“Victims have to be at the centre of the justice system... restorative justice programmes, led by our police and crime commissioners, can help to bring a sense of justice to victims.”

Elizabeth Truss, Lord Chancellor and Secretary of State for Justice

Eddie’s story

Developing a restorative complaints process – the Leeds story

Wendy’s story

Longhill School’s restorative rise
News in brief

Campaign launched to tackle hate crime in Derbyshire
In March, the RJC, Remedi and local partners in Derbyshire jointly launched a new campaign in support of victims of hate crime. The aim of the Step Up Beat Hate campaign is to increase awareness of the benefits of restorative justice among past and current victims of hate crime. The project has been part-funded by the Home Office’s Hate Crime Community Project Fund, with the police and crime commissioner (PCC) and City and County Councils contributing additional funds.

RJC reports published
The RJC has published three new reports since the start of the year. Restorative justice and prisons – a report for governors, Improving victim take-up of restorative justice, and Restorative justice and black, Asian and minority ethnic children in the youth justice system are all available at www.restorativejustice.org.uk/resources

RJC film wins at Charity Film Awards!
We are delighted to announce that at this year’s Charity Film Awards the RJC’s film RWD/FWD won in the Long-Form Documentaries category. Many thanks to our campaign partners Good Agency and Fully Focused Productions for their great work. You can watch the film in full at www.rwdfwd.org

Developing best practice through shared learning
The RJC’s event
Developing best practice through shared learning on Friday 3 March brought together practitioners from all over the country to ask questions and share knowledge. Led by Charlotte Calkin with the support of Jo Berry, Paul Mukasa and Chris Straker, the event proved hugely successful. We would like to thank everyone who took part. Questions from the day have been answered in our regular Help! feature on page 19.

The RJC joins the T2A Alliance
The Transition to Adulthood (T2A) Alliance is a coalition of 16 leading criminal justice, health and youth charities chaired by Joyce Moseley OBE. The Alliance helps to shape T2A’s policy positions and promotes a better criminal justice system for young adults to government, practitioners and the wider voluntary sector. The RJC has played an instrumental role in T2A’s work on restorative justice, and will bring expertise on both national policy and service delivery.
Introduction

Welcome to the Spring 2017 edition of Resolution. I hope that you find it both useful and inspiring.

In my introduction to the last edition of Resolution, I looked back on 2016 and reflected on a tumultuous year that saw significant change in both the restorative practice field and the broader political and social environment. So far, this year has continued in a similar vein. A General Election is looming, a further Scottish referendum has been mooted, and Brexit continues to dominate both the headlines and the day to day work of the government. Where we might have hoped for some reconciliation after the toxic European referendum campaign, there is little to be found.

Yet against this backdrop of divisiveness, examples of restorative practice in action demonstrate a very different approach. Take, for example, the use of restorative practice in Leeds to deal with complaints to the local authority. This initiative is seeing restorative practice embedded into the day to day lives of people who may never come into contact with the criminal justice system and a conventional restorative justice process. By demonstrating how this approach can be effective, the local authority is also making a clear statement about how they want to see conflicts being addressed in the city – by constructive dialogue rather than adversarial dispute.

The road sharing project described in this issue of Resolution is another example of restorative practice improving a community’s day to day life. Designed to make Bristol’s roads safer and calmer for everyone who uses them, this restorative project brought road users together to find shared solutions to problems. Innovative and inventive, examples like this demonstrate how communities can address their own challenges in a constructive manner. This is welcome and we would like to see much more of this kind of work at a local level, led by communities and developed in response to specific local issues.

Introducing more young people to restorative values would help to achieve this, equipping them with important life skills early on. Schools are the obvious place to start, and Longhill High School’s experience of taking a restorative approach over the last seven years again shows the difference it can make. By giving young people the skills to deal constructively with conflict, restorative schools are, in the words of Longhill’s restorative co-ordinator Tom Cannell, contributing to the “holistic development of young people so they can be accountable members of society”. This can only benefit us all.

Whether in schools, councils or communities, the RJC has always believed that restorative practice has the potential to play a much greater part in improving people’s lives across society. We are currently exploring a range of possible new areas of work in terms of the development of restorative practice across a wider range of institutions and settings and we are, as always, keen to hear from our members about new and innovative areas of work that we can learn from and inform others about.

At the same time we are still working closely with the Ministry of Justice on the development of restorative justice within the criminal justice system. A new restorative justice action plan has been published, restating the government’s commitment to making restorative justice available to all victims of crime at every stage of the justice system. A key strand of this iteration of the action plan, as with previous versions, focuses on ensuring quality in the delivery of restorative justice and we are pleased to be continuing to work with the Ministry of Justice to develop and deliver our Restorative Service Quality Mark and Training Provider Quality Mark.

The benefits of high quality restorative justice to victims of crime are illustrated, yet again, by the stories in this edition of Resolution of people who have participated in a restorative process. With cases of historic child sexual abuse becoming depressingly familiar, Wendy’s story is a powerful example of how restorative justice can help survivors to finally move on. As more of these cases come to light, restorative justice services will need to ensure that they have the capacity and capability to manage them safely.

Given growing concern about hate crime, Daniel’s story is also particularly timely. His experience of participating in restorative justice after being a victim of anti-Semitic hate crime shows not only how restorative justice can help the victim to move on but also how making restorative justice available can help to reassure communities that the police are taking hate crime seriously. Eddie’s story, meanwhile, demonstrates the benefits of a restorative process in situations where the victim and offender are likely to come into contact again in the future. As always, if you have worked with a victim or an offender who might be interested in sharing their story with us, please let us know.

Finally, I’d like to take this opportunity to thank my colleague Safi Schlicht, who has edited this magazine for the last four years. This is her last edition as editor before she moves on and Resolution really has gone from strength to strength under her leadership. I am sure that I speak for all of the restorative practice field when I say that I am very grateful for her contribution.

Jon Collins
Chief Executive, RJC
Longhill School’s restorative rise

Longhill High School is a co-educational, state-funded secondary school in Brighton. As part of Longhill’s vision, the school “prepares young people for life”. To support this aim, Longhill has been using a restorative approach to help resolve conflict and mend damaged relationships for seven years.

Tom Cannell is an Accredited Practitioner with the RJC and Longhill High School’s restorative co-ordinator, based in the Focus Centre – the school’s on-site inclusion unit. Tom said: “Using a restorative approach in education is the most powerful way to remove barriers to learning. At Longhill, we really believe that the best way to create a positive and happy environment for our students is to encourage them to take ownership of their actions – and then give them the skills to put things right.”

When students returned from their exclusion, issues frequently remained unresolved and the problems they were having in class would continue. Tom said: “It was also frustrating that there were frequent patterns of students being removed from lessons regularly. Often what was needed was a solution-focused approach and I believed that using a restorative approach could help.”

Initially, conferences within the school did not always run smoothly. Tom explained: “At first, remembering the script was tricky at times, and it was hard to get the tone and pacing right. Looking at what we had been taught and putting it from a criminal justice setting to an educational context was difficult.” There was also resistance from some of the staff team, who were habitually reliant on punitive sanctions as a way to deal with negative behaviour. With perseverance, however, things started to fall into place. “Around the third meeting I facilitated between a teacher and student something clicked,” Tom said. The meeting had been requested to help resolve multiple occurrences of disruptive and challenging behaviour in a maths lesson.

Tom continued: “I realised that proper preparation time was the key to making this work. By sitting and talking about what had happened with both of them individually before the meeting, I would be fully prepared, as I knew what needs would need to be met in the meeting. Both parties also understood that this wasn’t a judgement on them or a punishment. Instead, we talked about how the conference was an alternative way of trying to make things better, and that we would look at what harm had been caused and what could be done together to repair their relationship.”

For the student, this was an opportunity to speak openly about his perspective on what had happened, and it quickly became apparent that it was not a ‘soft’ option compared to detention. Tom said: “It was hard for him and took bravery and courage. He was able to talk about the fact he often deliberately misbehaved to sabotage the lesson. For him, it was an easier option to misbehave than to try the work and feel inadequate. He admitted that he had caused harm to the teacher and the class, and said that he wanted things to improve.”

Tom then took the teacher through the restorative questions. “She admitted that she had often become frustrated with the young person’s behaviour and spoke about the difficulties of getting through a lesson plan. She felt that sometimes she had jumped to remove him from the lesson too quickly. She talked about how she often felt guilty for removing him as it felt like a failure on her part to be able to keep him in class,
and that what she wanted for him was to be learning and succeeding in her class.”

Tom continued: “As the meeting progressed, the mood became quite electric in the room. The body language was different – they were leaning forwards in their seats and were engaged and listening to one another. There was a dialogue that didn’t exist before. Both of them were seeing each other on a far more human level and understood each other’s perspective.”

Jointly, a practical, strategic action plan around how to move forward was developed. Tom said: “I felt a real sense of pride and achievement. It seemed that this was the solution to the problem of how to deal with negative behaviour in a way that taught respect, accountability, empathy and emotional awareness.” In the weeks following the conference, the maths lesson improved significantly with the young person arriving on time and working hard. “He felt a sense of achievement through the teacher’s encouragement,” Tom said. “They had found common ground and had healed their damaged relationship.”

Word began to spread through the school about the success of the early conferences. “As people experienced the power of restorative practice, they saw it less as an easy option and more as a way to actually deal with the underlying causes of behaviour. Staff and students understood one another on a more emotive and human level, and also saw the benefit of working collaboratively.” In the first five years of running restorative interventions, Longhill’s attendance rose from 91.4% to 94.2%. Exclusions were reduced dramatically, and repeat occurrences of negative behaviour fell by 85%.

Gradually, various mechanisms were put in place to embed the restorative ethos across the school. Now, students are encouraged to request a restorative meeting through their head of year, and conferences are run on a daily basis between groups of students, and students and staff to resolve conflict.

Tom said: “We have made our lesson removal room a calm space where staff have been trained to use restorative questioning to help our students break down a situation, reflect on it and find a way to put things right.”

He continued: “We’ve also introduced this idea into our alternative to exclusion sessions, in which each student has a one to one restorative discussion with a member of inclusion staff. This means that any serious behavioural incident is dealt with restoratively.”

With restorative practice fully embedded, the school has also been able to respond to more serious incidents restoratively, and recognises the risks associated with permanent exclusion. “Often the students involved in these incidents are some of the most vulnerable,” Tom said. “These young people are often at risk of disengaging completely from education and becoming criminalised in later life. By going through the restorative process, we have avoided permanent exclusion in a number of cases and taught communication skills for our students to take forward in adult life. They have become accountable through accessing a restorative framework.”

In 2010 Tom was the only facilitator at the school but his role has now shifted to co-ordination on a strategic level. “I facilitate the more challenging and sensitive cases that arise, and co-ordinate a team of trained facilitators in the school to look after daily issues that emerge,” he said. “I also work closely with primary schools in our catchment area to help introduce restorative practice. This means that students are familiar with the language and concepts by the time they reach us in Year Seven.”

The school recently ran a ‘Restorative Week’, which featured a set of assemblies to promote and share information on restorative culture. Tom said: “These assemblies began with the deputy head and assistant head having a staged argument in the assembly hall in front of the students, who found it really engaging and hilarious! We then talked about what feelings and emotions can come from this type of confrontation, and what approaches could be used to unpick the situation and sort things out.”

Tom also runs a city-wide Restorative Approaches in Schools network meeting each term. This gives representatives from schools, pupil referral units and other agencies like the Youth Offending Service a chance to meet and share practice. “I’m consistently impressed and proud of the outcomes we can achieve for young people in our city,” Tom said. “There are so many passionate and skilled people who are really pushing a restorative approach in not only mainstream primaries and secondary schools, but also in more specialised educational settings like pupil referral units.”

Tom concluded: “Restorative practice is massively important and central to how we work. We believe that schools aren’t just exam factories – instead educators are responsible for the holistic development of young people so they can be accountable members of society.”

As word spreads about the success of embedding restorative practice at Longhill, Brighton’s young people can only benefit.

Longhill High School is keen to share examples of best practice with other schools. If you would like to get in touch, please email tcannell@longhill.org.uk
Developing a restorative complaints process – the Leeds story

Leeds is well-known for being a pioneer among restorative cities. In this article Andy Lloyd, the head of workforce development at Leeds Council, and his colleague Josie Warwick, talk about a new way in which restorative practice is bringing benefits to the city.

In Leeds we have been developing our restorative work for six years and have adopted a restorative approach to much of what we do as a city. In our work within children and family services we aim to work with people rather than doing things to them, for them or doing nothing at all. This is predicated on a commitment to an atmosphere of high support and high challenge.

Restorative practice is different from restorative justice although they are, of course, closely linked. I am not suggesting that restorative justice is unimportant – quite the opposite. In Leeds, restorative justice is a central part of best practice when working with children, families and communities. It is used extensively, and our youth offending team is proud to hold the RJC’s Restorative Service Quality Mark.

Restorative justice needs to flourish if we want the best outcomes for the people we work with. It is important, however, to see the distinction between restorative justice and restorative practice. Restorative practice is not a tool or a method but a behaviour or a way of being. It is not something that we pick up and put down, it is how we are. And it’s the way we do things in Leeds.

Our commitment to restorative practice has seen some outstanding results in outcomes for children and their families including a reduction in looked after children at a time when many other local authorities have seen their numbers increasing. And this commitment has led us to seek other areas where we can use the approach to improve outcomes.

Like every local authority – and indeed every organisation – we have a complaints policy. However hard we try to get things right, there are times when the people we work with are unhappy about what has happened. It may be that we have got something wrong or equally it may be that we have done the right thing but the complainant doesn’t agree with us.

When we receive a complaint, we can seek to resolve it at a local level and this is often possible in cases where a fairly minor problem occurs. Where this is not possible it goes to ‘stage one’ which requires a local manager to investigate and then write to the complainant setting out our response to their concerns. Frequently, this resolves the matter. When it is not possible to resolve the matter, however, it escalates to ‘stage two’ and then further to ‘stage three’.

It is the requirement of the Children Act 1989 that at stage two an independent report is commissioned and at stage three, in addition to the independent report, the case is heard by a three-person independent panel. This process clearly incurs costs which in complex matters can be significant by the time it gets to stage three.

This is a well-understood system and will be recognised by many organisations. The challenge is, though, that there is an almost
built-in assumption of escalation. It is absolutely right that complainants are explicitly told of their rights to progress to the next stage of the process, and we are not attempting to interfere with that. There is a risk, however, that all parties simply assume that the case will progress ‘up’ the system rather than be resolved at the first opportunity.

So in Leeds we asked the question, “What if we assumed resolution rather than escalation?” In other words, what if we changed our thinking and made a determined effort to do everything we could to address the concerns of the complainant at the first point of contact?

At the heart of a restorative approach is the honest conversation – a real conversation, not simply an exchange of letters or a verbal sparring match. A restorative conversation is one where real attention is paid to hearing each other’s points of view and coming to a mutual understanding and an agreed way forward. It is not about attributing blame but more about restoring that which has become fractured. Of course, part of this process may well be that we have to say sorry and that is right. If we have made a mistake, we should apologise at the first opportunity.

So having asked the ‘what if?’ question, we developed a restorative approach to customer complaints. It is very simple in its principles. First, we assume that we can resolve the complaint at the point of first contact. When we initially speak to the complainant (and we try to ensure that we do speak to the complainant directly rather than have an exchange of letters) we listen carefully to their story and try to clearly understand what has happened and why they are unhappy.

If this is easily resolved (for example, a letter has not been sent or a phone call has not been returned) we try to sort that out immediately. If there is a more complex issue, we gather information and ask a local manager to communicate with the complainant to explain, and resolve, the concern if they can.

This is then backed up with a letter to the complainant setting out what has happened and what has or will be done. This letter always explicitly states that if they are not satisfied, the matter can be taken to the next stage. Very often this careful exploration of the situation and an equally careful response is enough to reach a resolution.

Inevitably, though, there are times when it has not been enough to satisfy the complainant. If they indicate that they are not satisfied and wish to take the process to the next stage, we will always at that point acknowledge that in person, either by telephone or by meeting the complainant. Often, this involves a meeting with a senior manager so that the complainant sees that at all levels we are committed to resolving their complaint. This is not to undermine their rights to escalate the complaint but to express our sadness that we have not been able to resolve things and to ask if there is anything we have misunderstood or failed to do which we can clear up. And sometimes, there is.

If there is not, then the process moves on to stage two, stage three and if necessary to the Local Government Ombudsman. We are only a year into this new process and so the results are early indications. We are seeing some very encouraging signs, however, with significantly fewer cases escalating to stages two and three of the complaints process.

There are two benefits from this process. First – and most importantly – we have resolved more complaints earlier and we have worked with individuals and families to restore our professional relationship with them and to help them find a place of peace. And when appropriate, we have said sorry. Second, and relevant in a time of tight finances, we are spending less money on commissioning independent reports and panels.

As previously noted, this is not because we have denied anyone the right to complain and to escalate their complaint. We are explicit about the fact that they can, and some do. What we are doing, though, is to deliberately – and restoratively – seek to understand fully the concerns being expressed and to do everything we can to resolve those concerns.

This is not complicated or in any way revolutionary. It is a simple change of attitude and values. It assumes resolution and adopts the restorative working with approach and moves away from an assumption of escalation which will always lead to doing to or doing for. And in Leeds, it appears to be working.

Andy Lloyd – Head of Workforce Development (andy.lloyd@leeds.gov.uk)
Josie Warwick – Customer Relations Manager (josie.warwick@leeds.gov.uk)
Leeds Children’s Services
My first role in the criminal justice system was as an offender manager, and I worked for the probation service in London and Bristol for nine years. It was while I was working for Liz Dixon as part of the London Probation restorative justice team that I first became a restorative justice co-ordinator. In that role I benefitted from the input and experience of a wide range of skilled and diverse practitioners. I knew then that I wanted to pursue a career in restorative justice, and moved on to Restorative Solutions, managing a London service with Lisa Smitherman and Michael Fajobi, who I’ve continued to work with ever since.

My initial practitioner training was with Restorative Solutions, and I have continued my professional development with further training in complex and sensitive cases, case supervision, engaging victims, restorative justice and sexual harm, a mediation qualification and various events that take place within the restorative family! I find the most effective way of developing my practice is sharing a platform with fellow practitioners and learning from one another. I was lucky enough to take part in a recent RJC event that saw over 60 practitioners from across the country get together. Events like that are vital for good practice and the field as a whole to flourish.

I’ve worked on a variety of cases, from burglaries and assaults to more complex and sensitive cases such as manslaughter and historic sexual abuse. Every case, regardless of the offence, provides an opportunity to learn more and develop as a practitioner. I feel it is essential for people in the field to continue their practice wherever possible, facilitating conferences.

My most recent career move has been to Catch 22 to work on Restore: London – the first ever pan-London, victim-focused restorative justice service. It’s a hugely exciting, incredibly challenging and ambitious project. The service went live in April, so the last few months have been very busy. London consists of 32 boroughs and the City of London, often described as ‘fiefdoms’. Each borough represents a unique challenge, and it is important to be aware of the intricacies before introducing the service at a local level. And it’s essential that we’re able to ensure that every victim in London receives the same quality of restorative justice service regardless of where they live. Myself and my colleagues have spent months developing robust relationships with key stakeholders across the city, and making sure that we’re consulting with the right people at every stage. A service like this can’t function without collaboration, so a key part of my role has been stakeholder engagement.

Now Restore: London is up and running, I’m responsible for managing a team of co-ordinators and volunteer practitioners and developing and maintaining relationships with current providers and partners across London. It’s an ideal role for me, because the people I work with – colleagues and service users – are the most important part of my work. I get huge satisfaction from developing, maintaining and repairing relationships, which is what restorative practice is all about. And, of course, there’s nothing more satisfying than witnessing the magic of a restorative justice conference.

At Restore: London, I’ve been part of implementing a restorative justice service from the ground up, and we’re already witnessing the cultural change that brings. There’s still a long way to go, though, particularly in terms of raising awareness. It’s clear that not enough people have heard of restorative justice, and there are disappointing figures around the number of victims who it’s currently being offered to. That’s something we hope to improve, by making Londoners aware of restorative justice and enabling victims throughout the city to access a high quality restorative justice service when they need it. Ultimately, though, I’d like to be able to go into a London pub and find that the first person I speak to at the bar already knows all about restorative justice!

Daniel Palmer
Isn’t it time for a Victims’ Law?

A General Election will take place in June 2017, with criminal justice reform not expected to feature prominently in the pre-election policy or media debate. Here, the RJC’s chief executive Jon Collins argues that the new government should nonetheless get on with passing a Victims’ Law.

By the time you read this, a General Election will be looming, manifestos will have been published, and it’s possible that every political party will be talking about restorative practice as part of their election campaign. Or maybe not. While we might all hope for that, it’s far more likely that restorative practice will be a marginal issue, at best mentioned in passing in plans for reform of the justice system.

That’s disappointing, obviously, and at the RJC we continue to work tirelessly to put restorative practice onto the political agenda, not just in the criminal justice arena but also in education policy, among other areas. In the meantime, though, what can we realistically expect prospective new governments to commit to in the run up to the forthcoming election?

Well, if we can have one ‘win’, we believe that a Victims’ Law, a manifesto commitment from both the Conservatives and Labour in 2015, should be introduced as soon as possible after the election. This is realistic in the current context, and the reasons why this legislation are required are well known. The Victims’ Code, while beneficial, lacks teeth and victims continue to all too often be treated poorly by the justice system. Primary legislation would focus everyone’s minds on addressing this.

And, while it is likely that Brexit will dominate the legislative timetable in the next parliament, whoever is in government will need to find time for a domestic policy agenda. A Victims’ Law, long mooted but never delivered, should surely be a part of this. Given the limited time available for domestic legislation, it can only be an advantage that any piece of legislation focused on improving victims’ experiences of the justice system is also likely to have cross-party support, easing its passage through parliament.

Moreover, given the well-established benefits of restorative justice in helping victims to recover from crime, it is unarguable that any proper piece of legislation aimed at helping victims should include a legal entitlement to restorative justice for all victims of crime. This does not mean that every victim would be able to participate in restorative justice, of course, but it would ensure that every victim is given the chance to explore it as an option even if they – or their offender – later chooses not to take part.

Polling conducted by Ipsos MORI for the RJC in 2016 has shown that this would be popular, with 80% of the public agreeing that all victims of crime should have the right to meet their offender if they want to. It is also supported by evidence from this country and around the world that restorative justice benefits victims, as readers of Resolution will know only too well. This is significant when you consider how little evidence there is about the efficacy of many other victims’ services.

It is also not unaffordable. The Criminal Justice Alliance has recently calculated that enabling all victims to access a restorative justice service would cost approximately £30.5m per year, which should be manageable even within the Ministry of Justice’s much reduced budgets. This funding would, realistically, be distributed locally. A single national restorative justice service, while appealing to many in the field, seems out of reach for the foreseeable future.

While this may make achieving consistency more challenging, a requirement under primary legislation to ensure that all victims can access restorative justice would ensure that those police and crime commissioners (PCCs) who have to date made less progress on restorative justice get on with it without further delay. It would also strongly discourage PCCs and the services they fund from unnecessarily excluding some victims from accessing restorative justice solely because of the type of crime that they have experienced.

Linked to a legal entitlement to restorative justice, and to protect victims who choose to access it, we believe that the Victims’ Law should require restorative justice services that receive public money as part of funding for victims’ services to hold the Restorative Service Quality Mark. I declare an obvious interest here, as the RJC’s chief executive, but surely this is a no brainer for the government?

If victims are going to be kept safe, the services providing restorative justice must do so to a high standard. If they don’t, and victims have a negative experience, then it will be the government that cops the flak. They will, inevitably, be blamed for not taking the necessary steps to regulate the restorative practice field. Mandatory standards are, among many other benefits, an effective defensive shield against this criticism.

A Victims’ Law with a robust commitment to high quality restorative justice should, then, be a priority for the new government. For the avoidance of doubt, I’d like to see policy commitments from the main parties on the use of restorative practice in schools and care homes too. I’m not unambitious. I can’t, though, see that happening in this General Election campaign. But a commitment to a Victims’ Law? Surely that’s the very least that we can expect. And, more importantly, isn’t that the very least that victims of crime deserve?
Historic child sexual abuse cases are becoming alarmingly familiar, and some survivors are starting to express the need to confront their abusers. Here, Wendy – now 55, describes a lifetime spent living with the effects of being abused by her father and how restorative justice helped her to finally move on.

When I was 14, I came home from school one day to find my dad slumped in a chair, completely distraught. He said: ‘Your mother’s left.’ I’d never seen him so upset and his tears were quite unnerving. I tried to find out from him what had happened, because I’d never seen or heard them argue at all. I remember struggling to deal with this side of him that I hadn’t seen before. It completely threw me.

One of my two brothers arrived home from school, and I made tea for everyone and tried to carry on as normal. I wasn’t very domesticated, but over the following days and weeks I tried to step up to fill the gap left by my mum. The following days and weeks I tried to carry on as normal. I wasn’t very domesticated, but over the following days and weeks I tried to step up to fill the gap left by my mum. The following days and weeks I tried to carry on as normal. I wasn’t very domesticated, but over the following days and weeks I tried to step up to fill the gap left by my mum.

When I was 14, I came home from school one day to find my dad slumped in a chair, completely distraught. He said: ‘Your mother’s left.’ I’d never seen him so upset and his tears were quite unnerving. I tried to find out from him what had happened, because I’d never seen or heard them argue at all. I remember struggling to deal with this side of him that I hadn’t seen before. It completely threw me.

One night, soon after Mum had left, I was in bed listening to Radio Luxembourg under the covers, which I wasn’t really allowed to do. My door was left, so don’t tell me anything.’ I went right to tell me what to do. My mother was naked, and the photographs seemed to prove everything he was saying to me. I started to feel a real hatred for her. I couldn’t understand how she could hurt my father like that, or why I’d never realised that she could be so nasty.

As we talked, he started to touch me and asked me to touch him. I know I wasn’t comfortable with it, so I asked him, more than once, whether it was wrong. He said: ‘Of course it’s not wrong. This is what every father does to prove how much they love their daughters, and I love you.’ My dad was an ex-policeman, and a very clever man. I loved him to pieces and I had no reason to doubt him at all. I thought the fact that I didn’t like what he was doing to me meant that there was something wrong with me, and that I just needed to get on with it. I felt like I was the broken one.

Over the next few nights, Dad would get me to stay up late to do the ironing. He knew my brothers wouldn’t complain about me going to bed later than them because I was doing chores. To me, being allowed to stay up late felt like a special treat. But as soon as Dad was sure my brothers were asleep we’d go up to his room and start all over again.

He tried to have full intercourse with me, but I must have pulled a face or something because I remember him saying: ‘Are you worried it’ll hurt? It won’t hurt.’ I said I was just scared. He told me: ‘We won’t do that until you’re ready – that’s how much I love you.’ I thought he was being so nice to me by not making me do that, so we did everything else he wanted instead. And each time, I felt like he was somehow doing me a favour by not hurting me.

I’m not exactly sure how long this all carried on for but it seemed like forever. Dad kept saying to me: ‘This is our secret – don’t say anything to your brothers because they’ll just get jealous and they won’t understand.’ Dad would let me sleep in his bed most nights and then wake me up early so I could get back to my own room before the boys noticed. It sounds ridiculous, but I felt so privileged – I felt lucky that my dad loved me so much.

There was a nagging part of me that didn’t feel what we were doing was right. I never felt comfortable, but I actually thought that there must be something wrong with me, so I told myself not to question it.

After two months, my mum came home. And, to be honest, I hated her. Because of the story my dad had built up, I couldn’t even look at her. It made no sense to me – Dad had said he’d never have her back in the house, but here she was, sauntering around as if nothing had happened.

A day or so after Mum came home I was about to go out somewhere when she told me I had to do my homework first. I turned to her and said: ‘You have no right to tell me what to do. My mother left, so don’t tell me anything.’ I went
up to my room and slammed the door, but as I went I noticed she was crying. I wasn’t a rebellious child and that was probably the rudest I’d ever been in my life, but I felt like she deserved it.

“Mum followed me up to my room to find out what was wrong. She said: ‘I know about you and your father, and I can see what’s been going on.’ Later, I understood that she was just talking about the fact that we’d got on well while she was away, but at the time I took it to mean that Dad had told her everything, despite telling me it was our secret. I was really upset. I started to list all the things I’d done to make up for her being gone and at that point it all came out.

“Mum was shocked. She said: ‘Do you realise that what you’re saying your father’s done to you is totally wrong?’ But I still didn’t understand that any serious harm had been done – I thought I’d just accidentally let a secret out which might make my brothers jealous. I certainly had no idea that what had happened was illegal. When Mum said she was going to ask my dad about what had happened, I was unconcerned.

“When Dad got home from work, Mum confronted him. At first, he tried to pretend he didn’t know what she was talking about. But Mum persisted, standing between the two of us so he couldn’t make eye contact with me. Then she said to me: ‘Wendy, tell your father what you told me.’ I’d only just started talking when Dad turned to Mum and said: ‘You don’t believe what she’s saying, surely?’

“Of everything that had gone on, that was the worst part. I realised suddenly that what he’d done was wrong, but also that he would lie and throw me under the bus to protect himself. In that moment, I knew that if my mum believed him over me, I was doomed. Over the years that followed, I felt I was able to deal with everything except for my father denying everything I said.

“Mum believed me. Dad left the room and she called the police. From that day forward my life nosedived. The police came and interviewed me, and we went over everything in detail. I remember being taken out of class and questioned by social services at school. The abuse was from my father, but the school, social services, everybody, treated me terribly. They didn’t have a clue where to put me or what to do with me.

“I was upset. I started to list all the things I’d done to make up for her being gone and at that point it all came out.

“Mum was shocked. She said: ‘Do you realise that what you’re saying your father’s done to you is totally wrong?’ But I still didn’t understand that any serious harm had been done – I thought I’d just accidentally let a secret out which might make my brothers jealous. I certainly had no idea that what had happened was illegal. When Mum said she was going to ask my dad about what had happened, I was unconcerned.

“When Dad got home from work, Mum confronted him. At first, he tried to pretend he didn’t know what she was talking about. But Mum persisted, standing between the two of us so he couldn’t make eye contact with me. Then she said to me: ‘Wendy, tell your father what you told me.’ I’d only just started talking when Dad turned to Mum and said: ‘You don’t believe what she’s saying, surely?’

“Of everything that had gone on, that was the worst part. I realised suddenly that what he’d done was wrong, but also that he would lie and throw me under the bus to protect himself. In that moment, I knew that if my mum believed him over me, I was doomed. Over the years that followed, I felt I was able to deal with everything except for my father denying everything I said.

“Mum believed me. Dad left the room and she called the police. From that day forward my life nosedived. The police came and interviewed me, and we went over everything in detail. I remember being taken out of class and questioned by social services at school. The abuse was from my father, but the school, social services, everybody, treated me terribly. They didn’t have a clue where to put me or what to do with me.

“My mum left again soon afterwards. She tried to get me to go with her, but I didn’t want to leave my school-friends or my brothers. Within days, social services made my father put a bolt on my bedroom door to stop him coming in. Then I was removed from my home and sent to live with Dad’s sister about 10 miles away. Nobody said anything to me – I naïvely thought I was only going to be there temporarily. Nobody spoke to me about what was going on, not even my aunty.

“I was never told that I wasn’t going home. I became very jealous and confused that my brothers were allowed to stay there, and then my dad very quickly found a new girlfriend who moved in with her children. I was about 15 when I looked in the local paper one evening and saw a very small article which said that my dad had been convicted of molesting a young girl. I knew that young girl was me and I just wanted to die – I’d been a complete basket case, crying in school and finding it difficult to cope, and I realised that now all my friends would know why. The police and social services had promised me that any information that I gave them would be treated as confidential.

“I was dating a boy who was much older than me, and we got engaged when I was still just 15. I was married very young, and looking back, it’s obvious that I did that to get back into what I’d been removed from – a family. I tried to get on with my life, but I could never understand why I’d been pushed out and my dad had been allowed to carry on as normal with a new partner and family. Dad was convicted, and his girlfriend must have known about it, but all he got was a £20 fine and a one-year conditional discharge.

“I was always in contact with my dad and my brothers, and I still didn’t fully realise that what he’d done to me was wrong – it’s only as I’ve got older and talked to more people about it that it’s really sunk in. But at that time, no-one ever talked to me about what had happened. I wasn’t offered counselling, or told why I’d been taken away from my home. I was just left alone and forgotten about.
And my dad never apologised – not for what he’d done, and not for calling me a liar when I told my mum.

“Several years later, my marriage was falling apart and I went to see a guidance counsellor. She told me that my problems stemmed from what my dad had done to me, and that it wasn’t healthy for me to keep trying to be a daughter to him. At that point I broke off all contact with him.

“But as I got older, things just got worse. I started seeing stories of abuse on the TV and in the papers, and every time I’d think: ‘That happened to me.’ I became obsessed with the fact that survivors weren’t being believed when they told their stories. I could see how it was happening – after all, my dad had been convicted but somehow he’d managed to get on with his life and I’d been branded a troublemaker. At one point I found out that Dad had told one of his new stepchildren that I wasn’t even his natural child. That hurt me. And there wasn’t a single day when what he’d done didn’t come back to me.

“Twenty years after I broke off contact with my dad I realised I needed to speak to him. I needed an apology, and I needed to know why I’d been taken away from my home without any explanation. I’d spent my life getting upset and jealous that other people had fathers, or I’d get upset when their fathers had died prematurely while mine was still able to carry on with his life. I needed to put all that behind me.

“I found out about restorative justice purely by chance. I’d started by then to think I’d imagined everything, so I was trying to get hold of details about my father’s court case. No-one I spoke to – the police, social services – had any idea what I was talking about. I mentioned this to a colleague and she happened to know someone who worked in restorative justice. From there, everything started to change – all the barriers started to disappear.

“I was initially visited by a woman called Sarah from Wales Community Rehabilitation Company. She had managed to get hold of some of the information I needed about the case, and that convinced me that she cared and was going to listen to me. She warned me that meeting my father in a restorative justice conference could be a very long process which might not even happen. She went to great lengths to find out exactly what I wanted from it, and was very clear that I could pull out any time if I changed my mind.

“My goal had been to turn up at my father’s house with proof of what he’d done to me and confront him on his doorstep. I had no idea that I could get involved in a formal meeting, with someone to manage the process. As I learned more about restorative justice, I realised it would be a far better option.

“Tony and Kathryn, restorative justice facilitators from Restorative Solutions, took on my case. They were 100% behind me, but they still made it very clear that I might not get the meeting I wanted – either me or my dad might call it off at any point. I still struggle to understand how the offender can be allowed to call the process off – it just doesn’t seem fair on the survivor. I know that if my dad hadn’t turned up on the day I’d have been beside myself. He would have had power over me all over again.

“The preparation for the meeting took eight months, and Tony and Kathryn visited me many times to take me through what was going to happen. One of the things they asked me about was whether seeing my dad for the first time in so long might make me regress back to the 14 year old girl I was when I’d last had any prolonged contact with him. That had never occurred to me, so it was important that they raised it. But I knew what I wanted from the meeting – I wanted an apology.

Tony Walker, the director for service delivery at Restorative Solutions, co-facilitated Wendy’s case. Here, he talks about some of the issues faced by practitioners when dealing with historic sexual abuse cases.

“There’s an ongoing debate around whether offenders should be compelled to take part in restorative justice. Many survivors get involved in the process to regain power and control which they feel they were wholly deprived of when they were sexually abused. So the idea that the offender still has the power to refuse to meet them is very difficult to cope with, as Wendy describes. As a facilitator, you spend a great deal of time managing the victim’s expectations around the offender’s decision to take part, in which the aspect of shame potentially plays a major part. For anyone, thinking about a time when they did something wrong provokes feelings of shame. For a sex offender, who’s possibly harmed a child they’re related to, those feelings of shame are hugely magnified. Many people can’t handle the self-loathing that generates. So you’re dealing with potentially huge levels of denial from perpetrators who just can’t admit – even to themselves – what they’ve done.

“So one issue we have to consider when facilitating is exactly how much responsibility do you need an offender to take? In Wendy’s case, her father was prepared to admit to a single incident with what he considered to be mitigating circumstances. Wendy’s story was entirely different, so we spent a long time talking to her about how she would feel if that was all he would admit to in the meeting. We discussed all the possible responses she might have, and she was prepared to go ahead on that basis, knowing that she might not get a full admission which matched her own account.

“When the meeting began, Wendy’s father took the position we’d warned her about. But she looked him in the eye and confronted him with her version of the truth, and over the
The day of the meeting finally arrived. Everything was organised by Tony and Kathryn, every detail was addressed. Their care and commitment made me feel totally safe and happy to go ahead with the meeting. Nothing was left to chance, even down to how we were to be seated.

“We’d decided in advance that my dad would speak first – I wanted to have the last word. Initially, he tried to deny everything, but I didn’t say anything – I just let him say his piece. Then it was my turn. I was shaking like a leaf, but I was determined not to let him get the better of me. I wasn’t nasty (although I could have been), and I spoke in what I thought was a very controlled manner. I went in there as the adult protecting the 14 year old he thought he was going to meet. I felt like I did myself, and that 14 year old, justice by looking him in the eyes and saying the things I did.

“Getting everything off my chest was even better than I thought it would be. At one point, my dad tried to say that I’d been older than 14 when it happened – I think he was trying to justify it to himself. But I was able to come back and say that I remembered being taken out of lessons at school to be questioned, so he wasn’t able to get away with that. I think he’d told himself a version of the story so many times that he’d started to believe it. He’d convinced himself that I was old enough to make the decision to do those things with him, oblivious to the fact that any age was the wrong age to do those things to his daughter.

“I was able to ask him, for the first time, why he had chosen me. He blustered and waffled, but I knew he was going to do that – he was always a man of words. And a couple of times, Tony pulled him back by saying: ‘Can we just concentrate on the things we’re here to discuss?’ I said to my dad: ‘You paid £20 for what you did to me. You could have had a prostitute for less, but you were able to pay that and get on with your life. If I could have paid £20 to get on with mine, I’d have done that every week.’ My dad expressed just how difficult his own life had been at times, having to explain to others just why he only sees two out of three of his children. I said to him: ‘And just whose fault is that? Try telling them the truth, then they’ll understand why I’ve stayed away.’

“I feel like I offloaded everything in that meeting and gave it back to him. My first feeling as the meeting ended was one of relief – I’d got through it and come out the other side. But then I started to feel as if the huge, filthy grey cloud I’d had hanging over me for 40-odd years had finally gone away. We’d decided that my dad would leave the room before me, and as he walked out I could see the cloud leave with him. All the garbage he’d made me carry, he’d got back.

“I reduced my dad to tears in that meeting – I don’t know whether they were real or not, but it didn’t matter. He was just a pathetic old man who said sorry, numerous times. I’d wanted him to realise just how he’d made me feel and I got the apology I went in there for. And without the total care, consideration and full support of Tony and Kathryn, I doubt that my story would have ended so positively.

“There are lots of other survivors out there, and I would say to them never give up. Even if the abuser is dead, there should be someone – a family member, maybe – who can recognise the harm that’s been done. I wanted an apology, which would mean that my dad admitted what he’d done, but the end point for someone else might be different. Even if he hadn’t apologised, though, being able to offload all the years of hurt and rage onto him would have been enough. It’s the most wonderful feeling, taking that power and control back. There’s nothing like it.”

The RJC would like to thank Restorative Solutions and Wendy for sharing her story with us.

Wendy’s father has spent the last 40 years sitting at home, with his ‘new’ wife and family, waiting for a knock on the door. He’s lived in fear of being accused publicly of what he did to Wendy. I had to call him up, out of the blue, and tell him that I wanted to come and talk to him about sexually assaulting his daughter, who he hadn’t spoken to in 20 years. The first surprise was that he agreed to meet me at all. To me, that made it obvious that he’d been carrying something around with him all those years which he wanted to get rid of. So what he got out of the restorative justice process was the opportunity to diffuse the situation, but completely privately and confidentially.

“For Wendy, as is the case with many survivors of historic sexual abuse who take part in restorative justice, meeting her abuser re-empowered her and gave her answers to her questions. She got ‘closure’.”
Eddie’s Story

“I was at my mate’s house, just down the road from mine. There was a bit of a gathering going on – me, two of my friends and my brother were there. We had a bit of music on, and were just chilling out together in the summer house at the end of the garden. I looked down the garden and I saw some people walking towards the house. At first I couldn’t see them, as they had hoods up and balaclavas over their faces, but then they came in, and I realised I knew two of the boys.

“They came up to me and one of them, Mike, began pushing me around. I hit my head on a cupboard that was next to the chair, but he kept hitting me repeatedly round the face. I got knocked out, and when I came around, my mate was sitting next to me screaming, ‘Wake up, wake up!’

“My mate’s parents came home and my brother phoned my mum in a panic. She ran to the house with my little brother and sister. I was coming round, and kept asking where my older brother was – I wanted to know if he was okay. I was put in the back of a neighbour’s car to calm me down while people were looking for my brother, and trying to find out what had happened. Then the police came, and began questioning everyone. I wasn’t in the right frame of mind to answer questions, so I was told to go to the station the next day to make my statement.

“I thought I was alright when we got back home. I went upstairs, and then I just kept passing out due to the pain. My mum phoned an ambulance and I was taken to the hospital. Even in the ambulance I was in and out of consciousness. I don’t really remember much from there, it was just a blur.

“I was kept in overnight and I started to have body spasms and sharp pains in my head. I was sent for an MRI scan, but the next morning I told them I was alright and was released – I just wanted to go home for my sister’s birthday, even though I was still in a lot of pain. I came home and I was alright for a bit. But then I began having spasms and seizures down one side of my body – one side of my mouth would drop, my arm would go numb and my mind would go completely blank.

“I was referred to a specialist and underwent testing including an MRI, a CAT scan and an EEG scan. After months of stress and worrying the tests came back all clear – there was something clearly wrong but the doctors couldn’t find out what it was. I was having constant headaches, and was in agony all the time. The problems still haven’t stopped, but you kind of get used to it. The doctors hope that one day the symptoms will stop.

“After it happened I just didn’t know where to go or what to do. I didn’t go to school regularly, and didn’t complete a full week for about 6-7 months. I was hardly going out, and if I did I’d look over my shoulder constantly. I wouldn’t even want to stand outside the front of my house – I’d rather stand in the back where no-one could see me.

“I didn’t talk to anyone – most of the time I’d leave my phone on the side and wouldn’t answer any messages. I wouldn’t go out, wouldn’t socialise at all. I completely cut myself off from my friends.

When Eddie was assaulted by a boy he knew, it had a long-term impact on his health, his wellbeing and his family. Here, he describes how restorative justice helped him to get his confidence back.
“It was hard on my family too. My brother, Ben, had witnessed the whole thing – I’d been knocked out, but he’d had to watch everything happen. He was helpless, and he felt like it was his fault because he didn’t stop it – he couldn’t stop it. He was angry, and didn’t know what to do either. He stayed in a lot. My mum, she was trying to stay supportive, but was still angry because nobody wants to see their kid go through that.

“Once the police came over a couple of nights after the attack to take my statement, they gave us a contact number to get more support. That was when I first heard about restorative justice. At first I really didn’t want to do it. I didn’t want to meet him, I didn’t want to sit in the same room as him. And then after a while the YOT gave my mum a YouTube video which I watched and it explained that it was all supervised, and I wouldn’t be on my own with him. Ben decided to come along with me for support.

“I knew that it was going to be hard and awkward at first. I got a chance to look at the questions that me and Mike would be asked beforehand, so I could get the answers ready in my head and gather the emotions I was feeling at the time. It helped me go in there feeling a bit more prepared, and made me feel a lot better about going into the meeting.

“Even until the minute I went into the room I was so nervous. I didn’t know what I was walking into, or what the outcome would be. I had things I wanted to ask, simple questions, like why did he do it and what did he get out of it.

“I just went in there and asked him: ‘Why did you do it? Did you get anything from it other than ruining your life?’ Leading up to the attack, I’d won a fight with someone that Mike had grown up with and thought of as his brother. Mike thought that it was his duty to look out for this friend. I had thought the situation had calmed down – a couple of days after this fight Mike and his friends had shown up at my house and wanted to fight me, but we had agreed that this should be the end of the violence and should be left. It turned out Mike didn’t have the same idea, and decided to carry on the situation leading up to the attack.

“I do understand that. He told me that this friend was like his brother, and I thought that was fair enough. He also told me he understands how Ben feels, because Ben’s gone through pain over all this. He can understand where Ben’s coming from and why he’s so angry.

“Ben didn’t really want to say much – he was still angry and felt that the boy
couldn’t say anything that would help the situation or explain himself and why he did it. He just sat there, and I could see he was getting angry, knowing that Mike had completely changed my life. I think since the meeting he’s got over it a bit more, though.

“The meeting changed everything. Before, I was constantly beating myself up about the crime. It was hard. Going into the meeting I wasn’t sure how we’d come out of it, but I got the answers I wanted off him, and he can see how what happened affected me. I think that’s the revelation for both of us – he can see how it affected me and I can see how it’s affected him and his future.

“In the meeting we agreed that if we see each other in public, we’re not going to have a conversation, not going to look in each other’s direction – just go past each other like we don’t know each other. After the meeting I was wondering if he was actually going to do it, or if he was just saying it in the meeting because everyone was there. I was nervous, but the first time I saw him what he said was true. We didn’t look at each other, just walked past each other. His attitude is completely different now.

“I’d still be worried about going out and seeing either of the boys in the street if I hadn’t done restorative justice. But having had the meeting and all of the support, it’s made it a lot easier and made me a lot more capable of going out and seeing him and not having to worry about looking over my shoulder.

“It’s only recently, in the last couple of months since the conference, that I’ve actually been going out. I’ve rebuilt friendships with a lot of my friends because I’d completely cut them off.

“Restorative justice was completely worth doing. You can get all the answers you want in a controlled environment — and it’s all helped by the facilitator. After Mike was sentenced in court I’d thought that he’d got off without much of a punishment. But after talking to people I realised the criminal record is going to affect all of his life. It’s going to shut so many doors for him.

“After court I had been angry and thought that if he’d got away with that I might as well find him and do the same thing. But hearing about how it’s affected his life, and will always affect his life, has made me realise it’s just not worth it. I used to get into fights, but after this – well, there’s just no point. It’s just going to ruin your life.

“I would 100% recommend restorative justice to another victim of crime. It’s made things a lot better for me – I feel a lot more confident going out and there’s no more arguments or tension. It’s completely changed everything.”

The RJC would like to thank Essex Youth Offending Service and Eddie for sharing his story with us.
Theatre review – The Listening Room

Described by The Spectator as “a painful, shocking, vital, uplifting experience” and “quite unforgettable” during its recent run at the Old Red Lion Theatre, the play The Listening Room was a critical hit. Here the RJC’s Safi Schlicht reviews a compelling piece of theatre.

It’s difficult to know what to expect from a play about restorative justice. Restorative justice conferences present a self-contained narrative arc in which a huge range of emotions can play out. While this may seem to be a scriptwriter’s dream, there is a real risk of missing the subtleties or introducing unnecessary melodrama.

The Listening Room, written by Harriet Madeley and directed by Max Barton, does not fall into this trap. The play utilises a technique called verbatim, in which the actors are fed, via headphones, edited transcripts of interviews with people who have been through restorative justice. The highly versatile cast are allocated a different role by the audience at the start of each performance. The audience are also invited to repeat questions posed by an unseen interviewer, which frame each scene and draw the audience into the play.

With minimal set design and identical costumes, the actors narrate the stories of five individuals who have experienced violent crime, either as a victim or an offender – Ray, Vi, Jacob, Tim and Khamran. Their stories are interwoven, with each actor turning on a light above their head as it’s their turn to speak. It’s a simple but effective device except on one or two occasions when the speed at which the dialogue moves between characters borders on frenetic. Even then, it’s hard not to feel that the confusion on-stage just echoes what the characters are describing.

The scenes are interspersed with the actors painting and then obscuring images of themselves on a black wall. At first, this seems like an unnecessary distraction, but it provides a rest in the highly-charged dialogue and ultimately comes to make sense as each figure is entirely painted out. Devices aside, though, these are unforgettable and intensely moving stories. The fact that they work together as a piece of theatre is down to sensitive editing to create the rhythm as well as skilful delivery from the actors.

For an audience unfamiliar with restorative justice, The Listening Room is a fascinating insight into how people’s lives are transformed by violent crime and the way in which dialogue between victim and offender can restore balance and repair harm. Anyone working in the field, however, will be familiar with at least two of the stories. This could be an uncomfortable experience, and at times it’s hard not to focus on what the ‘real’ characters would make of their on-stage portrayal, particularly the interactions between ‘Ray’ and ‘Vi’.

It’s entirely down to the skill of the writer, then, that The Listening Room stands up as a compelling narrative, even when you know exactly what’s coming next.

The Listening Room will have a further run at the Theatre Royal Stratford East in September. When more details are available they will be advertised on the RJC’s website.

“In parts it was funny, but it was also very emotional. I talk to people in prisons about the crimes they’ve committed all the time, so what took me by surprise was my reaction to the stories of the offenders – they made me cry.”

Vi Donovan
What’s new in restorative justice research?

If the delivery of restorative practice is going to be informed by research, then it is essential that practitioners, managers and commissioners are aware of the findings of the latest studies. To help ensure that this is the case, this regular feature summarises the findings of new research relevant to the restorative practice field.

First, new research on restorative policing has been published by the University of Sheffield and the University of Leeds. Funded by the Police Knowledge Fund, this major research project is exploring current practice – and developing good practice – in restorative justice delivered by the police. The report is based on research in Humberside, South Yorkshire and West Yorkshire police forces. It argues that it is essential for robust and sustainable structures to be in place for the delivery of restorative justice, that there must be sufficient awareness of restorative justice among the police, and that there are cultural barriers and issues which tend to make it difficult to deliver restorative justice in a policing context. The report suggests that the police must be encouraged and supported to make an offer of restorative justice to victims, that there should be restorative justice ‘champions’ based in each main police station, that referral ‘hubs’ should be created working within the police, and that there must be strong leadership at force and local level. The report is available at bit.ly/WestmarlandCrawfordGrayBurn

Second, the full findings of research by Professors Clare McGlynn and Nicole Westmarland on the use of ‘out of court resolutions’ (their term for restorative justice and community resolutions) in cases of domestic abuse has been published. Their work found that every police force in the UK (except Scotland) used out of court resolutions to respond to a total of 5,466 domestic abuse incidents (including intimate partner abuse) in 2014. Most often, out of court resolutions were used for domestic abuse cases involving violence against the person, including cases of common assault, actual bodily harm and harassment. The second most frequent use was for domestic abuse cases involving arson and criminal damage. A summary of this research is available at bit.ly/WestmarlandJohnsonMcGlynn1 and an article setting out its findings and their implications is available at bit.ly/WestmarlandJohnsonMcGlynn2

Third, a small study has been published looking in detail at the implementation of a pilot restorative justice programme in a medium-sized Midwestern city in the US. The article examines the development of the Fast Track Accountability Program, a diversionary programme that was intended to use a restorative justice process instead of prosecution for selected low-level offences. The research highlights the challenges of using a restorative disposal within a justice system that is not accustomed to this approach and of maintaining programme integrity when developing a restorative pilot within the constraints of the conventional justice system. It is available at bit.ly/Gerkin

Fourth, the Criminal Justice Alliance has published a briefing on the cost of a legal entitlement to restorative justice for victims of crime. Taking into account that there is not an identified offender in every case and using the available polling and research on the demand for restorative justice, the briefing estimates that the cost would be £30.5 million annually. The briefing is available at bit.ly/CJAcost

Finally, the RJC has published two research reports in recent months. The first was based on a study by Janet Bright exploring how to improve victim take-up of restorative justice. It explores the barriers to victims participating in restorative justice and what can be done to address them. Its recommendations include better facilitator training in engaging victims, removing offence-specific exclusions from services, increasing the number of points in the criminal justice system where service providers can deliver restorative justice, and increasing awareness among key agencies. This report is available at bit.ly/JanetBright

The second RJC report focuses on the use of restorative justice with black, Asian and minority ethnic (BAME) children who have offended. Written by Dr Muna Sabbagh, the report examines current practice and sets out a series of recommendations for changes in policy and practice. In particular, the report supports existing evidence that BAME children experience high levels of mistrust of the police and the criminal justice system, and that this needs to be carefully considered when making the offer of restorative justice. It also concludes that it is essential that restorative justice practitioners are provided with specific training in engaging BAME children from different cultural and faith backgrounds. This report is available at bit.ly/MunaSabagh and a guide for practitioners is available at bit.ly/MunaSabagh2
In this issue, the questions come from the RJC’s event, Developing best practice through shared learning, held in March. The event, facilitated by Charlotte Calkin, brought practitioners together and enabled them to pose questions. Here, Charlotte considers two of the questions which were raised on the day.

Q
Do we have to be more structured or more flexible when handling complex and sensitive cases?

A
The aim of the shared learning event was to allow practitioners to bring their own questions and work collaboratively to come up with the answers and I used that approach when thinking about the answers to these questions. After checking in with what I thought, I then checked in with several senior practitioners before responding.

In answer to this first question the general response is that we need to be more flexible. But this does not mean less thorough – to deliver successful complex and sensitive restorative justice we have to be more thorough and more flexible. But why, and what does that mean?

Thoroughness means delivering a complex and sensitive conference knowing that you have thoroughly prepared for managing participants’ expectations and have created deliverable outcomes. There is little scope for hindsight with a complex and sensitive restorative justice conference, so it’s important to realise that it’s all about foresight! Additionally, when working with victims in complex and sensitive cases we need to be clear about what part of the harm we are helping with – we can’t heal everything and we need to be working in collaboration with other agencies to support the healing process.

It’s essential to be open about the boundaries of our role in the victim’s journey, both for them and for ourselves. Those boundaries also need to be communicated to partner agencies, along with clarity around the restorative justice process. And we need to be clear that we are supporting both parties in that process with equal rigour.

It’s also essential to prepare the participants in complex and sensitive cases for post-conference in a more thorough way than with other restorative processes. This might mean further signposting or checking that support is already in place and also having a clear exit strategy. Post-conference can be challenging for participants and this needs to be considered in the preparation.

Flexibility is equally important, and as every complex and sensitive case throws up such widely different needs it’s very important that the facilitator has a wide ‘toolkit’ of restorative skills at their disposal. For example, it’s often necessary to go through a shuttle process and restorative letter writing before a restorative conference (assuming that a conference is the appropriate restorative response). Restorative letters can be facilitated in a variety of ways and this requires a flexibility of approach. The important skill regarding flexibility is to be able to create an individually tailored process, which is nuanced and sensitive to the participants’ needs.

Q
How can we better manage the risks and safety issues in complex cases?

A
When thinking about my answer I reflected upon my current complex and sensitive restorative justice case, a homicide. My co-facilitator and I create a very clear set of questions for each meeting with an explicit understanding of how and why we are moving forward in this way so that the parties are very clear about the journey they are on. We are working in partnership with several agencies and we are signposting the participants to relevant and supportive agencies to help along the way. This means we spend a lot of time pre- and post-meetings discussing and preparing the case, and accessing constant supervision. So in doing our prep we are constantly managing the risk and safety issues and also checking in with all other agencies.

Risk assessment is an ongoing, active and flexible process. We are there to support the parties’ needs, expectations and outcomes, and our role as facilitators is to carry out a risk assessment that ensures that the restorative process will achieve that aim.

The RJC would like to thank Charlotte Calkin for her help with the questions in this issue, and to everyone who attended the RJC’s event, Developing best practice through shared learning, for bringing such a wealth of good questions and answers.

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 those questions, please email enquiries@restorativejustice.org.uk.
A restorative approach

In Bristol, the hilly landscape and narrow streets were causing traffic congestion and disputes between road users. As part of the city’s status as European Green Capital for 2015, an innovative project was developed with the aim of making Bristol’s roads safer and calmer for everyone who used them. Road Sharing – A Restorative Approach was funded by the Office of the Police and Crime Commissioner through Bristol City Council. Bristol has a long history of using restorative practice, and the work was undertaken by Bristol Mediation, which employed two part-time project co-ordinators for 10 months.

The project was expected to have several different outcomes, from improving communication between different groups of road users to increasing confidence among communities in the city’s roads. There was a strong emphasis on recognising the diversity among road users, improving their understanding of others’ perspectives and empowering them to have a voice.

The initial phase of the project included drawing up an information sheet and contacting more than 100 organisations in Bristol. The idea was to identify stakeholder groups of different types of road users, and work with these groups through small meetings to identify issues to be taken to a larger restorative meeting in February 2016. The stakeholder groups identified were car drivers, cyclists, pedestrians, motorcyclists, bus drivers, lorry drivers, taxi drivers and disabled people.

Initially, recruitment was slower than expected, and there were insufficient members of any of the proposed stakeholder groups to hold meetings. A different approach was needed. Marian Liebmann from Bristol Mediation explained: “We decided to hold small groups of mixed road users, using a peace-making circle facilitated by a restorative co-ordinator as the restorative process. In this process participants held a talking piece – we used a rather nice stone to signify roads – which was passed round the circle, enabling people to have a voice.

“These groups worked well, as they could be tailored to participants’ availability – we provided a choice of morning, afternoon or evening sessions. We also discovered that the small group format facilitated engaged discussion and sharing in a way that a larger group might not, so that we were already achieving our aims through the smaller groups.” Based on the success of these groups, a decision was taken to continue holding them instead of the large group which had originally been planned.

Each group session started with the co-ordinator introducing how the meeting would be run and explaining the ground rules. Marian said: “All attendees were then asked to introduce themselves and their issues, then let the group choose which issues to pursue in exchange and dialogue. We had also asked participants to send in any issues they had, ahead of attending the group.

“Each restorative circle was different, according to the composition of the group, and different issues were aired. The discussions were recorded by Annali, one of the facilitators, on a flipchart visible to all. A recording device was also used to capture what people had learnt and what they might do differently.” The final group was filmed, and the film-maker, Lee Cox, also interviewed a range of participants.

As someone who was there as an observer, Lee was struck by the way in which participants responded to the restorative circle. She said: “People with differing needs seemed to settle once they realised the meeting would be held as a safe process and they wouldn’t be vulnerable, once making their points, however controversial.

“The introduction made it very clear that each person would have time to speak in detail. At times I thought some might lose patience with how long others spoke for. But, having listened, they then understood that they too would be listened to – I felt they appreciated the restorative approach. The summaries given [by the facilitator] were also very clear, which allowed people to move on, as they understood that their points had been noted and everyone’s views included.”

A total of 71 people participated in 11 groups. A further 25 people expressed interest in attending but were unable to attend the planned meetings through a variety of circumstances. While a high number identified themselves as multiple road users (for example, car
driver, cyclist and pedestrian) everyone who attended was asked to choose the group that represented their main mode of road use. Marian said: “We tried hard to recruit lorry drivers but were unable to attract any, largely because of work commitments. Bus drivers and taxi drivers were likewise hard to recruit, but some good contacts made it possible.”

Most of the participants were between the ages of 25 and 64, so contact was also made with a local school, and a circle was held with six 15-16 year old students. Marian added: “One of the earlier adult groups included a man who was hard of hearing and found it difficult to follow, so we also arranged to meet with a group of adults who are deaf, with the help of a council worker and a British Sign Language interpreter funded by the city council. This group very much appreciated the opportunity to make their needs known, as they often felt ignored.”

The group sessions were evaluated in a number of ways, with the support of Nikki McKenzie, a researcher from the University of the West of England. Participants were asked to fill in ‘before’ and ‘after’ forms on their attitudes to other road users, along with a feedback sheet on their experience of the group. The restorative circle included a final round in which all participants were asked to say one thing they had learnt, and one thing they might do differently.

“One from the before and after forms, we hoped to map any shifts in attitude,” Marian said. “Although one two-hour group might not be expected to produce much change, if any, eight of the groups showed a positive shift. These positive changes in attitude were towards road users who were present in the group, suggesting that this method can improve attitudes towards other road users.”

Marian continued: “The final round elicited interesting answers, and showed that, even in a two-hour group session, learning can take place which may result in people changing their behaviour. The responses depended on the make-up of the group. For instance, in a group which included motorcyclists, someone said, ‘I learnt about issues for motorbikes, I didn’t know about them before’ before adding that they will in future have more respect for motorbikes on the road.”

For participants, one of the attractions of taking part in the groups was the opportunity to put forward their views to be passed on to the city council. Marian said: “Annali noted all these views on a flipchart and compiled a report of the main views expressed by many people. We included notes on attitudes, infrastructure, sustainability, cyclists, motorcyclists, cars, buses, taxis, children, elderly people and disabled people, shared paths and spaces, the Highway Code and particular danger spots.” The city council is now preparing a full report in response to this. A consultation is being run on shared spaces for cyclists and pedestrians, and the council has opened a family cycling centre and organised several family cycling events.

The project’s original approach – small stakeholder groups feeding into a larger dialogue process – was based on an assumption that there would be a coherent view from each group which would conflict with other groups, as in a standard large-scale dispute scenario. That did not turn out to be the case. “There was much variation of issues within each group of road users, and considerable agreement between different groups of road users,” Marian said. “This made for interesting group processes and much learning from each other. Several participants emphasised that we are all human beings, who sometimes make mistakes, and need to develop tolerance and empathy for each other.”

As with traditional restorative justice conferencing, the project found that direct dialogue between participants had a significant positive effect. “This leads us to suggest that a restorative approach would be useful for many situations where contentious issues are at stake – using mixed groups to bring problems to the fore in a way that is not adversarial and can engender a change of attitude,” Marian said. “This could also have applications for hard-to-reach groups with fixed opinions, or for incidents of road rage.”

She concluded: “What is clear from the responses is that the groups were appreciated by almost everyone who took part, as a safe and welcoming space where they could air their issues and be listened to. They left with a greater understanding of other road users in the city, and they felt they had had a voice and felt heard.”

For further information on Road Sharing – A Restorative Approach please contact Jules Cox, director, Bristol Mediation: juliec@bristol-mediation.org

www.bristol-mediation.org
www.restorativebristol.co.uk
“I’m a 43 year old Mancunian born and raised in Salford. I live there now with my wife and three kids. One Saturday morning I was walking with my brother-in-law along a road I walk down regularly past a synagogue. In front of us, there was a group of children who I know – we were on our way to attend a Bar Mitzvah that they were also going to.

“As we walked along, a white Vauxhall Astra drove past. The driver was honking the horn at the boys, while a man leaned out of the passenger window shouting, ‘a Jew, a Jew’. He shouted it again as the car passed me and my brother-in-law.

“I was wearing a suit, rather than more traditional Jewish clothing – no big furry hat, no ringlets and no flowing beard. I don’t carry a phone on the Sabbath, but I reported it the next day. Fortunately I had recalled the number plate of the car in question and reported the incident online to the Community Security Trust, a charity that protects British Jews from anti-Semitism.

“I was contacted by police sergeant Steve Wightman-Love and police constable Neil Cheslett from Greater Manchester Police.
Daniel became the victim of anti-Semitic hate crime while out walking in his local area. Here he explains how restorative justice enabled him to tell the offender exactly how the crime had impacted on him.

They explained that the incident was classified as a public order offence and that it had been recognised that there was a racist element. Shortly afterwards, PC Cheslett got in touch to let me know that the car the men had been travelling in was registered in West Yorkshire. He then told me about restorative justice and asked if I wanted to meet the man who’d been shouting the abuse.

“Having grown up in Manchester as a Jew, I’ve become used to having to put up with racist incidents since the age of 11, so I wasn’t left emotionally distraught, or lying awake at night by the event. I wasn’t thinking that I needed to leave the country for the sake of my children, or anything like that. I didn’t believe running away from the problem was the right approach and I thought the perpetrator needed to be challenged on his actions. Restorative justice offered me the chance to do that.

“From a victim’s perspective, the way the police treated the case spoke volumes. It provided a huge source of comfort that the authorities were taking hate crime so seriously. I was told that I would be accompanied in the meeting room by two police officers. The police explained that at first the offender – Lee* – was likely to offer an excuse for his behaviour, but that by the end of the meeting they hoped that he would be able to understand the consequences of his actions and offer an apology.

“I’d thought I was relatively unaffected by the incident, but on the day of the restorative justice conference, different emotions started to surface. I felt a deep-seated frustration with people who act that way and their hatred, which is baseless. I do everything I can to live in an integrated world, and I struggled to understand why others wouldn’t want to do the same.

“There were four police officers in the room, PS Wightman-Love and PC Cheslett and two other police observers who had asked permission to sit in on the conference. I’d decided to wear what I usually wear on a Sunday to show to Lee how normal I was. Coincidentally, we were wearing virtually identical clothes. We both had brown boots, jeans and a puffer jacket on. I pointed this out to Lee, and I think this struck a chord with him. I just happened to have a slightly different belief system to him.

“I was asked to tell Lee how I felt about what had happened. That’s when my blood started to boil – I was so angry that he’d levelled his abuse at children. The excuse he offered in return was like something a child would come up with. He claimed that he was speaking to the driver and not us, and that he was only shouting as the driver couldn’t hear him because he had his head out the window.

“He even tried to excuse his behaviour by saying that he didn’t understand Jews as he was from Leeds where there weren’t many. But then I told him that my mother was from the same part of Leeds as he was, at which point he started to change his tune. I asked him how he would feel if anyone had abused a member of his family in that way. I was quite surprised how emotional I got.

“Eventually Lee said that what he’d done was ‘a bit of banter’, but that he realised that it was wrong of him and he apologised. He never went as far as saying, ‘I purposely set out to discriminate against you,’ but he accepted that his actions were hurtful and were wrong.

“I feel that restorative justice in this case was more effective than a police caution ever would have been. It wasn’t about catharsis for me, it was about Lee understanding why what he had done was wrong and for him to go away not wanting to act in that way again. I also wanted him to realise that Jewish people are just the same as him in many ways.

“After the meeting, Lee left the room first and I was asked if talking to him had made me feel better. It was strange because although I’d said I wasn’t emotionally harmed by the incident, I knew from the way my blood had boiled during the course of the process that, actually, it must have affected me.

“But at the end of the process, it was all about education. It was about teaching Lee why it was wrong, and I honestly do believe that he won’t act in the same way again. I’m not saying we’re friends or that we’re ever going to see each other again, but there was certainly a relatively warm handshake between us at the end of the meeting.

“If somebody told me that they’d been a victim of a hate crime, I would recommend restorative justice if it was an option for them. There is a catharsis that comes from meeting an offender and finding out why you were picked on. But I think, more than that, we all have a responsibility to educate. And the only way we can educate is a little bit at a time, one at a time. Having that offender understand the deep impact that they had on the victim, to me, is very important. Punishment is not the same as education.”

*Lee’s name has been changed.

The RJC would like to thank Greater Manchester Police and Daniel for sharing his story 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.

Take your free online health check to see if you are ready to apply at www.restorativejustice.org.uk/RSQM

Do you provide high quality restorative training?

The RJC’s Training Provider Quality Mark (TPQM):
- enables restorative training providers to show that they have been independently assessed and approved
- gives commissioners confidence in training delivered by TPQM holders
- enables training providers to market their service in a competitive field
- increases learner confidence in the training delivered by TPQM providers
- demonstrates to learners and employers that TPQM providers meet national standards

Get listed on the RJC Trainers Register and take the first step towards the TPQM. Find out more today by contacting the RJC standards team at standards@restorativejustice.org.uk or on 020 7831 5700.

www.restorativejustice.org.uk/TPQM

Show your support for restorative justice

Anyone can become a supporter of the RJC for as little as £3 a month. Supporters help make our vision for universal access to restorative justice a reality. As a thank you, we will send you our thrice yearly magazine, Resolution, which is packed with interesting stories and case studies from every field of restorative practice. You will also receive our monthly bulletins with the latest restorative justice news and discounts to events. There are additional membership categories for restorative practitioners and organisations.

For more information email enquiries@restorativejustice.org.uk, visit www.restorativejustice.org.uk or call us on 020 7831 5700.