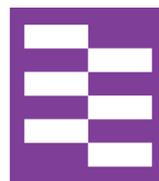




# Restorative Justice

An introductory guide



# RJ

## Restorative justice: a definition

There are many definitions of restorative justice. The Restorative Justice Council, a national charity whose members are national organisations and individuals interested in promoting restorative justice, uses the following definition:

*'Restorative processes bring those harmed by crime or conflict, and those responsible for the harm, into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward.'* (Restorative Justice Council 2012)

In criminal justice, restorative processes give victims the chance to tell offenders the impact of their crimes, to get answers to their questions, and an apology – and sometimes some things can be put right. Restorative justice helps offenders to understand the real impact of what they have done, to take responsibility and make amends in whatever way possible. Restorative processes are also being used in schools, care homes and the community to address conflict, build understanding and strengthen relationships. In these contexts the words 'restorative approaches', 'restorative practices' or 'restorative processes' are used.

Restorative processes can be used at any stage in the criminal justice system: in schools and communities, diversion by the police, between conviction or sentencing, or post-sentence.

## Research

Research has shown good results: high victim and offender satisfaction, reduced re-offending in many cases, and a lessening of post-traumatic stress symptoms for victims (Sherman & Strang 2007; Shapland et al 2011).

## Some restorative processes: definitions

### Mediation (conflicts)

Mediation is a process in which an impartial third party helps two (or more) disputing parties to reach an agreement. The disputants, not the mediator, work out the terms of the agreement.

### Victim-offender mediation

This is a process in which an impartial third party helps the victim(s) and offender(s) to communicate, either directly or indirectly. The mediation process can lead to greater understanding for both parties and sometimes to tangible reparation.

### Restorative conferencing

This is similar in principle to victim-offender mediation but involves families of victims and offenders, and other relevant members of the community. Often a script of questions is used.

### Family Group Conferencing

This is similar to restorative conferencing but the offender's family has some private time to come up with a viable plan for reparation and for the future.

### Reparation

This is the action taken by the offender(s) to put right the harm done, whether directly to the victim or indirectly to the community.

### Victim-offender groups

These are groups in which victims of crime and offenders meet, usually for a set number of sessions, where the victims have suffered similar crimes (but not the actual crimes) to those perpetrated by the offenders (e.g. burglary victims and burglars).

### Victim awareness work

This is work done with offenders, to help them become more aware of the effect their crime has had on their victim(s). It can be undertaken in its own right and also as a preparation for a meeting with the victim.

# Saint Stephen's Reconciliation Laboratory

This provides a single or short series of facilitated listening circles modelling the power of non-violence, between people with different perspectives caught in city-wide conflicts or 'fault-lines'. The facilitator emphasises listening over debate, speaking as 'I' over generalising. The themes relate to the legacy of the slave trade's impact on the city. Particular outcomes vary but in general individuals experience being heard and come to empathise with others in the circle. Perceptions of what's at stake may shift and go deeper. The event takes place mostly in front of the iconic contemporary art work in Saint Stephen's, the Reconciliation Reredos.

## Case example

From October 2011 to March 2012 the 'Rec Lab' looked for 'Wisdom after the Riots' of April and August 2011. They wanted to involve a range of stakeholders, e.g. young people, police, politicians, residents, shopkeepers, squatters, to help heal the trauma visited upon the neighbourhoods. The facilitator talked to many people to achieve wide representation at two Rec Labs, one at Saint Stephen's focusing on the stories, the second at the Arts House Café on next steps. Later meetings finished action points agreed. Although police and anarchists didn't come, local councillors, residents, shopkeepers and a friend of a squatter-traveller did. In the cafe a riot-convicted squatter came, just released from jail. One outcome was specific questions for the police relating to the raids, which were tabled (and answered) by the police at an Ashley Forum Meeting in the spring. In addition the process allowed different perspectives to be heard and some of the hidden factors to be uncovered.

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# Restorative projects in Bristol...

## Bristol Police: RJ as alternative to criminal justice system

Supported by Safer Bristol, the Police in Bristol introduced the use of RJ as a problem-solving tool with the introduction of Neighbourhood Policing in 2005. Neighbourhood Policing team police officers and Police Community Service Officers (PCSOs) were initially trained by Restorative Solutions on their three-day level 2 course to do RJ conferencing.

In 2008/2009, Bristol was one of six areas that took part in the national pilot for the Youth Restorative Disposal scheme sponsored by the Ministry of Justice (MOJ), Association of Chief Police Officers (ACPO) and Youth Justice Board (YJB). As a result of this opportunity 700 police officers in Bristol were then trained to level 1 (one-day course) by Phil Davis and Nick Hughes, and since that time have been able to use RJ in its 'instant' form to resolve low-level incidents of crime and anti-social behaviour (ASB). Over 5000 incidents per year (Avon and Somerset), 13% of all detected crime, are consistently dealt with by way of RJ.

## Contact

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# Bristol Family Mediation

Bristol Family Mediation (BFM) is a not-for-profit registered charity, providing mediation for separated or divorcing couples and families. It provides a means of resolving disputes over child contact, money or property. It aims to alleviate distress and anxiety by means of timely and cost-effective resolution and agreement, in a voluntary and enduring way. Cases are referred by solicitors, courts, other agencies or self-referral. BFM covers Bristol, South Gloucestershire, North Somerset and Bath and North East Somerset.

## Case example

Joe and Jane were married for nine years and have two children, aged 6 and 4. Following their separation, they both started divorce proceedings, and enquired about family mediation. They were both booked in for separate initial meetings. These meetings took 45 minutes each, and were free – the process of mediation was explained, and they were assessed for public funding (legal aid). Both Joe and Jane agreed to proceed with mediation; Jane was eligible for public funding which provides free mediation. Two sessions of mediation followed (at 1.5 hours each), and the issue was around child contact. By the end of the second session an agreement was reached voluntarily by both of them, which was written up by the mediator and given to them. Joe and Jane were able to give this agreement to their solicitors, who put it through the court without the need for their attendance. Joe's fee for mediation was £270, which compares favourably with the legal costs that would have been incurred without mediation. If either of their circumstances changed in the future, they agreed they could return to mediation.

## Contact

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e-mail: [ibloxham@bfmbristol.co.uk](mailto:ibloxham@bfmbristol.co.uk)  
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# Community Resolve

Community Resolve is a charity and social enterprise. It was set up in Bristol in 2002 and now has over 20 part-time workers from local communities. Community Resolve works with individuals, groups and agencies across the city to transform local tensions and build stronger communities, by:

- > equipping people with the skills they need to manage the daily tensions in their lives;
- > enabling people to understand and reach out across differences in culture, age and backgrounds;
- > assisting young people to discover a sense of belonging so they know who they are and how they fit into their community;
- > working with schools to develop their students' leadership potential.

Community Resolve's services are also increasingly in demand nationally and internationally.

## Case example

Violent verbal and physical clashes had taken place between white and newly arrived Somali residents in a tower block; its population had changed, with nearly 50% new arrivals in an area that was historically white. Over six months, Community Resolve visited all the flats with a questionnaire about the difficulties they faced. They trained local residents from both communities to work in pairs, going door to door to talk to everyone. Issues included a lack of language, housing support and opportunities for original and new residents; also a stark difference in attitudes to dogs. Questionnaire results were fed back to residents (as a letter through their door, in English and Somali), and to two multi-agency meetings. Positive developments included a welcome pack for new residents in English and other languages; and a diverse residents' group which monitored difficulties in the block. Clashes between residents reduced, and an incident eight months later was resolved by the residents group.

## Contact

Hen Wilkinson, tel: 0117 955 3021,  
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Web site: [www.communityresolve.org.uk](http://www.communityresolve.org.uk)



Young people at a Community Resolve 'Fridays@mill' mentoring session

## Bristol Youth Offending Team (YOT)

Bristol YOT works with young offenders aged between 10 and 17, to prevent them re-offending. They include victim awareness and restorative work, sometimes facilitating direct victim-offender meetings, sometimes undertaking shuttle mediation. Referral Order panel members (trained volunteers) sometimes facilitate meetings involving offenders and their victims. Young offenders may also write letters of apology or undertake reparation to the community.

### Case example

A teenage boy was arrested for burglary, with all the stolen goods in his possession. These were returned to their owners, and included a laptop computer. However, the owner was very upset as she could not access the computer because the young man had changed the password. The YOT worker spoke to him and he provided the new password. The victim was very grateful.

### Contact

Caroline Mellon, tel: 0117 9036101  
Mobile: 07825 227633  
Email: [caroline.mellon@bristol.gov.uk](mailto:caroline.mellon@bristol.gov.uk)

## Bristol Impact Project

The project brings 'Impact' offenders (burglars, robbers and car criminals) and their victims together post conviction. The process starts with a suitable offender and then contact is made with their victim(s). Restorative meetings usually take place in a designated room in HMP Bristol but can be outside the prison if conducted post-release or in the case of non-custodial sentences.

### Case example

A Bristol offender in prison outside Bristol took part in a workshop by the Forgiveness Project. The tutor (Peter Woolf) was aware of the Bristol Impact RJ project and referred Paul. The offence was an aggravated burglary in which Paul smashed his way into the address, thinking it was empty, and ended up fighting the victim with weapons in the early hours of the morning in front of his wife and young daughter. Paul was temporarily transferred to HMP Bristol for a restorative meeting and met his victims. Paul's honesty and contrition in the meeting contributed to a very positive experience for all parties. The victims were able to move on from their anger and hatred and will be kept informed of Paul's progress throughout his sentence and beyond, in the sincere hope that he can keep his promise not to put anyone else through what they went through. In feedback, both sides scored the process 10 out of 10. The victim said afterwards, 'Initially I didn't want to take part but I'm very glad I did. I think it has helped me come to terms with things and move on.'

### Contact

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# Bristol Mediation

Bristol Mediation (BM) is a charity, established in 1987, based in East Bristol, providing mediation to neighbours in dispute in Bristol and surrounding areas. BM works with local authority tenants, home owners, private tenants, housing association tenants and people in supported accommodation. BM receives over 100 cases per year from housing officers, police, ASB teams, support services and self-referrals. Issues BM works with include noise, abusive and threatening behaviour, lifestyle differences, children's behaviour, boundary issues, property and garden disputes, animals and breakdowns in communication and relationships. BM also runs accredited mediation training periodically in Bristol.

## Case example

This case involved two parties living above and below each other in a social housing block. Two mediators visited them in their homes. Party A was nervous, anxious and angry, but willing to meet her neighbour to sort things out. She complained about excessive noise. Party B was also anxious but admitted to aggressive behaviour when she was upset by party A. However, she was not prepared to meet, as she saw party A as more powerful than her. Then her boyfriend joined the discussion and persuaded her to meet. The date, time and neutral venue were agreed. At the joint meeting, party B started by apologising, saying it was all her fault. Party A accepted the apologies and was ready to sign an agreement. However, the mediators encouraged both parties to explore further, and this led to a deep sharing of personal experiences and tragedies, and helped the parties to see each other in a new light. They left the meeting talking together.

## Contact

Julie Cox, Service Coordinator, tel: 0117 9415379 or 07534 188396,  
E-mail: [casework@bristol-mediation.org](mailto:casework@bristol-mediation.org) or [info@bristol-mediation.org](mailto:info@bristol-mediation.org)  
Web: [www.bristol-mediation.org](http://www.bristol-mediation.org)

# Bristol Neighbourhood Justice Project

Bristol Neighbourhood Justice Project works with a group of trained volunteers to prepare and facilitate restorative conferences in cases of low level crime, anti-social behaviour and neighbourhood disputes within the local community. The Project work closely with neighbourhood policing teams and local partner agencies, to increase victim involvement and satisfaction, to reduce re-offending rates and to empower local communities to deal with and resolve local neighbourhood situations in a positive way for all those involved.

## Case example

Two young people were involved in an incident in which one had physically assaulted the other, following an argument. The parties had previously been good friends and the police decided that a restorative approach would be the most positive way forward to resolve the situation. Both boys were supported by their mothers who greatly assisted the preparation process and ultimately at the conference. Both boys were able to fully discuss the reasons behind the incident; feelings and actions were explained, apologies were offered and accepted, and both boys, determined to take their friendship forward, suggested activities they could undertake together. A follow-up after three months confirmed the boys were back to being best friends. Both parents were extremely positive about the whole experience and how the facilitators had dealt with the matter, allowing all parties to feel an involvement in the process.

## Contact

Helen Rosenthal, tel: 0117 9529742, e-mail: [helen.rosenthal@avonandsomerset.police.uk](mailto:helen.rosenthal@avonandsomerset.police.uk)

# Orchard School, Bristol

At Orchard School, Restorative Approaches are used to resolve all issues of conflict. Staff, students, parents, carers and the wider school community all use restorative principles. Staff have had level 1 restorative training, and classroom teachers can use the script questions in class to resolve low level conflict; the incident can then be resolved and learning continue. A core group of staff have had level 2 restorative training, so that they can facilitate conferences; this group includes Heads of House, Assistant Heads of house and senior leaders. The school has a lead in Restorative Approaches; this person is trained in level 1 and 2 and has also completed the Restorative Diploma. The lead person supports staff using their restorative skills, and works closely with identified students who have also been trained in restorative approaches; they support their peers in each of the houses with any low level conflicts. Restorative approaches are used across the school; in the classroom a teacher may use the restorative questions to resolve an incident, perhaps when a student is not focusing on their work, and causing low level disruption and stopping the learning of others. Level 2 conferences can be used by a Head of house when parents are invited to come in because an issue has not been resolved at classroom level. The Restorative Lead will also facilitate level 2 conferences, which may be of a larger or more complex nature.

## Contact

Jackie Milliner, Restorative Lead Tel 3772000 or e-mail: [j.milliner@orchardschoolbristol.co.uk](mailto:j.milliner@orchardschoolbristol.co.uk)

There are also other schools in Bristol using restorative approaches.

# Vinney Green Secure Unit

Vinney Green Secure Unit is situated in Emersons Green in South Gloucestershire, north-east of Bristol. It accommodates 24 young people of both sexes, aged between 10 and 17, many of whom are from Bristol, some from elsewhere. The young people held in the secure unit are amongst the most troubled and troublesome in the country. They are also vulnerable and often arrive with a history of difficult and challenging behaviour. However, within an environment of reflection, challenge, personal attention and specialised help, they are encouraged to develop a range of skills, increased self-esteem and personal responsibility, as well as changes in attitude. The Unit is committed, wherever possible, to working with young people using restorative processes, which are essentially victim-focused.

## Case example

Jason caused criminal damage to his room at Vinney Green and the court ordered him to complete six hours of reparation. The following day he spent three hours under the direction of the maintenance team cleaning graffiti off his bedroom wall. He was also given the task of rubbing down his wooden window frame with sandpaper.

In the afternoon he painted the walls of his bedroom under the supervision of care staff. He also wrote a letter of apology to the Night Care Staff at the unit after the damage that he caused made it difficult for staff to carry out the necessary observational checks throughout night-time hours. The court was satisfied with the work that Jason completed and no further action was taken.

## Contact

Paul Mackie (Deputy Quality Assurance and Development Manager, Vinney Green Secure Unit): [Paul.Mackie@southglos.gov.uk](mailto:Paul.Mackie@southglos.gov.uk)

# Ashfield Young Offender Institution

HMYOI Ashfield caters for young men between 14 and 18, and has been using restorative approaches for several years for cases of conflict or bullying in the institution. If a restorative meeting is successful, the conference facilitator asks the controller to take it into consideration during adjudication. Ashfield also runs meetings for inmates and their victims who come into the prison.

## Case example

Brian (17) was larking about with a library orderly (an inmate whose job it was to work in the library checking out books). The librarian (Sheila) told Brian off, and he went off in a huff and made an official complaint against Sheila. From that date, he 'blanked' Sheila, which she found quite unsettling, as previously they had had a good relationship. Her line manager suggested a restorative meeting with Brian.

Sheila explained that she was only doing her job, preserving peace and quiet in the library for the sake of everyone using it. Brian then explained that the library orderly was the only inmate in the prison who knew what Brian's offence was (a serious one), so he was the only person he could feel really free with, and have a laugh and a joke. The librarian offered to help by allowing Brian and the orderly to go off for ten minutes when Brian came in – that way they could have some time together without disturbing others. Brian apologised for putting in the complaint, and thanked Sheila for being so understanding concerning the situation.

## Contact

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## Restorative Bristol Steering Group

In November 2010 a group of practitioners and interested individuals started meeting with the aim of linking those involved in restorative practices within Bristol. To this end they have organised a number of conferences with workshops to share and develop practice. They have received funding from Safer Bristol and have worked at developing a vision, inspiring others and encouraging the growth of restorative practices. The group is currently administered by Bristol Mediation.

## Resources

Restorative Justice Council (for restorative justice in the UK):  
[www.restorativejustice.org.uk](http://www.restorativejustice.org.uk)

Restorative Justice Online (online database of restorative justice world-wide):  
[www.restorativejustice.org](http://www.restorativejustice.org)

The Reducing Reoffending Board  
[www.avonandsomersetprobation.org.uk](http://www.avonandsomersetprobation.org.uk)

## Contact

Voscur  
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