

Resolution 37

News from the Restorative Justice Consortium



**Spotlight on Hull:
*Becoming the
World's First
Restorative City***

**The Independent
Commission on
Youth Crime
Report**

**Who Owns
Restorative
Justice?**



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Editor's note

Resolution is here to reflect restorative practice in all its forms and developments. Please get in touch if you would like to submit an article or have any suggestions for how we might improve the publication.

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

Chris Igoe, Editor
E: chris@restorativejustice.org.uk

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Beacon House, 113 Kingsway
London, WC2B 6PP
T: 020 7831 5700

E: info@restorativejustice.org.uk

W: www.restorativejustice.org.uk

Company number: 4199237

Charity number: 1097969

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Image of the Humber Bridge on the front cover by David H. Wright.
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About Us

Restorative Justice empowers the people most affected by conflict to deal with its effects through enabling communication between people who have been harmed and people who are responsible for that harm.

The RJC is the national voice for all restorative practice. We are becoming the Restorative Justice Council - the quality assurance body for the field.

Director's Introduction

Welcome to the autumn issue of *Resolution*. These have been exceptionally busy months for the RJC, with a presentation supporting the launch of the excellent Youth Crime Commission report (see page 14), press work with Victim Support leading to a front page piece in *The Observer*, and detailed work with Ministry of Justice officials to explore policy options and the evidence base ahead of the Autumn Green Paper.

We do this work on behalf of our members, and recently I've been privileged to get out and see some of the range of the work our members are doing, from work in schools, through to work with serious offenders in custody.

In Swaleside Prison I sat in on the final session of Prison Fellowship's Sycamore Tree programme. Twenty men who had been through the six week course stood up to tell their stories, what they'd understood about the impact of crime on victims through the course, and how they wanted to take a next step to repair the harm they had caused. As the course ended, nine out of the twenty men involved asked to speak to the Probation Officer present, asking how they could take steps to meet, or write to, the victim of their crime, to begin the process of making amends. Programmes like Sycamore Tree, or the SORI programme and Forgiveness Project work in prisons, can start offenders on the road to restoration.

In Hull, restorative practices are being introduced in schools and care homes across the city. Restorative practices, like circle time, are all about the preventive use of restorative skills to build and maintain relationships, building community within the classroom, so that children are learning to listen and respect one another and given the tools to resolve conflicts. I sat in with a group of seven year olds, as they each in turn described their feelings that afternoon, and found ways between them to support those feeling sad, or tired, or angry because of a playtime argument.

Nigel Richardson, the Director of Children's Services in Hull has a vision to train 23,000 professionals working with children and young people in Hull in restorative practice, so that in every conflict situation the three questions are: What happened? Who was affected? How can we all work to repair

the harm? Visiting Hull was an inspiration, and we've spotlighted what's happening there in this issue, with articles from professionals in many fields about how restorative practice has impacted on their way of working with children and young people. We'd like to spotlight other areas working to become 'restorative counties' in future issues of *Resolution* - to tell us what's happening in your area please get in touch via info@restorativejustice.org.uk.

Ken Webster in his article on page 15 poses the question 'Who owns Restorative Justice?' making the case for statutory/third sector partnerships, to ensure that Restorative Justice stays true to it's principles. In July I met David Miliband, the senior Labour politician, and briefed him on the evidence base for Restorative Justice, and the cost savings that could be made if it were offered to all victims of crime, simply through reductions in re-offending. His response was "That's all great (the research evidence) but actually, I just think it's the morally right thing to do." In a very tight financial and policy environment in Government, where I'm constantly putting the case for Restorative Justice, it's refreshing to be reminded that this isn't about numbers and statistics - it's the morally right thing to do.

Lizzie Nelson
Director
Restorative Justice Consortium
lizzie@restorativejustice.org.uk



News In Brief

Update from RJC's Standards and Accreditation Board

The RJC Standards and Accreditation Board (SAB) represent the interests of the entire field in their work to develop quality standards in restorative practice. They are currently working to review the RJC Trainers' Code of Conduct, and to develop RJC policy on quality marks for registered practitioners, awards, training providers, and services. The views of the SAB are also being fed into the ongoing review of the Best Practice Guidance.

Full details of membership of the SAB and the Advisory Group are available on www.restorativejustice.org.uk



Belinda Hopkins, Debra Clothier, Les Davey, Ken Webster, Annette Hinton, Claudine Rane, Val Marshall and Chris Stevens of the RJC's Standards and Accreditation Board (pictured left to right).

Victims Commissioner supports Restorative Justice

"I give it [RJ] my 110 per cent support where victims are central to the process. However there is this thing the Restorative Justice process, in some of those situations the victim is not present nor even asked. I am not happy at all about these, but where the integrity is intact, it gets my vote." *Louise Casey's response to RJC question at RSA event on 20th July 2010.*

Home Secretary hints at a restorative future beyond the ASBO

In a speech entitled "Moving beyond the ASBO" Teresa May, the Home Secretary, said that police should have new powers which are "rehabilitating and restorative, rather than criminalising and coercive."

The speech follows a report by the Independent Commission on Youth Crime and Anti Social Behaviour (see page 14) calling for Restorative Justice to replace ASBOs in community policing.

Teresa May's full speech can be read at www.homeoffice.gov.uk

Grazia feature on RJ

Katy Hutchinson tells womens' magazine *Grazia* (30th August) how she came to forgive the man who kicked her husband to death. Katy met Ryan twice during his three year prison sentence, after initially sending him a video message. She also spoke in support of his release at this parole hearing. Katy says she thinks "plans being considered in the UK are a very good idea" (see top right). Katy's story has been made into a film *Bond of Silence*.

Justice Minister describes historic opportunity for RJ

Crispin Blunt, Minister for Prisons and Probation, addressing the AGM of the All-Party Parliamentary Penal Affairs Group said: "We have a historic opportunity to look at how Restorative Justice can be introduced into the criminal justice system. I met with representatives from the Restorative Justice Consortium, and I have asked them to work with my officials, to put forward proposals on how Restorative Justice measures could be used across every phase of the criminal justice process: from pre-trial right through to interventions in prisons to prepare offenders for release."

Former Met Chief backs RJ with serious offences

Former Metropolitan Police Commissioner Sir Ian Blair writing in the *Observer* (5th Sept. 2010) said "we should no longer be talking about pilots of Restorative Justice. We know that it reduces reoffending and that it is particularly effective with violent offences".

Offering RJ to victims of serious crime would prevent £185 million of crime

The Restorative Justice Consortium and Victim Support have presented the case for Restorative Justice to Justice Minister Crispin Blunt. RJC and Victim Support highlighted how Restorative Justice empowers victims by putting them at the heart of society's response to crime.

The briefing demonstrated how, based on the Government's own research findings, making Restorative Justice available in cases of burglary, robbery and violent offences would lead to reductions in re-offending of 27%. This would mean 27% less crime and 27% fewer victims.

If Restorative Justice was offered to 75,000 victims of adult offenders, assuming just a 40% take up rate, the reductions in re-offending would lead to £185 million cashable savings to criminal justice over two years.

This was reported on the front page of the *Observer* (25th July 2010). The relevant page of the RJC/Victim Support briefing to Crispin Blunt is shown below.

The cost savings from reduced reconviction from offering RJ to victims of serious offences

Number of victims	Number of RJ offers (40% take up)	Total savings over 2 years	Additional savings	Total savings	Number of legal A.D.	Total savings over 2 years	Total savings over 2 years
75,000	29,000	£185m	£55m	£240m	£14m	£226m	£474m

- These savings result solely from reduced reconvictions
- They are based on very conservative initial modeling
- They assume no economies of scale in delivery
- They assume a low take-up rate of 40%

Becoming the World's First Restorative City - Nigel Richardson

In Hull we are working towards becoming the world's first restorative city. We know this is a bold ambition and the challenges in achieving this aim are significant; but we believe this is the best and most effective way for us to work together with children, families and communities. We have a growing track record in delivering restorative practices and while there is still much to do, we have a strong direction of travel for the future.

Hull is home to 57,000 children and young people growing up in a multicultural, densely populated and fast - changing urban area. The city has high levels of unemployment, crime, poverty and need. Consequently, statutory, voluntary and private organisations in the city have committed themselves to doing something different to improve the lives of children and young people here. We are using restorative practices as a shared way of working to ensure everyone has the same ethos, delivering services in an open, respectful and mutually accountable way, set within a restorative framework. This

framework requires us to work with children, families and the community and provides the 'glue' that binds together agencies in a common approach and language.

Restorative practices have been developing in Hull for a number of years and much has been achieved. The City Council has committed itself to creating the 'Family friendly city where no child is left behind'. To that end, services use an outcome framework for children, where children in Hull can expect to;

- Be Safe
- Be Healthy
- Enjoy themselves
- Achieve
- Make a Positive Contribution
- Achieve Economic Well being

The central question we ask staff to consider is, 'What is it like to be a child or young person growing up in Hull and how do we make it better with them?' This will require us to be good at listening to children and young people and at involving them effectively in key decisions that affect their lives.

The adults working with children, young people and families are committed to adopting behaviours that build restorative and constructive relationships to help achieve better outcomes. This requires us to be explicit and accountable about the way we do business and the basis of our organisational and professional practice, which in Hull is based on restorative practices.

I hope that the series of articles in this issue of *Resolution*, gives you some insight into what we are striving to achieve. Hull has a long and proud history as a major British seafaring port and because of that is known as the Pioneering City. We trust that the work we are leading here is in keeping with those traditions, and we believe that one day, by working with children families and communities, we can become a fully restorative city.

Nigel Richardson - Assistant Chief Executive and Director of Children and Young People's Service, Hull City Council



The Humber Bridge near Kingston upon Hull

How do people experience using restorative practice at work?

The Goodwin Development Trust is a registered charity situated in the heart of Kingston-upon-Hull (www.goodwintrust.org).

Created over fifteen years ago by the residents of the city's Thornton Estate with the intention of improving local living conditions, the Trust now manages a diverse range of projects.

Goodwin became interested in restorative practice nearly five years ago and has trained all of its 300 employees in restorative approaches. More recently the Trust formed a relationship with the Hull Centre for Restorative Practices and the University of Hull's law department.

'Work meetings are more enjoyable'

In May 2009 we secured two years funding from the National Lottery to undertake research into people's experience of using restorative practice in their working environment. Two full-time researchers were appointed by the Trust to conduct the research project using qualitative methods, such as interviews and focus groups, in order to understand and interpret how people experience the implementation and use of restorative practice in the workplace.

Although the Trust manages three Children's Centres where the staff have used restorative methods for over four years, the research was designed at the outset to involve a wider sample of case studies. Volunteers were recruited from a group of community workers, two local children's homes, two local schools, Humberside's Neighbourhood Policing Team

and the Hull Family Group Conferencing Service.

Early findings of the research look positive for restorative approaches. For example, because of their previous vocational training many of the

"restorative circles give a voice and create a greater depth of understanding"

volunteers feel they already used some aspects of restorative practice with their client groups, so the training in restorative practice reinforced existing good practice. At the same time, the use of circles and conferences is having a major impact on the way the participants interact with each other as colleagues. A prominent experience amongst the participants is an improvement in communication. Work based meetings are now more enjoyable, people learn more about their colleagues and work problems are now solved by the whole team, so that individuals are not left to suffer pressure of meeting targets without support.

Participants state that restorative circles give them a voice and create a greater depth of understanding within their teams. For example, in the children's homes, employees have 'check-in' and 'check-out' circles every shift where they discuss what happened on the shift and how they feel the shift went. Crucially, this allows staff to know which colleagues and children may require extra support. Importantly, for the first time, the children living in the homes also participate in these circles, so they too have a voice in meetings that may result in

decisions which impact on their lives. In the community worker group, employee conflicts are solved using circles and work based problems are discussed in a way that provides the whole team with an opportunity to offer solutions to problems.

Of course, not all the findings are positive and a recurring experience is that many participants in our research feel the pressure of time constraints affect their use of restorative techniques. Nevertheless, new ways of using restorative approaches are constantly evolving, and new implementation strategies being developed, and existing ones shared, which should in the future alleviate this experience.



Dr Craig Lambert is the Senior Researcher at the Goodwin Development Trust.

Clambert@goodwin-centre.org

Miss Rebecca Shipley is Research Officer for the Goodwin Development Trust

Bshipley@goodwin-centre.org

Restorative Practice and Policing in Hull



A restorative approach complements many aspects of police work. The desire to affect people's behaviour through a shared understanding and development of a sense of responsibility is at the heart of both the criminal justice system's aims, and those of restorative practices (RP).

Neighbourhood policing aims to provide the public with a highly visible uniformed presence in every neighbourhood, able to deal with local issues and priorities. Very often these issues involve residents who, for various reasons, have come into conflict with others in their community. Adopting a restorative approach has provided our officers with a means to resolve these neighbourhood disputes in the course of our policing work on the streets. In doing this we are seeking to develop a shared understanding among the members of the community about what has happened, and how we can resolve the problem. We use restorative practice to break down barriers and allow people to live happily side by side.

CASE STUDY

Calming tensions following an 'idle' death threat

A neighbour dispute had been ongoing for a number of years. Tensions escalated, which culminated in a fight where a man had told a woman he was going to kill her. This was said in the heat of the moment with no intention to carry out what was seen as an idle threat. However the woman took the threat seriously and had believed since that time that her neighbour meant to do her serious harm. 3 years later the local neighbourhood policing team became involved due to a number of minor neighbourhood incidents. RP was initially offered but the female stated she could not face her neighbour due to her fear of him. Tensions continued to increase to a point where the female was upset and suicidal. RP was again offered as an option and this time was accepted by both parties. After some initial difficulties all participants contributed fully to the conference. The male neighbour was genuinely shocked that his comments had been so damaging. All parties agreed to put the dispute behind them and move on with their lives.

As well as using restorative skills to resolve the conflicts that arise in neighbourhoods, a restorative approach can be used as a means of dealing with a crime as an alternative to prosecution. We are using it this way mostly with young offenders, but also sometimes with adult offenders. Providing a crime meets certain criteria, (in our area, it is of a less serious nature, the victim consents and the suspect is not a repeat offender) then the Police Divisional Commander for Hull has agreed for such crime reports to be finalised with a restorative disposal as an alternative to prosecution. This

allows a proportionate response to criminal activity and prevents people receiving a criminal record for minor first time offences.

Working with the Hull Centre of Restorative Practices 200 police and Community Support Officers have received a one-day 'Introduction to Restorative Practices' training course, which equips them to use restorative practices as part of their daily work as neighbourhood officers. In addition 85 officers have been trained to facilitate restorative conferences, which we use to deal with more serious crimes, particularly when restorative practice is being used as an alternative to prosecution. Officers are now able to work restoratively with trained partners in schools, care homes, youth services and other service areas. Three officers are RP trainers, able to train new officers and people from other organisations. This way we can spread and maintain the skills in our force, and make sure we stay true to the quality of training that we need to deliver restorative practice well.

Inspector Iain Dixon
D Division Violent Crime
Humberside Police
www.humberside.police.uk

CASE STUDY

Building community spirit following damage to a community centre

Following damage to a community centre a group of 8 local children were identified as being responsible. The manager of the centre did not wish to take the matter to court and instead was happy to finalise the investigation with a restorative conference. A conference was held with all 8 children, a responsible adult for each and the manager of the centre. The conference was very successful with all 8 children agreeing to attend the following week-end to clear a section of the centre's garden of weeds and rubbish. All 8 children attended and carried out the agreed work. Not only did the conference help the children understand the consequences of their actions, it also acted as a mechanism to build community spirit.

Restorative Practice with the under-fives at Clifton Children's Centre

I have been the Head at Clifton Children's Centre for three and a half years. I attended an 'Introduction to Restorative Practice' course during my first year in post. I can clearly remember the feedback I shared at the end of the day: this is how I believe we should be working and I now have a way to explain it to others. The challenge for us was how to work in a restorative manner with very young children. As a children's centre, we provide services for children under five years old and work in partnership with other agencies, such as health and job centre plus, to provide services to support families as a whole, to ensure children get the best start in life.

For example, a child in our nursery approached me crying and told me that another child had pinched her teddy bear. I brought the 2 three year olds together and asked each in turn "What happened?" and "How did it make you feel?" It transpired that the 'wrong doer' had not intentionally caused harm; he believed he was continuing with the play, taking the teddy for a day out

at the seaside. So I asked "What can you do to make things right?" The 'wrongdoer' walked away, which initially led to further upset, but soon returned with another teddy and further discussion took place to negotiate how the play could continue with two teddies involved. I realised that previously I might have tried other tactics, such as suggesting taking turns, diverting attention to other activities, returning the teddy to the crying child, or even putting the teddy away. I realised that all these actions involved me doing something to the children and not supporting children to take responsibility to work together to repair the harm and work together to find a good way forward.

With the support of the Restorative Head Teacher Network I strive to lead my staff team in a restorative manner. All staff at our centre complete the introduction to restorative practice, we use fun circles to develop community, we use 'what's on top' and problem-solving circles to identify concerns and identify solutions.

Our lead practitioner takes responsibility for developing children's skills at working restoratively. We have challenged ourselves to think about what restorative practice means for our very youngest children, those aged 0-3, and in particular those who have not developed verbal communication. We recognise that the principles can still guide and influence our practice and staff use the language of restorative practice around the children. They have high expectations that the children are involved in repairing harm.

This is reinforced by our puppet friends, whom the children recognise as members of our community. They are used by staff to re-enact conflict and provide opportunities to rehearse and reinforce the concept of finding out what happened, how it made those involved feel and to identify what can happen to make things better.

I am extremely proud when I see children 'checking in' at the start of the session. Parents are also part of the process. As children and parents enter the setting, you will see them having conversations with each other and staff about how they are feeling and what they may need.

I was extremely proud when I observed one of our two year olds approach his upset friend. He reached out his hand, gently touched her on the arm and asked "What happened?" Restorative practice is very powerful and it can be introduced to children from a very young age because it is all about building community.

Alison Ahearne
Headteacher
Clifton Childrens Centre
www.clifton-childrens-centre.co.uk



Staff using puppets at 'check-in' circle time

A tour: Collingwood Primary School



Circle
Circletime at Collingwood

If you put your head in at the door of Collingwood you will probably hear laughter coming from the staff room. That's our staff circle where we are sharing funny stories in our 'go around' before we get down to the business of the day. Walk past the staffroom and look into one of our classes where you will see the children sitting in a circle 'checking in' and planning their day. Hear the class identifying their feelings and listen to how the other children offer support to those who need it.

Walk on a little further and observe teachers beginning their lessons with a circle. See how the children are actively engaged and listen to how fantastic they are, and how confidently they share their ideas. Pop your head round the emotional wellbeing worker's door and you will see her running a restorative circle for a small group of children who have had friendship issues and need a way to resolve their concerns and move forward.

Turn and walk into the playground and watch the children playing circle games and 'circling up' to solve petty

playground disputes. You can see how our 'buddies' are supporting and directing children with play and make note of the children using 'the questions' to confront their peers.

Now walk over to the families' centre where you can see the families completing their family learning signature and observe the restorative conference being run by a Police Community Support Officer. You can also see the group run by our health visitor with young children and their parents and how she is modelling the restorative language for the parents. In the next room and you may see our parents being trained in restorative practices.

Back in the school hall where the children are having their lunch you can see the lunchtime supervisors running restorative processes to resolve lunchtime issues. If you have time, stay for the after school club where our coaches will be circling up the children to start the coaching session. Ask them how restorative practices helps them communicate and deal with the children in their care.

Go now to meet the school council and they will tell you how important school is to them, how they view it as a community and how they represent other pupils' views in meetings with the Headteacher and other staff. They will show you around and tell you how we solve problems in the school, how there is no room for bullying and how their parents are involved and talked to when there is a problem.

Now come and join our assembly where we will be exploring one of the key words that form our Collingwood values – we are talking about respect, what that looks like and how good we are at demonstrating it every day in our dealings with people. Follow one of the classes out of assembly and back into their classroom where they will finish the day with a class circle 'checking out', discussing their highlights and evaluating their day in preparation for a new day tomorrow.

Estelle Macdonald
Headteacher
Collingwood Primary School
admin@collingwood.hull.sch.uk

Regime change, challenges and solutions at Endeavour High School

Chris Straker, Head of Endeavour High School wanted a way to manage behaviour problems in the school. In restorative practices, what he got was a solution that, though simple, changed the school in unexpected ways, not just for the kids but for the adults as well.

Introducing restorative practices involves a system change – it is transformational. Restorative practices are both a philosophy and a way of being, however idealistic all that may sound.

Restorative practices are not, of course, a universal panacea. Our school is in an extremely challenging environment and throws up issues every day. Kids have not gone from being perceived as 'social zeros' to heroes in a single leap. We still deal with complex needs in the web of relationships that make up the life of a young person, but we do so in a far less reactive way.

We don't, for instance, celebrate the number of formal conferences we have. Our ideal would be to have no formal conferences, because that would indicate that we are getting it right at the basic level of human interactions and the context we have tried to create.

We use the restorative questions proactively, as part of the everyday vocabulary of the school. We are explicit, in ways we never were before, about our expectations of each other as adults and pupils. We have worked to empower the pupils with the tools to be their own, and our, restorative agents. We have tried to stop telling their story for them, to let them articulate the issues and strive for solutions themselves. We

don't claim to be a 100% successful but we have seen a dramatic fall in fixed-term and permanent exclusions, as well as our recording of a whole host of data related to negative types of behaviour. Ofsted may find us wanting in some areas but they always find the pupils to be articulate and supportive of each other and the values of the school.

We use circles throughout the school : for 'check ins' and 'check outs'; in teaching and learning; in problem solving with pupils and staff; in a range of staff personnel issues; and we also meet in informal staff circles as regularly as we can. In so doing we have experienced a greater voice and influence from the pupils.

Impact – always make sure you can show that, of course: a reduction in exclusions; an improvement in behaviour; pupil questionnaires showing a confidence in the school to deal with issues because pupils are part of the process; an improvement in staff attendance. But change and impact are also a feeling in a school – a sense that the school no longer rides a wave of steep peaks and deep troughs but has a calmness and a clearer default position for all that we do.

Visit the school and you will see our values clearly articulated by pupils, both verbally and in their behaviour. Restorative practices have made our values explicit through our actions.

This is not an article about how to introduce restorative practices into a school. That would have to be much longer. Implementing restorative practices eschews the National Strategy model and asks schools to use an explicit

framework within their own context that has a strong focus on the balance between challenge and support. It is about working *with* all parties and not doing things *to* or *for* them. It challenges preconceptions that the solution to behaviour problems is a mechanical process (for example by rewarding behaviour with marbles in a cup or ticks on a wall).

Introducing restorative practice challenges schools to look closely at the relationships in their institution and is clear that, if they are right, all else follows. Simply applying an end-loaded structure bolted onto the school will not work. Instead, one must change the networks of relationships and challenge everyone, especially the adults, to take responsibility for their actions and, most importantly, be explicit about their values and commitment to restorative ways of working at all times.

If you want data from this article you won't get it – Google us and find the data on our website. But here is an anecdote: when a primary head was asked about the outcomes of her implementing restorative practices, she didn't quote statistics, she said, "I get my afternoons back after the lunch time". This tells us that she is no longer the only person responsible for dealing with all the issues that lunch breaks bring up; many more people in school have become involved in solving problems or creating the context where issues that once plagued the place have been resolved. Now that IS regime change.

Chris Straker
Headteacher
Endeavour High School
admin@endeavourhigh.hull.sch.uk

Family Group Conferencing in Hull



Gill, Anne, Julia & Donna
of Hull Family Group
Conferencing Service

Hull City Council's Family Group Conferencing (FGC) Service has been running in the city for over ten years. The service uses restorative practice to engage with families and support them through difficult times. The key to their work is being open and honest and ensuring that all family members, including children, have a say in plans that directly affect them.

The team works across a range of support services for families in need, or at risk. These include proactive self referrals that are usually around contact between estranged parents, to more complex cases including looked-after children and child protection cases. The team also work closely with health colleagues, children's centres and other agencies to ensure that families receive all the support they need.

The team hold surgeries in many primary and secondary schools across the city, where staff and parents can find out about the service and discuss their needs. It is a recognised fact that issues do not occur in isolation, and challenging

and truanting behaviour in school can be a result of difficulties in home life.

The service also works closely with the central duty team, where they look to engage with families at the point of contact, in the hope that this will address issues before they get worse. The team also pick up referrals from the central duty team to try and prevent children and young people entering the looked - after system.

Family resource centres in the city refer to FGC for help on matters such as returning children to family members, looking for alternative carers to prevent adoption, and in complex contact situations when family might be best suited to cover this. Their ethos is based on the belief that families are 'experts on themselves and, given the information and opportunity, will look towards solving many of their own problems'.

In the instance where a child protection plan is necessary, other family members will be part of that plan and will contribute to the

wellbeing of the child and offer support where possible. One example was when maternal grandparents gave up their home every other Saturday to enable their grandchild and ex son-in-law to have contact in a comfortable family environment to help build their relationship ahead of overnight stays. The grandparents had made no secret of the fact that they 'had no time for him', but they were willing to do this for the child they loved. Had the child care team or an agency suggested this, one can imagine the response! It was the grandparents' idea and indeed 'most people do the right thing most of the time'.

Advocacy is key to giving the best possible service to families. The team work alongside a voluntary advocacy scheme and no meeting goes ahead without the voice of the child, young person or vulnerable adult being heard.

Gill Kennett
FGC Manager
Hull County Council
familygroup.conferenceteam@hullcc.gov.uk

Restorative Practices in Residential Care Settings for Children & Young People in Hull

OK, we haven't got it easy in Hull. Poverty, generational unemployment, migrant communities, and strict territorial boundaries – all contribute to a high proportion of families in difficulty and therefore children who need to be looked after. Others can talk – with insight and wisdom – about the social and cultural implications of this situation. Meanwhile, those of us who work directly with children in the residential sector have to deal with the outcome on a daily basis.

Responding to children who behave in a challenging and unacceptable way – ranging from verbal abuse through to criminal damage and antisocial behaviour up to assaults on carers – is a constant backdrop to our work. We have good systems in place for dealing with each individual child. We have a well motivated staff group that wants to lead the young people to a better informed choice about dealing with the issues they face in their lives. What we didn't have was an integrated approach to making things better.

Residential settings traditionally applied "consequences" for "bad" behaviour. Repeated infringement would lead to repeated or increased consequences. These consequences were in reality sanctions imposed by staff with the aim of deterring such behaviours. Any summary analysis quickly shows that they were largely ineffective.

Equally ineffective was the tendency to avoid challenging unacceptable behaviour, where well-meaning staff would "make it all right" by side-stepping what a young person was doing that was not acceptable.

Something had to change. We started by training all the contracted staff in restorative practices – in the basic ideas, in circle work, and an increasing number as facilitators. We introduced circles as a basic model of communications, both with children and between staff and children – and between staff. Young people became involved in deciding boundaries, in agreeing what would happen if guidelines were broken, they picked menus, they contributed to house rules. They became part of the decision making process and felt some ownership of it.

We routinely used affective statements and questions in responding to many events, from minor disagreements to more serious flare-ups. Mini-conferences, held almost on the spot, proved highly effective in helping people who had fallen out rebuild their relationships (and I am not just talking about the young people!).

And if something really had gone wrong, we used the restorative questions as a means of exploring it. This means the no-blame, non-judgemental questions that allow a wrongdoer to realise the impact of his/her actions on others, and equally allows the "harmed person" to perhaps appreciate

how what they had been doing was affecting someone else, or to understand the difficulties that the wrongdoer was facing at the time and have some empathy for him or her.

Yes, there was resistance. Yes, it was seen as a fad. Yes, it was "another management imposed technique".

But in the end, it works. It has helped to tackle bullying. It has reduced serious events within the homes. It has reduced police and criminal justice involvement. It has demonstrably helped children to see their actions in context. The result is that the staff team are open to accepting that restorative practices, with its key elements of working with people (not doing things to them), being fair, allowing emotions and using a no-blame question style, is a framework for evaluating and reflecting on how we all interact with each other.

That's how we build a sense of community, an appreciation of relationships. That's the way forward.

Matt Sutcliffe
Senior Care Officer
Children & Young People's
Services, Hull City Council

Hull Centre for Restorative Practices

The Hull Centre for Restorative Practices (HCRP), with the International Institute for Restorative Practices UK, have been developing and co-ordinating the implementation of restorative practice across the wide range of organisations dealing with young people in Hull.

For more information on the work of the HCRP contact Mark Finnis, Head of Training and Consultancy, Hull Centre for Restorative Practices by phone 01482 305800 or email markfinnis@mac.com.

Introducing Professor Tony Hazell



Having completed an honours degree in French, Spanish and Politics at Bristol University in 1968 I undertook two years of post-graduate study at Cardiff University, obtaining a postgraduate diploma in social sciences and a postgraduate diploma in applied social studies. The latter also gave me a qualification as a Probation Officer and as a Child Care Officer. In August 1970 I began my professional career as a Probation Officer with Nottinghamshire Probation and After Care Service. I very quickly became interested in juvenile offending and, together with a local Child Care Officer I established some of the first 'alternative to custody' programmes, known in those days as 'Intermediate Treatment'. I guess you could say that this marked the beginning of my interest in what is known now as 'Restorative Justice'. I continued my work with young offenders during time spent with three different local authority Social Services Departments before deciding to focus on an academic career, initially in East Anglia and subsequently in South Wales, where I still live.

I obtained a Masters Degree in Public and Social Administration from Brunel University in 1984 and, in 1992, was awarded a Personal Chair, primarily in recognition of my work in forensic child care. During the latter half of my academic career I developed a particular interest in health policy and combined my university post with that of a Non Executive Director, and subsequently Chairman, of a large All Wales NHS Trust. In 2002 I was appointed as a Lay Member of the newly formed Health Professions Council and in 2009 I took up the role as the first elected Lay Chair of the re-constituted Nursing and Midwifery Council (NMC), a role which I currently hold.

The NMC is the largest statutory health regulator in the world with over 650,000 nurses and midwives on the Register. The Council itself comprises 14 members, 7 of whom are Lay Members (including myself) with the other 7 being 'Registrants'. All 14 Council members were appointed by the Privy Council through the Appointments Commission following open competition. Our role is to set the policy and strategic direction for the NMC and to hold to account the work of the Chief Executive and other senior staff. My own role, in addition to chairing monthly meetings of the Council, involves a considerable amount of engagement with a wide range of stakeholders, including politicians, professional bodies and Trade Unions, voluntary

organisations, staff within the health departments of the 4 countries of the UK (health being a 'devolved responsibility') and with service users and other members of the public.

My interest in alternatives to custody and, more particularly restorative justice, was rekindled through my involvement in the role of High Sheriff of South Glamorgan, a position which I held myself in 2009-10. In recent years the High Sheriffs of South Glamorgan have supported RJ programmes established in Cardiff Prison by one of the Prison Chaplains, Julia Houlston-Clark, particularly through charitable fundraising. It is perfectly clear to me that these programmes have been hugely successful and are worthy of continuing support, hopefully from government funds in the near future. I was therefore delighted to receive the invitation to become a member of the new Restorative Justice Council. I believe passionately in the importance of high-quality public services and see registration, whether voluntary or statutory, as an important mechanism for assuring such quality. The new RJC will face many challenges as it endeavours to become the means of assuring high quality in the field of Restorative Justice and I look forward to using my previous and current knowledge and experience in assisting the Council to achieve this objective.

Tony Hazell
RJC Trustee and Chair of Nursing
and Midwifery Council
info@restorativejustice.org.uk



Grown up restorative policing

Devon and Cornwall Constabulary has been using restorative approaches since 2004. Primarily, this was used by Neighbourhood Teams as a tool to resolve community issues and neighbourhood disputes and was used with good success.

Historically, there has been a friction between what the government permitted police forces to count as a method of detecting a crime, and what appeared to the person on the street as a 'detected' offence. The Government then relaxed its measurement of performance and focussed on public confidence / satisfaction, enabling forces to use more restorative approaches within their normal policing activities, as reported in previous editions of *Resolution*.

In 2008 Devon and Cornwall commenced a pilot scheme of a Youth Restorative Disposal (D&C YRD). The Devon and Cornwall YRD is not the same as the formal Government YRD pilot, although it mirrors it almost exactly. However, it included from the outset 'Hate Crimes' (racially or religiously aggravated offences), and an option for a local senior officer (Superintendent) to permit 'exceptional circumstances' where a YRD could be used for more serious offending.

As a result of creating our own YRD it seemed ethical and appropriate to create a similar scheme for adults, which we called the Adult Restorative Disposal (ARD).

The aim of the Restorative Disposals was to provide staff and communities with decision-making opportunities based on ethical values and local policing needs, rather than mandated national processes. This was about giving victims in Devon and Cornwall an opportunity to

Case Study

Two young men, aged 18 and 19 years, were walking home in the early hours whilst slightly intoxicated and were seen by a neighbour causing minor damage to another neighbour's shed. The following day, when visited by the local Police Officer, both men accepted that they had caused the damage. Neither had been in trouble with the police previously. The victim was more than happy to use a restorative approach and so the young men repaired the damage to the shed roofing felt; one then bought a bunch of flowers for the victim, the other wrote a letter of apology. The victim was really pleased with this outcome.

be heard. In relation to young people it was about a proportionate response to their offending behaviour – the first time they offended.

The YRD process has been covered in previous editions of *Resolution* from ourselves and other forces around the country. This article will look at how the ARD process has developed – and its early successes.

From mid April 2009 (when the process began) to early June 2010, 2,329 ARDs were issued. Initial findings show that a large proportion of the offenders dealt with through this process are still under the age of 25, and 63% of offenders are under the age of 35. However, the oldest offender involved in the ARD process to date is 96 years of age. This demonstrates to me the importance of flexibility for Police Officers, Police Community Support Officers (CSOs / PCSOs) and Crime Investigators to be able to do what is 'right' in each situation.

For the whole period, 241 (11%) of these have re-offended after their ARD (of which just over 50% were aged 18-25). Long-term national statistics around re-offending indicate that, of those leaving prisons, two thirds re-offend within 2 years. Whilst the 11%

figure is higher than many of us might like (and higher than our 8% re-offending rate for the YRD), it is still very low when we consider that (at this early stage) 89% have not re-offended.

What has been really pleasing is the positive press coverage within Devon and Cornwall and feedback from our own communities. Our feedback follows widely publicised levels of satisfaction within restorative approaches, where over 86% were positive about the experience and 95% had received their reparation within the agreed times.

The Restorative Disposals continue to be an important tool within the policing picture in Devon and Cornwall. They provide an opportunity for a proportionate response to offending behaviour; provide a clear opportunity for greater victim / community engagement and, importantly, provide our offenders with a very real opportunity to acknowledge their offending behaviour and make amends for it.

PC Phil Skedgell
 Force Restorative Justice
 Support Officer, Devon and Cornwall Constabulary
 For further information email
restorative.justice@devonandcornwall.pnn.police.uk

Restorative Justice is crucial for a fresh start in tackling youth crime

Restorative justice (RJ) should be placed at the heart of radical reforms to the way society responds to offending by children and young people, according to the Independent Commission on Youth Crime and Antisocial Behaviour, which reported its findings in July.

The Commission, chaired by Anthony Salz, an eminent commercial lawyer and Vice-Chairman of Rothschild, concludes that restorative youth conferencing – modelled on the approach used in Northern Ireland – is the right way forward for England and Wales in both principle and practice. Its report, *Time for a Fresh Start*, argues that professionally facilitated conferencing not only achieves clearer, proportionate justice for young offenders and victims, but can also lead to lower reoffending rates and less use of custody.

Estimating the public costs of dealing with youth crime and antisocial behaviour at more than £4 billion a year, the Commission condemns the waste of taxpayers' money on unnecessary use of imprisonment. It suggests that the number of under-18s in custody can safely be halved to below a thousand offenders who pose a genuine danger to the public.

But while encouraging the new Government to make substantial reductions in the annual £300m youth custody budget for England and Wales, the Commission also calls for investment in early intervention to tackle

seriously antisocial behaviour among children, prevent later offending and save yet more public money.

The Commission's central recommendations for expanding Restorative Justice include the use of 'street-level' mediation by many police forces to deal with less serious offences involving children and

young people are referred to the Crown Prosecution Service, the Commission recommends that – as in Northern Ireland – youth conferencing should be used as a 'discretionary' alternative to prosecution and as a Youth Court sentence on conviction. Young people's consent would be needed to take part.

community work and treatment for mental health, drug or alcohol problems, as well as sanctions including YOT supervision, curfews and electronic 'tagging'.

The report notes that victim participation rates in Northern Ireland have been encouraging (two-thirds) and that reconviction rates are notably low from conferences where the victim, or a representative, has been involved. Nearly nine out of ten victims express satisfaction and young offenders consider the process fair – although also tough and demanding.

The Commission argues that victims, the wider public and children and young offenders all currently lose out because of systemic failures in the existing response to youth crime. Restorative Justice, as part of an agenda for sustainable reform, would ensure proportionate consequences for children and young people who break the law, but also enable them to understand the impact of their behaviour on its victims and develop their own sense of why crime is unacceptable.

David Utting
Commission Secretary

The Independent Commission on Youth Crime and Antisocial Behaviour was organised by the Police Foundation and funded by the Nuffield Foundation. Its report and executive summary can be downloaded from www.youthcrimecommission.org.uk

young people. The report cites Norfolk, where more than 2,500 Restorative Justice interventions have been administered since 2007 and both reoffending and processing costs are low compared with conventional cautioning or prosecution.

Proposing that RJ should provide the mainstream response where children and

Other participants would be the facilitator, parents or carers, the police and the local Youth Offending Team (YOT). Victims, or their representatives, would participate whenever willing to do so; a community representative might also be included. The restorative plans agreed by conferences would last up to a year and could include a formal apology, a payment, unpaid



Who takes ownership of a Restorative Justice programme?

The views presented hereafter are mine alone and, whilst I understand they may be controversial, I hope that they encourage an open debate on how we need to develop our thinking and practice and why everyone who believes in the concept of restorative practices should be aspiring to achieve **truly restorative** practices. An explanation of what I mean by truly restorative is provided later in this article.

At the European Forum for Restorative Justice's 10th Anniversary conference in Bilbao, Spain in June 2010, retired Concord, Massachusetts Police Chief Len Wetherbee and I presented a session with the above title. I spoke about the issues that set a community/statutory agencies partnership approach to restorative practices apart from those that are managed and delivered solely by the statutory agencies. Len gave an example of such an approach, speaking about the community/statutory agencies partnership Communities for Restorative Justice (www.C4RJ.com) project in Concord and how effective a non-profit partnership of community members and police departments can be.

This 'theme' is also timely in view of Prime Minister David Cameron's vision of 'A Big Society'. If, as I read it, the Prime Minister was encouraging us to think about what we, as individuals, could do to help create and maintain communities that value everyone and empower us, then the idea is commendable. To adapt the words of the late President John F. Kennedy, we should think not about what our communities can do for us, rather what we can do for our communities. Restorative practices can be very effectively used in communities with well-trained, highly motivated members of those communities, supported by the statutory agencies, taking on the role of facilitators, thus relieving statutory agency staff to focus on their 'core business'. Such a model is working very well in Concord, Massachusetts and the team at Newham Restorative Justice Network (NRJN) and Rights and Equality in Newham, East London (REIN) is developing its initiatives along similar lines.

My support, as a police officer, for Restorative Justice came from an awareness of the frustration towards the criminal justice system felt within the communities in which I worked. A great deal of that frustration came from the belief that people who had been involved in, or affected by, crime and offending behaviour were not only further victimised by the system, but also that ownership of the situation they found themselves in had been taken from them by that system. I believed at the time, and believe even more passionately now, that Restorative Justice was a concept that could return 'ownership' of behaviour that causes harm or offence to its rightful owners, the community.

Media misrepresentation, including recent Daily Mail coverage of the work of the Restorative Justice Consortium and Victim Support (Daily Mail, Monday 26 July 2010), continues to portray a negative image of the concept. Articles such as this brings restorative practice into disrepute, as do those about "forcing offenders to apologise to their victims" and, indeed, many proponents and so-called 'experts' of Restorative Justice who continue to speak in similar terms.

Whilst, in the current challenging economic climate, saving money is essential, this must not become the primary focus of restorative practices. Nor should the focus be on forcing individuals to participate but, rather, the focus should be on how the needs of all those involved or affected can be identified and addressed as much as possible in order to create safer, more inclusive communities.

Many restorative projects are managed and delivered by the statutory agencies and the **community** (including those who have been victimised, witnesses and other stakeholders) only **provides a service to the system**. Ownership has, therefore, remained with the statutory agencies. Whilst, rightly, holding the person who has caused harm to account, the aims of those projects tend to be focused on reducing offending and re-offending with involvement from the community, especially those who have been victimised, being inconsistent. Much of the emphasis is on quantitative evaluation, with qualitative evaluation being of secondary importance. Outcomes are more likely to be imposed and the gate-keeping for access to such programmes excludes many who may benefit from participating in a restorative practice, because they do not fit the referral criteria.

In community and statutory agency partnerships, the **project is more likely to provide a service to the community**. Ownership is then shared between members of the partnership. The aims of such a partnership approach are likely to focus on creating and maintaining safer communities and put equal emphasis on qualitative and quantitative evaluation. Outcomes that are realistic and acceptable to everyone are negotiated, not imposed. Because these partnership projects empower the community at all stages, the support of the community is assured and they are much more likely to be sustainable. This is also a tie-in with 'the Big Society'.

Paul McCold of the International Institute for Restorative Practices, as far back as 2000, provided a 'typology' of Restorative Justice practices that listed those practices as being either partly restorative, mostly restorative or fully restorative. I would add a fourth dimension to that 'typology', that of being **truly restorative**.

Truly restorative practices must adhere to the principles of restorative processes first published by the Restorative Justice Consortium in December 2004. They must also seek to include, **with their informed consent** (not forced), all those involved in, or affected by, conflict or behaviour that causes harm. The needs of everyone are considered equally in the process that adopts an inclusive, non-judgemental approach to enable those involved in, or affected by, to **negotiate** an outcome that is realistic and acceptable to everyone.

Ken Webster, Managing Director, KW Consultancy & Training Ltd. For further information, contact Ken by visiting www.kwconsultancyandtraining.co.uk or by email kenneth_t_webster@btinternet.com.

Events & Vacancies

For up-to-date information on RJ events go to: www.restorativejustice.org.uk/?Events



Enhancing the Community:

Restorative Approaches in Durham

Wednesday, 17 November 2010

Durham City Town Hall, Durham City

With contributions from Looked After Services, Youth Offending, Education and the Police, this Conference will look at the application of Restorative Approaches in different settings across County Durham. Delegates will learn from the successes and set backs experienced in Durham and will have opportunities to network with Restorative Practitioners and to consider how to take the Restorative Approach forward in their own setting.

Standard delegate rate £90. For further information or to book please call CYPs Communications on 0191 383 6535 or email cypscommunications@durham.gov.uk

Peer Mediation in Schools Forum

Friday, 24th September 2010,
West Bromwich Albion Stadium,
Birmingham

Supported by the Civil Mediation Council, the Peer Mediation In Schools Forum is an international event aimed at drawing together ideas and knowledge from around the world on this important subject. The objectives are to learn what is happening, to consider how best to promote peer mediation, here and globally, and to listen to children involved in the process.

Around the Forum it is intended to hold a number of training days in different parts of the country to allow selected schools in different areas to experience what peer mediation might do for them.

For information and booking visit www.schoolsmediationinternational.org



13th IIRP World Conference

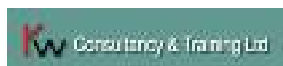
Wednesday, 13th – 15th October 2010
Hull, England

The IIRP's 13th World Conference, "Restorative Practices Across Disciplines," will be held October 13–15, 2010, in Hull, in collaboration with Hull City Council. The conference will feature several plenary speakers, including Hull's Director of Children and Young People's Services, Nigel Richardson, whose vision of a family-friendly city has led to training in restorative practices for 23,000 professionals and volunteers throughout the city.

More information visit www.iirp.org

Restorative Justice Training and Training Organisations

RJC select a small number of Restorative Justice training providers who subscribe to RJC Code of Practice for Trainers each issue (space allowing) to receive a free advertisement of their services. For the full list of trainers, training courses and the accompanying RJC complaints procedure visit www.restorativejustice.org.uk



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If you believe in Restorative Justice, join the Restorative Justice Consortium and help support our work.

Supporters receive a free copy of our quarterly newsletter Resolution, and our monthly e-bulletins, with all the latest restorative justice news. In addition, full members of the RJC receive discounts on all RJC events, free telephone advice and support from the RJC, and the opportunity to advertise on our website, the largest restorative justice e-resource in Europe.

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