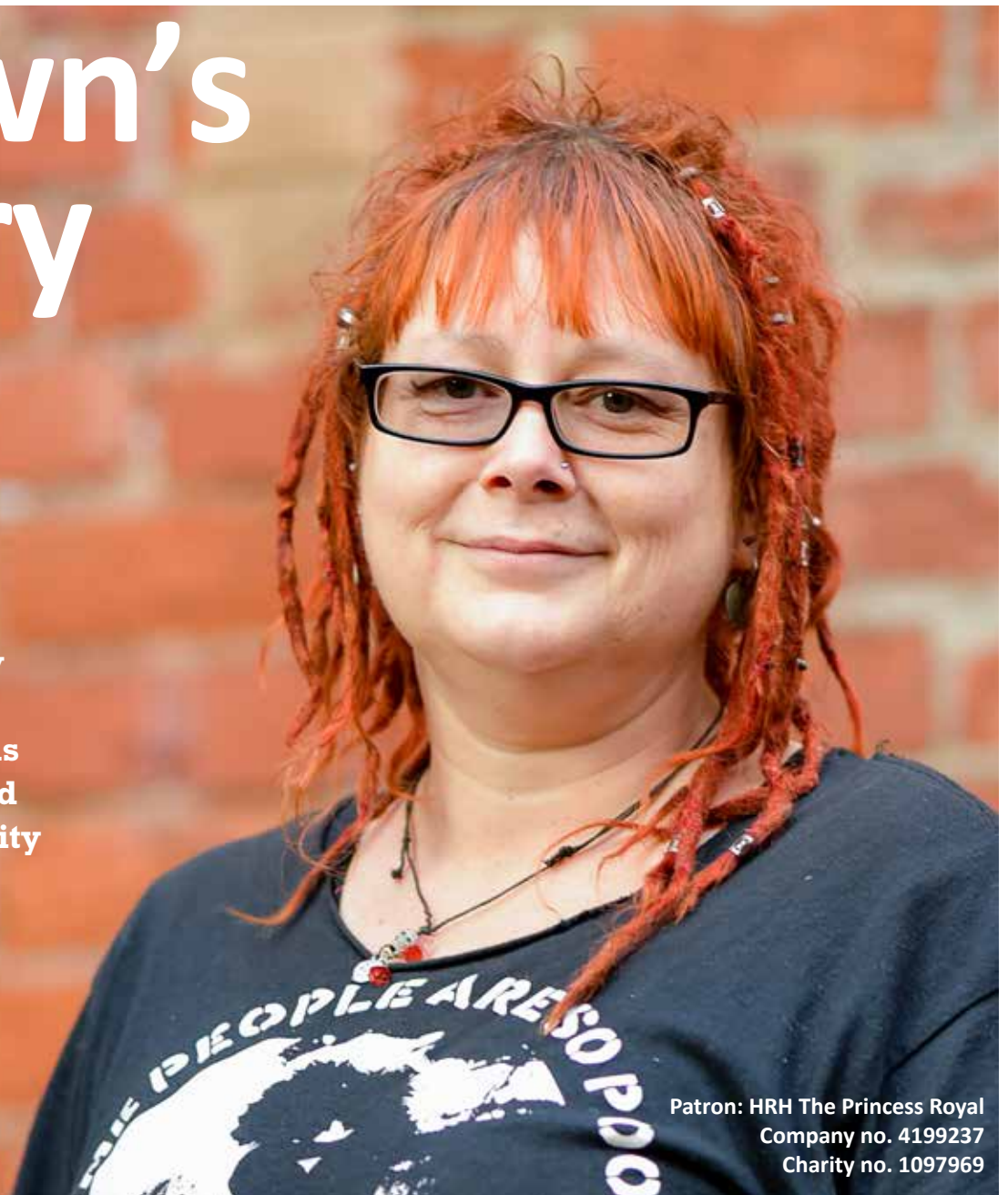


Dawn's story

Developing
best practice
in complex and
sensitive cases

Vaughan's story

Working towards
a restorative and
child-friendly city



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About the RJC

The Restorative Justice Council (RJC) is the independent third sector membership body for the field of restorative practice. It provides quality assurance and a national voice advocating the widespread use of all forms of restorative practice, including restorative justice. The RJC's vision is a society where high quality restorative practice is available to all.

Resolution is the thrice yearly newsletter of the RJC. Please get in touch if you have any feedback or would like to submit an article.

The articles in this newsletter express the personal views of the authors and do not necessarily reflect the views of the RJC.

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News in brief

Princess Anne visits RJC members in Truro and Partington

HRH the Princess Royal, the RJC's patron, spoke at two events in January celebrating restorative work across the country. On 11 January, she attended an event in Truro cathedral to celebrate restorative practice in schools across Cornwall, being delivered by RJ Working in partnership with schools. There were 400 people present including representatives from 30 schools, colleges and universities.



A week later, Princess Anne congratulated ROC Restore on five years of delivering high quality restorative justice services across Greater Manchester. The event celebrated the work of more than 100 volunteer facilitators in the area, and the Princess also unveiled a new plaque to commemorate the event.

Voices of young people films launched

The RJC has released a series of films highlighting young people's experiences of restorative practice.

In the first two films, primary, secondary and SEN school pupils share how restorative practice has helped them deal with conflict and improve relationships, inside and outside of school.



The third film shares the story of Chey, a young person who participated in indirect restorative justice after stealing from her foster carer. In the film, Chey talks about how restorative justice helped change her perception of the professionals she came into contact with when in care.

The films can be found on our resources page here – www.restorativejustice.org.uk/resources



Three new RSQM awardees

The RJC is pleased to announce that three more services – Victim Support (national, Merseyside, West Mercia and Sussex), North Tyneside Youth Offending Team and Maerdy Community Primary School – have been awarded the Restorative Service Quality Mark (RSQM). This demonstrates the high quality restorative service that they each provide. For further information about the RSQM visit www.rsqm.org.uk

Police and crime commissioner engagement events

The RJC is running a series of regional events across England and Wales in March and April. These events aim to raise awareness and understanding amongst PCCs of the case for restorative justice, support PCCs in the design, commissioning and delivery of safe and effective restorative justice services, and facilitate more effective collaboration around restorative justice delivery between and across PCCs. Events will take place in Brighton, Newcastle, Blackburn, Wales and the Midlands. Visit our website or contact communications@restorativejustice.org.uk to register your interest or to find out more.

Introduction

This morning I have been observing a child protection review conference. It has been a reminder, if needed, about the overlapping complexities of people's lives. The issues which came up covered the full array of services – police, mental health, health, schools, drugs services. The chair did an excellent job, using a model for the meeting which has at its roots some strong restorative principles.

The meeting made me think of the RJC's practitioner event in Bradford, where attendees discussed good practice in complex and sensitive cases. How can we develop both practitioner restorative expertise and, crucially, commissioner confidence in setting up restorative services to meet that need? This edition of *Resolution* includes an article on our recent Bradford event, written by Charlotte Calkin on page 17, sharing some highlights from the day and the next steps needed to support and strengthen good practice in this area.

This issue also includes two complex and sensitive case studies. On page 6, Dawn shares her experience of participating in restorative justice after an almost fatal assault on her husband in 2011. On page 20, Vaughan describes how restorative justice has helped him move on from being sexually abused as a child. These stories are vital first-hand accounts of the different ways that restorative justice processes can help people deal with the impact of past harms. These are the sort of stories we can all use with decision makers and commissioners.

The government has acknowledged the need for clearer guidance on dealing with complex and sensitive cases but has not yet recognised the contribution restorative practice can make. In the Ministry of Justice's Single Departmental Plan, updated in January of this year, they include under the banner of Reform Offenders: 'deliver more effective and tailored interventions for offenders who are vulnerable or have distinct needs – such as women and young offenders'. The RJC is talking to the Ministry of Justice and cross-government partners



about the role we can play in setting out guidance for practitioners to support this aim.

One of the highlights of the child protection conference was the active, inclusive involvement of schools working with children. There has been some trail-blazing restorative justice work in schools in recent years. You may have seen coverage of some of this great work over Christmas, including an article in the *Guardian* featuring our new *Voices of Young People* films, funded by Mishcon de Reya and launched at the AGM. The article generated a lot of reaction, particularly around a core issue of the prevention of exclusions from school, and we've been pleased to see an increase in the number of people contacting us to find out more about restorative work in schools.

This issue also includes an article on page 10 summarising feedback from our recent call for evidence on members' experiences of restorative practice in education. This survey arose from a suggestion from the education working group at our AGM last November. We received many accounts of excellent practice taking place across the country as well as some familiar challenges. This

year we'll be working hard to convey these messages in conversations with the Department for Education. We're also hoping to support a national piece of research to provide much-needed evidence for the benefits of restorative practice in education.

Finally, the RJC continues to focus on engaging police and crime commissioners to raise awareness and understanding of the benefits of restorative justice. I'm pleased to see an article on page 16 of this issue covering the recent successes in Northumbria, where nine criminal justice agencies have now been approved with the RSQM. This area-wide initiative started in 2015 and had the backing of Dame Vera Baird, the Northumbria police and crime commissioner (PCC). We look forward to hearing from Dame Vera at one of our PCC engagement events coming up in the spring, being delivered by the RJC in partnership with the Association of Police and Crime Commissioners. As a result of RJC efforts, the minister is involved in these to help restate the government's commitment to restorative justice across the criminal justice system.

Graham Robb
Chair, RJC

Restorative but not transformative: when restorative justice doesn't quite go to plan

For some victims, meeting their offender can have a transformative effect on their lives. But what happens when expectations aren't met, or the process doesn't go to plan? Here, Diana Batchelor shares some examples of such cases from her research, and the often positive impact the process still had on those involved.



“Perhaps I was a bit naive. I thought he would do it,” Cathy* says, sighing. She has already told me about how difficult the past few weeks have been, but that she now feels more at peace. Cathy experienced a violent sexual assault, carried out by someone she knew. She decided that she wanted to meet with the person who did it.

I am conducting research about victims' experiences of restorative justice, and I spoke with Cathy for the first time at the beginning of the restorative justice process. She wanted to meet the man who assaulted her. She wanted to face her own worst fear, and to stop him from doing it again. Now I am back at her house several months later. The person who assaulted her doesn't want to meet her or have any kind of communication.

“First I felt real anger towards him, you know, from what he did to me. And then he won't even let me speak to him.

“Am I glad I prolonged it with restorative justice? I think I am, on reflection. Because it's made me think through it a lot more. So it's given me more opportunity... to own it. To take ownership of what's happened, and work at it, and for myself to get some restoration, some justice.”

Some victims who get the opportunity to meet with their offenders can be almost miraculously transformed by the experience. A weight lifted; fear confronted; anger released.

But Cathy's experience is very common, and people considering taking part in restorative justice deserve to hear her story and ones like it. To make an informed decision about taking part, they need to know that sometimes it doesn't go to plan. Their expectations will hopefully be managed by a good facilitator, but when they google

'restorative justice' will they see only the miracle stories?

Hearing about setbacks can equip a participant to cope, if their own process doesn't go to plan. It can reassure them that it's not a personal failing, and that there are many potentially positive outcomes that can arise along the way.

The scenarios on the next page summarise a few things I've learnt from people who took part in restorative justice processes that didn't entirely go to plan. My research means that these examples are from the victims' perspective – but there would be equivalent hurdles that would affect an offender's experience of restorative justice too.

It is important to tell these stories. Admittedly, funding bodies want to hear major success stories and criminal justice is an increasingly competitive field. There's a huge divide between those who 'believe in' restorative justice and those who don't, so 'believers' feel they need to win over those who haven't yet seen the light. But I am convinced that to make restorative justice work for everyone, we need to tell more stories that acknowledge setbacks, highlight small successes, and – as Jaz puts it – “arm the next person with more knowledge”.

Diana's research at the University of Oxford is funded by the ESRC and conducted in collaboration with Thames Valley Restorative Justice Service.

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Scenario 1: A victim really wants to do restorative justice but the offender does not take part.

Gemma* was sexually abused at a young age by someone she knew. She was keen on restorative justice because she wanted to ask questions, such as whether the person who had hurt her had any remorse. In our first interview she seemed desperate for the meeting to go ahead, and I felt worried about how she would cope if the offender did not agree to take part.

But when the offender said no to a meeting, she felt her question was answered – he must not be remorseful. She felt a fresh anger at him, which at first looked like a setback. However, it soon became clear that the self-blame that had been eating her up for years was beginning to dissipate, and that she was no longer turning her anger in on herself. No one had expected it, but in the end his decision not to meet her was a key turning point in her recovery.

This is not the case for all victims who do not get to attend a restorative justice meeting. Some feel disappointed, and are left to deal with extremely difficult emotions. One victim felt her offender had control in the situation – again. However, many do still benefit from the process. The person harmed may get something from speaking with the facilitator and considering their options. It may be the first opportunity they've had to talk about the crime and its impact. Even when they have other support, some victims are pleased to talk to the facilitator, because it feels like a representative of the justice system is really listening to them.

Scenario 2: The meeting went ahead, but the victim didn't feel as 'on top of the world' as they were expecting to.

Jaz* was sexually abused by her stepfather, over 30 years ago. When I first met her, she was considering taking part in restorative justice because she had things she wanted to say to him before he died. She hoped that getting things off her chest and having a conversation would "turn the volume down" on his presence as a "monster" in her life. I met her again some months later, after she'd had two meetings with her stepfather.

Overall, the meetings had achieved what she had hoped they would. She said, "I'm not afraid of him anymore. I feel like the flashbacks are just less frequent... And the conversation I wanted to have before he died – obviously that's been achieved."

But she also said, "It may seem like I'm really ungrateful for the opportunity and the process but... I don't feel elated. I thought if I do this then I'll feel better. But, no I didn't."

She went on to say that she thought it might take some time, and that in combination with other forms of support she might feel differently in the future: "I think there's a lot of things that build together, that then you eventually feel better."

Jaz is now considering being a restorative justice ambassador: "The thing is you can explain both sides, what you got from it and what you didn't. It arms the next person with more knowledge of whether it's the right thing for them."

Scenario 3: The meeting went ahead, but it didn't seem to prevent the offender from doing it again.

Many victims of crime take part in restorative justice to stop the offender from doing it again. Certainly, there is evidence that restorative justice can reduce the frequency of reoffending. But reducing reoffending is not the same as guaranteeing restorative justice will prevent any particular individual from committing crime in the future.

Craig* took part in a meeting with the person who had burgled his house. He felt that the man said all the right things, but Craig wasn't convinced it was genuine. He came away from the meeting feeling a little deflated that it had not been the miraculous transformation he was hoping for. Craig's description of the impact of the crime had not had the effect on the burglar that he thought it would.

When I asked whether it had been worth taking part in restorative justice, he answered that he still thought it was better than just throwing people in prison: "I think it would be incredibly hard, if I was a criminal, to go through this... It certainly would make me think about things – to have to stand up to justify my behaviour."

Craig also experienced some unexpected benefits for himself. Beforehand, his only reason to do restorative justice was to prevent the burglar from doing it again. After the meeting he told me that it had been, to his surprise, slightly cathartic. Not life-transforming, and maybe even a little exhausting, but as he says, "I got to look him in the eye... and I got my five minutes."

*Participant names have been changed.

Dawn's story

"We got together in 1997. I was a teacher and Stuart was a scientist. We spent a year travelling the world and got engaged whilst we were away. When we came back we got married, got a house, got jobs. One of our main hobbies was going to lots of gigs. Every weekend we travelled around the country to see different bands.

"We were getting to the point of considering having children. Before that we were having too much fun, but once you get into your late thirties you start thinking you won't be around forever.

"It was April 2011. I was in Brighton, sat outside the pub with my mum. That particular spring was really hot, so both of us got very pink from the sunshine.

"Stuart was in Nottingham. We'd been in touch a few times that day, but when I texted him before going to bed, I didn't get any replies. I thought it was a bit odd. I tried ringing and didn't get any answer. Something in my gut made me think that something was amiss. I drove all the way from Brighton to Nottingham, ringing all along the way, and knowing I was going to find something I didn't like when I got there.

"At our house I could see he'd not come home that night. I texted the pub landlord, who said he'd been there earlier but left when the pub closed around midnight. No one else had seen him. I knew that something was wrong.

"I rang the hospitals, but because it was the bank holiday I couldn't get through to the right people to find out if he was there. I tried the police station but they didn't have him. So then I just had to sit and wait, knowing that I was going to get a knock on the door from the police.

"In the afternoon, a few hours on, a knock came on the door and my stomach churned. They'd sent a female and a male and I thought, a female officer means bad news. They asked if I wanted to go and sit down. I said, "No, just tell me, is he alive or dead?" They said, "He's alive but..." That was enough. They could tell me the rest on the way to the hospital.

"Stuart had been walking home when he was assaulted by two strangers just round the corner from our house. All they could tell me at that point was that the people had been detained at the scene. They warned me that they'd started a murder investigation because they didn't expect him to survive.

"When I saw Stuart, he was in an induced coma, with breathing apparatus and a thing coming out of his head to check the brain swelling. They couldn't tell me if he was going to wake up, or if he did wake up if he was going to be able to walk, speak or breathe again.

"After five weeks, he finally woke up and was able to move his eyes a little bit. I was told that might be as good as it gets, but I was still so grateful and relieved. When he started being able to move his eyes for yes or no, that reassured me that he could understand things. Eight days after he woke up, he was moved to a specialist centre for people with strokes and brain injuries.

"When his memory started coming back, he could remember me and his previous girlfriend, but he couldn't remember which one was current. Luckily that made me laugh – I was just really grateful that he recognised me.

"His memory is still very much all over the place. He describes it as a filing cabinet where everything has been pulled out, thrown up in the air and then misfiled. Even now, he can remember all the PIN numbers he's ever had but he's no idea which one is the current one. Lots of the things that we use to work out our associations with memory have gone. It can make things really confusing and difficult.

"When he left the centre we did physio on our own at home. Even now, our mantra is 'every day is a physio day'. I left work, as they couldn't accommodate me being part-time, and spent 18 months at home with Stuart, working with him every single day.

"Stuart's chronic fatigue is a big change. If we're planning a night out now, we've got to plan in enough rest the few days before. We have to make sure there's somewhere he can sit when we're out, and get a taxi there and back. The next day, he's completely wiped out. All he can do is sleep. We can't go to festivals any more. We can't even go to London for a gig because the stress of all the travel is too much, he wouldn't be able to enjoy anything. It's really changed how we can enjoy our social life.

"He can't walk very well. He always looks drunk because he's so wobbly. He had a fall on the tram on his way to work and someone said, 'Oh, what a shame for someone to be drunk at this time in the morning.' Because he doesn't have a walking stick and he looks young, people do make those judgements. The tram did an emergency stop and an old woman came to his aid and gave him her seat. As a 39-year-old man, that's not how you see things panning out.

"Financially we've gone from two full-time wages to my part-time wage. Stuart had to give up work completely because of the fatigue. He can't really do anything on his own so everything falls on me. I've never spent the night away from him since.

"When I heard from the police about who they'd arrested, at the time I was not really bothered. I just needed Stuart to be

Dawn's husband was grievously assaulted in 2011, resulting in severe disabling and life-diminishing injuries. Here, she explains how taking part in restorative justice six years later helped her make sense of what had happened.



better. In court, they had to plead guilty because they'd been caught at the scene by the police when they returned to keep attacking him.

"The sentence they got was as good as we could have hoped for. The judge seemed to understand what had happened – he pretty much gave them the maximum he was allowed to give them for GBH with intent.

"They didn't put forward a defence. We didn't hear any evidence because they'd pleaded guilty. We left sort of pleased with the outcome but really not knowing what they were thinking. We never heard them speak and Paul showed no emotion, even when he got his sentence.

"After the sentencing, our victim liaison officer mentioned restorative justice. At that point I had absolutely no interest in it whatsoever. We just wanted to get Stuart better.

"Five years later, we wrote detailed victim impact statements for the parole hearing. We were told that Paul had cried when he read them. He asked to meet me that day, which I was not ready for. That was the first time I'd heard him show any emotion and I was a little bit suspicious of his motives. Was it

just so the parole board would feel more pleasantly towards him? It was very well-timed remorse, was how I saw it.

"A friend said that if he was willing to meet me after reading those statements, he's either a psychopath or he's very brave. She had a point. I wouldn't want to meet me, if I'd heard all those terrible things about me. I would be ashamed and embarrassed. That started me thinking about it.

"At the time I thought it might have been a hate crime – attacking him because of the way he looked. You wouldn't think Stuart would be worth mugging. It didn't seem to be motivated by theft, it was motivated by violence.

"I needed to make sense of it. What they'd done was so alien to me and to everyone I know. What finishes a night out for me when I come home is probably some chips, not attacking a stranger.

"I'd come across some restorative justice statistics which showed that it can lead to a 14-18% lower reoffending rate. When I saw that, I felt I had the opportunity to maybe make things safer. If meeting me means he's less likely to do that



again, I've got to do it. I didn't want anybody else to go through what I've been through.

"Restorative justice facilitator Peter Horton from Nottinghamshire Victim CARE contacted me and I said I would give it a go. I wanted to see if he was that psychopath, feigning remorse because he thought it was in his favour, or if he was actually genuinely sorry. I wouldn't know until I looked him in the eye. Seeing it on paper isn't enough.

"We had offers from people saying when he comes out they'll do the same to him. But what's the point in that? That vengeance serves no purpose. Why should his children have to suffer because of what their dad has done? This seemed the best way to find out answers.

"In the preparation, Peter came back with a list of things that Paul had said. Some things I was appalled by. Paul kept calling it an 'altercation'. An altercation is an argument over a parking spot. An altercation is not kicking my husband into a coma and then continuing to attack him. It was an unprovoked attack. Maybe he thought the words were interchangeable, but they're not. I didn't want it to be minimised.

"In the preparation it turned out that it wasn't a hate crime. It wasn't anything to do with how Stuart looked at all. In some ways that was reassuring. It was good to find that out before, so we didn't waste our time in the meeting.

"On the day it felt very surreal. I didn't feel particularly nervous because I knew what I was going to say. When we got there, Paul was having second thoughts. I could understand it, but I would have been disappointed if he wasn't able to come out. Peter went to speak to him and eventually we went in.

"When Paul came in, I said hello to him. I thought that if he's feeling nervous, giving him a death stare wouldn't help. I needed him to feel relaxed enough for things to go ahead. It did seem very surreal, trying to put somebody at ease who's almost killed your husband.

"I heard Paul's side of things. He admitted that he tried to kill Stuart, by going back and attacking him again. In the pre-meetings he'd said that Stuart had tried to attack him. But over time I think he'd processed it and realised that was not true.

"He said he didn't really know why he did it. It's just how some people live their lives. Every weekend, they expect to go out and have a fight at some point. That's how he's grown up, that's how his friends are. There is no motivation other than kicks. Usually they would ring each other the next day and brag about what they'd done. He admitted that's all it was. I was glad it wasn't a hate crime, but it was equally sad to know that that's just what they do.

"He admitted he was angry at Stuart in court for seeming OK. He was resentful because his life was ruined, and in part he blamed Stuart for that. When he found out Stuart wasn't going to die, he was relieved to be getting less time on his sentence. He said it didn't occur to him to be relieved that the person he'd attacked wasn't going to die. It didn't occur to him to think that my life was going to be better because I wasn't

going to be a widow. He admitted that he had no thought for anybody else.

"He talked about a course he had done in prison that had changed his mind-set. It helped him realise that he needed to think about it from other people's points of view.

"I told Paul about the impact on me. From that one incident, that happened by chance, all our lives pretty much revolve around it now. We are living every single day of our lives very differently because of what happened. We can't leave it in the past because it is affecting every day, and affecting our future. We will never have children – it's completely impossible now.

"Paul found that upsetting, because he's a dad himself. He said that leapt out when he read the victim impact statements. That he'd stopped someone having what he considers the best experience of his life.

"Paul cried in the meeting. That's when I knew that it had an impact. You could see how genuinely sorry he was. How it hadn't occurred to him that there would be so much fallout from what he was doing. Not just for the people he attacked, but also for his own family.

"Towards the end of the meeting, he showed me his folder of his qualifications. I sat next to him and he talked me through what he'd done. The first one was a literacy qualification – when he went in to prison he couldn't read or write. He's now become a literacy advocate to other inmates and volunteers for the Samaritans Listeners scheme, speaking to other prisoners who are feeling suicidal. It seems to me that he's trying to become a good role model. I don't think he was doing it for effect. You have to have some level of understanding and empathy to do those things. You have to have accessed a different side of your character.

"At the end, I shook Paul's hand and thanked him for being honest. He could have come and faked his way through it, but he didn't. It took guts to do that.

"Afterwards, I felt quite strangely elated. I felt I got all I could have out of the meeting. What else could I have asked from him? He genuinely seemed to be sorry. He'd worked as hard as he could in prison to change things when he comes out. There isn't anything else I could have wanted from the meeting.

"I want Paul to go out and do well. I want him to be a success. We agreed in the meeting that he would keep me updated through Peter on the good things he was doing. As a victim, they tell you when they've done something wrong but I want to know when good things happen.

"It doesn't seem that many other people have supported him and been proud of him in his life. In some ways I'll be more proud when Paul does well than maybe some other people. I'll be genuinely chuffed because I'll feel like this process has had an impact."

The RJC would like to thank Nottinghamshire Victim CARE and Dawn for sharing her story with us.

Restorative practice in education – what next?

The RJC recently launched a call for evidence of restorative practice in education settings. Here, the RJC's interim chief executive Chris Straker reflects on the responses to the survey and highlights some of the steps the RJC has lined up to take things forward.

The RJC recognises the essential role of restorative practice in education and children's services in achieving our vision of a restorative society. We recently launched a call for evidence to support our work progressing a national agenda for the more widespread use of restorative practice in education.

More than 50 of you responded to the survey, providing us with a wealth of information on the excellent work happening in schools, universities, pupil referral units and a range of other young people settings.

Many of you provided anecdotal evidence of improvements you had seen in schools and colleges as a result of the introduction of restorative practice. This included improved relationships between pupils, fewer disputes and arguments, improved staff-pupil relationships and improved emotional literacy amongst pupils. Some went further and referred to changes in a school's policies and overall culture.

We heard many excellent examples of restorative practice making a difference to young people's experiences of education and their wider lives. Some of these are captured in the RJC's Voices of Young People films launched earlier this year.

The barriers to introducing restorative practice in education were familiar to me. Schools struggle to set aside the money and time required to train staff and pupils effectively, with a lack of senior leadership team support meaning a restorative approach can't find a footing.

We know that adopting a restorative approach at a whole-school level requires time and financial commitment. In the current climate this investment is a barrier to some schools, even if they accept that it will be beneficial in the long run. Changing school culture may seem fraught with risk. It's arguable that this stems from a current nationwide obsession in education to be driven by a narrow definition of achievement, attached to a preference for punitive approaches. School culture can't be changed overnight, and restorative practice is not a quick fix.



We need national research into the effectiveness of restorative practice in schools, to support many anecdotal and localised accounts. The RJC is looking to partner with a research organisation on a new piece of national research on restorative practice in schools. We hope that this will provide a solid backdrop of evidence for the role that restorative practice can play in young people's development.

As well as building a solid evidence base, we also need to reflect on how we talk publicly about restorative practice in education. Restorative practice in educational settings requires the articulation of a different set of arguments and justifications to what's needed in a justice setting.

When respondents spoke of the language and approaches used when talking about restorative practice in schools settings, a common theme was simple language without jargon: building relationships, community and belonging, and problem solving. This might even mean avoiding the word 'restorative',

as that can be unfamiliar and distancing to some people. This may be a factor of our community having not yet won the key arguments with policy makers and classroom teachers.

Focussing on the benefits and outcomes of restorative practice works well: how it can resolve and prevent conflicts, improve the health and wellbeing of staff and students, increase staff satisfaction, improve emotional literacy and increase attendance.

Our article in the Guardian a few months ago spoke of how restorative practice in schools can help reduce exclusions. Given the current media attention to exclusion rates, this is a useful angle to raise awareness of restorative practice in education settings.

However, we know that by focussing only on exclusions data we do a disservice to the strength of restorative practice – the building of a positive change in culture, reflected in improved relationships and a more embedded sense of diversity and equality.

The way to a school's heart and mind is to show that restorative practice is not just a reactive process related to behaviour, but a proactive creator of the conditions for better learning. We don't claim that it is the only process responsible for creating positive learning cultures. It fits alongside the increased understanding we have of trauma, mental health issues and neuroscience.

The input from members is invaluable in our ongoing discussions with the Department for Education. We will use our role as the voice of the restorative sector to convey the great work being delivered across the country by our members, the benefits it has, and the barriers still in place.

Thank you to everyone who responded to our survey. We hope this is just the start of the journey towards a renewed focus on the crucial role that restorative practice can play in education.

A problem page for restorative practitioners

At the RJC, we support restorative practitioners by publishing guidance and creating peer support networks. In this regular feature, we look at questions brought to us by practitioners in the field.

A common theme at the RJC's open space event was how to encourage partner agencies to be risk-aware rather than risk-averse when considering restorative justice processes for complex and sensitive cases. Here, Derek Robson describes the multi-agency meeting approach they use in Durham.

Q How can we get buy-in from different agencies for a restorative justice process in complex and sensitive cases?

A In Durham, we've adopted a multi-agency meeting approach to risk management for complex and sensitive cases, similar to the multi-agency public protection arrangement (MAPPA) meetings that are in place for sexual and violent offenders. We adopted this approach for complex and sensitive cases because that is where agencies can be the most risk-averse and sceptical about the benefits of restorative justice.

This approach acknowledges that, as facilitators, we have our own agenda. Whilst we may think restorative justice is best, we can be seen by others as diving in. Unless you bring other people with you and listen to their perspectives early on, you may have problems down the road.

The usual process involves all the relevant agencies coming together for one meeting to sign off on the next steps of the process. For example, if it is a victim-initiated request then the next step would be to approach the offender.

In Durham we're lucky because we have access to police systems and safeguarding teams, which makes it much easier to find out which agencies are involved in the case. It helps that at county level they are generally receptive to the idea of partnership working. We can also ask the victim directly about which agencies they liaise with and invite them along to the meeting. This could include social workers, domestic abuse agencies, police officers and offender managers.

There's no specific framework for the meeting, it's just that sense of coming together to discuss the appropriateness of restorative justice for the victim and the offender. We go through the restorative questions with the victim beforehand. That really sets the scene as to why they want to go through with the process. We bring our views into the meeting and the views of the victim.

The meeting gives all partners an opportunity to hear from different perspectives. Different agencies have different agendas: some are more offender-focussed, some are



primarily concerned with the needs of the victim. Bringing these different perspectives into one room helps everyone to remember that we are part of the wider criminal justice system, with shared aims. It does often lead to heated debates, and there will be disagreements, but that's part of the process.

As a facilitator, it provides an opportunity to make the case for restorative justice to agencies all at once, to answer their questions and allow them to hear the perspectives of others. We can manage expectations about the potential outcomes, and challenge pre-conceived ideas which might not be correct. It allows us to bring the victim's motivations for restorative justice to the wider group. We sometimes bring case studies along to show how restorative justice has been beneficial for other participants.

It's understandable that some people are risk-averse and don't want the process to go ahead. The natural tendency when considering a domestic abuse or sexual harm crime is to keep victim and offender apart – that's why we have injunctions. Some officers and offender managers have been doing the job for so long that they're set in a particular mind-set. Bringing them together in a meeting helps us tease out what those concerns are and put them into mitigating actions to ensure the process is safe and secure.

We initially hoped it would be a useful way of spreading the word of restorative justice, leading to a bit of a snowball effect in terms of raising awareness. Certainly these meetings do give us the opportunity to speak to people we might not otherwise speak to about what restorative justice is and how it might be able to help participants. But we do have to start the selling process again each time. There is usually a different offender manager each time, a different social worker each time. Some have never heard of restorative justice before and the idea is quite alien to them.

The process has been in place for two years and although there have been disagreements, the eventual outcome has always been the decision to take the case forward.

Derek Robson is restorative justice lead coordinator at Durham Restorative Justice Hub

If you have a work-related question you'd like to see discussed in the next issue of Resolution, or you're an Accredited Practitioner who would like to help answer a question, please email enquiries@restorativejustice.org.uk

One step at a time: introducing prisons to restorative justice

One barrier to meeting the needs of victims seeking restorative justice in complex and sensitive cases is risk-averse frontline staff and partner agencies. Here, Kate Brooksbank from Restorative Solutions CIC describes how focussing on the process rather than the end point led to the first restorative justice conference being held in HMP Wakefield, a category A prison.

Last year, Restorative Solutions CIC worked with staff and partner agencies to develop restorative justice processes for victims and offenders at a high risk (category A) prison, HMP Wakefield.

The process started when we received a referral from a victim seeking restorative justice. The case related to an offence from 21 years ago when an offender broke in to the victim's home and committed a serious sexual offence. The offender was caught in 2010, 14 years after the offence, and was sentenced to six years in prison.

The victim had tried on three separate occasions between 2010–2011 to arrange a meeting with the offender. She was refused each time for a number of reasons, including a concern that his only motivation would be to support his parole hearing. Knowing he was due for parole, she tried again early in 2017 and was referred to Restorative Solutions as part of the West Yorkshire Restorative Justice Development Project.

When the referral initially came to us, we knew that it was going to be a complicated task to try and facilitate a restorative justice conference in a category A prison where there had previously been concerns about the risks involved.

I knew we needed a consistent process which focussed on exploring the suitability of the restorative justice process, rather than simply deciding upfront whether it was suitable for a face to face meeting. This proved a real challenge, with some professionals too focussed on the end meeting rather than

seeing it as a process going from a to b to c and so on, rather than a to z.

To begin with, we visited the victim to discuss her understanding of restorative justice and what she felt she needed. She wanted the opportunity to ask questions, to talk about the impact of the offence and to regain the control she had lost as a consequence of the offence.

We had an initial discussion with the prison probation officer who took the request to their inter-departmental risk management meeting. In keeping with the step by step approach, this meeting was not to decide whether the case could go to a face to face meeting. Instead, it focussed on whether there were any security concerns in regards to a restorative justice risk management meeting taking place.

The risk management meeting was given the go-ahead. It took place in the prison and was attended by our facilitators along with all the staff necessary for a safe and supported process. This included the prison offender supervisor, prison probation officer, external probation officer, head of security, custodial manager, senior psychologist and senior officer. The victim liaison officer and offender manager also inputted by email and telephone. The purpose of the meeting was for professionals to hear about the needs of the victim and understand her wishes to engage in restorative justice. The wellbeing of the victim was considered as well as the risk of re-victimisation. Information on the offender from the relevant departments was discussed and the meeting focused on the next step of seeking consent from the offender to

meet with the restorative justice service. Again, this was not about agreeing to the end result of a face to face meeting, rather it was to explore the restorative justice process.

The offender agreed to meet with the facilitators, so the next step was for the restorative justice service to meet with the offender and the offender supervisor, to introduce restorative justice and look at the suitability of moving the process forward. Again, there was never simply a focus on a face to face meeting. With sensitive and complex cases, each case needs taking step by step and reviewed with those professionals involved.

After a number of months of preparation with both parties, the prison convened another risk management review meeting with the same attendees as the initial meeting. The purpose of this meeting was to update on the progress that had been made, assess suitability and consider whether there were any new security issues. This was a multi-agency meeting where everyone had an equal opportunity to share professional views, focussing on the needs of the victim and offender and managing any concerns.

When it was deemed that a face to face meeting was appropriate, the forum looked at what needed to be considered in organising the conference. This included the meeting location, security issues, number of staff present, pre-conference visit by the victim and supporters, and any processes required to be considered to ensure that there was no impact on the prison.

The prison staff were very accommodating to the participants of the process. They facilitated a pre-meeting visit to allow the victim to become familiar with the environment. For this particular case, the prison wanted to ensure that the victim's experience was as positive as possible and so decided to cancel all visits on that day to remove distractions and ensure the victim did not have to enter



the prison with other visitors. They also ensured that the room was set out in a way that suited the victim and that there was a time-out room available.

To safeguard the offender, the prison organised a safer custody officer to work with him on a weekly basis in the lead-up to the conference. This ensured that his concerns were managed before, during and afterwards, and that he knew he had support.

The meeting itself allowed the victim the opportunity to ask the offender questions regarding the offence and to tell him about the impact it had on her. She wanted to face the offender and, most importantly, to be the one who chose when to leave the room. Instead of her seeing the back of his head, like she had during the offence, she wanted him to see the back of her head as she walked out of the room with confidence.

As the victim stated: "People shy away from restorative justice and sexual violence and underestimate its effectiveness, when ironically this could be the client group who would benefit the most. There is a fear that it may re-victimise the victim, however

I received more than adequate support throughout. In my case, the staff involved showed true empathy for my situation and their support gave me the courage to continue. I had total faith in all that they believed in my reasons for wanting to undertake the process and went above and beyond to ensure my needs were met. They showed true passion and commitment to the process and truly believed in what they do.

"Those involved at HMP Wakefield were instrumental in giving me the opportunity to articulate myself in a way that the criminal justice system would never have allowed. I would like to give my personal thanks to the offender supervisor, safer custody officer and prison probation officer for ensuring I was always fully informed and for giving me the courage to continue. They gave me the opportunity to regain my control and self-respect over a situation that has monopolised my life for over 20 years. The conference was my own personal moral victory and I can only hope that the success of my conference and the effective working relationship it built will open the doors to ensure other victims have this opportunity.

The process hasn't given me closure – it's very difficult to move on from acts of sexual violence – but with their help it has given me a new beginning. For that, I am eternally grateful."

The process now in place in HMP Wakefield clearly demonstrates how taking a step by step approach ensures that victims feel listened to and taken seriously, and that no single professional is making the decision. It is a multi-agency process resting control, with support from professionals, with the victim. Given that the process is now established, we hope that this will open opportunities for victims in West Yorkshire and beyond to access this service in the future without barriers.

Restorative Solutions would like to thank all the prison and probation staff at HMP Wakefield for their immense support and assistance during this process and for the compassion shown.

**Kate Brooksbank, Restorative Solutions,
West Yorkshire Restorative Justice
Development Project**

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What's new in restorative justice research?

In recent decades, researchers have published thousands of important articles on theory and practice in restorative justice. However, much of this information lies behind the paywall of academic journals, or is too lengthy to be of practical use to those in the field. Here, Ian D. Marder, who recently submitted his Ph.D. at the University of Leeds and is the founder of the Community of Restorative Researchers, discusses the findings of some recent research.

In early 2017, Kerry Clamp and Craig Paterson published the first book exclusively to address the use of restorative justice by the police. *Restorative Policing* considers the recent history of attempts to integrate restorative justice into policing in Australia, the USA, the UK and elsewhere. Its authors write that, for restorative policing to reach its full potential, it must be transformational. That is, it must represent a new objective of policing: 'to promote beneficial forms of social capital'. Restorative policing, they stipulate, involves moving away from the 'traditional police use of force paradigm' and towards a more participatory approach to policing activities, particularly those located at the 'shallow end' of criminal justice. They also argue that restorative justice processes and principles can be used to achieve the aims of both community policing and problem-solving policing, and that 'a true integration of restorative justice requires a fundamental evolution in agency missions'. They emphasise the relational dimension of restorative policing, remarking that the police can reduce the need to use coercion by helping citizens to (re)organise and (re)build strong ties within local communities. This new model of policing, Clamp and Paterson suggest, would allow the police to delegate decision-making to citizens, take advantage of the informal control capabilities residing in social networks, and develop the latent capacity among populations to manage, resolve and prevent crime and conflict with lower levels of state intervention. **The book can be purchased from Routledge at <http://bit.ly/ClampPaterson>**

Later that year, a consortium of researchers from the Universities of Sheffield and Leeds, funded by the College of Policing, published their final report on an action research project involving three English police forces: Humberside, West Yorkshire and South Yorkshire. This research focused on the many practical issues associated with implementing restorative justice in policing, and involved training Safer Schools officers, designating 'in-station restorative justice champions' (p.30), and attempts to maximise referrals to local restorative justice services funded by police and crime commissioners. The report's authors argue that research, strategy and policy must support police officers to exercise their discretion in creative and positive ways in relation to restorative justice, rather than necessarily aiming to constrain police discretion. Their report can be found at <http://bit.ly/SheffieldLeeds>

Also in 2017, the final evaluation of the Leeds City Council Family Valued project was released. Studied by researchers from ICF and the Universities of Sheffield and Nottingham, the

Family Valued project aimed to develop children's services in the City of Leeds so that its default response was restorative in nature. Based partially on a model of social work first developed by Eigen Kracht in the Netherlands, this involved using family group conferences to create alternative plans to removing children from their homes and working with families when making decisions about children's welfare and safeguarding. It also involved providing restorative practice awareness and other forms of training to thousands of public-sector professionals across Leeds. **The report can be downloaded from <http://bit.ly/FamilyValued>**

Next, Naziya O'Reilly from Leeds Trinity University wrote a thought-provoking critique on the use of scripts in restorative justice conferences. Focusing on schools, she argued that the use of scripts in facilitation necessarily limits the emotional nature of any subsequent exchange. The use of the script, she states, 'obliges the pupil to engage with some kind of performance that conflicts with opportunities for the kind of self-creation present in restorative justice theory' (p.176). As a result, conferences are less passionate than they otherwise might have been, as the script prevents the parties from expressing themselves at a pace and in a manner of their own choosing. **Her article can be found at (paywall) <http://bit.ly/OReilly1>**

Finally, it is important to note that several organisations are currently developing, or have recently released, new guidelines and other practical materials on the use of restorative justice. The International Association of Prosecutors and the United Nations Office on Drugs and Crime, for example, are currently working on creating new guidance on restorative justice, drafts of which have not yet been made public. Meanwhile, the Scottish government has recently released its own statutory guidance on restorative justice, and the Council of Europe has uploaded the latest draft of its new Recommendation on the use of restorative justice in criminal matters.

The Scottish guidance can be found at <http://bit.ly/Scottishguidance>. The latest published draft of the new Council of Europe Recommendation can be found at <http://bit.ly/CouncilofEuropeRecc>

The Community of Restorative Researchers tries to increase the accessibility of research evidence by releasing podcasts and research summaries and by hosting online groups. For more information, see:

www.facebook.com/groups/communityofrestorative researchers

Working towards a restorative and child-friendly city

The restorative approach is well known for its victim-focused ethos and the voice that it gives to all affected by a crime. More recently, there has been growing support for embedding restorative practice across communities and cities. Here, Lynda Cook tells us about Southampton's Restorative Charter and its vision for a child-friendly city.

Our vision in Southampton is that children and young people get a good start in life, are able to fulfil their potential and become successful adults who are engaged in their communities. We believe that the embedding of restorative practice can support our aim and ambition to become a truly child-friendly city, where children are afforded every opportunity to feel valued and have their voice heard.

UNICEF defines a child-friendly city as a city or community where the voices, needs, priorities and rights of children are an integral part of public policies, programmes and decisions, aligning well with the proactive concept of restorative practice.



In Southampton, there has already been huge success with our Restorative Practice in Schools Project, which has acted in part as a catalyst for the city's ambition to become a restorative and child-friendly city.

The project, which started in 2015, has seen many of our city's schools join us, with their learning environments transformed through the embedding of restorative practice.

We see Southampton as a city that empowers individuals, teams and our work with communities; and a place where people can build and repair relationships, where there is mutual accountability and shared responsibility.

By working restoratively with people, we solve problems better. We will all have opportunities for free expression of emotion. Through the use by

all of restorative language in their communication, there will be the use of fair process that is both transparent and dynamic.

With this ambition in mind, we held our inaugural Restorative Practice Conference on 24 November 2017. More than 100 delegates from services across the city and young people joined together to talk about our vision, with Chris Straker from the Restorative Justice Council inviting the audience to consider a city where people are "seen and heard" and where they can be "given the skills to move their own lives on."

During the event we launched our Restorative Practice Charter, with many local partners including the police and crime commissioner for Hampshire and the Isle of Wight, council representatives, Hampshire Constabulary and Southampton Local Safeguarding Children's Board signing up along with other adults and children present.

Southampton City Council strongly believes that though no one can go back and make a brand new start, anyone can start from now and make a brand new ending. We are forging ahead and in 2018 aim to continue to deliver the restorative message across our services and our voluntary partners.

Lynda Cook, restorative practice and co-ordination officer, Southampton City Council



Nine criminal justice agencies in Northumbria achieve the Restorative Service Quality Mark



In Northumbria, nine criminal justice agencies have achieved the Restorative Service Quality Mark following a pledge from the police and crime commissioner to deliver high quality restorative justice services to local people. Here, we hear about the motivations for, and impact of, an area-wide approach to improving the quality of restorative services.

In January, North Tyneside Youth Offending Team became the ninth criminal justice agency in Northumbria to achieve the Restorative Service Quality Mark (RSQM). This marked the end of a three-year drive by the Restorative Justice Council and Dame Vera Baird, the Northumbria police and crime commissioner, to ensure agencies in the area were delivering safe and effective restorative justice services.

The RSQM is a badge of quality that guarantees that a service provides safe, high quality restorative practice which meets the six Restorative Service Standards.



North Tyneside Youth Offending Team

The list of accredited agencies includes Victim First, HMP Durham, Northumbria CRC, and a number of youth offending services including Sunderland, South Tyneside, Gateshead, Newcastle, Northumberland and North Tyneside.

Dame Vera Baird, who also chairs the Association of Police and Crime Commissioners' Standing Group on Supporting Victims and Reducing Harm, said, "Research shows that when restorative justice is victim-focused it can help them move on with their

lives, and can reduce crime by getting offenders to appreciate the impact of their actions on others.

"I have made a pledge to deliver excellent restorative justice services to local people, helping everyone find a positive way forward. In having nine agencies across our region awarded with the national quality mark, people harmed by crime and conflict in the North East can feel assured that should they choose to use restorative justice services, they can be confident they'll receive a safe, effective service that meets their needs."

Linda Millington, the RJC's interim standards manager, has been involved with this project since the start. She's delighted to see the range of criminal justice agencies in Northumbria achieve the RSQM:

"This means that victims of crimes committed either by adults or young people can be reassured of receiving a quality restorative service. Taking a coordinated approach to the RSQM across services provides opportunities to share good practice and peer support for services as they complete the RSQM process."

Pete Xeros, youth offending team manager from North Tyneside Youth Offending Team, said: "I would encourage organisations to consider

applying for this as the whole process is an excellent way to really focus and evaluate how your service is delivering services and how to improve."

RJ Northumbria Community Rehabilitation Company achieved the RSQM in April 2017. Gary Connor, operational lead for the CRC, spoke of the benefits of working with other agencies in the area: "Achieving RSQM status felt an extremely positive reward for the hard work undertaken by the restorative justice staff in Northumbria CRC, working alongside colleagues in Victims First Northumbria (VFN) to develop a consistent approach to restorative approaches."

Jim Simon, who carried out the assessments on behalf of the RJC, saw how the police and crime commissioner's commitment to deliver high quality restorative practice had been embraced and embedded across the county: "Whilst each agency was unique in their own right, it was apparent that there was a shared commitment to ensuring that those accessing restorative practices received the highest quality service. All demonstrated a commitment to working in partnership and sharing best practice in order to provide a safe, effective and consistent approach to restorative practice across Northumbria."

Dame Vera Baird will be sharing her perspective on commissioning restorative justice services at an event hosted by the RJC in Newcastle in March, being delivered in partnership the Association of Police and Crime Commissioners.



Northumbria CRC

Developing best practice in complex and sensitive cases

restorative
forum

In November 2017, 55 restorative practitioners from around the country joined four facilitators and the RJC in Bradford for a day of sharing good practice in complex and sensitive cases. Here, lead facilitator Charlotte Calkin reflects on the day.

The idea for this day came out of the RJC's first open space event in March 2017, where attendees identified a need to share and develop practice in complex and sensitive cases. This event was more focused than our original event and the conversations went far deeper.

People travelled hundreds of miles to attend, from Northumbria to Kent, from Wales to Cornwall. The level of expertise and experience gathered in the room proved what a sophisticated and respected profession is evolving in the UK restorative justice world.

Discussions focused on a range of topics including sexual harm cases, domestic abuse, and risk assessment. What was immensely rewarding was to see how much extraordinarily good practice there is nationwide in these areas, which has turned into functioning methodologies. Effective restorative justice with complex and sensitive cases is happening – a lot.

The first session was spent discussing risk in various forms: Is a case ever too complex to facilitate? When should we not continue with a case? How do we ensure victims are not re-traumatised? What should be included in a complex and sensitive risk assessment toolkit?

We generally agreed that practitioners can focus too much on risk and not enough on strengths and needs. Using different risk, strengths and needs assessments for different types of cases was suggested, and it was great to see that many counties are already carrying

out deeper risk assessments and were willing to share these with others.

We discussed solutions to the obstacles around working with other professionals and strategies for asserting ourselves professionally. There's a need to give agencies a clear understanding of when clients are, sometimes obliquely, asking for restorative justice and up-skill the agencies to recognise this and refer. Building rapport with agencies, ideally face-to-face, helps us explain a victim's right to access restorative justice. We all agreed on the importance of joint agency working and having the relevant information for signposting clients.

Practitioner training was frequently mentioned, with attendees discussing the potential to standardise robust training expectations for practitioners for complex and sensitive casework. One specific suggestion for training needs was around trauma and understanding its impact on risk assessment. A few facilitators in the room were using a trauma-informed approach.

We also looked at the often-overlooked area of post-conference support in complex and sensitive cases and what that looks like for good practice.

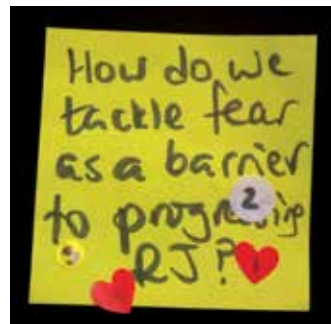
In terms of next steps, to allow the sharing of good practice to continue, an online forum is being developed by the RJC, MyRJ and the Restorative Engagement Forum. It will be hosted by MyRJ as a membership-only space

for verified practitioners to share their experiences and tools and tips that are working for them.

The RJC is also planning another practitioner event to up-skill restorative practitioners on issues around trauma, coercive control and grooming.

We also hope to create standardised risk, strengths and needs assessments for different types of cases, available through the RJC.

A working group will be set up to look at specific issues – such as what to do when working on restorative justice cases where the harmer is appealing.



We have a huge amount of skill and, therefore, power as practitioners – we just need to know how to use it. The event showed enthusiasm for a standardised up-to-date model of good practice in complex and sensitive

cases, which will give all commissioners, service users and decision makers confidence in this profession. We also need the confidence to assert ourselves as skilled practitioners when incorrect assumptions are made about our work and our capacity to effectively risk-assess potential cases.

Thank you to Paul Mukasa, Chris Straker and Jo Berry for facilitating and to Kate Brooksbank for organising the fantastic venue and the catering. Thank you to everyone for coming.

The RJC defines a sensitive or complex case as any case involving:

- actual, or threats of, serious or sexual violence
- vulnerable participants (for example, vulnerable because of physical disability, age or mental impairment)
- domestic abuse
- risk of continuing harm
- harm caused over a substantial period of time (more than three years)
- more than three perpetrators and/or more than three victims
- risk of continuing harm or intention to cause further harm
- multiple agencies

Expanding youth restorative justice services into the adult world

Three years ago, the Wakefield youth offending team expanded its restorative justice service to working with adults. This article shares some of the motivations for doing this, the challenges faced and what the impact has been.

For several years, Wakefield youth offending team has offered facilitation of restorative justice conferencing between young people and their victims. As the only restorative justice service in Wakefield, the youth offending team took restorative justice referrals from schools, children's homes, police, social services and probation.

Following some additional funding for adult restorative justice services from the local PCC, the team has expanded its service to include all victims of crime, rather than just those where the offender was a young person. Kelly Connolly, victim liaison officer for Wakefield youth offending team, explains: "We were already working well with young offenders, and had a direct link with adult offending already in place through the liaison and diversion team. It therefore made sense for us to take on the extra responsibility of delivering restorative justice to adult offenders and their victims."

The changes coincided with a new two-tier disposal model being trialled by West Yorkshire Police, which aimed to test the inclusion of community resolution and conditional cautions as a potential response to low-level crimes. With an adult restorative justice offer in place, the police were able to consider it as an additional option as part of this pilot.

The team promoted the offer to partners with branded restorative justice materials and free awareness sessions to all referrers. Probation staff and police officers were given training and support in how to make referrals to the service. In partnership with the police, the team delivered briefings to police staff about the Victim Code and the rights of a victim requesting restorative justice.

As the number of referrals increased, the team recruited and trained additional restorative justice volunteers to assist with the delivery of the service.

Debra Parr, restorative justice worker at the Wakefield youth offending team, says: "We also wanted to follow up by phone with victims who requested more information about restorative justice at the point when the officer dealing with the crime spoke to them. To do this, we had to develop a system where we could get information about these victims from the police system, to be able to contact them."

The team also began accepting direct requests for restorative justice from district residents. Where a restorative justice intervention was appropriate, the team liaised with probation services and prisons to involve the offender.

There were a few challenges along the way. The team found that probation services weren't used to bringing victims and offenders together and were sometimes wary of restorative justice. To address this, the youth offending team delivered training, developed referral pathways and created information-sharing agreements to allow victim and offender teams to work together with a shared client group.

There was also some criticism of existing restorative justice options in place in the area. Wakefield runs a 'Make a Mess, Make Amends' scheme. This is a disposal that police officers can use for adults involved in public order offences, where referees are required to complete three hours of community clean-up to avoid a fine or risk a court appearance. Debra says: "This disposal is not seen as restorative by some partners, however we feel that this is pure restorative

justice in the sense that if you are sick in the street or cause a disturbance when drunk and disorderly, you are offered an opportunity to pay something back to the community you offended against by assisting the clean-up of the city centre."

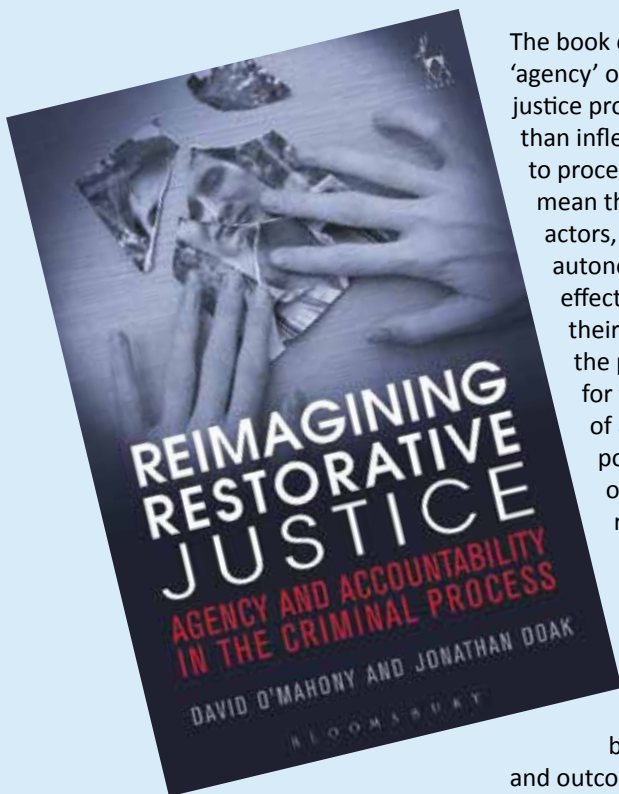
The expansion means the youth offending team can now take referrals for any crime and any age of offender. The team connects with other restorative justice services in the wider area through the West Yorkshire Restorative Justice Consortium, made of restorative justice services from other districts in the region such as Leeds, Bradford, Calderdale and Huddersfield. The consortium meets regularly to ensure a consistent approach to restorative justice service delivery across the region.

Debra says that expanding the remit of the youth offending team restorative justice services into the adult world has increased connections between different agencies in the area. "It has helped us to fully embed the use of restorative interventions as a district-wide approach to addressing unacceptable behaviours. It has also consolidated good practice across the region and enabled the creation of a consistent partnership approach to offering and delivering restorative justice."

Book review

Reimagining Restorative Justice: Agency and Accountability in the Criminal Justice Process

David O'Mahony and Jonathan Doak, Bloomsbury 2017



O'Mahony and Doak's book acknowledges the speed at which restorative practitioners and professionals are bringing innovation to restorative justice, both within and outside of the criminal justice system. The book rightly sees that there is 'a pressing normative case for formulating criminal justice responses which consider the needs, rights and interests of the victim, the offender, the broader community, as well as the criminal justice system itself.'

The book clearly makes the case for the 'agency' of actors within a restorative justice process being more important than inflexible, managerial approaches to process. By agency the authors mean the 'empowerment of individual actors, through increasing their autonomous capacity to make effective choices and maximising their involvement throughout the process'. They make a case for the equally important role of accountability – conferring power to the individual to make obligations and commitments, rather than to the state.

The book's structure provides a framework to 'move the debate beyond existing theoretical and operational issues, which have largely been focused on the processes and outcomes of delivery', to restorative justice for participants whose needs are heard and taken into account. The book should be required reading for all those who commission restorative services to ensure provision is reflective of the context of individuals and communities, and not just the convenience of a uniform organisational delivery model.

The book makes a timely addition to the debate within the restorative community. At a time when the last Crime Survey for England and Wales told us only 4% of victims have been given an offer of a restorative process we need, as a community, to engage in meaningful debate. Our arguments need to be informed by academic research, but we

cannot wait for it to catch up with the innovation in practice which is taking place in the UK.

The book recognises the requirement to put participants at the heart of restorative justice, and not bend them to the needs of a process-driven system. I believe this will be the key step to changing the public's engagement with, and understanding of, restorative justice. It is only when the wider community demands restorative justice that we will make a significant change in the way the police, agencies and services deliver restorative justice. Books like this give academic support to the work of the large numbers of practitioners who work tirelessly, within a sometimes inflexible system, to make the process responsive and reflective to need, whilst also ensuring their practice is risk-aware.

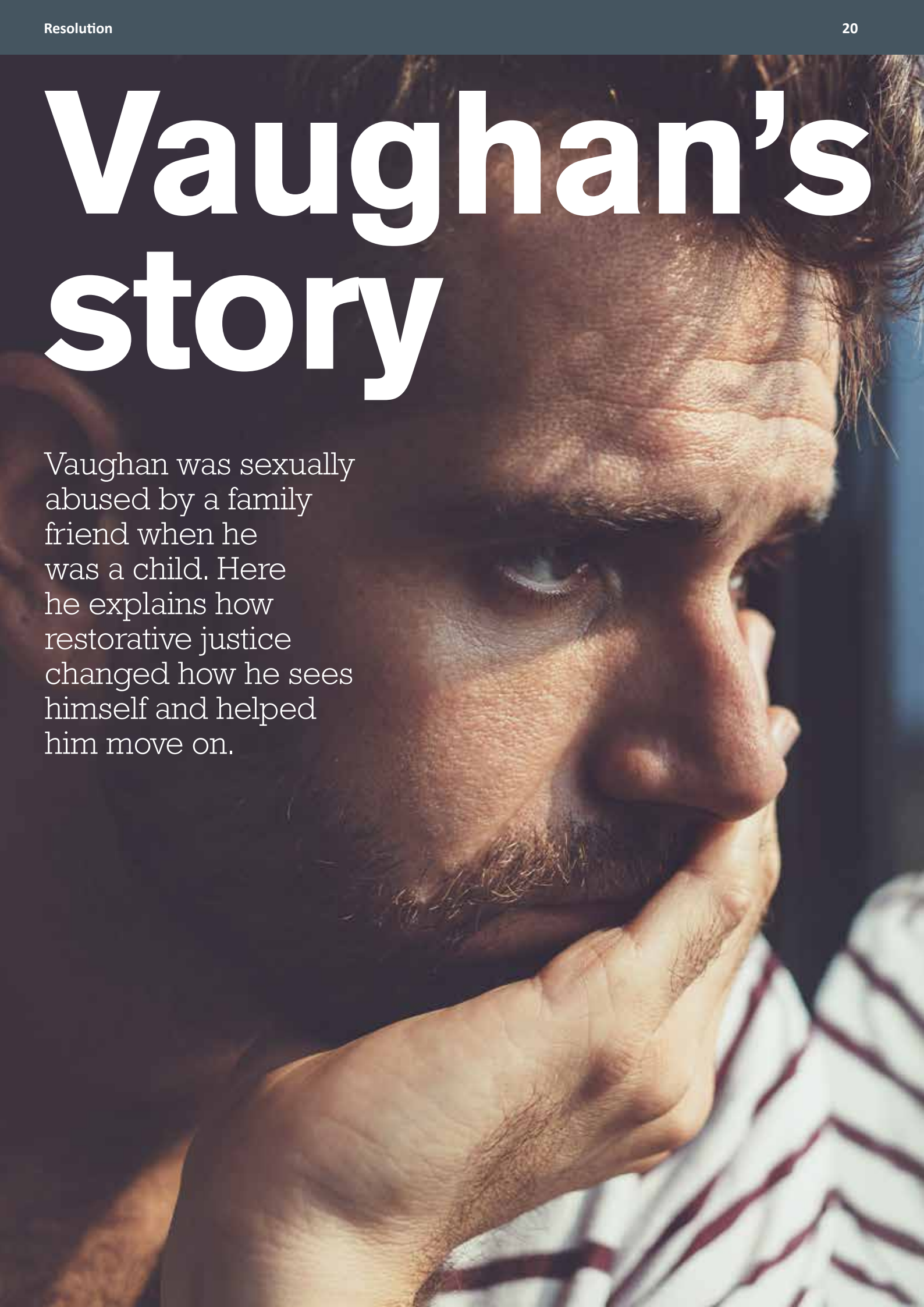
The authors rightly say that we must beware that 'quality and purpose of interventions are not lost in drives for efficacy and standardisation'; and that the importance of preparation, skilled facilitation and extensive follow-up are essential. The need to tailor restorative processes to the needs of participants, around race, class, gender, and special needs is clear within the book; and is clear within the good practice the RJC is aware of across the UK.

The book makes the case for reflective, flexible safe restorative justice processes for facilitators, victims, offenders and the community. At recent RJC events this has also come through explicitly in the debates around complex and sensitive cases. It is now up to the RJC and all practitioners to take the argument forward and engage positively with the Ministry of Justice, the Home Office and PCCs. Now's the time to make agency and accountability sit at the heart of restorative justice, and in doing so 'move beyond rhetoric, towards the evolution of a more empowering, more participatory and ultimately more legitimate criminal justice system.'

Chris Straker
Interim chief executive, RJC

Vaughan's story

Vaughan was sexually abused by a family friend when he was a child. Here he explains how restorative justice changed how he sees himself and helped him move on.





“My father left when I was seven and I never saw him again, so there was this period without any male role model in my life. My brother’s a lot older than me, and when I was about eight he went to work in this garage where Dennis* was the manager.

“It began with befriending – what we would call grooming nowadays. Dennis would come round the house, or we would go and see films at the local television station where his mum worked. My brother, Dennis and I would go out on his boat, on occasion with some of his friends as well. Mum would be working or off with my stepfather. He would take me out for drives and buy me ice-creams, a bit like what a dad would do.

“I had no dad around and I had a very emotionally absent mum. She loved me and she did what she could, but I was left alone a lot. My father was very violent, not towards me because I was too young, but he’d beat my brother up – black eyes, bloody nose. In those days there wasn’t safeguarding in schools, it just got overlooked.

“So here was this man showing me kindness and attention, giving me pocket money, spoiling me, of course I went for it. I had no idea what was going to be involved. At 10 I didn’t understand it.

“The actual abuse would start with these trips. He’d start taking me out in the boat on his own, or for drives in the car. He would take me back to his house and show me all this really horrible pornography, of adults having sex with animals, while he’d abuse me. I would go to the toilet as a way of stalling his abuse. I’d hide in there with the door locked, just sitting there and waiting. He’d come and rattle on the door and of course I’d have to eventually come out to leave the house. As an adult I used to have a problem about needing the toilet all the time and real anxiety about having to ask to go to the toilet. In my therapy it came out that this was due to the abuse.

“At first I was too scared to confront Dennis – that’s how abusers work. Then as I got a bit older, I tried to stop him in the only way I knew how. He’d get me to put shorts on and try to touch me. I would try to stop him by pushing his hands away and he would become like my dad – angry and swearing. I was terrified, I didn’t know what to do. I just froze. Then he would drive me home but not speak to me. He would completely ignore me, slam the car door. So of course next time I wouldn’t try and stop him, because that would be the result.

“That went on for many years until I was 15. At that point I just thought, it can’t go on. It was actually more of a feeling

than a conscious thought. When he used to come round to the house I would hide under the bed. That's how it stopped.

"I didn't talk about it to anybody for a while. Then a couple of years later, when I was about 17, I disappeared for a whole weekend to stay at the house of my first boyfriend. I didn't tell anyone where I was going and my mother freaked out. When I went back home, everything started to come out. My mum didn't do anything when she heard about the abuse. She was just blank, emotionless. My brother hugged and cried with me, but he felt really betrayed by what had happened.

"Eventually I moved out and trained to be a psychiatric nurse. When I was about 24, I realised I needed to get some help as I wasn't happy. I carried a lot of shame, guilt and blame because I felt like I'd brought it on. I was getting into lots of abusive relationships with very bullying, controlling men who were like my abuser and like my father.

"I started having counselling and therapy. I went into psychoanalysis where lots of the abuse stuff and deeper memory stuff came out.

"Several years later I got a phone call from the police asking if I would give evidence about another case – a man at my sixth form college who had been grooming a teenage boy. At that point I knew that Dennis was in prison for other crimes he committed in the 90s, because a friend of my brother had seen it in the local paper. So I told the police about what Dennis had done to me.

"The police wanted me to press charges, but I knew I wasn't ready to do something like that. I couldn't bear to be cross-examined. I'd had enough trauma – a violent father, an emotionally absent mother, all this abuse and then abusive bullying partners. I'd also done so much healing through therapy already. I knew he was in prison and that he'd had a stroke. I thought, I don't need to do that to him.

"I wasn't aware of restorative justice until a friend of mine mentioned the idea of meeting my abuser. I sat with it for a

Dennis' perspective

"Around 14 months ago I was approached by my offender supervisor about restorative justice. I'd heard of it before, but didn't know much about it. Even my offender supervisor and probation officer didn't know what it was about. Everybody was learning.

"Ellie and Daniel came to see me and we had a good conversation where they explained more about restorative justice. I was a bit worried because it felt like the great unknown – I had to be open-minded initially about what I was going to have to go through. But it was all done on a very friendly basis. No one was trying to get me to do it, it was my own decision and I knew I could pull out at any time. So I said I'd have a go. I was hoping to make it better for him.

"We had meetings once a month where we discussed everything in more detail. I know it sounds odd but I looked forward to the meetings. When I was there I forgot all about myself and my ailments. It was something else to focus on. We discussed who would be in the room, the structure of the meeting and how I might react to situations which Vaughan might bring up.

"I was nervous on the day of the meeting, because I'd never done anything like that before. But once I was in the room

and we got underway I relaxed. I had my probation officer with me and Vaughan was there with his friend. I said I'm sorry for what's happened. I admitted my wrongdoings and went through the whole thing. I'm not sure he expected me to be as open as I was but I had nothing to hide. I've done my time, I've had a stroke, why should I hold anything back now?

"After the meeting I felt like a weight had been lifted off my shoulders. I just wanted to make things right for him, while I can, in the only way that I can.

"Since then I've decided that I'd like to leave some of my estate to Vaughan. I suggested it to Ellie and my probation officer, and Vaughan has agreed to it so we're going to sort it out.

"It was definitely worthwhile and I feel quite pleased with myself for doing it. It's a lot of commitment but it was the commitment that made me want to do it. I wanted to put right some of the wrongs. Now I want to start my life again and put this all away."

*Dennis' name has been changed

while and decided I needed to do it. There was something that I hadn't quite resolved and I just knew I wanted to meet him and tell him. I contacted the prison and they put me in touch with the probation officer who then connected me with the restorative justice facilitators, Ellie and Daniel.

"Initially I wanted to scream and shout at him, to show him my pain. But I think that changed over time. It wasn't about making him go back into prison. I didn't think it would help me. My aim for the meeting became about taking my power back – disempowering him. I also decided to go back into therapy to support me alongside the work I was doing with Ellie and Daniel.

"Daniel and Ellie said that I might not get what I expected from the meeting – the apology I was hoping for. We worked through some scenarios. What if he laughs at me? What if he says, 'so?' What if he denies everything? I thought that if he does that I will challenge him. I will challenge his fantasy.

"Some communication was fed back and forth between me and Dennis so that I could hear his perspective beforehand. He'd been in a lot of denial. He said that some things happened, but that he didn't remember others, and there was no ownership of any damage it might have done.

"He said that he had been a dad to me and that he loved me, and that it had only stopped because he'd become too busy. I was incredulous when they told me he had said that. It was good to be angry and swear at that point, because then I could challenge him and be fully present in the meeting.

"I was asked if I wanted to see a photo of him beforehand. When I saw it I went very quiet. I can be quite a forgiving, compassionate person and I had a moment of that then. But then I thought no, I don't have compassion for him at the moment. He did do this to me, he was a grown man at the time and I was a 10-year-old child. Seeing the photo helped me to distance myself from what had happened.

"On the day of the meeting, at first it was like an adventure! I got up really early and my friend and I had coffee and a croissant on the train. It was just like me and my mate going out for the day. I wasn't as anxious as I thought I was going to be.

"The meeting was a remarkable experience. At first he tried to make me feel sorry for him by talking about his ill health and his cancer scare. I've got friends with cancer and I just said that good people get cancer and bad people get cancer, that's how it is. I saw that he was trying to make me feel sorry for him. The preparation helped me deal with that.

"My aim was to look him in the eye and tell him exactly what he'd done and the impact it's had on me. And that's exactly what I did. I really spelled it all out. I said you didn't love me. Loving a ten-year-old, that's not what it is. It's called sexual abuse – you abused me. I did all of it without getting angry with him. I told him about why it stopped, because of me hiding under the bed. He said he stopped seeing me because he was so busy, but I just sliced through it. I said no, that wasn't the reason: this is why it stopped.

"Then he said sorry! At that point, I remember a tangible shift in the room. I think all of us, even his probation officer, were surprised. It felt genuine. He said he didn't realise just how much pain and hurt it caused me. It completely threw me.

"Ellie picked up that we needed to take a break because I didn't know what was going on. I went out and that was it, I just broke down. It was a huge release. I wasn't expecting an apology, but I'll take some credit for it. I do think it happened because of what I said. I didn't want to attack or abuse him. I just wanted to tell him what happened and how I saw it.

"When we came back in I still kept my position. I said, 'I really hear your apology. That means a lot to me but you still really hurt me'. We didn't need much longer. I'd done what I needed to do, and got more than I expected.

"In the time after the meeting, Dennis asked if he can leave me something in his will. That was something I didn't expect. I decided to accept. I understand that he wanted to do something for me. If that's what he feels he needs to do and that helps him, I'm fine with that.

"That's the thing – I no longer see myself as a victim or a survivor. I won't be using those terms anymore because that's not who I am.

"Being abused for so long, I felt I was a toxic person. There was so much shame attached to it. It also gave me a real fear of life.

"Since the meeting, I feel like my life flows easier. I was always anxious about the future, wondering whether I'm good enough. Now I don't feel any of that.

"It's like something has really lifted out of me. I feel lighter, I feel freer in myself. It's given me a confidence. I'm beginning to get more work. I'm drawing kinder people towards me. It's very exciting, I'm enjoying the place where I am."

The RJC would like to thank Restorative Solutions Hampshire, Restore:London, Vaughan and Dennis for sharing their stories with us.

The Restorative Service Quality Mark is available to all organisations offering restorative services to the public across a wide range of sectors, including criminal justice, community-based agencies, care and education.

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Voices of young people film series

Voices of young people is a series of short films highlighting young people's experiences of restorative justice. What do pupils think of restorative practice in schools? What difference has restorative justice made to the perspectives of a young offender?

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