RESTORATIVE POLICING
PROVISION ACROSS
ENGLAND AND WALES IN
2018

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EXECUTIVE SUMMARY

The primary purpose of this research project was to provide an updated national overview of restorative justice within policing within England and Wales. Thirty-four forces (79%) participated in the survey and this was supplemented with in-depth interviews with 15 (44%) of those participating forces. Data was collected on:

- Context of provision;
- Training;
- Delivery;
- Evaluation; and
- Plans and future provision.

A distinct terminology has been adopted throughout this report.

- **Restorative interventions** describe those processes that result in outcomes that can be considered ‘restorative’, such as fixing damaged property, undertaking unpaid work and participation in victim awareness sessions. Restorative interventions do not routinely involve direct contact between the victim and offender of the same incident.

- **Restorative processes** describe meetings that take place between the victim and offender of the same incident, such as conferencing and mediation.

- **Restorative practice/s** describe instances where both restorative interventions and restorative processes are/could be used.

- **Restorative justice** refers more broadly to the general approach of trying to deal with crime in a way that involves those most affected and secures outcomes that contribute to effectively dealing with the harm that has been caused and the underlying causes of the behaviour that has caused harm.

**Key findings**

*Context of provision*

The results from this survey reveal that restorative practices are now used across all participating forces and that this has developed over many years in some areas. Most forces now have dedicated restorative justice coordinators and/or force leads. There were competing perspectives about the role of officers in the delivery of restorative practices. Some thought this should be restricted to promoting restorative justice, while others felt officer buy-in was essential for restorative justice implementation to be successful. A smaller cohort felt that restorative justice skills (for example, communication, understanding needs,
negotiation, problem-solving, leadership and relationship building) are central to effective policing. Overall, the importance of an agreed upon approach to implementation and ownership was stressed.

Most types of offences and offenders are considered eligible for restorative practice is distinguished across ‘Level 1’ (to deal with minor offending), ‘Level 2’ (to deal with ongoing community problems and more serious offending) and ‘Level 3’ (reserved for serious and complex offences). However, our findings indicate that practice is more often used at the lower end of seriousness. Our research highlights well resourced, good quality and meaningful restorative practices are essential to be effective, however, there are indications of such practices being used as a quick response or the easiest course of action (particularly in relation to community resolutions).

While practice in this area used to be solely the domain of the police and a few partners (such as probation and youth justice), this has now extended to include for-profit service providers. This report reveals a number of strengths of this approach, such as reducing pressure on officers and having time and specialisms to deal with complex consequences of offending. Nevertheless, there are also a number of challenges (lack of knowledge of policing, access to police systems) and drawbacks (that this results in a ‘distancing’ of officers from outcomes and limits the amount of exposure that officer’s get to restorative justice).

Training staff
Training staff is vital for effective practice and the referral of cases to teams involved in its delivery. The survey revealed a patchwork of training, with an emphasis on providing basic training for ‘Level 1’ restorative interventions, with a minority of officers being trained to deliver restorative processes at ‘Level 2’ and ‘Level 3’. The survey revealed that partners or providers, rather than police officers, deliver most of the face-to-face restorative processes at ‘Level 2’ and ‘Level 3’. In most forces, training has been extended beyond front-line officers to civilian and other staff dealing with victims of crime, as well as volunteers.

Delivery
The survey revealed that victims, offenders and other stakeholders are made aware of restorative justice most often by police officers themselves (91%) and the leaflets (73%) that they handed out. While external providers were often co-located within forces, their remit remained providing a service to victims of crime and thus they also took referrals from other
criminal justice agencies (including prisons, probation, YOTs, councils and victim support organisations) where victims wanted this.

The vast majority of respondents (87%) reported that at least some of their officers facilitated restorative practices, mostly at Level 1 (91%). About two thirds (68%) said they provided restorative processes described as ‘Level 2’ and 59% reported using ‘Level 3’ for more serious and complex cases, often involving staff from IOM (integrated offender management) teams. Restorative practices are routinely considered for a wide range of offences with no universal rules used on the eligibility of individuals (beyond consent).

Youths (84%) and adults (91%) who had committed first-time minor offences were ranked as the most likely to be seen as eligible. Remarkably, respondents reported that youths (75%) and adults (78%) who had committed a first time serious offence were also considered eligible, and youths (66%) and adults (72%) who had committed repeat serious offences would also be considered eligible for restorative practices. This is a noteworthy shift in practice from the early 2000s, when access to restorative practice was largely considered a ‘one-off’ for first-time offenders committing relatively minor offences.

Evaluation
The benefits of using restorative practices were identified by respondents as a way to improve services to victims, offenders and communities as well as identified other benefits, such as improving police-community relations (65%) and staff morale (22%). Savings were also reported, especially through reductions in prosecutions and the associated costs of processing case through the courts – especially when victims and other parties are satisfied they could be resolved through a restorative intervention.

Respondents highlighted a number of challenges for the implementation of restorative justice. These were a) competing operational demands which meant that restorative justice was often not an area of priority, b) a lack of resources to effectively deliver restorative practice and train officers, c) seeing restorative practice as a ‘quick fix’ which can damage its reputation and d) the lack of confidence of officers in using it.

Plans and future provision
The majority (91%) of forces expect their provision of restorative practice to increase. The key obstacles to development that were most commonly identified related to a lack of understanding and knowledge of restorative justice and a lack of staff time and resources to deliver it. As such, a key theme was the need for much more information and communication about the potential benefits that restorative interventions can provide, at both a local and
national level. Restorative justice was identified as an important policing tool and essential for the improvement of police-community relations, as well as positively impacting victims of crime and offenders.

Recommendations

*Context of provision*

- To engage in effective communication and collaboration between PCCs, Constabularies and other stakeholders should be pursued to ensure that everyone is working towards the same agreed objectives in an effort to deliver a successful restorative justice service to the community;
- To discuss the relationship between restorative interventions and community resolutions more broadly, perhaps at a national level; and
- To clarify the terminology used (i.e. difference between restorative justice, restorative interventions, restorative practices).

*Training*

- To review the effectiveness of the messages and skills that are provided to officers around restorative justice; and
- To consider an alternative approach that involves modelling restorative justice within internal processes to stimulate cultural change within policing.

*Implementation*

- To promote education in restorative justice skills, which are increasingly perceived as an essential policing tool; and
- To engage in strategies to secure officer buy-in.

*Evaluation*

- To engage in further independent research that could provide needed information about the benefits and best practices for delivering such interventions as well as an independent review of practice and procedures.

*Plans and future provision*

- To promote restorative justice at a national level and for clearer direction, possibly through a statutory framework to embed best practice.
- To integrate restorative justice through HR processes.
1.0 Introduction

There has been considerable growth in interest around restorative justice and policing over the last two decades. Practice has been largely shaped by the introduction of Final Warnings in 2000 (see Home Office/Youth Justice Board 2002); the introduction of youth restorative disposals and community resolutions in 2008 (see HM Government 2008); the development of youth conditional cautions in 2010 (see MoJ 2013) and a simplified out-of-court disposal framework pilot for adults in 2014 (see NPCC 2017). Policy and practice reports on restorative justice have also raised the profile and initiated new developments in policing, including Gary Shewan’s Business Case for Restorative Justice and Policing (2010), the ACPO Guidance and Minimum Standards on Restorative Justice (2011), the subsequent MoJ Restorative Justice Action Plan (2012) and the Code of Practice for Victims of Crime (2015).

The introduction of Police and Crime Commissioners (hereafter PCCs) in 2012 has also had an important impact on developments and helped embed restorative justice across England and Wales. Importantly, a devolved budget from the Ministry of Justice has meant that PCCs are now responsible for ensuring that victims receive information about restorative justice under the Victims Code of Practice and that providers deliver a good quality service. Prior to the introduction of PCCs, police officers commonly experimented with the delivery of restorative justice. Currently, however, PCCs commission for-profit providers, policing hubs and/or civilian staff to deliver restorative interventions (i.e. restorative outcomes that do not involve direct communication between victim and offender) and/or restorative justice processes (i.e. those that involve communication between the victim and offender from the same incident, such as conferencing).

This report presents an overview of restorative justice provision within Constabularies across England and Wales in 2018 and builds on a previous survey conducted in 2009¹. The research reveals that restorative interventions have a long history in some Constabularies, that they are widely used across most forces and that there has been an increased diversity of practice and implementation since the last survey.

What is clear beyond the varied landscape of practice is a passion and commitment to meet the needs of victims and to deal with crime in a more meaningful and effective way for all concerned. Austerity has meant that Constabularies have fewer resources and increasing

¹ The previous survey was led by the then national ACPO restorative justice lead, Assistant Chief Constable Gary Shewan (2010).
demands that require more creative strategies to tackle crime that involve partnerships. Restorative provision appears to be a key site where this is taking place with fervor.

1.1 Methodology
Ethical approval was sought by the University of Nottingham School of Sociology and Social Policy Research Ethics Committee and granted prior to the start of fieldwork. The research project gathered data on five specific areas of provision within Constabularies, they were:

1. Context of provision
2. Training
3. Delivery
4. Evaluation
5. Plans and future provision

To investigate these areas, a mixed methods research design was adopted. Data was collected from March to September 2018 across England and Wales through both a survey questionnaire and a sample of follow-up interviews:

a) Thirty-four police forces out of 43 across the country were involved in the completion of the survey, representing a 79% participation rate.

b) Of those 34 forces, 15 forces also participated in follow up in-depth interviews, representing a 44% participation rate.

While this report identifies those forces that participated in both the surveys and the interviews (see Appendix A), none of the forces are referred to in the specific findings. The findings from the research are presented and discussed under sub-headings reflecting the five areas investigated. We have also highlighted a number of recommendations that we feel have emerged from the data in a final section of the report.

1.2 Conceptual clarification
A distinct terminology is used throughout this report:

- **Restorative interventions** describe those processes that result in outcomes that can be considered to be ‘restorative’, such as fixing damaged property, undertaking unpaid work, participation in victim awareness sessions but which do not involve direct contact between the victim and offender of the same incident.
• **Restorative processes** describe meetings that take place between the victim and offender of the *same* incident, such as conferencing and mediation.

• **Restorative practice/s** describe instances where both restorative interventions and restorative processes are/could be used.

• **Restorative justice** refers more broadly to the general approach of trying to deal with crime in a way that involves those most affected and secures outcomes that contribute to effectively dealing with the harm that has been caused and the underlying causes of the behaviour that has caused harm.

### 2.0 Context of Provision

In 2010, the use of restorative justice within UK police forces is increasing at a significant pace. Restorative justice is...now being utilized as a problem solving tool by Neighbourhood Policing Teams, within schools, to settle long-term neighbour disputes, as a post-sentence element of reducing reoffending programmes and as a quick and effective means of tackling those crimes and incidents which have a disproportionate impact upon communities.

(Shewan 2010: 2-4)

### 2.1 Implementing restorative justice

The survey findings revealed that restorative practices are widely used across most forces and that this had developed over many years in some areas. Indeed, nearly a third (32%) of respondents reported that they had been using restorative practices for more than 10 years, over half (53%) had been using it for 5 years or more and less than a quarter (24%) reported less than four years’ experience. It was evident that practice has emerged and evolved at different periods, reportedly stimulated by the wider national agenda (65%), the priority of PCCs (53%) and/or Chief Constables (38%).

A minority of respondents (26%) disclosed ‘force leads’ or a ‘single point of contact’ (SPOC) managed the role alongside a portfolio of other duties within the force. The vast majority of respondents (79%), however, reported that they had a specific restorative justice coordinator. Recruitment for the role was approached in one of three ways:

1. Uniform staff applied internally for the post and they then became civilian staff;
2. Civilians were recruited by the force to fulfil a coordinating role; or
3. Co-located commissioned services within the force provided a restorative justice coordinator.
The approach adopted appeared to be linked to the stage at which restorative justice was introduced (i.e. pre- or post-introduction of PCCs) and the perceptions of PCCs on the role of the police in the delivery of restorative justice. In one case, a participant explained that their PCC was very keen on ensuring a multi-partnership approach across the county, which they felt, helped to ensure that restorative justice became more embedded:

*I think the fact that it is so multiagency, it isn't siloed anywhere. So we have civilian staff and a police officer and we also have someone from our local county council who is running the schools work...so instead of people doing a lot of pockets of things across the county, working together means that we’ve got more resources.* [Interview #6]

This was perceived to work well with everyone bringing important skills and knowledge to the team to ensure that the best restorative justice service was being delivered. In other instances, however, there were differing opinions about the extent to which officers should be involved. Some argued that the role of the police should be limited to providing information as the following excerpt illustrates:

*In addition to being a requirement under VCoP, I have a really simplistic approach to this. We are the Police and it is our responsibility to support victims, help them cope and recover and to reduce offenders from re-offending. RJ sits at the very heart of this ethos and we know from both the satisfaction levels and reduction in re-offending for those who have been through it, it is a tried and tested service. The actual delivery of RJ can and does sit outside of policing, serviced by independent facilitators, but the Police have a responsibility to inform victims about the service, to try to glean their support in the process and to persuade offenders to participate.* [Interview #5 Insp]

Others (both uniformed and civilian staff) were of the view that for restorative justice to become embedded and to be successful, buy-in from and the involvement of officers was essential:

*The PCC’s office feels like a completely separate entity to members of the police force. They don’t communicate brilliantly and the funding arrangements are quite poor. We have been waiting for six months now about the results of refunding. But, they are very much of the opinion that we shouldn’t be doing restorative justice, that it should be a separate organisation. My perspective, as force lead, is very, very different. I think police should be restorative justice trained... we are a big organisation that is in touch with all of these victims, so we need to have that understanding of what restorative justice is.* [Interview #14]

*I think being a civilian staff member working with uniformed officers comes with some challenges. Which is why part of the model I want to put forward is actually using officers to deliver RJ so that the mutual respect they have for each other builds, creating an impetus for change and helps to give some kind of credence to the*
service, to support a cultural shift. That is why I think that using uniformed officers, with all the caveats that come with that, is important to the development of RJ within this Constabulary at the moment. [Interview #13]

Indeed, one participant reflected on how well it works when everyone is at the table:

I would say Kerry as a commissioned service working very closely with the force; they are very collaborative and forward thinking and open to discussion. So, from my perspective, I am fortunate enough to have good access to management, people of influence to help sort of drive forward the RJ service provision and culture. There is a lot of buy in and positivity from the managers in conjunction with their own OPCC in support of the service that I'm delivering, so that is really beneficial. [Interview #6]

As these quotes demonstrate, there are different ambitions for restorative justice, which has an impact on the perceived role of police officers within its implementation. If restorative justice is implemented as a service to which the police can refer, there is less of a need and role for officers to play beyond knowing enough to make an effective referral. If restorative justice is perceived as a more transformative framework of initiating cultural change within policing itself, however, this actually requires significant buy-in throughout the force. The relationship between PCCs and Constabularies was spoken about favourably, but these quotes highlight the importance of a co-produced model being adopted to ensure that everyone is working towards the same agreed objectives.

2.2 Restorative justice in action

Restorative practices are embedded within most forces and officers often refer to practice in relation to three levels. ‘Level 1’ is often referred to as ‘street RJ’ and used ‘on-the-spot’ to respond to minor offending, often in conjunction with community resolutions and out-of-court disposals. ‘Level 2’ is where officers or external providers will use face-to-face conferencing or ‘shuttle’ mediation whereby messages are delivered to the affected parties by a trained facilitator. At this level, restorative processes are used to deal with more serious or persistent offending, non-crime ASB or neighbourhood disputes and thus takes place at both the pre- and post-sentencing stages of the criminal justice process. ‘Level 1’ and ‘Level 2’ often divert offenders out of the criminal justice system in a bid to nib offending in the bud as the following quote explains:

I think within policing we are seen as that team that can resolve conflict and reduce demand at the same time…this is what I say to officers all the time: if you deal with the cause of the crime you’re stopping it from happening again. That’s kind of our strapline at the moment. It is about reducing demand; it is about getting up stream, getting in there early and resolving the root cause. [Interview #3]
As such, an early intervention model is embraced with a restorative framework guiding processes and interactions, which is viewed as an important way to engage with the community effectively.

‘Level 3’, on the other hand, is reserved for the most serious and complex offences and is usually conducted post-sentence where an offender is serving a custodial sentence. As such, at this level of practice facilitators are often experienced specialists. Figure 1 provides a visual overview of these different ‘Levels’ of practice within policing:

Despite a long history with restorative justice, practice has fluctuated. Many forces began by training a significant number of frontline staff at ‘Level 1’ and to a lesser extent at ‘Level 2’ and ‘Level 3’, so practice was kept ‘in-house’ with officers facilitating cases themselves. However, it is now much more likely that a hybrid system exists whereby frontline staff only use ‘Level 1’ and civilian police staff and/or external commissioned services receive referrals to deal with offences at ‘Level 2’ and ‘Level 3’.

It appears that the shift has occurred primarily because of demands on police officer time, who have a range of other duties to fulfil and high workloads. The commissioning models adopted by PCCs has helped to alleviate some of this pressure, as the following quote from a survey indicates:

*With the advent of the Police and Crime Commissioner role, an increased focus was placed on RJ and the difference between how the force had previously viewed it and...*
how we would need to adapt became clearer. It was determined that all ‘Level 2’ RJ would be outsourced to a partner agency with a bespoke RJ remit and funded in part from the PCC’s office. This freed up many officers from the training required for ‘Level 2’ RJ enabling them to focus on more operational aspects of policing.

Some respondents suggested that expecting frontline staff to deliver face-to-face meetings was unrealistic given time constraints, but also beyond the tasks that they could meaningfully meet during their day-to-day duties. Indeed, it was routinely highlighted that dedicated non-uniform personnel were essential in delivering good quality restorative processes.

However, others drew attention to demand as a continuing inhibitor for the implementation of restorative practices, even where officers were not involved, as the following excerpts from interviews reveal:

We had one really good case where there was a woman making numerous nuisance calls, taking up a lot of police and other emergency services time. I contacted them; they said okay we would like to do something to make this change. But then they said we haven’t got the time to get involved. I said well if you make the time now it could save you a lot of time further down the road. It could mean that person isn’t a drain on your resources in the way that they are at the moment and maybe spending a bit of time now would be beneficial. Now that is a reasonable argument to make but unless people have buy-in in the first place, you’re actually talking a different language. Because what they want is an outcome now…if I had the time, I would do a lot more groundwork with people and I think that would pay dividends in the longer term definitely. [Interview #3]

I think that there is a belief that it genuinely could offer something positive alongside other things that they do, but I think it’s struggling for air time, to get it as a major priority within the force. That’s not their fault, I mean they have got so many competing things that they have to deal with, you know not least the demands on their time for mutual support for major operations nationally which kind of takes away some of the focus. If you are getting major public outcry around county lines, you need to provide a response to that and be seen to be doing that. I get that but if you want this to take root, then it’s how you actually provide the time and resource for that to happen. [Interview #4]

The reasons for this varied from both internal and external pressures being placed upon policing:

I think there is a lot of pressure that is rolling downwards constantly at the moment around knife crime and around violence. Unfortunately, that rolls into our laps sometimes and so rather than focusing on the victim’s needs, there is a tendency I think for us to focus on what the strategic priorities are. That really for me feels wrong but we have to all play our part somehow in achieving the organisational objectives. [Interview #14]
That is the problem, the government keeps putting these things on and the resources to realise them are finite. So choices have to be made…even to publicise the good bits is still going to take a lot of resources that we actually don’t have. [Interview #15]

Thus, the lack of priority given to restorative justice within some forces, despite the use of external providers, has continued to inhibit the extent to which it can become embedded in practice. This reinforces the finding that to achieve a successful restorative justice service across a county, partnerships and buy-in from all stakeholders is essential. This can take different forms with officers working in a hub, officers working in conjunction with an external provider or external providers being seconded into the police as the following quotes show respectively:

Officers will defer the investigation pending a positive restorative justice conference because they know if we can intervene and provide some meaningful intervention, it resolves the causes of crime…if we can’t for whatever reason, if the case isn’t suitable for RJ, then we send it back to the officer and they will proceed down the criminal justice route. But that’s impossible to do if you’ve got to refer to an external organisation. [Interview #14]

She’s fabulous strategically because she can do all of the project management bits that I can’t do. She can work out the ways forward, she can do all the service delivery plans and she can make all of those initial contacts. Then I will go out into a policing environment and present to Probation/CRCs because I can link it with how we do offender management within policing, I can link in with how do investigations if it’s low level. So I think there is a huge benefit to being in the role that I am. [Interview #14]

Because we are officially employed by the police, we can access their systems…We have got a really good strategic group, nobody in that group has that type of mind-set of data protection is going to stop us sharing, it’s all about how do we get around that and make sure that we are doing the right thing. [Interview #5RJ manager]

This clearly demonstrates that even though commissioning models may serve to respond to the lack of frontline staff capacity to utilize restorative practices in a deep and meaningful way, it is essential that the police are included in its delivery. Without officer and broader Constabulary buy-in, there are numerous hurdles for the implementation of restorative practices. In one force, a ‘Restorative Justice Board’ has been developed to report to the Local Criminal Justice Board, a good way for keeping issues and developments high up on the county’s agenda.

2.1 Community resolutions and restorative justice
While the landscape of restorative justice provision has certainly evolved in an attempt to improve efficiencies and quality provision, respondents highlighted a number of challenges that had emerged because of the blurring of the boundaries between restorative justice and community resolutions. All respondents and interviewees raised this issue.

The Sentencing Council (2012) define community resolution as:

An informal non-statutory disposal used for dealing with less serious crime and anti-social behaviour where the offender accepts responsibility. The views of the victim (where there is one) are taken into account in reaching an informal agreement between the parties, which can involve restorative justice techniques.

We can see then that what used to be called ‘Level 1’ or ‘street RJ’ has perhaps been redefined as a community resolution given the lack of meaningful interaction between the parties involved in an incident. Understandably, confusion arises where outcomes include those that would be considered ‘restorative’ but have not been achieved through a restorative dialogue or process. Some participants argued that where decisions were taken on behalf of the parties, it could not be considered ‘restorative’ at all:

…they will say we are RJ’d them but they haven’t. They have done something else, they have told someone to apologise, they have told someone to go away. There is a huge misunderstanding as to what restorative justice is. [Interview #12]

…there are quite a few restorative outcomes that I think will be around some form of dialogue, but the point being is that the dialogue is between the parties, not on behalf of the parties…What I’m seeing is people approaching a situation with a menu of what they think would be the most reasonable outcome and putting that to both parties and getting them to sign up to it. Now that might be fine, but what I’m not sure about is how much work is done with the parties to say okay this is what happened, exploring with them what they would want and need and then working in that...

Both RJ and community resolution have been shown to be able to reduce bureaucracy, achieve efficiency savings, at the same time as delivering on performance targets. Level 1 RJ conferencing and community resolutions offer the same opportunity to achieve the outcomes offered from giving police officer and PCSOs discretion to divert appropriate offenders and by putting the victims at the center of decision-making. Above all this is delivering sensible and appropriate responses to low level crime and offending which produces significant cost and efficiency savings. It is important that the shared benefits and processes between RJ and community resolution are promoted and that agreed standards (training, quality assurance, recording) are developed.

(Shewan 2010: 13)
mediated way between the parties to get that compromise and that agreement. Where I am a bit concerned is what we are doing is saying this is quick and easy, looks to me as if it would be really good if I could write this up as you having agreed to have your window fixed, would you like to do that? A police officer comes with a package that they sell to both sides and try to get buy-in and then that is characterised as RJ. That in my mind isn’t what we should be trying to do. [Interview #3]

The boundaries between community resolutions and restorative justice extended beyond practice to how officers were recording what they were doing:

*Community resolutions are the most overused and abused policing power in place…they are still recording community resolutions, as restorative justice…that was making our RJ figures look amazing, but that wasn’t the reality.* [Interview #1]

*Sometimes people talk about resolving things through restorative justice because that is how we record the disposal on the crime for that outcome, which should be a community resolution. However, when you actually look into it or they have done something good around problem-solving, meeting the victim’s wishes and trying to do the right thing for the offender, we have realised that it actually isn’t restorative justice.* [Interview #7]

One reason for this was explained as the result of previous practice and terminology whereby restorative justice was viewed as a disposal:

*I think prior to having restorative justice, community resolution was called Street RJ. So, there is confusion around that and they see it as a form of disposal, I constantly have to remind them that it’s not a form of disposal it is a process that runs alongside that.* [Interview #2]

*So there’s been a challenge really around terminology, culture and changing people’s mind set around what is a community resolution and what is restorative justice. Because they are not the same thing, there they are very different. I think previously the terminology that has been used to describe these outcomes has been in conflict and many people would say actually it’s the same thing, that restorative justice and community resolution is the same thing, it just depends on what form you do it.* [Interview #9]

The impact of this was significant, not only in terms of bloating recorded figures, but also in terms of perceptions of restorative justice itself:

*…to meet demands being placed upon people to demonstrate that RJ is happening, this was a quick and easy win if you like. That’s given us a bad name really which then you’ve got to fight against and then say no, that is not what it is.* [Interview #3]

*The title of community resolutions has restorative in it but because of the mistrust or misunderstanding, the fear and trepidation bit of restorative justice, we are not allowed to mention restorative justice in any of our community resolutions training.* [Interview #5]

A number of strategies have been implemented to try to distinguish restorative practice from community resolutions that have included diversifying the types of offences that restorative
practice is used to deal with and introducing a scrutiny process to ensure that suitable cases are processed properly:

We have done a lot of work in terms of trying to myth bust the difference between community resolutions and restorative justice by getting restorative justice back into CID and the more serious end of the crime world. There is also an interesting piece of work and business case currently being drafted by our Criminal Justice Team, which will propose the creation of an ‘Out of Court Disposal Team’ who will sit centrally in the force. The role of this team will be to determine the most appropriate outcome for every case, which is suitable for an out-of-court disposal. If the force adopts this, I can already see some significant benefits in terms of increasing the use of RJ, as one centralised team will be making all the decisions and RJ would feature highly in their minds when making such decisions. [Interview #5]

Another participant explained that in order to remove confusion, their force altered their definition of what counted as restorative justice:

They do use restorative conditions with community resolutions and conditional cautions and whilst the vast majority of those may especially from a community resolutions point of view just involve an apology, they are also using payments to put right the harm caused, fix whatever has been damaged, replace whatever has been taken et cetera. In the broadest context of restorative conditions or restorative practices, those would match but they would not fit within the government guidance. So we do use a lot more restorative practices than we are able to report but because the decision has been taken that we will only report it as a restorative justice outcome if the officer himself is a trained officer that has actually done the facilitator course, we don’t record that. [Interview #15]

Our research, therefore, demonstrates a need for further discussion around the relationship between restorative justice and community resolutions, as well as their respective definitions to take place more broadly, perhaps at a national level.

2.2 External providers

...76.3% said their RJ initiatives involved other partners. Many forces and IOM schemes (often in partnership with Prisons and Probation) contribute to restorative conferencing with serious offenders post-sentence – often referred to as ‘Level 3’ RJs. (Shewan 2010: 4)

While previous practice mostly emphasised partners in restorative justice provision, our survey revealed just over nine in ten (91%) forces used external providers to deliver restorative processes and support restorative justice interventions. As outlined previously, this shift has occurred because of the commissioning models adopted by PCCs to ensure
the provision of good quality services, but it is also noteworthy that there are now more commercial providers actively seeking out these contracted opportunities.

Our survey found that the most commonly used partners for restorative services were Youth Offending Teams (41%) and PCCs (31%) and to a lesser extent Probation/CRC (19%) and the Local Council (13%). However, the use of private and commercial providers seems to have overtaken the use of partners, with 50% of respondents referring to Remedi, Restorative Solutions, Make Amends, Catch-22 or Victim Support as being involved with the delivery of restorative justice within their forces.

When external providers were used, they were more commonly involved in the delivery of restorative processes (67%), rather than for restorative interventions (53%). Only a third (27%) of respondents said they used external providers exclusively for their complex cases. The following quote succinctly explains the value of considering a referral even where an officer deals with the incident by way of a community resolution or out-of-court disposal:

*If it is dealt with by community resolution that can be good for all concerned, but I guess it is actually looking at the relationship that exists rather than just the practicalities. Yes, your window's fixed, but how do you feel? Are you feeling safe? Do you feel that the person understands that what they did to you, that they have any desire to do more than just fix your window? What is the ongoing relationship between you? You know all those questions really have been put to one side at that stage and I think that is largely down to resourcing to be honest with you. The idea is that [service provider] could pick those up and say okay, great that your window is fixed, but your three year old is scared to come down and watch telly because a brick came through your window while she was watching it. [Interview #3]*

Dealing with the broader impact that offending has on victims, particularly secondary victims as this excerpt highlights, is something that is not possible within an operational policing role and thus lends support for the use of services who have the time to do so.

Those respondents that reported a good relationship with commissioned services highlighted a number of key elements that contributed to a positive experience. These included involving external providers in operational decision-making, as one participant reflected:

*The real breaking point for that was having the [service provider] team working amongst the evidence review officers in the police station. So you have sergeants and civilian supervisors who are reviewing cases for decisions and sat right next to them or opposite them is a [service provider] case worker who is saying look I can do something on that or I could be of real help with that case. That has been really helpful. [Interview #9]*
Another essential element mentioned was the necessity of realistic expectations and flexibility on the part of providers themselves, as the following quote illustrates:

> For us it was about looking at demand for the police and what causes a huge drain on their resources. So, we said, if we just wanted the crime, the really juicy meaty RJ stuff we were never going to get it, it just was never going to happen. We knew that the police were going to be our biggest referrers and the stuff that is the biggest drain on their resources, that there were going to use us for is the low level offending, ASB stuff. So we said let’s just take it all and if we can stop that escalating at that initial point, then we can stop it becoming a big issue later on. [Interview #5]

In the minority of cases where negative experiences were reported (23%), a number of different issues were raised. Some respondents reported that initially commissioned services struggled to cope with the volume of referrals (staffing levels were not sufficient), which meant that the lead times were too long. Participants also referred to practical issues such as access to police systems, unclear case criteria and uncertainty over continued funding. Participants provided some suggestions as to how these might be overcome:

> I went to the RJC event in Derbyshire about a month ago, two months ago maybe and there were other providers there that were finding it incredibly difficult to get perpetrator details if they had a victim referral from the police. I just thought that was stupid. Not on behalf with the providers, because they are trying to do the best they can but just in terms of how that’s delivered within the force. Why haven’t you got police officers working with you? Because then that exchange of information would just be so much easier, it would almost be instant. [Interview #14]

> The cyclical funding arrangements for restorative justice can really impact on the work that is actually done…I think we can have a more consistent service if there is a more consistent funding approach that stems against the fluctuations in the kind of political and economic cycles around RJ…I think a consistent approach to service delivery will help future proof against fluctuations in funding, motivation, resources, politics etc. Having worked in RJ for a while, I have seen funding and political will coming in cycles and big pushes and then dropping off again, and it really doesn’t help. [Interview #13]

One participant provided an explanation for why there is a move towards a centralised model of practice:

> I think sometimes when it’s [money] dissipated across 10 areas and they are allowed to spend their money in different ways, on different things, and different priorities when you try to add all that back up again and submit your response to the Ministry of Justice on April 1 you’ve got a really difficult puzzle to put together… Whereas when it’s driven centrally and you’ve got that leadership and you’ve got your agreed outcomes you can say this is what we have spent, this is what we did with the money, this is what the outcomes were, this is what the benefit was. [Interview #7]
Dissatisfaction with the ‘distancing’ of cases from officers given an absence of a feedback loop about the outcomes of the cases that had been referred was also reported. The following quote from an interview illustrates this point:

*To me I don’t think that we want RJ to be seen as something that other people do for us because we almost then give up our responsibility for it, and you know, we have got to come to the party as well.* [Interview #4]

As such, there appears to be a tension between the demands of operational policing and the desire of officers to engage in interventions that will make a difference in the lives of those they encounter. The use of providers to help ease this strain has not been straightforward and our findings reveal that a range of challenges have been experienced. It was certainly evident from the interviews that restorative justice skills were seen as invaluable for policing, yet too often, this was not fully realised in training.

### 3.0 Training

*In recent years, in excess of 18,000 police officers and PCSOs have received training in RJ interventions as well as a significant number of volunteers and partner staff.*

*(Shewan 2010: 4)*

While Shewan was able to report how many officers had received training, the vast majority of respondents contributing to our survey were unable to provide this data due to a lack of record keeping. Thus, what follows is a broad overview of the information that respondents could provide about the extent of training that had been undertaken.

#### 3.1 Frontline staff

Training across forces was normally delivered internally by key officers, who themselves had been trained externally (52%). Only a relatively small proportion (18%) of forces used external providers to deliver all of their training. The most common (58%) training given to officers delivering ‘Level 1’ restorative interventions was reportedly as part of a one-day training programme on community resolutions or out-of-court disposals. This demonstrates departure from earlier training delivered across forces where restorative justice training was delivered as a stand-alone package. Many referred to this as a particular limitation of training around restorative justice in particular, the following excerpts from the interviews are indicative of this position:

*I’ll be honest with you getting buy-in from managers to release staff to do that [training] is pretty difficult at the moment, they don’t see it as a priority demand on their finite resource.* [Interview #3]
The way that we train cops now, they are so process driven, they see everything as a process, they don’t have time to think, and that’s a massive limitation when you’re dealing with victims. [Interview #8]

Everybody and I’m sure that this is across the country and you will be expecting to hear this, talks about time and resourcing. There is the view that RJ is time heavy and therefore resource heavy and whilst that can be true, I think there is a need for some PR around that. More explaining of, yes this does take time but it reduces reoffending. To see it as not just a one-off event, but something that impacts things moving forward… I think it is quite problematic that there is nothing in the first year of new recruit training about RJ. [Interview #13]

A significant number of respondents who indicated that no specific training was required at all for ‘Level 1’ further illustrates this. Instead, officers (new recruits/student officers, special constables and PCSOs) were briefed at team meetings, regular inputs or what was commonly referred to as ‘awareness’ training. Many referred to this as being part of their ongoing training approach (66%). The key purpose of such approaches was explained as a way to expose officers to the principles of restorative justice so that they could understand its benefits and how and when to refer eligible cases. However, the effectiveness of this is questionable, evidenced by the confusion surrounding community resolutions and restorative justice in the preceding section and the frequent references made to officers not understanding what restorative justice is in the next.

A small proportion of respondents referred to officers being able to access information about restorative justice on either the force intranet or public websites hosted by the force or OPCC. One respondent reported that inputs on restorative justice were integrated within ‘Sergeant and Inspector Operational Development Courses’ and another that supervisors and other staff received input about the distinction between community resolutions and restorative justice to further evolve practice. This was generally delivered by core training staff; SPOCs in collaboration with the restorative justice coordinator/external commissioned service; restorative justice Hub practitioners/core restorative justice team; or CJU staff.

Training delivered at ‘Level 2’ and ‘Level 3’ usually ran for two to three days delivered by external providers (although one respondent reported that their SNT officers receive a 5 day ‘Level 3’ training programme). Those accessing ‘Level 2’ training were often SPOCs and Neighbourhood officers; although one respondent reported that, in general their officers were able to express an interest in receiving ‘Level 2’ training that runs for a week. Where officers received ‘Level 3’ training, this tended to be targeted at officers in Major Incidents, Violent and Sex Offenders Departments, officers in Youth Offending and IOM teams.
3.2 Other police staff

It was evident from the survey that training in restorative justice was not just confined to frontline officers, as over half (54%) of respondents reported that they provided training to their ‘other’ staff as well. This typically involved staff who have regular contact with victims and witnesses to support their efforts in ‘offender management’ and to ‘resolve cases’. These included Assisted Rehabilitation through Collaboration Officers; Civilian Crime Investigators; IOM Teams; Major Incident Officers; PCSOs (both frontline and community support officers); Volunteers; Witness Care Officers and Youth Offending Officers.

Beyond core business, respondents reported that restorative justice training was useful for staff to deal more effectively with ‘internal disputes’ (26%) and ‘complaints’ (21%). Some explained that civilian staff deliver workplace mediation for internal disputes and disciplinary issues. Others acknowledged that while such practice did not exist internally, it was something that they would be keen to see develop in the future (see further section 6.0).

3.3 Volunteers

Many forces, led by Norfolk, are now training community volunteers in the use of restorative justice, to both act as community ‘victims’ but excitingly to organise and administer restorative justice themselves – communities taking responsibility for and working with the police to deal with their ‘own’ offenders and the way that justice is applied.

(Shewan 2010: 12)

This survey shows that the delivery of restorative practice was being broadened out beyond serving police officers to civilian staff and commissioned services, with nearly half (42%) of respondents reporting that community volunteers had also been trained in restorative justice. The vast majority of volunteers are recruited by commissioned services or they form part of the service delivery of an internal RJ/Victim hub where they are referred to as ‘police support volunteers’. Most volunteers appeared to have received 3-day training in line with facilitating ‘Level 2’ and ‘Level 3’ conferences.

Thus, training and involvement of community volunteers appears to be developing relatively well, although we are unable to make a direct comparison against the previous survey as no detail was provided beyond one respondent who revealed that they had 50 volunteers in their hub. In our survey, only one respondent reported problems of cases being mismanaged by volunteers, which resulted in them ceasing the use of volunteers in the post-pilot phase.
4.0 Delivery

It is striking that within Shewan's (2010) report that there is no reference to providing victims with information about restorative justice or the referral of cases to someone else to assess eligibility or delivery it. At that stage, officers were involved in the delivery of restorative practices and were trained to do so. The landscape has changed so dramatically now, that all forces talk about 'hubs' or 'providers' in relation to restorative justice delivery and the referral of cases to them.

4.1 Information provided on restorative justice and the referral of cases

The survey revealed that victims, offenders and other stakeholders are made aware of restorative justice most often by word of mouth (91%) from police officers and leaflets (73%) that they handed out. About a third (36%) of respondents reported that they made offenders and victims aware of their restorative justice service through follow-up phone calls by an external or internal restorative justice coordinator. This suggests that much of the information about restorative justice is provided reactively by police officers attending incidents rather than proactively through broader public education and information based programmes.

The qualitative data provided to elaborate on responses in the survey revealed that stakeholders were also made aware of restorative justice through websites (both force and OPCC), social media (e.g. twitter) and to a lesser extent through emails to residents within a force area through their 'Alert' messaging system. Another frequently mentioned source of information about restorative justice was contact made by staff from a specialist team responsible for or who would routinely refer to restorative justice (i.e. Victim and Witness Service/RJ Hub/Beacon) or in the form of documentation other than a leaflet (i.e. postcard, letter or form).

A wide range of police officers, including the restorative lead or SPOC (73%), neighbourhood officers (70%) and response officers (67%) commonly made referrals to external restorative providers or internal hubs. To a lesser extent, officers based in IOM/ASB/Crime teams, School Liaison Officers, Custody Suits and the Victim Care Unit were also reportedly involved in the referral process. This suggests that referrals are not usually confined to a select group of officers, or just the restorative justice leads.

Given that PCCs are mandated with improving access to services for victims, it is perhaps unsurprising that referrals were commonly initiated by or on behalf of victims themselves. As the following excerpt from an interview illustrates:
We are saying that it is not just about the lower end offending piece of work now, it’s about the victim and putting the victim in the middle of everything and how RJ will help that victim [interview #10].

While external providers were often co-located within forces, their remit remained providing a service to victims of crime and thus they also took referrals from other criminal justice agencies (including prisons, probation, YOTs, councils and victim support organisations) where victims wanted this.

4.2 Officer involvement in facilitation
The vast majority of respondents (91%) reported that they provided restorative interventions that were at ‘Level 1’. This primarily involved response officers (57%), PCSOs (57%) and restorative leads (47%). This involved officers engaging in shuttle mediation between parties, facilitating the writing letters of apology/explanation and often formed part of community resolutions or out-of-court disposals. A small minority (15%) said they provided restorative interventions over the phone, although it is unclear what this actually involves and how it is ‘restorative’. Determining how many cases were dealt with by way of ‘Level 1’ interventions within the survey was difficult and many participants expressed frustration with the way data was collected on practice:

We are looking at crime reports and looking at what disposal is being used and we are finding a lot of officers are using ‘Level 1’ more than what we thought. Now as a force we do not record ‘Level 1’, we don’t know how many ‘Level 1’s’ are being done. It’s something that we have looked at previously, but we have almost got to recognise what the value of that would be and if we are recording it and we are looking at it and almost scrutinising it, then how can we do that when we don’t know what the quality of it is? [Interview #10]

We do a lot of restorative practices but if you are talking about what is reported in official figures then they go completely by-the-by. Nobody knows about anything about them…[its] a complete, what’s the word, failure to recognise the very important resource and the very important job that our officers are doing on the front line. [Interview #15]

About two thirds (68%) said they provided restorative processes described as ‘Level 2’ and 59% reported using ‘Level 3’ for more serious and complex cases, often involving staff from IOM teams. A minority of respondents, however, did report that there were individual officers who had previously received training to conduct ‘Level 2’ and ‘Level 3’ conferences and were continuing to facilitate cases on an ad hoc basis, sometimes in conjunction with accredited practitioners. Where officers were engaging in ‘Level 2’ and ‘Level 3’ facilitation, this was mainly neighbourhood officers (73%).
The qualitative responses within the survey also point to IOM officers, Crime Teams, School Liaison Officers, Youth Offending/ Intervention Officers/Restorative Intervention Team, CYP, Major Incidents, Violent and Sex Offenders Department, Women’s Justice Intervention Team, Dedicated RJ Officers and ASB Resolution/Family Conferencing/Youth Forums being involved. Thus, it appears the facilitation of restorative interventions is not just confined to specialist officers, but spread across different teams within Constabularies, even where external providers are used.

4.3 Types of offences eligible for restorative interventions

The most commonly reported types of eligible offences were usually at the low end of seriousness and dealt with by way of community resolutions (85%) and out-of-court disposals (85%). However, more than half (58%) of respondents also reported that: all cases are considered, no case types are deemed out of scope, but that supervisors needed to endorse the use of restorative practices for any offences that would be classed as more serious due to safeguarding and potential breaches of strict time targets.

Respondents stated that most types of offenders would be ‘considered’ for restorative practices. Similar to the results above, youths (84%) and adults (91%) who had committed first-time minor offences were ranked as the most likely to be seen as eligible. Remarkably, respondents reported that youths (75%) and adults (78%) who had committed a first time serious offence were also considered eligible, and youths (66%) and adults (72%) who had committed repeat serious offences would be considered eligible for restorative practices. This is a noteworthy shift from the early 2000s, when access to restorative practices were largely considered a ‘one-off’ for first-time offenders committing relatively minor offences.

Thus, restorative practices are now routinely considered for a wide range of offences with no universal rules used on the eligibility of individuals (beyond consent). Indeed, some respondents noted that restorative practices can be used as tools at any point in the criminal justice system and for any offender. This is not to say that officers will use restorative practices in lieu of prosecution, but rather that it is now routinely used throughout the criminal justice process where both victims and offenders want this.

Delving further into how restorative practices are used by forces we asked about the types of cases that they consider ‘unsuitable’, or ‘not normally suitable’. Only around 10% of respondents said they specifically saw more serious types of offences like violence (ABH) (9%), burglary (6%) or racially aggravated offences (13%) as ‘not normally suitable’ for restorative practices. However, a few offences were much more likely to be considered as
unsuitable, such as domestic violence involving partners or ex-partners (59%) and sexual offences involving partners (37%) and others (47).

Only a small minority (6%) of respondents said they specifically excluded very serious offences, noting they didn’t deal with any indictable offences. Comments typically included: all referrals are assessed on a case-by-case basis, and victims of any offence are entitled to access the restorative service, or all cases would be considered, as long as a complete risk assessment has been carried out. However, clarifications were made by many of the respondents, that while they would be willing to deal with certain cases themselves, providers would be used to deal with a broader range of offences. As one respondent noted there is a difference between the cases that we as the Police will use RJ for, and those that the PCCs team (also based at our Head Quarters), will consider.

When asked directly, 97% of respondents said they would use restorative practices for violent offences and 81% said they would also use it for sexual offences. It was also notable that many respondents also added conditions to the types of offences they would consider. For instance, one respondent stated: the term violence is subjective; it all depends on context and the willingness of the victim and offender to engage or some explained that it can be used as part of a community resolution up to grievous bodily harm, with appropriate authority and agreement.

Similarly, for sexual offences, while 81% respondents said they would consider using restorative practices; conditions were often placed on this. Quite rightly, some respondents noted: only where appropriate, after careful assessment and with senior officer agreement. Others explained that while such offences would be considered they had not yet actually dealt with such cases. As one respondent put it: although there have been a small number of referrals made (victim initiated) none have resulted in a full face-to-face conference to-date for a sexual offence. Another respondent further elaborated that while sex offenders would be considered, police officers themselves would not deliver this:

...officers would not use a restorative intervention for sexual offences; however, our restorative provider (who is also our victim service provider) will consider sexual offences for facilitation. However, this is very infrequent and there have been no cases for serious sexual offences and only 2-3 for other sexual offences.

Thus, while there is a willingness to consider restorative practices for violent and sexual offences, it was evident from the survey that the bulk of the restorative practices dealt with by officers themselves are directed towards cases dealt with at a pre-court level and for less serious offences.
5.0 Evaluation

...the survey highlighted inconsistencies amongst forces as to the training standards and quality assurance processes in place to check the appropriate use of restorative justice (Shewan 2010: 4)

It appears as though approaches to evaluating or monitoring the provision of restorative justice services is much more consistent because of commissioning and/or funding for posts coming from PCCs, as the following quote from a survey explains:

Data on both delivery and quality was collected either by force employed RJ coordinators or more frequently by the external provider who provided reports on a quarterly basis to the OPCC. Ultimately, the OPCC conducted regular governance meetings and contract monitoring of performance.

The separation between the force and the contractual monitoring undertaken by PCCs was also seen as a benefit:

[xx] have the responsibility for monitoring the contractual outcomes of that service. I think that's really important as well because that's put another buffer between the people with the money and holding them to account and that frees me up in my role around this partnership element and to kind of talk about issues in terms of quality of delivery… It can be a bit more difficult relationship at times when you're asking someone to improve their quality and then you're also asking them to improve the quantity [interview #7]

Nevertheless, there remain some challenges. These often related to officers having less of an understanding of how often, restorative practices were being used and how effective this was. This ‘distancing’ was mentioned in relation to delivery previously and dissatisfaction appeared to continue in this area. Participants were specifically asked in interviews about the potential conflict of interest of conducting self-evaluation to pass onto PCCs for review. This area warrants further exploration and discussion within the field.

5.1 Monitoring delivery and quality

Respondents were asked a number of questions relating to how their restorative practices were operating and whether they had been subject to research and evaluation. Most reported that they had quality assurance processes in place, which included case reviews (61%), the use of aggregate statistics (48%) and surveys of victims and offenders (48%). Most commonly, these processes were delivered internally, with senior staff having oversight.
Almost three-quarters (73%) of forces surveyed reported monitoring the delivery of their restorative practices, most commonly through aggregate statistics. However, 56% of respondents said they also used more detailed research, such as surveys of victims and offenders and over a third (36%) said they used other kinds of observation to monitor delivery.

Similarly just over two-thirds (66%) of respondents reported that they monitored the quality of their restorative practices, mostly using aggregate statistics (58%), with a similar proportion saying they also used surveys of victims and offenders. A smaller proportion (33%) of respondents said they used other in-depth methods like observation or other methods which were sometimes undertaken by out-of-court disposal scrutiny panels or Inspectors who engage in ‘dip sampling’. This was largely to ensure that cases were being processed correctly and not being dealt with by way of restorative practice as a ‘quick fix’:

*What we are doing now, is we are just making sure that from a quality assurance point of view that our Chief Inspectors are introducing dip sampling measures to make sure that it is being dealt with properly, that it is not just an easy option type of thing.* [Interview #4]

While only about a third (38%) of respondents said their restorative provisions had been subjected to internal evaluation, just over half (55%) had been subject to some form of external evaluation. Nevertheless, many said they were planning an internal or external evaluation, evident that value was placed on the opportunity to review their practice. The Restorative Justice Council who were undertaking assessments of restorative practice for the purposes of accreditation conducted much of the external evaluations that were referred to.

### 5.2 Reoffending

Many forces have only introduced RJ schemes within the last 12 months and so the evidence on re-offending is still being assessed. However, the use of RJ by police officers and working with partners such as schools and YOTs is enabling the police to see that it is contributing toward a reduction in the frequency and severity of re-offending

(Shewan 2010: 5)

We explored whether there was any evidence of reductions in reoffending in relation to those who had received restorative practices, but there was a lack of reliable data on reoffending rates. Some noted that they had yet to track those who had gone through their restorative service and others noted that they wanted to do so in the future. Where figures were used, they were often based on relatively small numbers, or on personal views, like senior officers
– reflecting on positive outcomes they had seen. The following quote illustrates the point: *it is a challenge to quantify accurately …we need better information…but we have reduced the reoffending for young people, especially compared to other offenders.* Nevertheless, most respondents acknowledged the importance of reoffending measures and reported that they were actively seeking to collect figures that are more reliable.

5.3 Satisfaction
A number of questions probed the impact of the restorative practices across forces and focused on victim satisfaction, offender satisfaction, police officer satisfaction, public confidence and value for money. Respondents often identified the benefits of using restorative practices as a way to improve services to victims, offenders and communities, but 81% also identified other benefits, such as improving police-community relations (65%) and staff morale (22%).

In relation to victim satisfaction, it was commonly noted that the restorative practices could have very positive impacts. Respondents that had statistics often reported victim satisfaction levels of over 90%. It was commented: *on reviewing the community resolutions that use a restorative framework, the victims are very satisfied with the outcome and the way the matter has been resolved according to their wishes.* Some also spoke of surveys showing that victims felt better able to cope after using the service and felt increased happiness, wellbeing and confidence. As one respondent noted:

> …all victims that have gone through conferences have really benefited from it and have been extremely thankful for being introduced to restorative justice. In fact, one victim that went through a conference got so much out of it she became a trained restorative justice practitioner and now volunteers with us.

For offender satisfaction, there was less feedback from respondents. Most simply noted that this was not something they currently measured. However, for those that did, there were positive comments highlighting its value in terms of *empowering offenders to take responsibility for their behaviour and reducing reoffending*. One respondent recalled how one offender was so satisfied with how they have been treated, that it significantly changed their behaviour:

> To see a prolific burglar stop offending is amazing. The offender was so shocked by the harm he had caused, he would now like to come into the police and work with us and also talk to children in schools about the dangers of drugs and crime. As yet, I have not heard one offender talk negatively about it.
All of the responses received in relation to the impact of restorative measures on police officer satisfaction were positive, with many reporting feedback from frontline officers was excellent. As one respondent explained:

*Staff recognise the benefits of using restorative measures and can identify the additional positive outcomes, which that intervention can bring about. We can evidence numerous examples of the use of restorative measures when police staff have been victims of assault – one officer made the point: “If we keep doing the same thing (without a restorative approach), then we’ll keep getting the same results and nothing will change in the minds of some of the more prolific offenders”.*

Additionally, it was noted how restorative interventions improved officer culture and attitudes towards offenders and rehabilitation and that such provision affect officers positively because:

*...it offers them the scope to work with victims and offenders in a way that meets their needs more effectively than traditional frontline policing does. I think it gives them the capacity to be more creative. It also encourages them to see that the victim and offender journey is not just necessarily about catch and convict. That particularly for victims it doesn’t stop there and it certainly doesn’t stop at the court process. I think it encourages them to see that more clearly. [Interview #13]*

Many of the respondents also noted that their restorative practices saved them time and provides a quick and simple process to deal with the lesser crimes and incidents, without the burden of undertaking a more complex investigation, if looking at a more formal route. More commonly, the police said their perceptions of restorative practices were positively influenced by the impact of the process on victims and offenders themselves. As one respondent explained: *it allows for more discretion to be used and gives victims satisfaction, as they are more involved in the process and have a say in the outcome.*

There were fewer observations from respondents in relation to public confidence and it was commonly noted that this had yet to be measured. Some respondents noted that public awareness of their restorative service was limited, as the following typical response illustrates: *the awareness of restorative measures in the communities we police is very, very low; however, we are aiming to increase this awareness with the launch of the victim’s hub, and other interactions with the public.* Thus, it was recognised that their restorative practices could more effectively deal with issues affecting the community more broadly:

*In terms of community relations, RJ has a large role to play here. Interestingly, most of the really good RJ examples are ones whereby facilitators took on broader community issues i.e. street drinking, ASB in an area etc....bringing communities together to getting them to take some responsibility by supporting each other in tackling local issues. We had one case, which saw a group of homeless street...*
drinkers sitting down with local residents producing an outcome which everybody was happy with! [Interview #51nsp]

Turning to value for money, there were clear indications from the surveyed respondents that their restorative practices were providing some real monetary benefits. These were firstly grouped around how diversionary based restorative practices save money by reducing the number of offenders being prosecuted through the courts. For example, it was highlighted:

We used to hold 12 Youth courts at X each month, and because we have reduced the number of young people going into the criminal justice system, it has meant that the numbers going through the courts has reduced. They only need to hold 4 Youth courts per month in the whole of our area now.

Similarly, it was observed how reductions in demand can have a significant impact on the costs associated with dealing with ongoing disputes and police custody, for example:

Our restorative programmes have brought proven reductions in policing costs. As demonstrated by a recent case study, we estimated a saving of just under £2,000 in one typical neighbourhood dispute, based upon the reduction in calls post intervention.

Our average detention in police custody is 9 hours and each restorative intervention releases up to 8 hours of operational policing. Rolling 12-month data shows over 1,700 cases dealt with this way, and the reoffending rates amongst this cohort are also lower than the national average.

It was noted by another respondent that the partnership approach taken via enhanced service provision from the Hub frees up on average 15 hours per referral. Others observed how less workforce hours spent on investigation frees up staff for other matters, thus reductions in cases requiring prosecution and the associated costs. But equally, there was a recognition that delivering good quality restorative practices was dependent on adequate resources being made available to inform, train and deliver those services.

5.4 Drawbacks

Just over a third of respondents identified drawbacks in using restorative practices, particularly at a time when they were experiencing cutbacks and intense demand on their limited resources. It was commented that: the major drawback thus far has been the lack of priority around this area of work – a demand versus resource gap and the safeguarding priorities. Other respondents noted difficulties they experienced at the early stages of developing their restorative service:

There was limited take up initially, but once response officers were trained this improved. There have also been some difficulties between the interpretation of the crime integrity team and operational officers who seek to use restorative measures.
However, it was evident that problems that are more fundamental can emerge in how restorative practices are used when resources are really constrained, for example: time pressures tempt officers to take the easiest course of action to dispose of crimes they are dealing with; this affects the quality of the work undertaken and ultimately the reputation of restorative justice. Conversely, others noted that officer confidence was a particular inhibitor in doing something outside the comfort zone of routine police work:

I think that ability to empower people to make their own decisions around actually just dealing with something a bit more creatively is where we have the real challenge [interview #9]

Thus, there were four particular areas that were creating challenges in trying to implement restorative practices. These reflect earlier conclusions drawn about the importance of an agreed upon strategy for implementation and the importance of effective training.

6.0 Towards the future

The survey revealed the vast majority of respondents expected that restorative practices would increase in their areas (91%), while a very small minority of respondents (6%) expected to see some decrease in their restorative provisions or remain at similar levels (3%). The latter pessimistic assessments were usually attributed to budgetary constraints or a lack of knowledge and understanding about its potential benefits, which the following quote outlines:

We have embarked on trying to get more training in for as many officers as we possibly can because still we are fighting against the lack of awareness of what RJ is and what it can offer. That again in the sense that the best way to deal with things is purely by a court sanction and I guess what we’re saying is that RJ doesn’t take away from that. You know if a court sanction has to take place there might be good reasons for that anyway, public protection and it may be satisfactory to a victim but it doesn’t answer everything. You can have your cake and eat it if you like. You can have a parallel process that occurs and enables the victims to also have restorative justice alongside that court process. [Interview #3]

Many argued that a better understanding and awareness of restorative practices on behalf of the public was necessary to realise growth in provisions:

This is all about knowledge; more victims need to know about RJ, it is part of VCOP, so victims should be made aware of RJ. There needs to be a big increase of public knowledge about RJ, this is not just locally, this is a problem across the entire county.
A common theme that emerged was the development of a hub, whereby restorative services would be coordinated and delivered by the police and external providers. For instance, it was noted that: *we have a proposal for a centralised hub based within the Constabulary with coordinator posts funded by the OPCC and utilising trained staff internally within the Force.*

Participants were asked directly what they would do if they were Chief and had none of the resource constraints that are currently experienced. Many discussed that cultural change is needed if we want to see any significant and meaningful change that aligns with restorative justice:

*If I was the Chief I would make everything that we do internally, restorative…the way we deal with conflict, staffing issues…to think in a restorative way. We shouldn’t be hurrying up our jobs, we should actually be taking longer to do the right thing and to get the best for the victim.* [Interview #1]

*My sense is that for this to have any real impact, we as an organisation have to be restorative in our day-to-day dealings with each other, in our disciplinary processes and that has to be imbued in the organisation. If I’d had given some advice before coming into post, I would say look start small, go for a discrete area, actually get all staff in to talk about it. Look at what they need and how they think it should work and have the conversation with them to get them to buy-in to what this is and then build up from there because in terms of the organisation as a whole, are you going to get a better outcome in the longer term.* [Interview #4]

*I would definitely do more around using restorative principles, not restorative practices, but definitely about this is how to work restoratively.* [Interview #5]

*I would embed it more within the organisation. So using restorative justice principles and fair process within HR and how people interact with each other would make big difference.* [Interview #6]

These quotes highlight the difficulty with trying to realise the benefits of restorative justice without considering the internal environment in which officers work. The limited availability of resources and time means that restorative justice is often packaged as a ‘tool for the tool box’ rather than as a framework through which to effect institutional reform. There is no doubt that the type of modelling that these quotes touch upon would have far greater impact than the ‘awareness’ training offered across forces presently, without having to take staff away from the frontline.

6.1 Obstacles to development

Respondents (81%) reported that there were obstacles to using restorative justice within their forces. It was clear that a lack of understanding of restorative justice was seen as the most important obstacle, as one respondent reflected:
There is little understanding of restorative interventions, particularly facilitated restorative justice. There is also a certain amount of resistance to the process both in terms of delivery at ‘Level 1’ and referring to ‘Level 2’, often due to the knowledge gap.

The gap in knowledge appeared less evident in newly trained staff, as: change always seems like hard work in the police, so there is a lot of resistance from the ‘older’ in service staff, but the new recruits are very positive about it.

A secondary set of constraints related to the staff culture and the attitudes of some officers, including ‘institutional culture’ and a ‘lack of buy-in’ from some officers, as eloquently described by one respondent:

*The biggest obstacle is around culture – not so much punitive attitudes, more policing culture – we call it the ready, fire, aim culture...where we just want to sort a problem out, then and there, through an enforcement option. We know it does not resolve the issue, but due to the level of demand, frontline officers just want to deal and move on. With the fundamental shift to a problem-solving culture, we need processes that support them making better decisions on the frontline. The 2-tier framework will help this, but staff are recruited for their skills in getting the job done, so their expertise and often experience (life experience) doesn’t know any different – hence processes need to support the bigger picture.*

Thirdly, a minority of respondents identified issues including ‘local needs and priorities’ and ‘an aversion to risk’ as constraints to the development of restorative practices. Importantly, themes of limited resources and time were identified as being the most significant constraints, as opposed to a resistance to using restorative practices with offenders, or other types of organisational constraints. Thus, a key message from the survey is the continued and pressing need for information and education about restorative practices and the positive impact they can have in relation to developing policing practice.

### 6.2 Improvements

Many of the respondents spoke of opportunities to widen the availability of restorative practices to all victims of crime, rather than those who had experienced relatively minor offences. However, it was argued that this could only be realised through increased awareness by those who come into contact with victims so that they could adequately explain what is involved and subsequent streamlined services that were easy to access:

*Increased understanding of restorative measures by those staff involved in information giving. An easy and straightforward referral route to a reliable service and consistent publicity about the service available to the public, police staff, a range of criminal justice agencies and victims’ services...including strategic ownership of RJ by senior leadership at all levels.*
When asked how RJ practices could be improved for offenders there were similar themes relating to the need to provide much more information about restorative services. It was noted that there is a need to develop much stronger links with the other criminal justice agencies, so opportunities for restorative practices are made available throughout the criminal justice system, in a much more joined up approach. A respondent described an implication of not having these opportunities available locally as follows:

*We no longer have local prison (x), which means that facilitators have to travel all over the county to speak with offenders and victims are less likely to want to do this. In addition, the split in probation has obviously had a huge impact and we get substantially less referrals now than we have had previously.*

When asked how restorative services could be improved for your local community, the need for increased communication was once again highlighted. There was the recognition that restorative services could be widened out, giving a much better sense of ownership and sharing within the community. As one respondent explained:

*We should have local RJ experts in each neighbourhood policing team to promote the use of RJ. The consideration of involvement of volunteers in the delivery of RJ or for example, Community Panels or volunteer involvement in the delivery of RJ interventions. Publicity of RJ within local communities and groups is obviously going to be vital, but we need better public awareness and engagement around RJ and in particular community involvement with a focus on good news stories.*

Looking at strengthening restorative services in the forces, much focus was placed on how restorative services could be improved by ensuring the leadership understood and recognised its benefits to the whole organisation. For instance, it was observed:

*We need better funding, ownership by senior leaders, a strategic approach, multi-agency co-ordination with RJ built in to information sharing agreements, awareness raising and further training around RJ and the Code of Practice for Victims.*

There was also a commonly recognised need for better training and resources to deliver good quality restorative practices, with an emphasis on *senior officer sponsors to promote and engage the workforce and further development of restorative provisions of cases of a serious and complex nature.* Much of this could be built upon better communication about the positive impacts of restorative practices, for the force, as this respondent explained:

*We need conferences and success stories being advertised. There needs to be constant updates about the success of RJ so it embeds in the minds of staff and officers. In addition, if more officers that were assaulted went through a conference it would strengthen RJ.*

Another respondent noted that:
We have a good model and approach that will need to tweaked and developed to a certain extent. Marketing within the community is a real requirement so that the public are as aware as practitioners.

Indeed, the issue of communicating and getting the message out, of how beneficial restorative justice can be was a central theme to future developments.

However, the task for improving the context of restorative justice implementation was not only perceived to be a responsibility at the local level. Some argued that action was also necessary nationally: we need a greater level of investment and change in culture alongside a much clearer direction at a national level and some statutory framework to embed restorative justice.

Many of the responses we had looking to the future for restorative justice in individual forces were positive and ambitious. These included: A multi-agency shared approach to RJ coordinated by a dedicated RJ team owned by senior leadership...with better resourcing and more targeted training. There were calls for much better integration and for restorative services to be mainstreamed and identified as a core policing skill with a requirement to undertake ongoing training and professional accreditation – it is operational and occupational competence.

While we found both inter-agency delivery and partnership as being identified as important, there was also a recognition that restorative practices should not simply be farmed out for others to provide. Indeed, restorative justice was viewed as central to policing and the police are central to restorative justice provision as the following quotes illustrate:

To fully evolve and reap the benefits of this service, we believe that an ‘in house’ service provision as vital. The police are in the unique position of dealing with both victims and offenders and can instigate interest in RJ within both groups. The police play a pivotal role in the supply chain and we need to ensure there is clear understanding of the varying levels of RJ and the importance of each. We should remove pre-emptive barriers to RJ such as restricting the crime type and treat each case on merit, with appropriate safeguards.

The process will be refined to really develop the culture of the staff around buying into the benefits beyond where we are at the moment and having that process whereby every victim of crime is offered restorative justice as part of the core. That is sort of the big aspirational goal and that is what we will work towards.

The assessment regarding the possible realisation of these ambitions were somewhat mixed. Some were more pessimistic of their current situation: with other key priorities (finance, demand reduction etc.) I cannot foresee any changes in the short to medium term. One respondent also noted that restorative uptake to-date has been minimal. Without
embedded processes, awareness and sufficient ongoing training the restorative provision will be lost. The issue of funding was a major concern, particularly in the current climate, and this was well articulated:

I think we are at a critical point as funding is getting harder to find and budgets are being cut. Where areas may have not been able to demonstrate the efficacy of RJ, they may struggle to secure adequate funding. I would like to see more multi-agency work rather than competing for cases. I think if organisations pooled their resources then there could be better provision. I know this is happening in many areas across the country.

Thus, the importance of a national agenda being developed and articulated is crucial for the future, as too is the importance of adequate funding, training and awareness raising targeted at both the public and the police.

7.0 Recommendations

- Restorative based interventions are now commonly used by police forces and such provisions are widely expected to increase in the future. However, there is a pressing need for more information and awareness, at both national and local levels, about the benefits it brings to policing, to communities, victims and offenders.
- There are considerable benefits of using restorative based interventions in policing, from improving services to victims, offenders and communities, to improving police community relations and staff morale. More investment and priority should be given to realising such benefits by further integrating restorative practices within policing.
- There are benefits to engaging external providers to deliver restorative interventions, however, it is essential that police officers are also engaged and valued in their delivery, so as to ensure restorative skills are practiced by officers.
- Whilst there has been an increasing use of restorative interventions particularly at street level interventions, there is considerable potential to increase the proportion of more serious offences dealt with through restorative justice, using conferencing models.
- Restorative skills are important policing tools which can deliver improvements in police-community relations, services to victims and offenders, as well as savings to the broader criminal justice system. The training of police officers needs to be enhanced, thus further developing and embedding such valuable policing skills.
- There is a need for more effective communication and collaboration between PCCs, Constabularies and other stakeholders to ensure that everyone is working towards the same agreed objectives in an effort to deliver successful restorative justice services to the community.
Further clarity is needed around the relationship between restorative justice and community resolutions at a national level; to provide clarity around restorative and community resolutions.

Whilst research and evaluations are conducted into restorative provision broader and independent research could provide much needed information about the benefits and best practices for delivering such interventions.

There are many localised examples of effective restorative practices however there is a need for clearer promotion at a national level and for clearer direction, possibly through a statutory framework to embed best practice.

References
Available from:
[Accessed 13/02/19]
## Appendix A

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