

Developing restorative policing: using the evidence base to inform the delivery of restorative justice and improve engagement with victims

Restorative justice at the level of the police in England: implementing change

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1. Introduction

The project

The project 'Developing restorative policing' has been researched by scholars from the Universities of Sheffield and Leeds, together with Humberside Police and the PCC for Humberside, South Yorkshire Police and the PCC for South Yorkshire, West Yorkshire Police and the PCC for West Yorkshire, and Remedi. It was funded by the Police Knowledge Fund (involving HEFCE and the Home Office), and benefited from the N8 Policing Research Partnership initiative, funded by HEFCE, which involves the eight research-intensive universities and the eleven police forces in the north of England. The project on restorative policing started in September 2015, with fieldwork finishing in March 2017. This report hence reflects the position in the three forces in late 2016/early 2017 when the fieldwork was carried out.

The aims of the project were to:

- develop greater understanding of restorative justice principles relevant to policing and the research evidence base that informs good practices that are sensitive to the needs of victims;
- foster the means and capability to institutionalise processes and mechanisms to deliver restorative justice in relation to policing, including self-evaluation of police restorative justice practices and work with partner organisations;
- assist the police in identifying means for front-line officers to assess which paths to use to facilitate restorative justice and how best to introduce restorative justice to victims.

The project is hence very much concerned with developing good practice in delivering restorative justice in relation to policing. We have interpreted that to mean restorative justice at the level of the police and prosecution, in which police officers in mainstream policing are directly involved. The research and initiatives were therefore primarily concerned with restorative justice pre-court, rather than restorative justice delivered pre-sentence or post-sentence. Police officers may be involved in providing information to others delivering restorative justice in later stages of the criminal justice process, but we have not included these practices in our research. The project involved measures with both adult and young offenders.

There were three inter-connected stages to the project. The first stage, which started in September 2015, involved fieldwork in all three police force areas, to set out the contemporary nature and extent of restorative policing across each area. It was published in February 2017 (Shapland et al. 2017a). The second stage entailed comparative work in Belgium and Northern Ireland, to inform the work with the three English forces. It took place in summer 2016 and the results were published in summer 2017 (Shapland et al. 2017b). The third stage, the subject of this report, draws on both previous stages. Each police force, together with their PCCs and the researchers, developed a series of new initiatives in part (or the whole) of their force area, in the light of the proposals from the research team stemming from the first two stages. These initiatives were implemented from December 2016 and the more short-term initiatives were evaluated by the research team until March 2017, the end of the funding for the project.

How are we defining restorative justice and hence restorative policing?

As is well known, restorative justice incorporates a variety of practices and there has been considerable discussion about how it should be defined. We have therefore needed to consider how we define restorative justice for our purposes in this project. We see restorative justice as different from the broader concept of restorative practice. We have adopted the definition, similar to that proposed by Marshall (1999: 5), as 'a deliberative process governed by principles of procedural fairness in which the parties with a direct stake in a particular offence (or incident) come together (preferably face-to-face) in an encounter collectively to resolve how to respond to the offence (or incident) such that the harm caused is acknowledged and the implications for the future of the parties are considered with an emphasis on reparation and reintegration'. This definition implicitly includes

the recognition that restorative justice should be in relation to an offence, which means a criminal offence (though we are aware that conduct can be difficult to classify between a criminal offence and anti-social behaviour). We also note that the Ministry of Justice defines restorative justice as 'the process that brings those harmed by crime, 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' (2014: 3).

Our definition of restorative justice therefore bounds the kinds of practices we are considering to those which involve the direct victim and offender of a particular offence. We are therefore not concerned with practices or disposals which involve only action directed to the benefit of the community as a whole, or action in relation to victims or offenders of other offences, though these may have restorative intent or outcomes. We shall use the term 'restorative practices' to refer to this more indirect work.

Our definition therefore includes practices such as mediation (with victim, offender and mediator/facilitator involved), conferencing (with, additionally, victim and offender supporters present at a meeting, as well as possibly police), and panels. It includes both direct face-to-face meetings and also indirect or 'shuttle' mediation where a facilitator/mediator passes communications between victim and offender of the same offence. A brief glossary of terms and definitions is set out at the end of this chapter.

Restorative justice in 2016 in England & Wales

The project started by examining practice in 2016 in Humberside, South Yorkshire and West Yorkshire in relation to restorative justice and policing. We found that, though there were similarities in both structures and practices in the three forces, there was considerable disparity in the details of how restorative justice was organised and delivered, the maturity of provision (in terms of how well established the services were), the roles of different agencies, and geographical coverage.

Through the research, it became clear very quickly that restorative justice was being provided in a number of different ways:

- By police officers undertaking restorative justice themselves, often in the context of a community resolution or a caution being the outcome of the case. This included 'street restorative justice' or 'street RJ', though that might be done more informally and might be applicable to both adult and young offenders
- By the police referring a case which involved a young offender to the Youth Offending Team (YOT), which might undertake restorative justice itself, or refer to another provider (or possibly back to the police)
- By the police referring the case to another provider. In South Yorkshire and West Yorkshire, this included what we have termed 'community panels' (see glossary), though they are given different names in different places. These panels were often run or funded by the council. Alternatively, it might be a restorative justice provider external to the police, such as REMEDI in Humberside and South Yorkshire, and Restorative Solutions in West Yorkshire. This might be for an adult or young offender case.

The full findings of our research on what was being provided in the three force areas can be found in Shapland et al. (2017a, see References section for a link).

We ascertained that the Crown Prosecution Service would not be involved itself in providing restorative justice or referring to a restorative justice provider, except possibly in advising the police on individual cases. Hence restorative policing was, throughout our research, in our three forces, at what would be called, in mainland Europe, 'the level of the police', rather than a prosecutorial decision. In other words, it was police decision making on the case (whether or not the restorative justice was undertaken by the police themselves) and resulted in a 'police outcome disposal' for both case and offender. For adult offenders, therefore, the disposal would be a caution, conditional caution, or no formal outcome (including a community resolution disposal for the case). Youth disposals for offenders, similarly, involved cautions, conditional cautions and no formal outcome (such as a community resolution for the case). The latter might be accompanied by an invitation to take part

in voluntary prevention programmes with their local YOT. This police decision making was often in partnership with, and discussion with, other agencies.

In all three forces, having received the Stage 1 report from the research, senior officers and the PCC's office were keen to encourage the provision of good quality restorative justice and to make it more widely available in relevant cases to victims, following the requirements in the Code of Practice for Victims (Ministry of Justice 2015: 35) that victims of crime committed by adult offenders are entitled to receive information about restorative justice and how they could take part in their local area, whilst victims of crime committed by young offenders are entitled to be offered the opportunity by the YOT in their area to participate in restorative justice where appropriate and available. Part of the responsibility for telling victims about restorative justice ('making the offer') hence falls upon the police. We concluded that, to move forward to a position where victims were receiving appropriate information and relevant cases were referred or restorative justice was provided, it would be helpful to pilot new initiatives in a relevant part or parts of the force area, as well as starting to make longer-term progress in relation to provision and support systems. Our conclusions from the first and second stages of the report to forces were that solutions to the patchy systems we found in 2016 might involve the following (see Shapland et al. 2017a):

1. Encouraging police to make the 'offer', particularly to mention restorative justice as a possibility to victims

Providing that some means to deliver restorative justice are present in the local area, the key element highlighted in the Code of Practice is that victims should be made aware of restorative justice. Obviously this means that the police know what restorative justice is and what means are available to take it forward if the victim is interested. We do not think that officers can be expected to remember all the details, so they need some form of prompt card or leaflet which can be left with victims (we are aware of the bulk of items which officers do need to carry):

- a) Providing means to make 'a clear offer' which incorporates good practice – as the first point of contact the police have a vital role to raise awareness of the options available, without raising expectations;
- b) Working towards having easy to use, electronic means to record use of restorative justice, particularly in community resolutions, and also make referrals

2. Encouraging decentralised sources of expertise within the police

As provision of and demand for restorative justice increases, there will be a need for officers and staff to have someone based near them who is identified as a source of advice and expertise with whom they can discuss relevant cases, and who is trained in and knowledgeable about restorative justice:

- a) One possibility is to have a designated safer schools/schools liaison police officer for each secondary school, to work with those schools and the YOT and also to be trained to carry out restorative justice. There could also be a designated officer for a number/cluster of primary schools.
- b) We think there should be restorative justice 'champions' based in each main police station, who are trained to help and encourage officers to make appropriate referrals, and act as a single point of contact for officers with cases potentially suitable for restorative justice, and who can carry out restorative justice themselves – i.e. that there is a need for specialised expertise locally within the police. The 'champions' should also foster close relationships with restorative justice providers external to the police, such as community/neighbourhood justice panels and voluntary sector providers. The 'champions' might be warranted officers or staff.

3. Basing referral 'hubs' within the police

In common with many other studies in different countries, we found it can be difficult to obtain sufficient referrals from the police to outside voluntary sector providers of restorative justice. What has been found elsewhere (for example in the national evaluation of restorative justice (Shapland et al. 2011) and in Belgium and Northern Ireland (Shapland et al. 2017b), is that the best solution is to

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work from an already existing list of cases. This is the principle behind existing restorative justice provision post-conviction in one of the three forces (South Yorkshire), working from guilty pleas at court. Ideally, a similar mechanism would exist far earlier in the process for all crime. However, that would overwhelm the existing personnel and concentrate effort on contacting victims, rather than delivering restorative justice. If a referral model is to continue, then it needs to be properly situated and resourced to do pre-court work (as well as post-court work which is not the subject of this research). Ideally such a centre should:

- a) be based within the police, staffed by an individual with restorative justice expertise
- b) act as a central 'centre of expertise' to support decentralised restorative justice champions
- c) though, for cases with young people as offenders, any centre for expertise will need to work together with YOTs to refer relevant cases and deliver restorative justice?

4. Providing leadership for culture change and awareness raising

None of the above can be quickly implemented or work unless there is strong leadership at force level, echoed by practical support and words by local leadership. Hence there is a need to:

- a) Promote the use of restorative practices throughout the organisation, including in areas of conflict such as employment, discipline etc.
- b) Promote restorative justice-related success stories and the work of 'champions' within the organisation.

Having discussed these elements with the police and PCC leadership, a set of initiatives was developed in each force. The set contained a number of initiatives in parts of the force which could start to be implemented immediately and for which some evaluation could occur by March 2017, and a longer-term set which might start during the fieldwork evaluation period, but could not expect to be completed during that tight time-frame.

The initiatives are set out below for each force.

Initiatives to promote good restorative policing in Stage 3 of the project

This research reports on a series of highly ambitious initiatives taken by the participating police services to promote and develop the greater offer, take up and use of restorative justice interventions at the level of the police. Each of the policing partners embraced the conclusions and recommendations of the Stage 1 report and (from late November 2016) embarked on targeted plans to foster short-term organisational and cultural change through a number of dedicated pilots. Here, we report on the early impact of those initiatives during the initial months of their implementation. The tight timescale of the research (which concluded at the end of March 2017) meant that we were only able to assess and begin to evaluate preliminary changes and outcomes. Longer-term impacts and successes will need to be monitored over a more prolonged period of time. Understandably, and in line with the conclusions of our first two reports, introducing institutional transformations that foster and embed restorative justice in policing constitute a significant challenge requiring sustainable effort, provision and support.

Humberside

1 - Proposals for implementation and evaluation during the remaining research period

1. Implement a restorative justice 'Hot-spot': a pilot scheme to promote restorative justice at the level of police decision making in one (or more) areas

This was to be in Town A, which had 'community policing officers' (doing neighbourhood policing) and 'community patrol officers' (delivering response policing). The aim was to increase the use of

restorative justice (whether delivered as street restorative justice by police themselves or as referrals to Remedi). Training will be delivered to start off the initiative.

Evaluation is likely to include:

- Attending the Town A training of officers
- Acquiring the overall numbers from the reports which are delivered to the Head of Communities at Humberside on the case outcomes, particularly in relation to community resolutions, to see if there is any change in numbers before and after the pilot
- Interviews with key police officers, Remedi (restorative justice provider), YOT, OPCC
- Focus groups with both community policing officers and community patrol officers to look at their making of the 'offer' and in what kinds of offences they would suggest what route

2. Designation of in-station 'restorative justice champions'

These will be 'Evidence Review Officers', for whom the proposal is that they should be trained at the beginning of our period on restorative justice as well as other aspects of making decisions on outcomes and processes. The aim is to challenge officers as to what they have thought of and whether they have considered restorative justice. They will include the five DSs in that role, but also possibly all supervisory Sergeants, to ensure continuity of decision making across shifts. The pilot will be in Town B.

Evaluation is likely to include:

- Attending the training of the Evidence Review Officers
- Monitoring progress, particularly by keeping in touch with the Evidence Review Officers and by seeing if they are consulted on restorative justice by other officers
- Considering the outcome reports, as in 1.1, though there are several changes occurring at once, so it may be difficult to disentangle effects
- Possibly one or more focus groups with Town B officers, as to their consideration of restorative justice and where they would go for advice.

II – Wider recommendations to facilitate restorative policing across the force area over a longer time span

1. Strategic commitment and leadership

'Getting the message out' is being discussed at present. The commitment to restorative justice is on the Community Command intranet website.

Evaluation is likely to include:

- Seeing what is on the intranet
- Monitoring further messages

2. Increase the take up of police-led restorative justice by developing efficient electronic administrative systems

This is seen as a later development, but an option has been developed, together with a referral form. There may be liaison with other forces to see what is most helpful in IT terms.

Evaluation is likely to include:

- Monitoring what is happening

South Yorkshire

I - Proposals for implementation and evaluation during the remaining research period

- 1. Restorative justice 'Hot-spot': Pilot to promote police-led pre-court restorative justice in an area, plus devising an efficient system of referrals for cases at the police decision making level via the restorative justice Hub**

To be in Town C, in two police stations.

Involving:

- Encouragement of referrals to community justice panel by police officers stationed there
- Street restorative justice in appropriate cases
- Referral to Remedi for more serious cases via the Hub.

There will be training for officers. Police officers will refer directly to the community justice panel. Monitoring of how this affects community resolutions by copying/scanning the back of the community resolution form (starting 1.1.17).

Note that Town C is moving to a neighbouring district's system in relation to cases involving young offenders, whereby youth offender cases are referred to the YOT and decisions are taken by members of the YOT team, not returned to the initial police officer. So (apart from street restorative justice), this initiative will primarily be for adult offender cases.

Evaluation is likely to include:

- Attending training of officers if possible
- Sorting out a data protection agreement to be able to analyse the copied/scanned forms
- Interviews with key personnel (from police, OPCC, YOT, community panel, Remedi)
- Focus groups for shift officers at Town C.

II – Wider recommendations to facilitate restorative policing across the force area over a longer time span

1. Designation of in-station 'restorative justice champions'

At Town C, possibly one per shift in both stations being evaluated.

Evaluation is likely to include:

- Monitoring what is happening
- Interviewing designated officers

2. Strategic commitment and leadership

Positive messages to be delivered by the Chief Constable (possibly through the weekly video) and PCC. Making a video whose link can be given to victims when officers visit.

Evaluation is likely to include:

- Monitoring what is happening

3. Increase the take up of police-led restorative justice by developing efficient electronic administrative systems

This is a much longer term objective, but there may be some contact with other forces to liaise on possibilities.

Evaluation is likely to include:

- Monitoring what is happening

4. Task the South Yorkshire Scrutiny Panel to examine the nature and quality of restorative justice in community resolutions

This will of course be up to the Scrutiny Panel itself, which is not due to meet until March 2017. Hence it is unlikely it will feature in our evaluation, unless there is some preliminary action before then.

5. Pilot the collection of victim satisfaction data from adult offenders and victims involved in police-led restorative justice

The OPCC is planning to pilot a survey of Hub referrals to Remedi (restorative justice provider) for (largely) post-court cases, for the period from June 2015 to October 2016. This is outside the formal remit of the project (because it is post-court), but we will assist the commissioned contractor as possible, given it might be a pilot for cases where restorative justice occurs earlier in the criminal justice process.

West Yorkshire

I - Proposals for implementation and evaluation during the remaining research period

1. Implement a pilot scheme to increase the offer to victims of restorative justice and the take up of restorative justice referrals by front-line officers in a specific site

This will be in Town D. Training will be given in relation to making the restorative justice offer to victims (using the Force Crime Management Unit processes, including VCoP). The plan is to use the Niche mailbox to be able to monitor referrals to the Hub, run by Restorative Solutions (restorative justice provider).

Evaluation is likely to include:

- Attending the Force Crime Management Unit training
- Meeting with Town D personnel to set up what is happening
- Monitoring of the Niche mailbox and depending on timing, monitoring of additional question about restorative justice on VCoP
- Focus group with Force Crime Management Unit personnel
- Interviews with key police personnel in Town D and force level, as well as Restorative Solutions
- Focus group(s) with Town D officers

2. Encourage the use of restorative justice supported by safer schools liaison officers

This will be in Town E. Note that posts of liaison officers are funded by both the police and the council initiative of 'Safer Town E'.

Evaluation is likely to include:

- Meeting with restorative justice coordinator, relevant police at Town E and council to set initiative up, including finding out how many safer schools liaison officers there are (PCs and PCSOs, for secondary and primary schools), and who funds what
- Look at how schools liaison work is recorded and whether it is possible to be talked through by liaison officers as to how this is done
- Interviews with key personnel from police, Safer Town E, OPCC
- Observe any training on restorative justice and possibly 'shadow' schools liaison officer work
- Focus groups with liaison officers

II – Wider recommendations to facilitate restorative policing across the force area over a longer time span

1. Designation of in-station 'restorative justice champions'

There are already strategic and operational leads on restorative justice in each of the five districts, but their coordination and liaison with operational leads are less clear.

Evaluation is likely to include:

- Finding out who the leads are, particularly in Town D and Town E (pilot sites) and interviewing them (alongside the pilot work above)
- Monitoring any development

2. Force-wide oversight and coordination of restorative justice within the police (including strategic commitment and leadership)

To be delivered through mechanisms to identify, share and promote good practice; and to coordinate the OPCC and police force delivery.

Evaluation is likely to include:

- Noting any messages put out centrally to the pilot sites or more widely about restorative justice
- Considering how the strategic Partnership Executive Group is involved
- Interviews with key personnel from police and OPCC

3. Increase the take up of police-led restorative justice by developing efficient electronic administrative systems (which in the long term will be linked with piloting the collection of victim satisfaction data from adult offenders and victims involved in police-referred or undertaken restorative justice)

Niche cannot be developed to perform this task of an electronic administration system for restorative justice for officers, but other programmes may be able to do so. Monitor developments within the force or with other forces to develop this.

Evaluation is likely to include:

- Consulting those developing potential IT systems to explore possibilities
- Depending on timescales, working with the restorative justice coordinator and the operational lead in the pilot sites to consider what would need to be recorded to produce referrals

Events during the Stage 3 evaluation period

In our Stage 1 report (Shapland et al. 2017a), we commented that both policing and restorative justice were the subject of many, quite rapid changes in policy and guidance during the years immediately preceding the research period from September 2015 to summer 2016. The pace of change has continued during the evaluation period framed by this report (November 2016-March 2017).

In particular, it needs to be noted that:

- funding for restorative justice locally, which has been devolved to Police and Crime Commissioners (PCCs) from the Victim Fund, remained on an annual funding basis, with PCCs only being notified of the likely funding for the following financial year relatively shortly before that year started. This continues to make it difficult to look ahead to plan or maintain services for the following financial years;
- though some funding pressure on policing itself was lifted in 2015/16, there were still planned resource constraints in the 2016/17 financial year, in which the evaluation was undertaken. Moreover, the cultural climate in the public services remained austerity-driven, affecting agencies working in relation to restorative justice with the police (such as local councils and YOTs), as well as the police themselves;
- it was unclear until December 2016, when the government responded to the proposals in the Taylor review of youth justice, as to what shape YOT services would take, and in particular whether YOTs would remain organised by local authority area, or become regionally organised. The government decided not to change these aspects of YOT services and delivery (Ministry of Justice 2016);
- there is always some turnover in senior officers in police forces at senior command ranks. However, it was notable that, during the evaluation period, in all three forces, there was a change in Chief Constable and in Assistant Chief Constable personnel. Such changes do lead to new directions in policy and emphasis in relation to policing localities and crime policy. In all forces, we have seen a move (or a move back) to increased emphasis on local policing and neighbourhood policing. Changes in personnel have in Humberside led to the role of police 'RJ lead' not always being clear to partners and external providers of restorative justice. In West Yorkshire, there has been more emphasis on force-wide consistent response and policy;
- there have, however, been no major changes in relation to government policy on restorative justice, which remains that restorative justice should be encouraged, and driven by the Code

of Practice for Victims (2015), that victims of crime are entitled to receive information about restorative justice and how they can take part.

Methods for the evaluation in the police force areas

The evaluation period for the initiatives outlined above was extremely short – from November/December 2016, following consultations with senior officers and the PCC as to which initiatives should be mounted, until the end of March 2017, when funding for the fieldwork ended (though a small amount of fieldwork took place after this date). It was therefore not possible to mount a standard outcomes evaluation, with matched control groups for the areas in which the initiatives were not taking place. Though we did measure some potential outcomes (for example, numbers of relevant ‘police outcomes’, such as community resolutions, and numbers of referrals), the amount of time available was not such really to allow the initiatives to become embedded or have significant effects. This evaluation must therefore be seen as a process evaluation, which concentrated upon:

- How the initiatives were designed to be implemented
- How easy it was to undertake the activities and processes and any barriers to doing so
- The views of officers and others involved, including front-line and senior officers and relevant personnel from the YOTs, council, Office of the PCCs, and restorative justice providers, both on the initiatives and their progress, and on restorative justice, its use and support for it
- Attending training events and shadowing restorative justice providers in relation to work which was part of the initiatives
- Any relevant outcome data
- Any documents or publicity material produced allied to the initiatives.

The methods used included conducting focus groups similar to those we used in Stage 1 of the research with front-line officers, as to their use of and views on restorative justice and the referral mechanisms in place to restorative justice voluntary sector providers.

Ethical aspects of this stage of the research were considered and approved by the University of Sheffield School of Law Research Ethics Committee prior to the fieldwork starting, and data protection agreements concluded with the police forces where relevant.

The number of interviews we carried out was tailored to each initiative and force (so if there were more areas involved in one force than another, more interviews/focus groups were carried out). As well as ‘formal’ interviews, we also spent a considerable amount of time in informal discussion with key personnel involved in supervising and running the initiatives. Overall, we interviewed 96 people individually or in groups. They comprised:

Police force	Training/briefing/ events/meetings attended/ shadowing RJ providers	Police/PCC staff ints	Restorative justice provider ints	YOT staff ints	Community panel ints	Focus groups police (no of officers)	School/comm safety staff
Humberside	3	5	2	0	0	3 (10)	0
South Yorkshire	4	4	1	1	2	1 (13)	0
West Yorkshire	8	14	3	1	0	3 (23)	2
Total	15	23	6	2	2	7 (46)	2

The focus group schedules, including the scenarios we presented to officers and the questionnaires used with officers to gauge their experiences with restorative justice, are set out in Appendix 1 at the end of this report.

We have anonymised quotes from interviewees in this report, but the force area involved is denoted by the initial given to the interviewee (H is Humberside, S is South Yorkshire, W is West Yorkshire). A quote from a focus group participant is denoted as ‘FG’ in this report. Depending on the pilot, focus

groups were attended by officers and/or sergeants involved in each of the initiatives in the forces, so officers based in the local area for the pilot area initiatives in each force, or safer schools officers (for the safer schools pilot in West Yorkshire).

At each focus group, officers were first presented with a small number of scenarios, and asked to discuss whether they thought restorative justice would be appropriate for that kind of offence/offender/victim¹ (see Appendix 1 at the end of this report), before a more general discussion on the use of restorative justice, what kinds of restorative justice they had done and how confident they felt in using it. Each focus group, which lasted about one hour, concluded with each officer filling out a brief questionnaire which covered their own training in restorative justice, and previous experience in using different referral possibilities or undertaking restorative justice themselves.

The quantitative data from the surveys were analysed in SPSS (a statistical software package). Permission was sought in each case to audio-record the one-to-one interviews and focus groups; detailed notes were taken from the recordings and coded by theme/question.

Further quantitative data were obtained from restorative justice providers from the voluntary sector, and police data management systems, as well as from the Offices of the Police and Crime Commissioners. They are described at appropriate places in the findings chapters of this report.

The structure of the report

We have presented the results of the process evaluation for each initiative in each force separately, with the chapters detailing the initiatives for that force in the order set out above. For each of the major initiatives (those for implementation and evaluation during the short remaining research period), we have set out the results in the following order. This should also enable those who wish to compare between forces to do so, particularly given that some initiatives were similar:

1. Key components of the initiative and what happened overall
2. Outcomes in terms of activity
3. Attitudes of those involved towards the initiative and restorative justice
4. Perceptions of senior command communication, views on the initiatives and its sustainability
5. Lessons and reflections

This is then followed, for each force, by what had happened in relation to the longer-term initiatives to facilitate restorative policing across the force area, for each initiative in the order set out above.

Finally, we have drawn together our views, taken from across the whole research and evaluation project and all forces, about the process of implementing change to develop good restorative policing in England today. These consider both the nature of achieving change in policing systems and practices and also how restorative justice could be facilitated, whether delivered by voluntary sector agencies upon referral from the police, or by police officers themselves.

Glossary/definitions

Caution: the name given to a formal warning, recorded by the police, for an adult or young offender. It is also the disposal for the offender and for the case, and does not result in a criminal record for the offender (though it may be referred to in relation to future offending and does also register on standard and enhanced DBS (Disclosure and Barring Service) checks).

Community/Neighbourhood Justice Panel: though called slightly different names in different areas (community justice panel; neighbourhood panel etc.), these are schemes, often associated with local councils, whereby cases are referred to a coordinator. The coordinator assigns the case to trained volunteers or staff members, who contact the parties and undertake direct or indirect mediation or conferencing with the parties. Panels tend to focus upon neighbourhood disputes, anti-social behaviour and minor criminal offences.

¹ The Evidence Review sergeants pilot in Humberside had questions tailored to their role, rather than the same scenarios as elsewhere, given they were not responding directly to incidents.

Community resolution: A disposal of a case at the level of the police, which involves some form of interaction between the police officer and one or more members of the community. It does not necessarily involve restorative justice or restorative practices and does not result in a criminal record for the offender.

Conditional caution: A disposal for the offender (adult or young offender) and for the case, decided at the level of the police, whereby conditions are formally added to a caution and recorded as such. These conditions may or may not include restorative justice or restorative practices.

Conferencing: a direct meeting between the offender and victim of the same offence, together with supporters of both victim and offender, and a facilitator. It falls under the category of 'Level 2 RJ' for the police.

CRC: Community Rehabilitation Company

ERO: Evidence Review Officer

FCR: Force Crime Registrar

Hub: the term used to denote a person or unit within the police (in Humberside and South Yorkshire) or within the council (in West Yorkshire) which receives requests for restorative justice and usually provides victim contact details to the restorative justice provider. Staff in the Hub may also consider the suitability of the case for restorative justice, drawing upon police records.

LPT: Local Police Team

Mediation: (sometimes called 'Victim-Offender Mediation', or VOM). It can either involve a direct meeting between the offender and victim of the same offence, with a mediator/facilitator (direct mediation), or an exchange of communication between the victim and offender of the same offence (indirect mediation). The exchange of communication may be in writing, or through messages passed by the mediator, or use videos or other forms of communication.

PCC: Police and Crime Commissioner

PCSO: Police Community Support Officer

PNC: Police National Computer

PND: Police Notice for Disorder

Restorative justice: 'a deliberative process governed by principles of procedural fairness in which the parties with a direct stake in a particular offence (or incident) come together (preferably face-to-face) in an encounter collectively to resolve how to respond to the offence (or incident) such that the harm caused is acknowledged and the implications for the future of the parties are considered with an emphasis on reparation and reintegration' (see p. 5 above).

Restorative justice provider: an agency or body, often from the voluntary sector, which delivers restorative justice services (mediation and/or conferencing) upon receiving referrals from criminal justice agencies or self-referrals from the victim or offender.

Restorative practices: interventions which aim at restorative outcomes and may use restorative methods, but which fall short of communication between the victim and offender of the same offence. These may include reparation directed towards the community (community reparation or indirect reparation), victim awareness sessions or programmes, and interventions which bring together victims and offenders, but where these are victims and offenders of different offences.

Street RJ: the colloquial name given to restorative justice undertaken by a police officer informally between victim and offender (also known as Level 1 RJ). Sometimes this may not involve

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communication between victim and offender directly or via the police officer. The disposal of the case would then be a community resolution.

YJB: Youth Justice Board

YOT: Youth Offending Team

Appendix 1 – Topic guide for the focus groups, including the scenarios used and the questionnaire to officers for Stage 3

Focus groups with police officers (except for Safer Schools Officers)

Our research is about restorative justice used at a policing level – so it's about what is sometimes called 'street RJ' but it's also about when you refer cases or people to other restorative justice providers, such as the community panels or neighbourhood resolution panels, or to REMEDI. We want to find out when you might think about using restorative justice in any of these ways and why you might decide to use it or not use it. Why are we doing this? Because we are funded by the College of Policing, with the strong support of your force, to try to develop tools or other ways which may make your task in this easier. And in order to do that, we need first to understand how you use restorative justice and what works and what doesn't. We know that there are slightly different practices in different places but what we really want to know is what you'd do in different situations.

Can I stress that no one will be identified or identifiable individually in anything we report or publish. Noone will be able to say, he or she said that. We'll talk about the force, but not about you.

We thought it might be best to start by giving you a number of scenarios to think about. And then after some discussion at the end, we'd be very grateful if you could fill in this short questionnaire (which is anonymous) about your own job and use of RJ.²

Scenarios

1. **Shop theft**

- (a) Our first scenario is a theft from a shop, a local type of shop like a Spar, with a manager and some staff. A member of staff witnessed the incident, done by a young person around 14, who stole some stuff valued at about £1.50. The boy appeared to be acting alone.

The questions (for all scenarios)

So, if you were sent to that job, on arriving and finding out the details what would be your first thoughts and actions? [And then what would you do?]

What kind of disposal would you think appropriate? [for the incident, for the boy]

Would you consider this appropriate for a restorative disposal? If yes, for a restorative disposal (a community resolution or conditional caution) or for restorative justice later on? [If so, why? If not, why not? What factors are influencing your decision?]

Would you speak to the victim about restorative justice?

How would you record the incident?

- (b) And suppose this was done by an adult, someone say about 20?

2. **Common assault in a pub**

And now lets move on to people in a pub. And a man (an adult) assaults another man who he thinks has looked at him strangely – the man who does the assault is drunk. And the barman calls the police. The only injuries are bruises and the man assaulted doesn't want any medical attention. All the people are still there.

3. Let's think about **neighbourhood problems**.

What about a history of verbal abuse by an adult, a neighbour, which frightens his neighbour? And you're called again, the third time in a fortnight.

4. What about something perhaps more serious: a **burglary** by a 17 year old, but the teenager was disturbed and left, nothing was taken. The victim of the burglary wants to meet the burglar.

Further questions:

1. Did you attend the training in RJ in [month]?

² Note that the questionnaire was not used with the Humberside sergeants focus groups, as they reviewed others' work, rather than responding themselves to incidents.

- What did you think of it?
2. Since your recent training in RJ, or since [month], has anyone here used RJ yourselves?
 - What happened [both process and outcome]?
 - How involved was the victim?
 - Was it difficult/ challenging? [why?]
 - How did the parties respond afterwards?
 - How was it recorded?
 - Have you any prior experience of RJ (street RJ, conference facilitation, referral to an RJ provider)? [pre-recent training]
 3. Since the training, have you referred a case to a council/ community panel for an RJ intervention? (different areas call them different names, like the council scheme)?
 - Can you describe the referral process?
 - Did you get any updates on the case once referred?
 - [or, if ongoing] Do you expect to get any update on the case? Will you have to do anything then?
 4. Since the training, has anyone referred a case to an external RJ agency such as REMEDI or Restorative Solutions, Yorkshire Mediation?
 - Can you describe the referral process?
 - Did you get any updates on the case once referred?
 - [or, if ongoing] Do you expect to get any update on the case? Will you have to do anything then?
 5. Since the training, has anyone referred a case to the YOT specifically for restorative justice?
 - Can you describe the referral process?
 - Have you been involved in the case at all since then?
 - Did you get any updates on the case once referred?
 - [or, if ongoing] Do you expect to get any update on the case? Will you have to do anything then?
 6. Do you have any thoughts about how the RJ process could be made easier for front line Police/ Safer Schools Officers or other professional groups?
 - Data/ recording/ apps/ training/ time/ austerity.
 7. How do you think Sergeants and Inspectors in the district/ locale view police-led RJ?
 - Awareness, knowledge, practice, recording?
 - How does it fit in with other priorities?
 - How does it fit with other disposal options?
 8. How do you think Senior Staff in the Force (Chief Inspectors) view police-led RJ?
 - Awareness, knowledge, practice, recording?
 - How does it fit in with other priorities?
 - How does it fit with other disposal options?
 9. How do you think RJ will develop locally in the immediate future?
 - Do you think it will be any different in the longer term?
 10. Is there anything else you would like to add about restorative justice, or using restorative justice in the police force?

Focus groups with Safer Schools Officers in West Yorkshire

Our research is about restorative justice used at a policing level – so it's about what is sometimes called street RJ but it's also about when you refer cases or people to other restorative justice providers, such as the community panels or neighbourhood resolution panels, or to REMEDI. We want to find out when you might think about using restorative justice in any of these ways and why you might decide to use it or not use it. Why are we doing this? Because we are funded by the College of Policing, with the strong support of your force, to try to develop tools or other ways which may make your task in this easier. And in order to do that, we need first to understand how you use restorative justice and what works and what doesn't. We know that there are slightly different practices in different places but what we really want to know is what you'd do in different situations.

Can I stress that no one will be identified or identifiable individually in anything we report or publish. Noone will be able to say, he or she said that. We'll talk about the force, but not about you.

We thought it might be best to start by giving you a number of scenarios to think about. And then after some discussion at the end, we'd be very grateful if you could fill in this short questionnaire (which is anonymous) about your own job and use of RJ.³

Scenarios

1. *Shop theft (on the way to school)*

(a) Our first scenario is a theft from a shop, a local type of shop like a Spar, with a manager and some staff. A member of staff witnessed the incident, done by a young person around 14, who stole some stuff valued at about £1.50. The boy appeared to be acting alone.

The questions (for all scenarios)

So, if you were sent to that job, on arriving and finding out the details what would be your first thoughts and actions? [And then what would you do?]

What kind of disposal would you think appropriate? [for the incident, for the boy]

Would you consider this appropriate for a restorative disposal? If yes, for a restorative disposal (a community resolution or conditional caution) or for restorative justice later on? [If so, why? If not, why not? What factors are influencing your decision?]

Would you speak to the victim about restorative justice?

How would you record the incident?

(b) And suppose this was done by a pupil who is 18?

2. **Fight/assault in playground**

And now lets move on to pupils in a playground. One boy punches another boy who he thinks has looked at him strangely. The only injuries are bruises and the boy assaulted doesn't want any medical attention. All the pupils who witnessed it are still there.

3. Let's think about **classroom problems**.

What about a history of verbal abuse by a pupil, towards a teacher? And you're called again, the third time in a fortnight.

4. What about something more serious: a pupil is found in possession of a knife in school and has threatened to use it on another pupil.

Further questions:

1. Did you attend the training in RJ in [month]?
 - What did you think of it?
2. Since your recent training in RJ, or since [month], has anyone here used RJ yourselves?
 - What happened [both process and outcome]?
 - How involved was the victim?

³ Note that the questionnaire was only used for the West Yorkshire Safer Schools focus groups.

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- Was it difficult/ challenging? [why?]
 - How did the parties respond afterwards?
 - How was it recorded?
 - Have you any prior experience of RJ (street RJ, conference facilitation, referral to an RJ provider)? [pre-recent training]
3. Since the training, have you referred a case to a council/ community panel for an RJ intervention? (different areas call them different names, like the council scheme)?
- Can you describe the referral process?
 - Did you get any updates on the case once referred?
 - [or, if ongoing] Do you expect to get any update on the case? Will you have to do anything then?
4. Since the training, has anyone referred a case to an external RJ agency such as REMEDI or Restorative Solutions, Yorkshire Mediation?
- Can you describe the referral process?
 - Did you get any updates on the case once referred?
 - [or, if ongoing] Do you expect to get any update on the case? Will you have to do anything then?
5. Since the training, has anyone referred a case to the YOT specifically for restorative justice?
- Can you describe the referral process?
 - Have you been involved in the case at all since then?
 - Did you get any updates on the case once referred?
 - [or, if ongoing] Do you expect to get any update on the case? Will you have to do anything then?
6. Do you have any thoughts about how the RJ process could be made easier for front line Police/ Safer Schools Officers or other professional groups?
- Data/ recording/ apps/ training/ time/ austerity.
7. How do you think Sergeants and Inspectors in the district/ locale view police-led RJ?
- Awareness, knowledge, practice, recording?
 - How does it fit in with other priorities?
 - How does it fit with other disposal options?
8. How do you think Senior Staff in the Force (Chief Inspectors) view police-led RJ?
- Awareness, knowledge, practice, recording?
 - How does it fit in with other priorities?
 - How does it fit with other disposal options?
9. How do you think RJ will develop locally in the immediate future?
- Do you think it will be any different in the longer term?
10. Is there anything else you would like to add about restorative justice, or using restorative justice in the police force?

Developing restorative policing – questionnaire at the end of the focus groups

This questionnaire is anonymous – you cannot be identified. Please tick the boxes that apply.

1. Are you a police officer? a PCSO? police staff?
2. Do you currently work as a response officer? a community officer?
Other? What?
- 3.(a) Have you had restorative justice training? Yes No

(b) (If yes) Was that initial training? (a day or less)

Or more substantial training? (over several days)

4. How confident do you feel about undertaking restorative justice (e.g. street RJ) yourself

Not at all confident Not very confident Fairly confident Very confident

5. How confident do you feel about facilitating a restorative justice **conference** yourself?

Not at all confident Not very confident Fairly confident Very confident

6. How confident do you feel about referring a case to a restorative justice service (such as a RJ provider, a community panel or neighbourhood resolution panel, or a YOT)?

Not at all confident Not very confident Fairly confident Very confident

7. Could you estimate how many times **since your restorative justice training** you have:

	Not at all	Once	2-5 times	Over 6 times
(a) Thought of trying street RJ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Successfully done street RJ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Thought of facilitating a restorative justice conference?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Successfully done a restorative justice conference?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Referred a young person to the YOT specifically for RJ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(f) Referred a case to a community panel or neighbourhood resolution panel?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(g) Referred a case to a RJ provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. Could you estimate how many times **in the last 12 months** you have:

	Not at all	Once	2-5 times	Over 6 times
(a) Thought of trying street RJ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Successfully done street RJ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Thought of facilitating a restorative justice conference?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Successfully done a restorative justice conference?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Referred a young person to the YOT specifically for RJ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(f) Referred a case to a community panel or neighbourhood resolution panel?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(g) Referred a case to a RJ provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Thank you for filling in the questionnaire. Please put any additional comments below or on the back.

2. Initiatives in Humberside Police

I - Proposals for implementation and evaluation during the remaining research period

1. Implement a restorative justice 'Hot-spot': a pilot scheme in Town A to promote restorative justice at the level of police decision making

Key component of pilot:

- Training in restorative justice for Police Officers and Police Community Support Officers

What happened when/where?

Aim of the pilot

The aim of the pilot was to increase frontline police officers' and PCSOs' knowledge and understanding of restorative justice and the benefits that it can have for victims of crime and offenders. By doing so, it sought to give officers an additional disposal that they can use, where appropriate, when dealing with incidents. The pilot focused on a small policing team, working in a relatively remote area, and was seen as a means of challenging 'old fashioned' perceptions, ensuring that restorative justice becomes an accepted part of the routine delivery of policing, rather than a 'foreign word'. It was hoped, by some managers, that the pilot would help prompt officers to become less 'tunnel-visioned' in their approach in responding to crime problems and less likely to default to familiar courses of action e.g. charging people to be prosecuted at court. It was thought that victims often feel isolated and are denied a significant voice in their own case, which might be redressed through engagement in restorative justice processes. Restorative justice was also seen as an effective way of rendering offenders accountable, by highlighting the consequences of their actions, and of promoting individual responsibility – which would hopefully lead to a reduction in reoffending. One police officer explained the rationale behind the initiative as follows:

It's increasing officers' knowledge of what's available to them, who they go to, the background around restorative justice, how it helps the victim, how it gives victim perspective on a crime report, gives them more control. But not only that, the suspect is answerable to their actions, if they agree to it [restorative justice]. It's increasing the knowledge around [restorative justice] because it's hugely beneficial. We're obviously interested in victim satisfaction. We do a lot, a lot of call backs, Track My Crime, where victims monitor crime reports. And the one thing that they constantly ask for is they want more control. Restorative justice gives [them] more control. Because they feel as though they've got an active part to play in their crime. (H1)

The pilot involved training frontline officers in restorative justice awareness and how/what stage they can refer cases for restorative justice conferences to an external service provider. The only additional resources associated with the pilot were those involving the training programme, its promotion and delivery. However, it was felt that, as a result of the pilot, not only were officers more aware of restorative justice, but they had become empowered to look at things differently. During the fieldwork period, it was reported that officers were openly talking about restorative justice (including at monthly meetings) as something that could be used in cases that they were dealing with.

Training

In January 2017, nine police staff members (mostly PCSOs), alongside five police officers from a neighbouring town, were given two hours of restorative justice training, delivered by a member of staff from an external service provider, commissioned by the Office of the PCC, to deliver restorative

justice in the force area. The training aimed to raise awareness of restorative justice, help officers understand why restorative justice is used and what it can be used for, and explain how officers could refer cases suitable for restorative justice to the external service provider. Most of the officers appeared to enjoy the training and found it useful, with a few saying that they found it better than other training that they had received in the past.

However, one officer was of the opinion that for police to engage in restorative justice fully, there is a need to train officers to be able to deliver restorative interventions. This need not require all officers to do so – perhaps just one in each locality, who might then be in a position to cascade the training down and champion restorative justice. The officer thought that this would be a better investment for the force, and did not perceive a two-hour training session as being a serious reflection that the force was seeking to change the delivery of restorative justice in the light of the training.

Local police managers said they found it difficult to arrange a training session for so many officers at the same time, largely due to the small number of officers operating in the locality. However, at least one officer felt that, if the force was really committed to promoting restorative justice, managers would be able to find the time to train officers – such as during the day they put aside every five weeks specifically for the purpose of training. However, although local managers felt that restorative justice provides an effective intervention, they were of the view that frontline officers tended to use community resolution (without restorative justice), as it is more suited to what they felt was best for the victim (a quick, easy and simple solution). By contrast, it was thought that referring to an external service provider to deliver restorative justice is a time consuming and labour intensive process. It was felt that victims on the whole do not want to have to wait months until the end of an investigation. Rather, they want incidents to be dealt with quickly and efficiently, something that officers believed community resolutions are able to deliver.

Outcomes (data/observations)

Senior police officers hoped that the restorative justice training given to the frontline officers would be an effective means of encouraging referrals from the police to the external service provider for restorative justice. It was anticipated that this would enable restorative justice to 'get into their DNA', and consequently, become a part of normal practice. However, there was the concern that, due to how busy the officers are, they would just keep doing what they had always done, and use disposals that they were more familiar with, namely, community resolution (without restorative justice).

Use of restorative justice

Of the six officers who participated in the subsequent focus groups, five completed our questionnaire. Of the five, four had received the dedicated restorative justice training. Of the four, one had received additional, more substantial training (over several days), prior to the commencement of the pilot. All five officers said they were fairly confident about undertaking restorative justice (e.g. street RJ) themselves. Four of the officers were fairly confident about referring a case to a restorative justice service (such as a restorative justice provider or a YOT – there are no community or neighbourhood panels in Humberside), the remaining officer was said to be very confident.

The officers were asked to estimate how many times since their restorative justice training they had thought of trying street RJ. Although two had not thought about it at all, one had on one occasion, and two had between two and five times. When asked how many times since their restorative justice training they had successfully done street RJ, two of the officers said they had – one on one occasion, and one between two and five times. Although three officers had not referred a young person to a YOT specifically for restorative justice since their restorative justice training, two had – one on one occasion, and one between two and five times. Only one officer had referred a case to a restorative justice provider since their training.

Similar findings were revealed when the officers were asked the same questions relating to the last 12 months or so. Three of the officers had thought of trying street RJ – two between two and five times, and one over 6 times. When asked how many times in the last 12 months or so they had successfully done street RJ, although three had not done so at all, one had done so once, and one had done so between two and five times. Again, although three officers had not referred a young person to a YOT specifically for restorative justice, in the last 12 months or so, two had – one on one occasion, and two

between two and five times. One officer had referred a case to a restorative justice provider (once) in that time.

Recorded Incidents

Although the force crime recording system was initially set up to distinguish between community resolutions with restorative justice (Outcome 8b) and without restorative justice (Outcome 8a), the force realised that the codes were not being used or updated correctly. Consequently, it was decided to merge the two outcome codes into a single code (Outcome 8), as per Home Office data requirements. As a result, it is not possible to determine how many recorded community resolutions involved restorative justice. However, police data show that during the pilot research period (January to end March 2017), there was a decline in community resolutions in Town A, compared with the previous two quarters, as shown by Table 1, below. Table 1 also shows that this decline reflects the general pattern for community resolutions across the whole force, although the number of community resolutions issued in Town B, the other Humberside pilot site, is much more consistent across the same period. It is worth noting that the HMIC PEEL Report for Humberside stated that in the 12 months up to 30 June 2016, the rate of Community Resolutions was 2.5% of the total outcomes in the region – which was under the national average for England and Wales, which was 2.8% (HMIC, 2017).

Table 1: Number of community resolutions issued by Humberside Police Force, 12 months to March 2017, in both pilot sites and the whole force area

Community Resolutions	Apr 16	May 16	Jun 16	Jul 16	Aug 16	Sep 16	Oct 16	Nov 16	Dec-16	Jan-17	Feb-17	Mar-17
Town A	0	7	6	8	9	12	5	10	4	4	6	2
Town B	25	17	20	20	20	14	21	11	24	22	24	20
Humberside	132	168	170	217	233	188	188	188	175	168	168	160

Although it was not possible to distinguish cases where community resolution was used with or without restorative justice, one officer stated that they were not aware of a single case that had been referred to Remedi for restorative justice, adding that they felt officers had no need for Remedi because they only use community resolutions.

Attitudes (interviews/ focus groups)

Views of restorative justice

Police officers' views of restorative justice were seen by some as mixed, with newer recruits, and those who have witnessed the beneficial outcomes for victims and offenders that can derive from restorative justice, more likely to be open to it. One officer pointed out that a number of colleagues, who had been offered mediation with an offender themselves, had refused to participate, which they described as disappointing and a sign that the understanding of restorative justice was still not appreciated yet. Although, s/he added that the types of new recruits to the police reflected an indication that the force is moving away from the traditional 'catch and convict' culture, with a lot more emphasis placed on understanding and appreciating vulnerability. Other interviewees felt that restorative justice fitted well with a victim-led approach, as one officer stated:

Well, I think the view prior to the pilot was that [restorative justice] is a lot of added work. That, 'what am I going to have to do to get restorative justice on board? Who am I going to have to contact? What hoops am I going to have to jump through?'. And often in policing you find that police are under pressure anyway. And I think there was the perception that 'it's just too much work for me'. That has changed, because people now are victim-led and have been for some time. The force is victim-led. So, if you're victim-led, you have to put the victim first. And quite often you will find... the victim wants to have a voice, wants to feel in control of what's happening with a crime report. That's why we have things called Track My Crime. And there is no better way to do that than by involving restorative justice. Now I accept that you can't do

[restorative justice] every time. But, when it's appropriate, I don't see why you wouldn't use it. (H1)

However, a different officer was of the opinion that many colleagues do not understand restorative justice and added that s/he was unaware of any cases that they were currently working on involving the external service provider. S/he went on to state that their colleagues understand community resolution, so that's what they use in their day-to-day policing; adding that s/he did not think that the training on restorative justice was sufficient. Another officer reflected a wider concern that community resolution with restorative justice involved more work than community resolution on its own. Consequently, officers tended simply to use community resolution on its own – even when they included things like letters of apology:

We're governed by our disposal options. So, we have our 1 to 18 disposal options, for the outcomes. So, whether it's outcome 8a, for community resolution, or 8b for restorative justice, we just have to justify which outcome we are fitting it into. Although we say they're doing a letter, 8a may be easier for us to dispose of it, because 8b generates more questions, and the organisation will not make that disposal as easy for us. So, if we know we can resolve it simply, then we'll go straight to that. One of the sticking areas we do have I think ... is having to go through that interview of admission of responsibility. Community resolution disposals you can say; 'yeah, sign my notebook to say, yeah, I'm responsible for that theft'. Whereas the restorative justice it's – no we have to do an interview, we have to have the offer of legal advice and all the PACE regulations that go around that interview, which can take a lot more time up. Whereas, a simple disposal option should have a simple method – 'are you admitting something? You've done this, yes, sign there', move on. (HFG2)

Scenarios

In the focus groups, the frontline officers were given a series of scenarios, and asked what they would do in each. For a minor shoplifting offence, carried out by a 14 year old, they said that many shops would not report this kind of incident in the first place, as it would cost more than £1.50 of their time to go through all the statements with the police. The officers felt that, if the incident was reported, it would not be in the public interest to prosecute, because of the age of the offender and the low value of the goods stolen. Consequently, in theory at least, restorative justice might be used for this type of offence, as part of a community resolution, and as a means of avoiding criminalisation. But, only if the offender did not have any previous convictions for shop theft, and then, only if they were remorseful and the victim agreed to it. It was also felt that to do this they would need an appropriate adult (such as a parent) present. Having said that, in reality the consensus among officers was that the first response would be to use community resolution on its own, as it would be the easiest and quickest way of dealing with the incident. Restorative justice was also seen as something that the shop and young person would most likely not derive a great deal of benefit from. They added that the offender might write a letter of apology (which could be deemed a restorative outcome) but that, for the officers, a letter of apology is simply seen as something they do under the banner of community resolution. When there were separate outcome codes for community resolution and community resolution with restorative justice, they would have recorded this as a community resolution (not a community resolution with restorative justice), because it was easier for them to close the case in this way.

For the same scenario, but with an adult offender, the officers felt that they would approach it in the same way, as the age of the offender was viewed as irrelevant. However, there is a force-wide initiative (developed by the police and some commercial retailers) where, if an adult offender gives their details and the goods are recovered, the police do not get involved. In such cases, the police would only get involved if they refused to give their details, in which case, if they were a first time offender, they could still get a community resolution. However, restorative justice would only be considered if the store specifically asked for it, with community resolution the most likely disposal used; 'for the ease of it'. Officers were reluctant to refer cases to the external service provider because, if they did, the case would still be classed as a live case – something they actively seek to avoid, where possible. Again, if the offender wrote a letter of apology, it would just be part of the community resolution. The fact that there was a letter of apology would be written on the crime report, but as a community resolution (not a community resolution with restorative justice), again because it would be the easiest option for closing the case.

In the case of a common assault in a pub, the frontline officers pointed out that this is not an offence to which they would tend to be called. However, it was felt that in such a situation, officers would take 'positive action'. They believed that the offender would most likely be arrested and removed from the pub, to defuse the situation and allow the pub to continue serving, while the victim is looked after. They felt that this would be recorded as a crime on the police system. Restorative justice was seen as appropriate for this type of offence, as long as the victim wanted to participate, because of the more personal nature of the offence (compared to the previous two scenarios). But, they felt that any restorative justice would be initiated at a later date (once everyone had sobered up), following referral to the external service provider.

For a neighbourhood dispute, involving verbal abuse by a neighbour, it was thought that at first there was a need to find out what had happened, how long it had been going on and what the victim's needs were. However, in order to use restorative justice, both parties would need to want to do it, and it was thought that often in cases like this this would not happen, with one or both parties usually refusing to engage and just wanting the offender evicted or prosecuted. The best case scenario was seen as doing some form of mediation, where the parties would have a chance to sit down and air their views. This was justified on the basis that officers would not want to be criminalising people for falling out with their neighbour, particularly as they have an ongoing relationship and still have to live next door to each other. Although officers felt that this scenario was suited to restorative justice, one officer highlighted an example of a neighbourhood dispute that was referred to the external service provider, which took so long (months) even the external service provider disengaged. With regard to the recording of the incident, if it constituted a crime – e.g. a public order offence or harassment – it would be recorded as such. However, if there was no crime, it would not be recorded formally, but rather simply noted in a police log or officer's workbook.

In the case of a burglary, committed by a 17 year old, the frontline officers said that the individual would be arrested, and that burglary is probably too serious an offence to consider community resolution. However, they felt that restorative justice might still be used (delivered by the external service provider), if the victim asked for it. It would also give the offender the opportunity to see the consequences of their actions. But, this would likely be in conjunction with another sanction/outcome. It was added that it would be the community investigation team who would decide which disposal would be used, not them, and that the community investigation team would also seek the path of least resistance, with the extra time and paperwork required to do restorative justice something that is likely to put them off taking this route.

Senior command/ communication/ culture/ sustainability

Those who felt they could comment, thought that the level of buy-in from senior command for restorative justice was relatively strong. This was put down to the fact that it had been in the news a lot recently (particularly in relation to reoffending), and had been shown to work in other places within the force area. In addition, restorative justice was seen as something that could be used to reduce the increasing demand on the police, as well as a longer-term solution to offending (compared to alternative criminal justice sanctions). It was also seen to be able to deliver more for victims of crime, particularly around recovery from the impact of incidents.

There were mixed views on the level of buy-in from middle management (e.g. Chief Inspectors), and the reasons for this among officers. Some thought that they provided quite a lot of support, and that they understood the importance and benefits of restorative justice for all parties concerned. Others, however, were of the opinion that this could be because they are seeing things through 'rose-tinted glasses'. Some were sceptical, arguing that although they presumed that middle management appeared to have bought into restorative justice, this was probably because this was force-wide policy – and the OPCC would not be paying the external service provider to deliver restorative justice if that was not the case. Others felt that although middle managers might buy into restorative justice for organisational policy reasons, when the public want something done about crime – e.g. a run of burglaries – their initial reaction would not be to demand more restorative justice. Another officer felt that the use of restorative justice was just another way for some officers to gain promotion through the ranks by associating themselves with a new policy initiative:

Restorative justice at the level of the police in England: implementing change

But, my view is that a lot of senior officers want to get promoted, so they'll run anything they think that they can say helps them on their path upwards. I've got no interest in promotion. I'm quite happy as a [rank]. So, therefore, I can say what I think really. (H2)

Even those who thought there was considerable buy-in at this level of the organisation felt that restorative justice was probably not seen as a significant priority, when compared to other issues that the police have to deal with. This was largely based on officers' views that, although there is nothing to stop officers using restorative justice for any offence, it is more appropriate for low-level crime by young and/or first time offenders, and probably not appropriate for more serious offences. One officer elaborated:

I would guess, because it's not domestic, they're not really appropriate for domestic situations and it's those incidents that are the priority, that [restorative justice] probably doesn't come that high up. Because this, for me, is ... probably more used for lower level stuff. So I would imagine, priority wise, it's not that high. (HFG1)

In terms of how officers thought restorative justice would develop locally in the future, some were positive, while recognising the realities of the current situation, as one officer said:

Policing evolves all the time. And I would hope that the facilitators of restorative justice will work alongside police officers. I would hope that it would become a staple diet of policing ... So, how do we jack up a meeting? That was my first thought. Where are [the external service provider]? How do I get them here? Well, they don't work in [this town], they're not local. But, I would hope that they would feel as though they could come into a police station, be part of a briefing, be a part of everyday policing life. And that we'd work alongside them. And that restorative justice will become a bigger part than it is now. (H1)

Some officers felt that if they could just pass cases to the external service provider, and once that had happened they no longer needed to deal with the case any further – as opposed to the current situation, where officers still keep cases open until the restorative justice component is complete – then they believed that restorative justice would be used more. Others either thought that the use of restorative justice would not develop any further, particularly in an area where there is such a strong push to use community resolution, or that it would be abused in some way and eventually might be discontinued. Restorative justice was also dismissed, by some, as part of the continual cycle of changes and 'tinkering' that they perceive to have occurred in policing over the past twenty years or so, that it was felt had contributed to inconsistency in the service provided by the police.

In terms of local managers (i.e. sergeants and inspectors) views of restorative justice, again opinions were mixed. Some felt that it was seen positively, as (unlike in bigger and busier areas, where the easiest option is often to bring people into custody and hand cases over quickly) satellite stations, like the one the officers worked in, where police tend to keep the work themselves, have to constantly look at alternative ways of dealing with incidents. However, others were of the opinion that sergeants and inspectors often leave officers to manage their own workload, and that, as they are not the ones who are dealing with the jobs, they are too removed from cases for something like restorative justice to be a priority. Although they felt that some local managers want to see restorative justice happen, and drive it, there were others who were viewed as less engaged, who tend to see each case as another job to deal with, preferring officers to bring them a solution to help sign-off the case so they can move on to the next job.

Lessons and reflections

Changing mind-sets

One of the key features highlighted by the research was that for frontline neighbourhood police officers to consider restorative justice, in appropriate cases, there is a need to encourage them to adapt to novel practices and new ways of thinking about how crimes might be disposed of, in a victim-focused manner. Many police officers were described by their colleagues as thinking in terms of 'charge-to-court'. It was thought that there needs to be a change in mentality, and for officers to think of restorative justice not only as something that can be used as an alternative to formal criminal justice processes, but also as something that can run alongside, and as a supplement to, criminal

proceedings. It was hoped that the new recruits coming into the police force will have a more amenable mind-set that acknowledges community resolution and restorative justice as intrinsic aspects of standard police work. However, some still questioned this, as one officer stated:

My problems with restorative justice is it doesn't look at the root cause of offending. It's very simplistic. It's all very well and good to get two people in a room. I can see the benefits from the victim's point of view. But, from a suspect's point of view is it delivering? I'd be very cynical, as I mentioned earlier, about your habitual offender. What remorse has he got? Is it working for him? So, I don't know how you measure [restorative justice] from a suspect's point of view. (H1)

The referral process

Some felt that referrals to the external service provider were not as straightforward as they could be, particularly due to the fact that referrals are paper-based, and often seen as duplicating other forms such as the crime report. This was viewed by some officers as an additional layer of bureaucracy. They felt that, as other forms that they frequently use are now in an electronic format, so too the restorative justice referral system should be electronic. This, they felt, would also enable officers to automatically populate parts of the form, as well as other electronic forms and databases. They were of the opinion that it would be easier to make a referral if there was a referral button on their phones/electronic notebooks. Having a restorative justice application was also seen as something that would make it easier. As a result, this might encourage more officers to make referrals, especially if it was deemed easier to do so than alternative courses of action.

As a small policing team in a remote area, officers felt that getting someone from the external service provider, which is not only an external restorative justice provider but also based in a different city, to do a restorative justice conference was difficult – especially given the time it takes to organise and execute them. Officers viewed big cities as being able to utilise restorative justice more easily, as the organisation and staff are already there, and often working alongside officers. It was felt that the fact that officers worked in a small policing team, in a remote area, did not help promote restorative justice (although this had been one of the initial rationales for the choice of the area for the pilot, as senior managers had felt that it might be easier to implement change in a small, remote area with less demands in terms of serious crime). Nonetheless, as was noted, this is not something that is going to change, as it is a safer place to live than a city, and is policed accordingly. Many officers were of the opinion that having someone from the external service provider based in the custody suite, at their police station, would help considerably. Ultimately, such a partnership might lead to more referrals for restorative justice. Others added that it might be better if incidents like neighbourhood disputes are referred directly to the external service provider, effectively fielding them away from the police altogether. Another way of trying to increase the use of restorative justice, as expressed by one police officer, might be to make it clearer when there is interest from the victim or offender in police paperwork; for instance by including requests for restorative justice on the front page of prisoner handover packages. It was felt that this might make it easier and, thus, more likely for restorative justice to happen.

Future of restorative justice

It was felt that for restorative justice to be utilised in a principled and evidence-based way, it needed to be driven more coherently at force level, as a priority that not only the force is committed to, but also because of the benefits for both victims (in terms of having a voice and being sensitively treated) and offenders (in terms of holding them accountable for their actions and reducing the burden on the criminal justice system, as well as reducing reoffending). It was thought that restorative justice could be publicised more rigorously, by both the police and other agencies – something that might also help increase self-referrals, placing less of an onus on the police as the sole drivers of restorative justice referrals. However, and as one police officer noted, until there is a wider cultural acceptance and understanding, officers would most likely continue to use the same methods of dealing with incidents of crime as they always have, such as community resolution (though we should point out that community resolutions, as official Home Office disposals for the police, are themselves relatively new):

I think community resolutions are here to stay. I still think restorative justice with [the external service provider] will be very few and far between, certainly in this area. It's possible that they might use them more in [other city], I don't know. (H2)

2. Designation of in-station 'restorative justice champions' in Town B

Key component of pilot:

Reinforcement of the most appropriate cases receiving restorative justice through using supervision and case review by sergeants

What happened?

Senior staff in Humberside took a novel decision to target supervisory police officers to promote police-led restorative justice. It was proposed that sergeants with responsibilities for 'Evidence Review' (known as Evidence Review Officers - EROs) were in an advantageous position to influence the application of restorative justice. It was envisaged that EROs could be trained to identify incidences where a Community Resolution (with restorative justice) might be recommended before cases were passed to the Crown Prosecution Service (CPS) or closed. For instance, having identified a suitable case, an ERO might recommend the officer incorporate restorative justice instead of a caution. Moreover, there was an expectation by staff in Humberside that if such suggestions (via an authoritative source) became a common occurrence, the appeal of restorative justice would cascade down to constables who might be more likely to consider using it at earlier and more frequent opportunities.

Notably, the ERO pilot would also provide an opportune comparison to the pilot in Town A which was training frontline officers and PCSOs in restorative justice; which method, if any, would yield the most effective results?

In Town B, [we] wanted to look at how much of an influence the decision makers - the ERO's - had on community resolutions in comparison then to Town A, which was more policing or patrol led. So the difference between a top down and down up approach. It was a two-pronged attack, to see if invested training with EROs would be worthwhile as a way of exploring the benefits to community resolution. (H3)

These initial plans were discussed in combination with representatives from Humberside OPCC and Remedi - who provide restorative justice services and training for the criminal justice agencies within the region. It was suggested that Remedi should provide comprehensive restorative justice training to both the EROs in Town B and officers in Town A. It was the wish of senior police staff that training commence as soon as possible. Once the meetings had concluded, it was assumed by the trainers at Remedi that the EROs would be subject to approximately one half-day of restorative justice training. Given the extent to which Remedi are embedded in Humberside Police⁴ such training could be locally specific and thorough.

It was about working out - do we do an hours training, do we do a half day? How much do we need to do to ensure the Evidence Review Officers are briefed and know what they're doing? So that any case that comes their way, they can intercept it, and say 'have you thought of restorative justice here?' So that's what I thought was happening with Town B ... and then, with Town A, my impression was they were going to get the full, three-day practitioner training for the response officers so then that would be the test, if you've got a force who are trained, and then compare it to Town B who have trained officers higher up the rank, so you can get an idea of what works. That was what I was expecting. (H4).

⁴ Remedi have representatives based within various police stations across the force and have excellent knowledge of local procedures and existing information sharing agreements.

These bold training plans rapidly became less ambitious however in practice, though not in intent. Instead, the priority in Town B was to complete the ERO's training in quick time. One Detective Sergeant (DS) was tasked with organising the training within a matter of weeks (before Christmas). But staff shortages meant it was unfeasible to release all the EROs for half a day within this timeframe. Subsequently, the training plans were downgraded to a 'professional discussion', which could take place between shift patterns and last approximately 30 minutes. The consequence for participants was that some would have to attend the event in their own time and the DS who led the discussions worked on their days off. It also meant the content of the 'professional discussion' would need to be unusually concise; instead of the structured training that Remedi were in a position to deliver, all of the sessions in Town B were led by a single ERO in under half an hour.

Four discussions were conducted in January 2017. A further 'mop-up' session was organised in February. In total, 19 sergeants who are responsible for evidence review in Town B took part. Although Remedi were not able to provide a bespoke training package, a representative attended all the discussions and spoke for around five minutes at each on the use of restorative justice.

One such event was observed by the research team. Rather than facilitate a discussion, the lead-DS outlined the scope of police-led restorative justice to four attendees. It was emphasised that restorative justice could be employed at any stage of the criminal justice process and victims had new rights under the Victim's Code and Witness Charter. Staff were reminded that front-line officers could conduct restorative justice between consenting parties, and that where a Community Resolution was employed, the officers were under no obligation to administer an exchange of financial compensation. The lead-DS also spent time talking about the availability of Victim Awareness Courses⁵ that could be 'bolted on' to a conditional discharge – the costs of which had to be paid by the offender (£85). Finally, a representative from Remedi spoke about the restorative justice services they could facilitate for the police, and underlined how they could manage all of the relevant paperwork. At the end of the discussion, there was an opportunity for debate. Only one administrative question was asked and the session concluded in under 30 minutes. At no point in the session was it mentioned that the training was part of a pilot to increase the uptake of police-led restorative justice via EROs. Equally, the lead-DS was also not aware at the time of introduction that the ERO training was related to a wider study and initiative Humberside Police were engaged in.

In terms of tracking restorative justice practice in the region, it is worth noting that outside of the confines of the above-mentioned pilot, Remedi had requested that a member of their staff be based within Town B police station one day a week from January 2017. This had been agreed, although security checks needed to be put in place, which were expected to be cleared by March 2017. The value of Remedi 'hot-desking' within stations had been highlighted by their positive experience of this strategy within probation services.

It's very useful being in the police station because you get to know everybody. I mean, I've not got to know anybody really yet, but, it's just like, them getting used to me being there. And then hopefully the referrals will come We've got to a point now [with Probation] where they ring yer and say, 'I've got one for yer'. And that would be nice if we could get there with the police. But that took time with the probation. That took time, being there, sitting in their office, going to meetings. (H5)

Remedi were also due to join a new early-intervention multi-agency team facilitated by a local authority to tackle anti-social behaviour and low-level crime. The respective YOTs were also going to be part of this forthcoming initiative.

⁵ These courses do not include the specific victim of the offence and do not represent restorative justice as defined by this study.

Outcomes

As specified above, the speed at which the training was pursued in Town B led to a downgrading of the planned professional training to a series of modest restorative justice 'discussions'. As such, the first stage of the pilot - the upskilling of ERO's to identify suitable cases and promote the use of restorative justice - was not accomplished. One participant noted:

As a piece of work, the evidence review officers were not trained, those people were not covered. And I don't know if that's just that it is not possible, or if that's because the staffing is so challenging at the moment And I don't, genuinely, I don't mean anything against anyone, but I don't think [the DS leading the session] knew what they were delivering. I think it was 'well, here's some stuff you need to tell people' - it wasn't a training package. It was a dissemination of some information. (H6).

As a consequence of the downgraded training, the pilot lost focus and communication about the aims and objectives also became obscured. Several police staff who either participated in, or organised the training acknowledged that they had not been made aware the ERO training was linked to a restorative justice pilot taking place in Town B or that it was part of a wider restorative justice initiative the force was contributing to.

Up until we were [individual and researcher] introduced I wasn't aware it was a pilot. I was under the impression it was a new way of working and that was nationwide. (HFG3)

Another participant explained that minor training events were such a frequent occurrence, that it was difficult to recall the respective restorative justice training when asked about it in a subsequent focus group some six weeks later.

We have a lot of different training on a lot of different things. And it's very forward facing and it's coming at you all the time. And as you know, now we're trying to recall when and why we had this training. And again with the officers, they're so overloaded with things. I'm sure, you know, it has to, but it goes in one ear and comes out the other. (HFG3)

The pressured culture that the police operate in necessitates that the objectives of pilots/training need to be simple but penetrating, and clear communication of those aims is vital. Indeed, participants suggested that police training needed to be repeated on an on-going basis to successfully infiltrate police practice.

It's a training issue, and an on-going training issue. Not just a single input and expect everyone to get on with it. You know, it needs to be more. (HFG3).

Notably, when sergeants considered the ERO training in the context of it being a pilot to promote restorative justice, some doubted whether the concept was realistic. Some felt that the types of offences that may qualify for a Community Resolution were often low-level and resolved by response officers 'on the street' – such as by a PND. In these circumstances, a sergeant would be reluctant to overturn an officer's decision unless it was significantly inappropriate, because they did not have the staffing capacity to return to cases and it was not common practice to upend an otherwise acceptable police decision. Moreover, sergeants from investigative departments were unlikely to encounter low-level offences suitable for a Community Resolution. In sum, while in theory, an ERO outcome *could potentially* instruct an officer to return to a case to introduce the offer of restorative justice, in practice, this process was unlikely to happen for resource and practice-culture reasons. Indeed, the intention of the 'evidence review' by sergeants was described as a means to ensure that the *severity* of the crime matched the police decision in order to ensure legal compliance and close the crime report.

A simple test of whether the pilot had any impact is to study the number of Community Resolutions in the area over time – pre and post the delivery of training. The measure is a rather crude one however, as it is no longer possible to differentiate between a Community Resolution with or without restorative justice as it was during Stage 1 of this study⁶. Nevertheless, if we look at the data over 12 months to March 2017 (see Table 1 above), we can see that the number of Community Resolutions fluctuated

⁶ Humberside used to divide outcome 8 into 8a and 8b to identify those cases with restorative justice.

from 11 to 25 per month, which makes the average number of these disposals 19.8 per month (n=12). There was a slight increase in February 2017 (directly after the professional discussions) to 24 but this was not the highest frequency across the previous year. In March 2017 the number returned to the mean (20). Remedi also reported that they had not received any referrals for restorative justice from Town B during the evaluation period.

Of course it is possible that there may be an upswing in Community Resolutions in the future as EROs continue to influence officers' casework. However, the data currently demonstrate that Community Resolutions have not increased substantially in the pilot area. Given the downgrading of training in both Town B and Town A pilots it is also impossible to compare whether one project was more effective than the other in increasing the uptake of restorative justice.

During the initial discussions with EROs a regional issue emerged which may have a significant bearing on the willingness of frontline officers and sergeants to apply Community Resolutions (with and without restorative justice). It was reported that the Humberside's Force Crime Registrar office 'regularly' and 'persistently' rejected Community Resolutions and recoded them as a different police outcome, often outcome 16⁷ or 21⁸. It was estimated by EROs that this affected approximately 25% of all Community Resolutions. The situation was described as a disincentive as officers and sergeants felt undermined in their role and were forced to revisit cases which they found a considerable drain on resources. This topic is explored in more detail below in the section '*Senior command/ communication/ culture/ sustainability*'.

It is worth noting that reshaping police practice is a long-term commitment. Representatives from Remedi mentioned it has also affected them as an organisation over many years and required careful attention to convert their efforts into referrals and influence practice within the wider local criminal justice system:

I've learned that we need to work in very creative ways and embed ourselves into the stations, because I don't think there are reliable ways of making new routes in [to the police] But we had the same issues with probation, but we've got a lot further with them now. (H6)

Acknowledging the structural strains Humberside were under is also essential to the appraisal of this pilot. Participants explained that Humberside was substantially understaffed, and it was now recognised at a senior level that previous staff cuts had been too deep. Specifically, Town B was said to be one of the most understaffed areas in the Force. One sergeant clarified that their staff complement was under the minimum recommended level for their department by two full-time officers, and that excluded the challenges of staff being off sick, on maternity leave or on holiday. Moreover, unlike South and West Yorkshire, Humberside Police do not have a designated restorative justice development officer. One senior member of staff is tasked as acting as the 'lead' for restorative justice as a 'bolt-on' to existing core police duties. The role of police 'RJ lead' has sometimes been unclear to partners and external restorative justice providers.

And the restorative justice lead is changing all the time. We've had five restorative justice leads in the last two years. I am not wishing to blame anyone, I totally appreciate the level of disruption in the force, but that makes their job unworkable. (H6)

Attitudes

It was explained above that some EROs felt that the concept of the Town B pilot was unfeasible and that their ability to influence decisions on low-level crime was negligible. This feeling was perhaps compounded by the idea - that many sergeants interviewed for this study expressed - that restorative justice was not within the domain of the police. It was implied that front-line police were too busy, restorative justice was not suitable for the majority of offenders and as a criminal justice response it would be better served by an outside agency.

⁷ Evidential difficulties victim based – named suspect identified – the victim does not support (or withdraws support from) police action.

⁸ Further investigation, resulting from the crime report, which could provide evidence sufficient to support formal action being taken against the suspect is not in the public interest – police decision.

For me, maybe, it would be an idea to push Remedi through Victim Support. (HFG3).

All the processes and all the hoops they [police officers] need to jump through, and then they say, oh and can you fill out this form as well please and send it to Remedi. And it's just another thing, and I think another agency is best equipped to deal with it. (HFG3)

I don't know I don't think we have the capacity for it [restorative justice]. The Remedi people, they seem good people to use, they have the time to work in this way. Like the boss says, we don't have the time for it. We're in and out of one job and onto the next. (HFG3)

If third sector agencies were considered a better vehicle to deliver restorative justice, so were YOTs, since many respondents felt that restorative based work was most appropriate with young offenders.

You know, I think this sort of thing is much better suited to the youths, the regular customers we get through the door, not a chance. (HFG3).

I haven't used Remedi before, most of my community resolutions take place through the Youth Offending Team. And to be honest, we can't do community resolutions with the majority of people we come into contact with, they're beyond it. (HFG3).

It's more for low-level things, not things going forward to charge and that sort of thing. (HFG3).

Representatives from Remedi were aware of and concerned about the institutional attitude that restorative justice was not considered police business. As they stress in this excerpt, while specialist agencies may be skilled at providing restorative justice, they were not in a position to deliver street RJ.

I mean, I worry, that there could be the idea, well Remedi do the restorative justice bit, so that's sorted, that's done. And they [the police] don't see their own role in promoting it. But we can't do the day-to-day street RJ. That has to be about the police taking ownership of it. Our contract is not about that and we can't do it in the same way the police can. (H6).

Markedly, some EROs expressed the sentiment that victim-focused work (not limited to restorative justice) was not a strength within the force; the pressured nature of police work meant that time-constraints precluded deeper consideration of victims' needs.

We don't do victim support very well as the police. We go in, we sort out, we deal and then we kind of forget, because there's always the next job. (HFG3).

It comes down to time, once we get a charge on someone and we get the file ready for prosecution, then, that job really is sidelined and you're onto the next thing. The next job comes along. And you know, we're not thinking backwards. (HFG3).

These opinions were also expressed by some senior level staff who reflected that community resolutions – introduced nationally in 2014 - and restorative justice represented a distinctive style of police work that was not currently part of 'core' police business. Despite a recent shift away from prosecutions, it was stressed that police officers were motivated to 'catch and convict' and meet historical performance goals such as increasing their rates of arrest.

I think if we look at the old school thought process, it can be, it might be, it has been used as a soft option. That's an old school view. I mean, I've changed my views since then. But I've had that education, training and background to move on. I just go back to – is it core business yet? No, it's not. And it needs to be so, it can dovetail onto all our other work. Community resolutions need to be as important as charging or cautioning. Because to the victim and the offender it is as important. (H5)

Certainly, the EROs spoke about both Community Resolutions and restorative justice as being a peripheral part of police work that was not a priority within the force. They themselves felt that policing concerns in Humberside focused on themes such as domestic violence and cybercrime. Moreover, even though there were institutional concerns about the overuse of Outcome 16 (where the victim

does not support a prosecution), using Community Resolution as an alternative was not promoted. As officers in the focus group commented:

I think in some ways it has been lost a little bit. With the day to day running of the force, it's not something we're conscious of being driven, like other issues are from time to time. It's not been pushed as such. Although they will push the lack of positive outcomes, although they won't say we're not doing enough Community Resolutions, they'll say we're overusing outcome 16. (HFG3).

There'll probably become a point where outcome 8 is more fashionable, and that will be our focus. But at the moment there are quite a lot of competing – what's our force priority, what's our investigative priority, what should be policing and patrol priority, but I don't think anyone has got to the point of prioritising outcome 8 yet. It's not a particular portfolio priority. (HFG3).

Our priorities are generally around DV. Cybercrime. Vulnerability. Hate crime. (HFG3).

A senior-level respondent recognised that restorative justice was not often employed by frontline police. However, as highlighted previously, they also stressed that as a national and regional force, police staff were under considerable and complex pressures.

We probably don't do enough at the moment of offering restorative justice to victims who've got an offender on summons. That's part of the victim guidance. But with everything we've got going on, we can be a bit harsh on the cops sometimes and they have a lot to remember, there's a lot for them to do under pressure. (H4).

Notably, the opportunity to debate police-led restorative justice in a focus group prompted two EROs to reflect on how the force could better harness such practice. They felt that restorative justice was an underused resource, but one that had considerable value for a victim. They contemplated if more could be done to convert Outcome 16's into Community Resolutions and offer victims different outcome options.

I can't help but think we're missing a trick here though. With more work and understanding we could probably do more to turn outcome 16's into outcome 8 ... there is a need for change. Without a doubt. Even just this discussion, it's opened up my mind, you know, it's been on the table for a while. And it doesn't have to take up a lot more time. ... But there's a cultural change that is required. It's extra victim service, we should be doing it. (HFG3).

If you read the majority of victim statements they say 'I feel very upset and I want the person prosecuted', it doesn't normally say I want this, this and this ... But maybe that's from the officers. Maybe that's the sort of thing they are asking the victim? 'Do you want to see him prosecuted?' But maybe they should be asking, 'would you like them to apologise?' 'Would you like them to come round for a week and wash your car?' And give you a letter of apology. But we don't offer that sort of thing. That's not what we do. (HFG3).

Senior command/ communication/ culture/ sustainability

A number of senior level staff were interviewed during the course of this phase of the research. Additionally, other participants relayed their experiences of liaising with the senior command team as well as with staff in the OPCC. Throughout these discussions, it was clear that a commitment to developing restorative work exists in Humberside. However, due to the complex burdens the force is under, communication and operationalisation of these positions soon became diluted. Two participants illustrated this:

There is support up there, but then it's sort of, by the time it gets down there it sort of weakens. It doesn't get to the street. It's quite diluted really. It's like the restorative justice lead, we've got another one as of last week. And we'll see how long that one lasts. (H7).

Higher up, I've never seen anyone say there is not a desire for restorative justice, they seem to be positive about it and they are. But at some point that doesn't get through. For whatever reason. I

totally appreciate the level of disruption in the force, . you know, they've just got too much on. Way too much on. (H6).

During the pilot evaluation it was possible to observe, first hand, the challenging nature of communication. As was described earlier, communication about the objectives of the ERO pilot was not relayed to staff who were delivering or receiving the training. No one who took part in the brief ERO 'professional discussions' understood they were conducted as part of a pilot or attached to a wider restorative justice initiative. Furthermore, the downgrading of the planned training to a professional discussion, and the framework of those discussions were not extensively negotiated with the relevant parties. Without conferring the basic premise of the pilot, it was unlikely the EROs would be driven to integrate working practices that might promote restorative justice or increase the number of Community Resolutions. As a result, many who were invested in the pilot were confused about its progress:

I think someone there was told, 'you need to do this' ... I did [go to] one of them ... and I did ask at the end, are these all evidence review officers? And they said no, that's something-sergeant, that's someone from somewhere else. I don't even know which departments they came from. I think some were from patrol ... And so I don't know if the ERO's were getting trained elsewhere. (H7)

Importantly, what remains unclear is *why* effective communication regarding the pilot was difficult to achieve. Undeniably, many of those interviewed noted the structural pressures Humberside faced were substantial. Police staff at all ranks were said to be under resource pressures after the force underwent a series of restructuring programmes, one of which removed the regional divisions in 2015. Changes introduced also included the loss of 200 police officers and 500 civilian staff in an effort to save £31m before 2019 (Hull Daily Mail, 2015). However, the 2016 HMIC Police Inspection found that capacity problems were having a 'detrimental effect' on some operations⁹ and rated the force in general as 'requiring improvement' (HMIC, 2017). Specifically, in terms of this pilot, there was not a dedicated restorative justice development officer to support the implementation of restorative justice projects as in other forces. Instead, responsibility for restorative justice is subsumed within the existing tasks of a senior officer – a role which has not been attached to a single individual consistently for the length of this study.

Encouragingly, Remedi agreed that despite the challenges they experienced getting referrals from the force, they had established advantageous information sharing systems within Humberside. Remedi staff had read-only access to police databases and could use this information to complete restorative justice referral forms. There were also arrangements in place for Remedi staff to be based in police stations across the region which would foster closer working relationships.

So Remedi coming to the station is really good, because it's about having it in your face and hearing first-hand about the stories of real life examples, of local people. And we need to show those outcomes, give something to the officers to inspire them, give them something to hang their ideas on, so they don't just think, 'oh this new scheme, it's more paperwork, more time, more effort'. But it's not. It is a benefit to them and to everyone else too. ... it'll go to Remedi and they'll deal with it. (H4)

It was predicted that harnessing closer proximity between Remedi and police staff within stations would give officers opportunities to learn about restorative justice through first hand examples. They might be 'inspired' by stories of restorative justice cases and encouraged to utilise the service themselves. Indeed, it was acknowledged that restorative approaches had not penetrated police culture and many officers and sergeants (as described above) did not perceive it as a fundamental part of their work. The following participants noted officers' reluctance to engage in or offer restorative justice.

⁹ For example: 'capacity problems were having a detrimental effect on the effective operation of the hub. We saw records of many calls requiring police attendance that contained entries by supervisors stating that there were no available officers to deploy to incidents. When records were checked both before and during the inspection, there were occasions when they showed that over 300 'open' incidents were being held by call dispatchers or the CSD. Open incidents are ones that cannot be finalised and closed. Typically, this occurs because they have not been allocated to officers or there is a delay in completing the necessary action in relation to them.' (HMIC, 2017: 30)

It's mixed and it will always be mixed. Those that are newer in service will be more open to it. The community resolutions - I think the older officers with more service might see it as 'well, we've got our discretion back, thanks very much!' Now, I think Community Resolution with restorative justice is a harder sell. Until they see the stories of people who have been through it, and seen the benefits, the benefits to the victim and also to the offender, I don't know. I've had a number of officers who have been offered mediation with offenders and have refused to participate, and I find that really sad, because that means we haven't got the understanding there... But I think when they see the benefits it will move forward. (H4)

Some of them are starting to use it, but at the moment, they are very few and far between to be honest ... Because we've never done it. And we don't like change do we? We're the police. You know, it's scary. It's just about the culture change. (HFG3)

Similarly, the office of the Force Crime Registrar maintained that restorative justice was not judged a core part of police work and staff consistently failed to maintain appropriate standards' around its application. It was their belief that Community Resolutions (with and without restorative justice) were considered a 'soft' administrative option and staff failed to complete the paperwork adequately. This, it was argued, compelled the FCR office to 'reject' outcome 8s and recode them (see above). Furthermore, they believed that officers misinterpreted the ACPO regulations around Community Resolutions (ACPO, 2012) and applied them in inappropriate settings, with more serious offences and persistent offenders.

We often get the paperwork for a community resolution and all it will say is 'triage'. What does that mean? That doesn't get you that. There's no sequence to events of what has happened. No indication of what the victim wants, what the offender said to the value of the property. ... I've seen these as well with people with criminal histories as long as their arms and we're still dealing with them this way. We shouldn't be doing that. I am not, I hope I am not conveying that the Community Resolution – with or without restorative justice is not a good platform. It is. But we've got into a cultural shift that it is a soft option – an alternative to doing the work properly. And it isn't. (H5).

Staff in the FCR accepted that poorly completed paperwork was common across the board of Outcomes 1-21, not just in relation to Outcome 8. However, other respondents in the pilot felt that Community Resolutions were unfairly and disproportionately recoded by the FCR and this acted as a clear disincentive to the promotion of restorative justice and Community Resolutions more generally.

[The FCR office will] look at it and say, is there enough evidence for whatever outcome the officer or the sergeant has decided upon? And if they think that there is not enough evidence, they can go back to the officer and ask for more clarification or proof that certain points were met. Or it might be that even when a discussion has been had, they still say, we don't agree with this, and instead we're going to file it as this particular outcome instead. Even if that individual may have had received a community resolution in practice and may have had some restorative justice, in terms of our Home Office returns, they haven't. They will have received something else and it won't be counted And that draws the process out, because in some cases the evidence is subjective. Some cases are obvious. Right or wrong. And there are guidelines, which are sometimes taken as rules, rather than guidelines. But in my opinion, where it is not explained - about why it has been rejected. Or if there is a disagreement about what constitutes evidence, then, that makes the officers more reluctant to do community resolutions. Because there are some other options that are never rejected. Or very rarely rejected I should say Such as victim doesn't consent - Outcome 16. So if we have a situation where a victim does not want to prosecute and they don't want to go to court, that can be reclassified as an outcome 16. Even though they may have agreed to a community resolution and don't want to go to court because they've had that outcome already. Sometimes it's just about the wording on the crime report. (H4)

Procedural problems surrounding Community Resolutions are a live matter in Humberside and beyond the boundaries of this study to fully comprehend. However, they appear to be a stubborn and significant problem. Respondents stressed that in response to this problem first emerging in 2015 the CJU10 ticket was developed, which was designed to prompt officers to collect all the required evidence for the outcome. However, despite the introduction of this 'ticket' and in-house training on how to complete it, rejection of Community Resolutions has continued and officers have been disincentivised from using Outcome 8.

The entire police force [were briefed] on those tickets in restorative justice, that was over 1,000 people and then the tickets still haven't really been used. I'll be honest. The back office won. They just kept sending them back. And not it's just not being used because they keep getting them sent back. (H6)

Lessons and reflections

During Stage 1 of this study, we reflected on what was misunderstood about Community Resolutions and police-led restorative justice in Humberside. Little has changed over the past year, but we have learnt much about the substantial gaps in communication and promotion of the restorative justice message. Higher level staff, such as sergeants and EROs are not familiar with contemporary restorative approaches and they do not consider restorative justice to be a force priority. There seemed to be intractable procedural issues within Humberside which were effectively discouraging the use of Community Resolutions (their rejection/ recoding by the FCR). While the senior command were committed to employing restorative justice responses, these intentions rapidly lose momentum in the face of competing demands. It is challenging for third sector agencies, such as Remedi to embed their practice in conjunction with the police, without the support of a consistent and dedicated lead/ development officer. Indeed, consolidating police-led restorative justice is a full time commitment which has not been addressed. Instead, fragmented and infrequent interventions have taken place which fail to penetrate police practice or police culture.

In light of the impermeable nature of police practice, Remedi stated they have had to diversify the means by which they reach victims. In addition to providing pre and post court restorative justice, from April 2017 they will join new early intervention multi-agency teams led by local authorities to address neighbourhood conflicts and other civil matters restoratively.

We're working in a slightly different way now, moving towards early intervention and other non-criminal issues ... from April we'll be doing family and neighbourhood restorative justice work through the new early intervention teams. They will work in areas of high deprivation, higher crime areas and we're working with the local authority-led multi-agency teams These are new teams and they've got money, they're new and we're starting together, whereas elsewhere we were always bolting bits on. (H6)

However, this is not likely to meet any needs of victims of more serious crime for restorative justice (particularly where there is an adult offender).

II – Wider recommendations to facilitate restorative policing across the force area over a longer time span

In addition to the two specific pilots in Humberside, the research team also made two wider recommendations to facilitate restorative policing across the force area over a longer time span.

1. Strategic commitment and leadership

At present, the Chief Constable position remains vacant, following the resignation of the previous incumbent, who stepped down in February 2017. It is envisaged that once a replacement is confirmed, the possibility for demonstrating commitment to restorative justice will be easier. There have been a number of changes in senior command personnel which have accompanied a long period of restructuring within the force, and this has obstructed promotion of restorative justice, for example in message from the Chief Constable. Such promotion will be necessary to ensure that restorative justice continues to be seen as a priority by frontline officers and their supervisors.

This recommendation also touches on endorsing restorative justice more publicly; police officers and PCSOs in one of the focus groups felt that the advantages of restorative justice to victims and offenders needed to be better disseminated, so that both officers and members of the public are fully informed. Officers felt greater public knowledge of restorative justice might encourage victims of crime to proactively request restorative interventions. The same officers were also of the opinion that

restorative justice should be recognised as a service that reduces the burden on the criminal justice system.

2. Increase the take up of police-led restorative justice by developing efficient electronic administrative systems

There is no immediate movement in relation to the development of efficient electronic administrative systems, as the force becomes familiar with a new IT system, 'Connect'. However, Remedi have an electronic button which officers can activate to alert them to possible cases suitable for restorative justice. Remedi staff also have 'read-only' access to police information systems, so they can fill out all of the necessary paperwork if an officer requests their attention through the relevant channel.

Officers in one focus group reiterated - as response officers also did in Phase 1 - that paper-based referrals often involved the duplication of work and were overly bureaucratic. Officers stated that an electronic system, that could be accessed via a smart phone or other mobile device at the time of the offence would help increase referrals.

3. Initiatives in South Yorkshire Police

I - Proposals for implementation and evaluation during the remaining research period

Implement a restorative justice 'Hot-spot' to promote police-led pre-court restorative justice in an area, plus devising an efficient system of referrals for cases at the police decision-making level via the restorative justice Hub (in Town C)

Key components of pilot:

- Training in restorative justice for response officers in two parts of a district, including direct guidance on how to make referrals to the Community Justice Panel, the Youth Offending Team and Remedi.
- Retention of a Restorative Justice Development Officer to coordinate training and promote restorative justice.

What happened

Following Stage 1 of the research, key staff in South Yorkshire Police and the South Yorkshire Office of the Police and Crime Commissioner jointly decided to 'rebrand', 're-implement' and 'reboot' (S7) the profile of restorative justice across the region. This initiative began with a pilot area in Town C, to be evaluated by the research team up to March 2017 (it was planned that other areas of South Yorkshire will be subject to equivalent developments in the financial year 2017-2018). Specifically, this 're-implementation' would involve a number of activities in the designated pilot area, many of which were not possible to complete (or assess) within the very short period of the pilot evaluation, but included:

1. The training of at least 100 Local Policing Team (LPT) or 'response' officers at two police stations in the district. The training was delivered by a Remedi employee, who was also an ex-police officer who had been directly involved in the establishment and promotion of restorative justice in South Yorkshire Police in 2009/2010. His session was followed by two presentations from the recently launched Town C Community Justice Panel (CJP) and the local YOT Police Officer. The CJP was launched in early 2016 to recruit volunteers to provide a community restorative response to low-level crimes and neighbourhood conflicts. It became operative in April 2016 once volunteers had been recruited and trained to the required level. Meanwhile the YOT was in a position to provide restorative justice to any victim of youth crime via their Remedi restorative justice worker. It was envisaged that the two presentations would inform officers of these local restorative justice resources and help them understand the referral process. Ultimately, the aim was to increase uptake of these services. A feedback survey of the training was completed by 96 individual officers over five sessions (see also Outcomes and Appendix A). The aim was that the training would encourage officers to refer appropriate cases for community resolutions to the CJP or YOT, through scanning and placing the relevant form in a basket in the station. The aim was also that basing a police Development Officer in the local station would encourage officers to discuss the possibility of using restorative justice in individual cases with the Officer (see also Part II).
2. It did not take place during the period of the evaluation, but plans were put in place to extend the above-mentioned training to PCSOs in Town C, as they were often called upon to deal with low-level offences and neighbourhood conflicts. Notably, they were also less likely than LPT officers to be 'pressured by the radio going off every ten minutes' (S6) and thus had more time to devote to restorative justice referrals and interventions.

3. There were efforts to increase awareness (and potential take-up) of restorative justice to victims of crime and the general public in the pilot area (see also part II). In this regard, the team produced a new 'calling card' which was a credit-card sized notecard where officers could fill in the crime number of an offence and on the flip side there were details of local restorative justice services and how to access the South Yorkshire Police restorative justice Hub (see Appendix B). The card proved very popular in Town C and more than 3,000 were requested by LPT officers following the training.
4. In line with point 3 above, the team also sought to promote restorative justice to the local community. A number of stories about the extra training the police received and the new CJP were disseminated in the local press during March 2017, accompanied by photos and advertisements (Appendix C).
5. There were imminent plans to consider all community resolutions and out of court disposals to be delivered to children and young people across South Yorkshire Police through a triage system facilitated by the respective YOT which would include a strong restorative justice element (this is known as the 'Barnsley Model'). However, this was not rolled out during the period of the Town C pilot.

It should be noted that the above activities comprised both short and long-term strategies to prioritise the development of restorative justice in South Yorkshire. In order to implement the above a sergeant from South Yorkshire Police was seconded to lead restorative justice across the force on a full-time basis. His post was funded by the OPCC and will run until March 2018. He works in combination with the full-time restorative justice Hub co-ordinator who is also financially supported for the same period.

Outcomes

The training of police officers in restorative justice was the principal activity of this pilot. It had been noted by all participants interviewed during both Stages 1 and 3 of this research that front-line police's current skills and knowledge of restorative justice required comprehensive attention. Specifically, officers' understanding of restorative justice was both inadequate and out of date. The previous round of restorative justice training had taken place some seven years earlier in 2010, when police-led restorative justice in South Yorkshire was limited to low-level offences and street RJ. Since then there had been the introduction of community resolutions (with and without restorative justice) as a police disposal, the Victims Code that extended the availability of restorative justice to all victims of crime, and locally the provision of Community Justice Panels (CJPs) and restorative justice via YOTs and Remedi. Notably the Remedi Trainer on this pilot had also been involved in the training of officers in 2010. He remarked:

RJ was *indeed* just with low-level first time offenders [in 2010]. I think then the force wanted to walk before it could run.. You know there comes a tipping point where RJ becomes adopted. But initially we were quite risk averse. We didn't want to say 'oh everyone can have RJ'. It wasn't for that. They wanted to trial it ... And of course it wasn't until 2014 that we then got the community resolution and CJPs in some areas have only just come in, so it's a shifting goal post. (S5)

A number of respondents noted in interviews that officers continued to misunderstand the purpose of restorative justice, and also remained confused about how and where it was appropriate to use it. It was claimed that staff believed the delivery of a CJU10 ticket (the form for a community resolution – see the Stage 1 report: Shapland et al. 2017) was, in and of itself evidence of a restorative intervention.

I came from another force where RJ was embedded much stronger, and I sat in that training [in 2010], and I just was thinking, this is not right. They kept referring to the form – and they would say '*this is the RJ*'. *The form was RJ*. Most of what they were doing was not RJ, it was just what we now call a community resolution really. They didn't get - that they weren't the principles of RJ or that it wasn't a disposal as such, or that it could be attached to any offence or outcome. (S6)

As such, the pilot training was considered a critical and overdue endeavour. If police understanding of restorative justice was addressed, it was envisaged that the offer of restorative justice would be made to more victims and subsequently the up-take of restorative justice interventions would increase. Ultimately, it was expected that increased use of restorative-based work would have a positive impact on the immediate community and their faith and confidence in the local police force:

It's important that officers put that information out there about the offer of restorative justice. So everyone knows they can access that sort of service ... it's about giving people more options. Not everyone wants to pursue a conviction or wants to go through the court process, but that doesn't mean they don't want anything from us, or anything from a perpetrator. An apology can go a very long way. Now, if we can get that message out there to the community, that will increase their confidence and faith in us, and not just us, but with the local authority as well. I think it's a significant offer. (S7)

The organisation and delivery of the training package had taken longer than expected to finalise, given the need to co-ordinate multiple agencies [the police, the CJP, Remedi and the YOT]. Nevertheless, during the pilot five training sessions took place, covering around 100 officers from January to March 2017. Each session lasted around two hours and included three sections delivered by Remedi, the local CJP and Town C YOT respectively.

Police officers were asked to complete a feedback form rating their training experience. According to this quantitative feedback, the sessions were well received. Over the five separate sessions, the content of the course was rated 3.9 out of five (n=96). Officers stated that, on average, they felt the training was very relevant to their role; they were confident conducting restorative justice and were confident in their understanding of the Community Justice Panels. The results are presented in detail in Appendix A. However, in some contrast to the quantitative feedback, data from the interviews and focus group suggested a more nuanced assessment of the training. All of the professionals involved in delivering the (separate) presentations felt that the later sessions worked better than others. In particular, the first session in January 2017 was described as being confused and disjointed. Two of the trainers noted that:

The very first training session - it wasn't very successful. I wasn't happy ... the training was confusing. No one asked questions. And all of us in there felt the same, it was obvious it wasn't working. It was too complicated. It jumped about. It didn't flow. These are response officers, they have a *lot* of things to think about, to remember, and you could see they were like, 'really?'. (S4)

After sitting through the training yesterday, I could just imagine what is going through the cop's mind. I don't know if it's hitting the mark we want to hit. I can just hear them all thinking, 'you can't do that' 'how do I do that' 'I haven't got time for that' – *I know* the sorts of questions that are going through their heads. But they won't ask. They'll sit there in silence and then just make a decision not to take it on board. (S6)

One of the District Command Team in Town C also noted that he had received feedback that post-training some officers continued to feel confused about the administration of restorative justice and expressed reluctance to take on further administrative burdens to their already overwhelming workload (as they perceived it). Indeed, these observations were also reflected by officers discussing the training they had received in a subsequent focus group:

I'm still. I don't know. I mean, is it that you arrest someone and then there is insufficient evidence and instead you go for an out-of-court disposal? Is it just a police record? (SFG1)

I don't want lots of emails and updates from RJ services. That's not winning me over. I get too many emails as it is. Just take it and deal with it. That would suit me just fine. I don't need to be involved in it. (SFG1)

Three separate observations of the training were conducted for this evaluation by the researcher. During this time it was noted that more detailed guidance on the *practice* of restorative justice was required; there were recurrent questions from officers about what constituted a restorative justice intervention and what the decision-making process around a restorative disposal should entail.

Moreover, other sections appeared too abstract to be relevant at this stage of the officer's learning. For example, there was a presentation on the brain development of young people, which was undeniably thought provoking, but it was unclear whether officers recognised the relevance of it to restorative justice. Importantly, it was noted by a number of the trainers that frontline police require comprehensive, but also *regular* training in restorative justice:

what needs to be said in any evaluation is that the training of police officers has to be done on a regular basis. It needs to be embedded into their training, every couple of years. That has to happen as the work force changes. And that way you will embed it. Don't leave them on their own. Leaving them since 2010 [without any restorative justice training], doesn't embed anything And that's not their fault. [RJ] is like an alien concept to them isn't it? It's not something they do everyday. (S4)

Indeed, embedding restorative justice into police culture would require a significant and on-going effort (see below).

In terms of tangible outcomes of the pilot, two issues have limited the evaluation. First, the timescales of this short-term study were too tight to allow space for aspects of the pilot to be implemented or room for any change to occur. It must be recognised that these measures are part of a long-term strategy to improve provision of restorative justice in South Yorkshire criminal justice agencies and extend beyond the scope of this discrete study. Indeed, senior-level participants who participated in this evaluation did not expect to see meaningful results at this stage. The training of LPT and later PCSOs in Town C, the victim survey, the raising awareness of restorative justice in the local community and the South Yorkshire Police move to the 'Barnsley Model' of managing low-level youth offences were in various early stages of being rolled out as the evaluation came to a close.

Second, it was clear that monitoring and communication issues remained weak across the respective agencies. For example, the RJ Development Officer had made a specific request that copies of CJU10 forms completed by officers delivering community resolutions to youths and adults in the pilot area were forwarded to his office. It was also agreed that these referral forms would be made available to the research team. However, this proved to be a burdensome task for officers and few forms came through before the end of March 2017.¹⁰

With limited evidence it is difficult to establish to any degree what initial effect the training had on the frequency or quality of Community Resolutions conducted by the police in the period of the evaluation. However, data from the CJP demonstrate that referrals to the service did not increase over the first quarter of 2017; there were two referrals from South Yorkshire Police to the Panel per month in January, February and March. Of course it is possible that there may be an upswing in referrals as officers become more familiar with the staff and its service.

Attitudes – scenarios

LPT officers in the pilot area were asked to comment on the suitability of restorative justice for a range of common offences during a focus group. When asked about a scenario involving theft of a low-price item (£1.50) from a shop by a youth or adult, respondents agreed that a community resolution was often an appropriate response – if the offender did not have a history of theft. Most officers felt that they would want to deal with such a small-scale offence 'there and then' – as well as take into account the wishes of the victim and the parents of the young offender where relevant. If the offender admitted their guilt, an apology or a return/repayment of the amount stolen might well be preferable to the victim and the offender. In the case of an adult offender a PND might also be a suitable disposal, depending on their financial means.

The second scenario concerned a physical assault in a pub. This example was slightly more complex for the respondents and would be shaped by a range of external factors, such as the offender's criminal history, the sobriety of the individual(s) and the risk of further violence. If the offender was

¹⁰ Meanwhile there was an increase in CJU10 referral forms that were shared with the YOT. These interventions demonstrated a range of outcomes including restorative justice, compensation and referrals for YOT assessments and to 'crime and consequences' courses. This was a clear improvement in the exchange of paperwork, as staff in the YOT noted that historically officers were reluctant to pass on details of low-level interventions with youths.

drunk, the outcome would be likely to result in an arrest in order to 'buy time' and dissolve the conflict. Only after this would restorative justice be an option. However, officers admitted that they would be unlikely to make a suggestion of restorative justice retrospectively unless it was explicitly requested by the victim.

A neighbourhood dispute was the third situation for officers to consider. There was considerable fatigue expressed about this case. Officers said it was often difficult to discern who was the victim, who was the offender, and long-term disagreements between the parties were generally impervious to police-intervention. Indeed, it was perceived that the individuals involved in local conflicts were often vulnerable people/families with multiple needs who required social work or mental health support;

We're not social workers, this sort of thing I just find really difficult. We're only there to deal with the offence, not the relationship. (Officer, SFG1)

It was speculated that a restorative intervention might be successful here, but one that was facilitated by the council or the Community Justice Panel and not the police. The recent RJ training had highlighted the role of the CJP in managing cases such as this and officers indicated that they would be likely to make more CJP referrals regarding neighbourhood disputes in the future.

Finally, officers were asked to consider how they would typically deal with an interrupted burglary. They indicated that their priority at this early stage was not to consider a disposal, but to collect evidence and protect the scene for forensic tests for the investigation. Respondents did not consider it their responsibility to suggest a restorative intervention at this point in the proceedings and some doubted whether it would be appropriate at all, given the severity of the offence. However, if a victim made a specific request for restorative justice they said they would make a referral to Remedi or ask the YOT to facilitate a referral.

Attitudes - general

As stated above, training was recognised as a critical requirement for all frontline officers. It had been established that officers' ability to deliver or refer to restorative justice was impeded by confusion and lack of awareness of available services. Both the LPT and trainers noted that the 'goal posts' had changed since previous training in 2010 and understandably, some confusion had set in around the purpose and application of restorative justice. These LPT officers remarked:

It's knee-jerk every time. It changes daily, which doesn't instil confidence The thing is they keep changing their mind about what we should be doing and in what order we should be doing it, do we arrest, do we do RJ, do we do both? (Officer, SFG1)

What those victims need is consistency. The problem with restorative justice is you don't always know what it is going to be. ... A month ago it was something different. Now it's this. That's my experience of restorative justice. In 2010 I sat through the initial Remedi thing, and then it was a conversation between two people, then, when it got rolled out it changed, and then it changed again and again. And now we have this. I just think we need consistency. (Officer, SFG1)

Such confusion was not wholly addressed by the training. Indeed, as officers in the focus group identified, there were further impending changes planned to restorative justice services that would not be covered in the training:

It's very confusing. It keeps changing. And it will change again. So the way that the YOT is going to do RJ is changing too soon, but that's not ready to roll out yet, so in three months time there'll be another set of rules about how it should be done. I don't know why they couldn't wait and then do it all together at the same time. (Officer, SFG1)

Confusion undoubtedly led to a lack of coherence around restorative justice and also a lack of confidence in officers using it. LPT staff also felt that the general public were not familiar with the term 'restorative justice', although they agreed that many victims would appreciate an offender's apology.

And there should be some kind of responsibility of the police to let people know what they can do. So they [victims] know what to expect. So when we talk about legacy and the role of South Yorkshire Police, but also the police in general. People should know what we can do. Because they don't know. And we know that because of the way they talk to us. (Officer, SFG1)

People often say 'I wanted it sorted' 'I want it to stop'. 'I want him to apologise'. (Officer, SFG1)

However, one of the strongest influences on officers' perceptions of police-led restorative justice, was their unanimous concern about demands on their time. Both staff who were outspokenly supportive of restorative justice and those who were less enthusiastic felt overwhelmed with their current workloads. Officers in the focus group explained their staff complement had reduced due to austerity cuts, whilst others compared their daily tasks to a process of 'fire-fighting' and explained that in this context taking on medium-term administrative tasks (such as a referral to a CJP, which might take four weeks to complete) was counter-intuitive. It was clarified that a referral to a CJP (notably unlike a referral to the YOT) meant that even though the CJP took responsibility for delivering the restorative intervention, the official paperwork remained the officer's responsibility – it stayed 'on their books'.

You've got a fire – you put it out. There's another fire – you put that out. I hope that fire won't reignite, because now I am going to put that one out. And you're just chasing fires all day. That's what we do these days. (Officer, SFG1).

We're just firefighting. I don't want something coming back on my desk. If I have to wait four or five weeks and then it comes back - that's a problem. (Officer, SFG1)

One officer raised resource and capacity concerns about the integrity of restorative justice and related services for victims and offenders.

The thing I'm worried about is – they used the example of a woman who was thieving because of a drug habit and the officers were able to get her to a drug programme or therapy. But the thing is, not everyone wants to get off their addiction and even if they do, we can't always find people the services they want. Some of these things are attached to probation and sentences. We can't just refer them. We don't have a gateway to make that referral. You don't get those things through community policing. (Officer, SFG1)

Senior police staff interviewed for this study reiterated concerns about the burden on LPT staff. Restorative justice was perceived to have 'lost its way' because front line staff were not motivated to 'problem solve'; use discretion or manage relationships in their local community. Instead, their attitudes were about 'responding' and 'disposing' of crime in the most time-efficient manner.

Fundamentally, we've got to start thinking about creating problem solvers at the front end. Not just responders. (S7)

Generally speaking, if you want cops to refer to something, you have to do something, make an offer that also appeals to the cop. While I do think the Panels have great value, the cop on the street just wants that crime off his books. They've got massive workloads and they're looking at anything that will reduce their workload. (S6)

If LPT staff's focus was dominated by 'responding' to crime, it was felt this was - at least in part - the result of the institutional structure of South Yorkshire Police. A number of years ago South Yorkshire Police underwent a restructure and made officers formerly in neighbourhood policing teams more multi-skilled, responsible for both response and neighbourhood policing. This meant that officers were no longer dedicated to particular neighbourhoods at the time of the fieldwork (though this is now to be reinstated). For staff, having neighbourhood officers was considered central to the delivery of restorative justice. Neighbourhood teams were seen as operating on a more 'holistic' basis to resolve local problems and sustain healthy community relationships.

And a huge, big part of this, fundamental, is the reshaping of us as an organisation. So, a couple of years ago we went through a very significant change ... during that we'd lost a lot of the neighbourhood side, and this sort of work [RJ] would have been the bread and butter for those teams I think unless you are truly community based, dealing with the issues, engaged

with partners in high output areas, working the streets and looking holistically at the area and thinking long term – where is this area going to be in 6 months, where is it going to be in two to three years? Unless you're getting to know people, watching the children grow up, you can't understand the benefits [of restorative justice] for those people. (S7)

Senior command/ communication/ culture/ sustainability

The return to neighbourhood policing was one feature for South Yorkshire Police's future. There were other changes also happening during the fieldwork. During the period of the pilot evaluation, the force was still waiting for all the positions in the senior command team to be filled. Once those senior people were in place it was seen as likely that a number of police functions would be reviewed, which might redeploy those officers who had just been trained in restorative justice to other posts. This was identified as a possible disruption and challenge for police-led restorative justice and restorative justice referrals. Moreover, the force was in the process of recruiting new officers as well as running an officer voluntary-exit scheme, which might mean losing experienced officers.

Meanwhile, the district command team in Town C were perceived as being unambiguously supportive of restorative approaches. This was remarked upon as a somewhat exceptional standpoint, given that restorative justice often amounts to a small proportion of police business.

Town C is very supportive. Going down the chain elsewhere in other divisions I don't know. I can't imagine they'll be as supportive as the guys in Town C, as they've really helped us crack on The thing to remember too, RJ accounts for about 1-3% of the work the cops are doing, so to get any kind of support like that from the command team is pretty good. (S6)

Rather than reflect on the lesser role restorative justice might have within the totality of police work, the district command team in Town C spoke about restorative justice being central to 'core business'. Indeed, it was believed that restorative policing was a means to improve relationships *within the community* and *between the community and the police and local authority*, particularly in an area which experienced hate crime, deprivation and reported low confidence in the police.

Restorative work does help the community ... And particularly around here, where hate crime is common. Consistent micro-aggressions that need to be dealt with better, and would really benefit from some restorative based community work. I think there are massive gains to be had for Town C. (S7)

Notably, this discussion prompted consideration of what the very purpose of policing at the 'front end' should be focused on. For one of the district command team officers in Town C, policing was principally about maintaining a reciprocal relationship with the community.

You know, without getting too are we law enforcement or are we police? We should be policing, and policing with consent and that is about creating problem solvers. But we're not at the front end. We're just response right now. People come in and they want to race over the city. And sure, that's part of policing and what we do, but what happens when you get there and you're engaging with that individual and that community and trying to find out what is the best thing for them? And this is not unique to Town C. It's national. (S7)

When evaluating police-led restorative justice in the South Yorkshire Police region, it is crucial to acknowledge that the delivery of restorative justice is a multi-agency enterprise. Even within the context of this small pilot, the police, the YOT, the OPCC, Remedi and the local authority were involved. Additional funds and resources were made available by South Yorkshire Police and the OPCC and the training was organised and delivered by South Yorkshire Police, Remedi, the YOT and the CJP – who are employees of the council. Notably the CJP also provided restorative-based services in response to civil matters and worked alongside local housing authorities and other community groups. Such complex working structures allowed staff to share resources and provide a consolidated response to the community, but they also brought with them their own distinct working cultures. It was noted that arranging the training package for the pilot took longer than anticipated due to co-ordinating the various partners. Other participants commented that tensions arose between the agencies due to differences in working procedures, although these were eventually smoothed out.

One of the key differences between the agencies who provided restorative justice in South Yorkshire were the contractual arrangements and employment conditions. A few were on short-term or limited contracts or seconded for a limited fixed-term period. Where there are a small number of staff (or one person) for one community panel in a town, for example, any absence or contracts ending can cause difficulties in keeping the service going and managing volunteers. Moreover, other council-funded staff noted how they were under pressure to generate income while in post, such was the financial pressure local authorities were under.

When [staff member] left we lost expertise, knowledge, contacts, paperwork, accreditation for training ... The council has now, finally, confirmed that the next manager will be on a year contract. (S6)

Because of budgets we've been told we need to be income generators too. It's hard work. It's how you justify your role. And this is it. Beyond your project job, actually we're all under immense pressure all the time. (S4)

Exchanging information and completing forms and referrals between the various agencies in the pilot were described as unsatisfactory, and it was not clear that one agency was always aware of changing referral paths as contracts changed. Town C CJP noted that they rarely received referrals from the YOT or the police, and referrals that did come in were often not made in a timely manner. YOT staff complained that the police often did not complete all required sections of a form or gave remarkably brief responses.

We're still not getting the CJU10 forms. Every week we get a weekly excel sheet from the intelligence department that's got all of the disposals that have been done that week and we can check that against the information that has been sent to us and see what we're not getting. So *I know* there's a lot of referrals we're not getting. (S2)

Participants in the study repeatedly mentioned the time pressures front-line staff were under and their reluctance to take on any further administrative duties than was necessary. Indeed, the potential success of police-led restorative justice seemed to be dependent on ensuring that paperwork was kept to a minimum. However, others felt that the lack of attention to detail among some officers was indicative of them disregarding the importance of restorative justice.

I mean, we have tried to make it as simple as possible for the officers. But still. Still there's a struggle. And sadly, but true, because you've got to know your workforce, the majority of them will think 'what's in it for me?' (S7)

I think with other alternative disposals [i.e. community resolution] it's not seen as important and it's easy for other things to take precedence. So, a crime file will be done properly, but for something else it's not a priority and it doesn't come through in a timely manner, or it's not completed properly. But you know if they're submitting something to CPS it would be checked thoroughly all the t's would be crossed and all the l's dotted, but if it's coming through to us it is not. You know, it's like '*it's only a CJU10*' so, I think there is some complacency from officers, but also sergeants and inspectors, as they're the ones checking it. (S2)

Lessons and reflections

As previously stressed, the activities of this pilot are a small part of a wider plan in the South Yorkshire region to extend the offer of restorative justice to victims of criminal offences and other types of civil conflicts. The work is supported by a full-time dedicated lead within the police who is seconded to this post until March 2018. This emphasises the time, skills and knowledge required to manage the weight of a project such as this. Our respondents frequently mentioned that such a move will require on-going investment, resources and training. Clearly there is on-going work to be done.

The need to correctly gauge the officers' training needs was highlighted consistently over the course of this evaluation. The previous training in 2010 had unintentionally instilled the idea across the force that restorative justice was 'the form', without successfully embedding the idea that police-led restorative justice required a series of subjective assessments and held further benefits for victims of crime.

When we go back to 2010 when the first restorative justice training took place, the way it was sold to us [as police] was, we have to do some sort of restorative work and this new initiative was only for low level and first time offenders and it was an alternative to prosecution We were told that the disposal was *RJ*. That was restorative justice. Fill this form in and that is restorative justice. (S2)

And it seemed, when it [RJ] came in, to be just another way of *disposing* of crime. The police saw it as one of a selection of outcomes, rather than grasping what it is - what RJ is actually about and the other benefits that it brings for victims, if you see what I mean ... It was one of those things that, it seemed, too hard to do, we didn't get anything out of it, we didn't understand it and the cops - from where I was - didn't see the benefits of it. And now, well, you know, that's why we're trying to rebrand it. (S7)

These long-held misunderstandings about the scope of restorative justice were compounded by subsequent changes in the application and provision of police-led restorative justice (i.e. via the Victims Code and introduction of community resolutions). Clearly, the training of officers in restorative justice needs to be coherent, regular and instructive, since there are particular administrative procedures for referring to restorative justice services and restorative justice-based disposals. While the pilot acknowledged this training gap, it is unlikely fully to have resolved what were recognised as entrenched misinterpretations about restorative justice.

I would even say now, if you asked any South Yorkshire officer, if you were a victim of burglary say, and if you asked for RJ and said 'I know all about restorative justice and I would like you to help me speak to the offender' – they would all say 'no, you can't possibly' ... Understanding about it is still very confused. It was painted as a very black and white thing [in 2010] but it's an assessment – and that's what they struggle with still. (S6)

This phase of the research has highlighted the significance of front-line staff in the delivery of restorative justice to victims of both low-level and more serious crime. In many respects they were described as the 'gate-keepers' to restorative justice. Without their willingness to promote restorative approaches, referrals to restorative justice services/disposals would suffer.

The thing is, we're always dependent on frontline officers driving something. They will only drive it, if they understand what it is. They need to buy-in to it, they need a foothold. (S7)

The value of staff was also emphasised within the third sector through this report. The Community Justice Panel in one area was highlighted as a worthy and effective local restorative justice resource in the report on Stage 1 (Shapland et al. 2017), though it was also stressed that its achievements were dependent on the then one full-time employee. During the fieldwork phase of Stage 3 (though this has been short), the post was not able to be filled and so the service was not able to run. Though we understand this will change in the future, it does take time for services to get up to speed again.

II – Wider recommendations to facilitate restorative policing across the force area over a longer time span

1. Designation of in-station ‘restorative justice champions’

It was anticipated that once officers were trained in the pilot area, one or two enthusiastic staff members within each police station would be identified to take on the task of being a ‘restorative justice champion’. However, the training took longer to implement than expected and this action had not progressed by the end of the evaluation period. It is unclear if this activity will be pursued further, as current plans were – at the point of writing - focused on training PCSOs in the pilot area and also extending the training to the three other regions in SYP.

2. Strategic commitment and leadership

In Autumn 2016 it was suggested that the Chief Constable could make specific reference to restorative justice through a series of video messages to officers. Due to continuing shifts in the senior command team at SYP however, this was not feasible during the pilot evaluation. However, it is expected that this activity has been delayed rather than abandoned.

3. Increase the take up of police-led restorative justice by developing efficient electronic administrative systems.

It was recognised that a shift to electronic RJ referral forms would be welcomed by frontline police officers across the three pilot police forces. Certainly, South Yorkshire Police acknowledged that this would be a more efficient means of making referrals and collecting relevant data. It was also noted that this was a significant financial and long-term commitment and beyond the scope of this short pilot. From around September 2017 South Yorkshire Police were due to move towards a new IT system, which was the Force’s immediate priority in this area.

4. Task the South Yorkshire Scrutiny Panel to examine the nature and quality of restorative justice in community resolutions

The Scrutiny Panel was not due to meet until the end of March 2017 and would need to discuss and agree any changes to their remit. At the time of writing the Restorative Justice Development Officer had forged close links with the Panel co-ordinator and was welcomed to attend future meetings.

5. Pilot the collection of victim satisfaction data from adult offenders and victims involved in police-led restorative justice.

It was suggested by the research team after Stage 1 that South Yorkshire Police and the OPCC would benefit from collecting victim satisfaction data in relation to restorative justice. This had also been identified as a concern for key staff in the OPCC and a research tender was devised to gather the experiences of victims who had been offered (post-court) restorative justice via the Hub between June 2015 and October 2016. During the course of the evaluation period, this proposal progressed; such that by the end of March 2017 a research company was appointed who devised a two-level study including an internet-based survey, accompanied by one-to-one telephone interviews with a discrete subsample. The survey was going to target all adults who had been offered or taken up restorative justice via the Hub, which was estimated to be around 2,000 individuals. At the time of writing, the first results from the study were being received by the OPCC.

Appendix A: Results from feedback from Town C restorative justice training sessions 1-5, January to March 2017.

Table 1 presents the average scores (rated 1-5) from police officers to the four feedback questions from the restorative justice training, by session. All questions were scored on a Likert scale from 1 to 5, one being 'poor'/'not very' and 5 being 'excellent'/'very'.

Table 1 Views on training sessions on restorative justice in the pilot area

		N	Mean
Session 1 (24.01.17)	How would you rate the content of the course?	15	3.8
	How relevant was this to your role?	15	4.2
	How confident are you in your knowledge of restorative justice	15	4.2
	How confident are you in understanding the role of CJPs	15	3.9
Session 2 (07.02.17)	How would you rate the content of the course?	20	4.1
	How relevant was this to your role?	20	4.7
	How confident are you in your knowledge of restorative justice	20	4.3
	How confident are you in understanding the role of CJPs	20	4.3
Session 3 (21.02.17)	How would you rate the content of the course?	19	3.9
	How relevant was this to your role?	19	4.4
	How confident are you in your knowledge of restorative justice	19	4.1
	How confident are you in understanding the role of CJPs	19	4.1
Session 4 (07.03.17)	How would you rate the content of the course?	31	3.7
	How relevant was this to your role?	31	4.1
	How confident are you in your knowledge of restorative justice	31	3.9
	How confident are you in understanding the role of CJPs	31	3.9
Session 5 (21.03.17)	How would you rate the content of the course?	11	4.3
	How relevant was this to your role?	11	4.5
	How confident are you in your knowledge of restorative justice	11	4.5
	How confident are you in understanding the role of CJPs	11	4.4

Appendix B: South Yorkshire Police restorative justice calling card

Details of the crime you have reported

Please keep these details safe

Crime/Incident number:

Officer details:

Telephone: Date:

       **South Yorkshire POLICE**

Restorative Justice

As a victim of crime, you may be able to take part in restorative justice. This is when you have contact with the offender, either directly or indirectly. It gives you the chance to tell the offender what the impact of their crime has been, seek an apology and get answers to any questions.

For more information about restorative justice or to enquire about the possibility of taking part, you can visit restorativesouthyorkshire.co.uk call free on **0800 561 1000** or text **SYRJ** to **82055**.

       **South Yorkshire POLICE**

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Appendix C: Media reports and advertisements for the restorative justice Hub.



Restorative Justice can provide the missing pieces of the Jigsaw

RESTORATIVE JUSTICE (RJ) - what does it mean? How many of us actually know what the term relates to and how it can help a victim cope and recover after a crime has been committed against them?

Restorative justice is a process that provides the opportunity to bring together a victim and an offender, providing an opportunity to ask questions. This can be done either face to face (direct) or through letters, cards or messages (indirect).

Restorative justice gives a victim the opportunity to cope and recover after the impact of a crime against them.

By providing the opportunity to meet face to face with the offender, it gives the victim a voice for all questions not answered in court during the proceedings, especially the personal ones. The ones that will help them sleep at night. Only the offender can provide these details and reassure them.

These questions could be making somebody feel anxious, worried, lonely or confused. These questions play out in their mind daily, affecting their home life, their work life and their peace of mind.

Restorative Justice provides an opportunity for the victim to tell the offender how the crime has affected them and get answers to their questions. They can tell them how they feel, the impact the crime has had on them and their family and

sometimes receive a personal apology. This can help victims with the final pieces of a jigsaw and help them move forward, to get on with their lives.

The South Yorkshire Restorative Justice Hub works to assess suitable cases for restorative justice and make contact with the victim once the case has been to court. A victim will receive a call from our specialist provider named, to determine if they have an interest in pursuing restorative justice.

Officers work with the victim to help prepare them for Restorative Justice, and work with the offender to determine if both individuals are ready to progress with RJ. RJ is completely voluntary in that both parties must agree to it. All cases are risk assessed to ensure no further harm can come to the victim or offender.

In cases of indirect restorative justice, letters or questions may be passed between the victim and offender. An offender may write a letter of apology to the victim explaining why they committed the offence and why that particular victim.

Victims can refer themselves to officers that may the offender can answer.

Victims in www.restorativesouthyorkshire.co.uk

have the opportunity to self-refer at any time during the criminal justice process. The South Yorkshire Restorative Justice Hub can be contacted by telephone on 01509 542 2000, visiting the website www.restorativesouthyorkshire.co.uk or texting 0192 4 82000.

Officers take part in restorative justice training

MORE than 100 police officers have been trained in the benefits of restorative justice.

The training scheme focused on boosting officers' understanding of the services available to victims and how to promote them.

Restorative justice involves bringing criminals and victims together — either in person or by letter — so the former understands their impact and the latter can seek an apology.

It can also be used in non-crime situations like neighbour disputes, anti-social behaviour and hate incidents.

So far, more than 90 PCs and eight

sergeants and inspectors on four shift teams have completed the training.

Dr Alan Billings (pictured right), South Yorkshire Police and Crime Commissioner, said: "Quite often somebody causing the harm to a person doesn't appreciate what the consequences are and how this is causing significant distress.

"By bringing all parties concerned together in a safe environment, it gives them opportunity to discuss the issues and come to an agreed way forward."

Dr Billings said face-to-face meetings could be the victim's only opportunity to find out the circumstances and "fit together the final pieces of a jigsaw".

There was some evidence the sessions had an impact on offenders and could reduce re-offending, he said.

Victims can also self-refer themselves for restorative justice at any time during the criminal justice process.

For more information visit www.restorativesouthyorkshire.co.uk.



“ Taking part in this process has helped me move on and start to look forward rather than back ”

Victim of assault

Restorative justice gives victims the chance to tell offenders the real impact of their crime, get answers to their questions and get an apology.

For more information call our helpline on 0114 276 1000, text 0114 276 1000 for a call back or visit www.restorativejustice.org.uk



4. Initiatives in West Yorkshire Police

I. Proposals for implementation and evaluation during the remaining research period

1. Implement a pilot scheme to increase the offer to victims of restorative justice and the take up of restorative justice referrals by front-line officers in a specific site (Town D)

Key components of pilot:

- Recruitment of a Restorative Justice Victim Engagement Officer
- Training in restorative justice for Special Constables and Force Crime Management Unit staff
- Development of a new database to record cases referred to Restorative Solutions

What happened when/ where?

Aim of the pilot

The pilot commenced in January 2017 and aimed to increase the number of referrals Restorative Solutions (the voluntary sector body delivering restorative justice) received from the police for restorative justice. The intention was also to try to change the culture in the police, by making officers more aware of restorative justice, and the positive benefits it can have, by giving them the knowledge and understanding to be able to offer it to victims of crime. The use of restorative justice at the level of policing was seen as very inconsistent; some officers offered restorative justice, but many did not. This meant that the service a victim got was dependent on the officer who dealt with the incident. It was felt that a large number of officers viewed restorative justice as 'wishy washy' and not an appropriate method of punishment. The pilot aimed to increase the understanding and awareness of restorative justice among officers, particularly with regard to its benefits for victims and the manner in which it renders offenders directly accountable for the consequences of their offending.

As the majority of police officers were said not to know what restorative justice was, a central aim of the pilot was to increase knowledge within the organisation and to raise the profile of restorative justice – to put it 'out in the open'. This was something that was seen as important, because if restorative justice is not at the front of police officers' minds, it was believed that they would not think about it when dealing with an incident. As a consequence, it was assumed recourse would be given to traditional proceedings and sanctions – 'historical routes' – which are not always deemed to be in the best interests of all concerned. As one police officer put it:

For me, the aims are to push our officers to actually be aware of what's available to them in relation to restorative justice. And to get them to actually understand how to refer and to get, understand how easy it is to refer and what their part to play is in that. (W4)

The pilot involved the recruitment of a Restorative Justice Victim Engagement Officer by Restorative Solutions (funded by the PCC, on a 12 month fixed-term contract, until December 2017). The officer was to be tasked with increasing referrals (with a specific focus on police referrals) for restorative justice, training a range of police officers and police staff in restorative justice, and the development of a new database to record cases referred to Restorative Solutions. During the pilot other initiatives were also introduced, including adding a question about restorative justice on police handheld devices, and putting information about restorative justice on the letters that are sent out from Witness Care.

Cases referred to Restorative Solutions are overseen by a team, including a manager and coordinator, as well as the new Restorative Justice Victim Engagement Officer. They worked with a complement of some 40 trained volunteers, who facilitated restorative justice interventions (some of whom had been delivering restorative justice for some time). The service had developed a good local reputation, over a number of years, for delivering high quality restorative justice, and was managed by people who had developed good partnership relations with the local community safety partnership and other organisations, and who had established credibility among some police officers and managers both within and beyond Town D.

Staff

The appointment of the new Restorative Justice Victim Engagement Officer was seen as crucial in driving forward the pilot. Given this, it was believed to be important to appoint someone to the post who understood policing and police computer systems, and who would be well received by police officers. The service was fortunate to recruit a Special Constable to the post. Whilst this was not a determining factor in the appointment, it was felt that the fact the post-holder was a Special Constable, with a good understanding of police practices and organisational culture, provided distinct benefits to the initiative. As a Special Constable, the post-holder was seen as not only having a good understanding of policing and the police computer systems (including custody and court databases), but also having a greater level of access to these systems and police officers more generally. The post-holder was also seen as being able to relate to police officers, as they understood the job, know what it is like to deal with incidents, know what shifts officers work and how stressful policing can be, and hence, it was felt that they would be in a good position to promote restorative justice. It was thought that, because of this, police officers would be able to see that the post-holder had good knowledge of what police officers are up against (rather than someone who has no knowledge of policing) and, in turn, be more receptive to them. This would help officers take on board what the Restorative Justice Victim Engagement Officer tells them about restorative justice, and they will connect with them better because of this, which it was hoped would have an impact on referrals – based on the idea that if you connect with someone, you are more likely to do things. The hope was that, in time, the Restorative Justice Victim Engagement Officer would become a respected champion of restorative justice and a trusted name that officers and staff across Town D would recognise. While employed by Restorative Solutions, the post-holder, by dint of their voluntary work as a Special Constable, was perceived to have much greater connections with the police, thus enabling closer working relations and mutual understanding.

Training

At the beginning of, and throughout the pilot, training in restorative justice was given to a range of police officers and staff. Special Constables received three hours training. The training was delivered by the Restorative Justice Victim Engagement Officer and the manager of Restorative Solutions. By the end of the research, half of the (almost 100) Special Constables working in Town D had been trained (10-15 per training session). The training, which included mock conferences, aimed to raise awareness of restorative justice, and enable Special Constables to facilitate Level 1 street RJ, and refer cases suitable for restorative justice to Restorative Solutions. Based on observations of this training, the Special Constables seemed interested in restorative justice and what they were learning about it, as well as how they could use it in their police work, including how they could go about making referrals. The Special Constables who participated in the subsequent focus group all agreed that the training had been really good and valuable, particularly the part where they role-played a restorative justice conference.

Staff who worked in the Force Crime Management Unit (FCMU) were also given training in restorative justice. The FCMU records crime incidents reported by members of the public that do not require a police deployment. These are received either via 101 calls or through a police electronic inbox. Staff within the unit also review, allocate and finalise every crime which comes into West Yorkshire Police. The ambition of the Force was to record 60% of all crimes through the FCMU. At the time of the research, although the FCMU received cases for any crime type through the inbox, they were only dealing with two types of crime from 101 calls – theft from a motor vehicle and criminal damage. Staff then allocated cases to CID, Safeguarding or patrol.

As an experiment to explore opportunities presented by the new force-wide unit, possibly to increase victims' knowledge about restorative justice and the take up of referrals, it was decided that FCMU staff would benefit from training in awareness about restorative justice and its offer for victims. The restorative justice training that FCMU staff received was a one hour awareness session, delivered by the manager of the restorative justice service provider. All members of the FCMU (approximately 50-60) were given this training in groups of about 10-15 per session. The training aimed to raise awareness of restorative justice and explain how officers could refer cases suitable for restorative justice to the external service provider. During training, participants appeared genuinely interested in restorative justice, as something that victims might be referred to, where appropriate. However, following the training, it was decided that using FCMU staff in their interactions with victims to make the offer of restorative justice referral to victims at that time was not as appropriate as had initially been hoped. This was in part due to the fact that the Unit was a new initiative that allocates cases to other departments in the police, and there was little time to make considered offers of referral. It was also feared that the offer, at such an early stage, might unnecessarily raise victims' expectations. Instead, it was decided that the offer of restorative justice would be considered by the department/responsible officers to which the case was subsequently allocated. It was thought that other stages in the victim's journey might provide more appropriate opportunities for restorative justice to be offered and considered. This change in plans initially caused some confusion for those trained:

As generally one of the first people from West Yorkshire Police to speak to a victim, for that particular crime, I don't know if we're supposed to be mentioning [restorative justice] or not. I know I haven't been, and I don't know anyone else who has. But, I don't know if the reason why we were given that training was just so we're aware of [restorative justice], in case we move, because you move departments all the time in the police. Just so you are aware, or in case someone asks you about it when you're on the phone. Or if we are supposed to be doing the first introduction of it [to victims]. (B6)

In addition to the Special Constables and Force Crime Management Unit staff training, it was planned that training would also be provided to Ward Officers, Witness Care Unit Staff, and Safer Schools Officers. This was part of a wider programme of promoting restorative justice among groups of specialist officers and police staff, which remained ongoing at the completion of the research.

Recording

Although Restorative Solutions has always recorded the cases they work on, part of the Restorative Justice Victim Engagement Officer's role was to develop a database tracking all referrals, including those that in the end do not result in a restorative justice intervention. The database, providing an overview of referrals, was created by adapting existing data recording processes to make them more specific to police work. By doing so, it was intended that the service would be able to obtain a clearer picture of the take up of restorative justice from a variety of referral routes and for different offence-types. Details of cases are also recorded on *myRJ* (case management software designed for use by restorative justice partners).

VCOP requirements for officers

At the same time, and aligned with this pilot, Town D police were also committed to rolling out a separate pilot that sought to raise the profile of restorative justice among front-line officers by adding a new question to requirements under the Victims Code of Practice (VCOP) that officers must complete on handheld devices. The new mandatory question required the officer to ask the victim: 'If the perpetrator is identified would you like more information on restorative justice?' and to record the answer 'Yes/No' before they are able to proceed to enter any further details, as required. It was hoped that making the question a default and mandatory aspect of everyday police interaction with victims at this stage would increase the offer of restorative justice to victims (in line with the Victims Code), raise officers' awareness of restorative justice and, ultimately, increase referrals to Restorative Solutions. One interviewee explained:

I think having it on the handheld device is about, we've done training before and it does increase referrals for a bit, and then it goes down. I think, actually, we know that embedding it in systems and processes is about increasing awareness. So, actually, once the question is on there, people see it and think; "Oh, I've not heard of it". There's a button in regards to what is restorative justice,

so it's about making officers understand it. And I think, if they start to offer it and see what response they're getting from victims it might encourage them to keep offering it more, which is about then changing their understanding of what restorative justice is, as well as having it more from a senior level ... So there's a huge shift in regards to that cultural change really. (W3)

It was hoped that the data generated from this question would also allow the police to understand better not only the victims who take up the offer but also something about the victims and offences for which the offer is declined, so that more might be done to address these victims' needs. Unfortunately, during the short research period technical problems resulted in delays to the start of this element of the pilot (approximately half of the devices were not working properly). The intention remains to implement the use of the mandatory VCOP question across Town D and subsequently force-wide over the coming months.

Outcomes (data/observations)

By the time of the end of the evaluation, none of the five Special Constables who participated in the focus group had referred a case to Restorative Solutions in the short period (in some cases less than a month) since the training they had received. However, they were keen to note that (as part-time volunteers) none of them had had much of an opportunity to utilise their training given the short time that had elapsed and the fact that they had not worked much since the training. They did feel that restorative justice was something that they would definitely utilise in the future, in cases where both the victim and offender agreed to participate. They believed that both street RJ, and the referral of cases to Restorative Solutions for restorative justice conferences, were appropriate in a policing context. In relation to the former, it was felt that cases such as low-level anti-social behaviour and shoplifting offences were most appropriate. For more serious cases, such as burglary, it was believed that conferencing by impartial specialist professionals would be appropriate when it would need to be delivered in a more controlled and structured setting. The Special Constables did point out that, historically, they had done a lot of mediation and restorative practices, especially when dealing with disputes. However, they had not always perceived this as restorative justice or given it a formal label. The difference now, they suggested, is that Special Constables are more aware of what restorative justice entails, that it can be used with a community resolution, and where they can refer cases for restorative justice conferences.

Use of restorative justice

All five of the Special Constables who participated in the focus group had received a package of three hours restorative justice training during the pilot. All said that, as a result of the training, they were fairly confident about undertaking restorative justice (e.g. street RJ) themselves. Four of the Special Constables were also fairly confident about referring a case to a restorative justice service (such as a RJ provider, a community panel or neighbourhood resolution panel, or a YOT), although one Special Constable was 'not very confident'.

The Special Constables were asked to estimate how many times since their restorative justice training they had thought of trying street RJ. Three responded that, in the short period of time that had elapsed, they had not yet had an opportunity to do so, but two had on one occasion. When asked how many times since their restorative justice training they had successfully done street RJ, only one of the Special Constables had actually done so, and only on one occasion. Similarly, none of them had referred a young person to a YOT specifically for restorative justice nor referred a case to a community panel or neighbourhood resolution panel or a restorative justice provider since their restorative justice training.

Similar findings were found when the Special Constables were asked the same questions, but covering the last 12 months or so. Two of the Special Constables had thought of trying street RJ, while the other three had not thought of it at all. Again, when asked how many times in the last 12 months or so they had successfully done street RJ, two officers had (once each). None of the Special Constables had referred a young person to a YOT specifically for restorative justice, or referred a case to a community panel or neighbourhood resolution panel, or a restorative justice provider in the last 12 months or so.

Recorded incidents

Throughout the three months that the pilot was running during the evaluation period, Restorative Solutions recorded all of the restorative justice referrals received in their database. A total of 51 cases were referred (approximately 17 per month), throughout Town D. The most common crime for which a referral was made was assault; some 19 cases, six of which involved assaults on police officers. Public order offences accounted for 10 referrals, with other crimes including malicious communications (4), attempted sexual assault (2), drunk and disorderly (2), affray (2) and arson (2). It was not possible to make comparisons with previous months/years, as the data did not exist in the same format.

Not all of these cases were referred directly by the police. Of the 51 cases, 35 were from police referrals, 13 from court referrals, and one from a prison referral. By the end of the research period, of the 51 referrals, two had resulted in a restorative justice conference. In a further three cases, both the victim and offender had agreed to participate in a future restorative justice conference. And in another three cases, the victim had already agreed to participate in a future restorative justice conference. Almost half of the cases (n=23) did not proceed to a restorative justice outcome for one reason or another, notably as no suspect had been identified, or one or both of the parties were unwilling to take part. The rest of the cases were still ongoing at the time the data were collected.

Attitudes (interviews/focus groups)

Views of restorative justice

It was thought by some interviewees that many police officers did not know what restorative justice was, with a large number of those who were familiar with the term often of the opinion that it was either 'fluffy nonsense', a waste of money, or something that does not work. Some simply could not understand why a victim of crime would want to meet their offender. Those who did think that restorative justice is worthwhile were very much seen as the minority. There were a number of reasons given for this. Some felt that it was dependent on the role of the officer – with officers in some roles in the police in contact with certain offenders all the time, and often coming to the conclusion that they will never change. Consequently, restorative justice was believed not to be something they would consider. By contrast, those working at Restorative Solutions were strongly of the opinion that most people can change and, consequently, those who are ready to change and take responsibility for their actions should be given the chance to do so. It was added that this way of thinking by police officers was not as prevalent among new recruits, but more common among those who have been in the force for some considerable time and influenced by its cultural values. Another added that police officers can be quite negative about restorative justice. Some saw it as an 'excuse' to avoid going to prison or paying a fine, and often did not realise quite how challenging restorative justice interventions can be for all parties involved, or how much can be gained from participating in encounters with victims. A big part of the work of Restorative Solutions was believed to be highlighting such benefits, notably the impacts on reduced reoffending by holding offenders to account and making them responsible for their actions, increased victim satisfaction and enhanced feeling of safety and sense of control for victims.

The general consensus was that unless police officers have a good understanding of restorative justice, they will not think about the possibilities for using it or offering it to victims and offenders. Officers who were made aware of the benefits of restorative justice – through training – were more likely to consider its application. This was confirmed by interviews with those who had received the training, who said they felt much more knowledgeable about restorative justice and were much more positive about it. One added that if they were a victim of crime themselves, they would certainly request restorative justice. In addition, many Special Constables were in the process of either joining or seeking to join the regular police, so were of the opinion that they would not only be able to use restorative justice in their police work, but also spread their knowledge to other officers.

One officer added that police colleagues like things to be straightforward. And until restorative justice is properly explained to them, including how easy it is to use, they would be reluctant to do more. However, it was felt that once police officers know and understand restorative justice, and its benefits, they would be more willing to use it routinely, particularly if they feel that it might make their work-life a bit easier. Some felt that restorative justice might actually make police officers' work easier,

particularly where cases are referred to Restorative Solutions to facilitate an intervention. It was noted that police officers are not always the best placed, nor do they necessarily have the appropriate skills, to deal with certain problems. Once officers realise that there are specialists in restorative justice – who can do the work for them and possibly obtain a better solution for all involved – referrals should increase, so long as there is suitable confidence in Restorative Solutions, as one officer said:

I do think that examples are important. I think that officers need to be able to [see them]. It's alright being told how to do something and how something works. But, I think if they're given evidence of how it has worked, or how it can be successful, or where we've tried to make things work, then I think that is important for officers. (W4)

Scenarios

In the focus groups, the Special Constables were given a series of scenarios, and asked what they would do in each. For a minor shoplifting offence, carried out by a 14 year old, Specials felt that it was important to find out if the young person had any previous convictions. If they had not, they would then speak to the manager of the store, to see what they wanted to do. They thought that this scenario could be appropriate for restorative justice (as part of a community resolution, which would be recorded as a crime on the police system), as it would give the store manager/staff the opportunity to explain how theft had affected them. However, whether restorative justice is used or not would depend on the attitude of the offender, as if the young person was not remorseful or did not care, restorative justice would not be appropriate. Specials also recognised that some store managers/staff are not interested in restorative justice or think it is a waste of time and might insist on more punitive punishments. As both parties need to agree to take part, this might prevent restorative justice outcomes. There was a general consensus that local stores would be more likely to be receptive to restorative justice, as they will be more directly affected (in terms of loss of income) by such incidents, compared to large supermarkets and chains, which can afford to take the hit and are more detached from such incidents and the local community. They added that in a scenario like this, they would also visit the parents (at their home, afterwards, if possible), to speak to them and see if there were any underlying reasons for the theft, or safeguarding issues.

For the same scenario, but with an adult offender, Specials said that their actions would largely be the same. They would still need to check if the person had any previous convictions and, if they did, they would probably be arrested and go to court. They would also seek to find out why the offender committed the theft, as for £1.50, it would probably be out of desperation. Again, whether restorative justice was considered or not would depend on the attitude of the offender and if the store manager/staff (the victim) wanted to take that route, or not, though their views of the offender seemed to be of greater weight than the victim's views. Either way, it would be recorded as a crime on the police system.

In the case of a common assault in a pub, Special Constables said that the offender would be locked up, straight away. They felt that they would not be able to just leave the offender in the pub (particularly if the victim was still there, and if they were drunk), as they might do it again, and they would need to prevent further injury. In terms of deciding on the disposal that would be used in this incident, the Special Constables said that this was something that they generally do not decide, because their work on cases usually ends once the offender is booked into custody. They added that occasionally they might conduct the interview, but this was very rare. Although they would not be the ones giving the disposal, they felt that restorative justice may be appropriate for this type of incident, but that it would be done later, once everyone involved had sobered up, and only if the victim wanted to do it and the offender did not have a previous offending history. They added that the way that the offender had acted might have been out of character, and the offender might actually be really sorry, in which case restorative justice was seen as a good idea. However, if they were not apologetic and showed no remorse, restorative justice would not be used. It was felt that any restorative justice would be done in conjunction with a community resolution or conditional caution. It could even be done in cases where the offender goes to court and gets a custodial sentence. Any restorative justice done would be by Restorative Solutions, following referral.

For a case involving verbal abuse by a neighbour, Specials said that this could be difficult, as it is often not a police matter, rather a civil one (unless it involves harassment or a public order offence). However, they agreed that (if both parties agreed to it) this type of incident would be ideal to refer to

Restorative Solutions, as they would be able to facilitate a restorative justice conference and give the parties the opportunity to explain why they are doing what they doing, and how it makes them feel. (There is though the difficulty that funding originally stemming from the Ministry of Justice Victims Fund, provided to PCCs, only covers victims of crime, not victims of anti-social behaviour.) One Special added s/he might also refer the case to Victim Support. Others said that they would try to initiate street RJ there and then, if appropriate – although, if it did not work, would then refer the case to Restorative Solutions. If the incident involved a threat or a public order offence, then they might consider restorative justice later. Whether it gets recorded as a crime (or at all) very much depends on whether or a not a crime was committed, as many neighbourhood problems that the Special Constables deal with are not crimes.

For the scenario involving an incident of burglary, committed by a 17 year old, Specials felt that restorative justice could be considered, to allow the victim to explain to the offender how the offence has made them feel but, again, this would be dependent on the attitude of the offender. If they are just starting out, they might be more receptive to restorative justice than someone who has been engaged in burglary since the age of 10 and who simply does not care. However, due to the serious nature of the offence, the case would have to go through the courts first, with any restorative justice (following a referral to Restorative Solutions) something that happens after the completion of the formal process. It was felt that burglary was too serious for a community resolution or a conditional caution.

It was apparent that, because of their training, Special Constables had a much higher level of knowledge and awareness of restorative justice and were much more receptive to it as a way of dealing with incidents, than officers from West Yorkshire Police who had participated in similar focus groups a year earlier, as part of the first phase of this research project.

Senior command communication/culture/sustainability

When asked about senior officers' views of police-led restorative justice, one interviewee expressed that it was viewed positively, so long as it did not create more work for front-line police officers (who are already stretched). In addition, it was felt that senior officers were concerned that the processes and mechanisms involved should be designed with the various constraints on the police in mind (notably with regard to reduced personnel and resources). However, another interviewee was more sceptical, and conscious of the hierarchical nature of policing priorities and that they can change very quickly:

I would say if they've been told and directed that it's a good idea, then I think you'll get them on board. I think if you get somebody that does like [restorative justice] and believes in it, then they'll push it. But, I do think if senior police have got other things to think about, that are in the news or the media, like CSE, anything, they'll just focus everything on that. (W2)

It was reported that, over recent years, buy-in for restorative justice and the work done by Restorative Solutions, from various inspectors and Chief Inspectors in the force, had been good and they had been supportive of it. This is something that it was thought had increased in recent months, although, it would be difficult to determine whether this was because of the pilot, or because of the force-wide work that the manager of Restorative Solutions had recently taken on alongside their role managing the restorative justice service.

Since the start of the pilot, staff at Restorative Solutions have worked closely with the police (and one Chief Inspector in particular), and said that they get a lot of support from the senior leadership team. They also noted that they feel that when they have new ideas, the door is always open to them to discuss these ideas with the police, with suitable ideas often taken forward. Equally, if things do not work, they are reviewed in partnership with the police. As the work is part of 'the partnership world,' which is led by a Chief Inspector, police at that rank were said to be highly supportive and would be regularly updated by the staff who work at Restorative Solutions – whether by email, phone, or (due to the close geographic proximity of the service to the police station) in person. However, staff who work at Restorative Solutions also pointed out that the partnership tended to be more one way than they would prefer – in that they took ideas and issues to the police rather than this being reciprocated. The police, it was suggested, tended to be happy to be involved and for developments to occur, but not to drive these forward themselves.

It was also felt that sergeants and inspectors were extremely positive in promoting restorative justice. However, the extent to which this was communicated (down the ranks), to the front-line, was more questionable, as restorative justice was yet to be seen as fully embedded. This was said to explain the historically low level of referrals for restorative justice from the police across Town D. Changing attitudes of officers on the front-line was said to be both a difficult and pressing task.

Special Constables who participated in the focus group acknowledged that there was a major emphasis at the most senior levels of the police on victims of crime being a priority. They also thought that restorative justice must be something that is valued by the force, as they are funding it and would not do so if they did not believe in it as a way of dealing with incidents. However, they also felt that, on the ground, the emphasis was much more on how many jobs they go to and if they are meeting the emergency times etc. They also felt that the further up the organisation an officer goes, the more likely they are to lose sight of what's happening on the ground, and the less victim-focused they become. One Special stated:

Chief Inspectors never see victims, ever. The higher up you get you're not a police officer, you're a businessman aren't you? And then a politician. Yeah, you're in a management role, and it's a lot more, it's a lot less person-centred, the higher you get. They would never see the little old lady who has been burgled. So, I don't think it would be something they'd think about. Because, like us, we see the person who's crying their eyes out, and you want to help them because they're crying their eyes out. So, you'd be the one that would say if you'd like to speak to that person that might be something we can arrange. But, the Chief Inspectors I don't think, they don't see the victims at all. They see the figure of how many crimes have been recorded, but they don't actually see the impact on these people. (WFG1)

Equally, Specials were of the opinion that unless sergeants and inspectors had been on restorative justice training themselves (which they thought was unlikely), they would not have good awareness and knowledge of restorative justice, which combined with their high workloads, and the pressure that they are under to deliver results, often leads them to deal with cases as quickly as possible. In turn, restorative justice for them was seen as a low priority, with the use of other disposals, or ways of recording incidents, such as 'not in the public interest' or 'no further action', often seen as a preferential way of dealing with incidents. Some went on to add that a Custody Sergeant may not be prioritising the long-term effects of restorative justice on an offender or a victim of crime, rather the immediacy of the situation they are faced with. They also do not get to see the victim of the crime, like those at the scene do. However, Specials also admitted that this lack of time to consider other options like restorative justice was something they could not blame sergeants for, describing custody (particularly at the weekend) as 'like a factory', where Custody Sergeants are firefighting to deal with the constant flow of incidents.

It was the hope of Restorative Solutions that by the time the Victim Engagement Officer's current role came to an end (December 2017), police officers would be able to self-identify and self-refer cases suitable for restorative justice to them – rather than the provider trawling through custody and court records for cases themselves, which is the source of the majority of the cases that they deal with currently. It was hoped that, as a result, they would be able to answer questions on restorative justice, as and when needed. Ultimately, it was anticipated that this would result in Restorative Solutions no longer having to do (custody and court record) trawls at all, as the police would refer all suitable cases themselves. In addition to regular police officers, it was also hoped that Special Constables (and eventually) PCs and PCSOs would be using street RJ where appropriate.

It was thought that the lessons from the pilot had the potential to be rolled-out across the force and possibly beyond. The systems and processes that Restorative Solutions are developing – reinforcing best practice, ensuring restorative justice is offered to victims of crime at the earliest possible opportunity, making sure there are follow ups and that they've got the right (and right number of) volunteers to do the work, and that everyone is on the same page – might be replicated elsewhere. However, they also recognised that it is important to keep the existing momentum generated by the pilot and the attention given to it by the research. It was also argued that you need a good network of police and civilian staff working together, so that everyone can put ideas onto the table. It cannot just be one person, one organisation, or one avenue, as cases come from a wide range of places.

Lessons and reflections

There was a general consensus that, although some suitably trained police officers may deliver street RJ appropriately and well, restorative justice conferences are best run by Restorative Solutions, who have staff with the specialist skills and resources to deliver it effectively. Some police likened the idea of police officers facilitating restorative justice conferences to expecting all police officers to be able to interview children in Child Protection (a specialist skill that requires specialist training), arguing that it just is not feasible.

Victim Engagement Officer

It was felt that having a Special Constable as the Restorative Justice Victim Engagement Officer, who can 'talk police talk', was a real advantage for Restorative Solutions, as they can often get things done quicker, in terms of access to data and people. In addition, having someone on the ground telling officers that restorative justice works really well, and championing and driving it, was viewed positively. It was thought that, if the model was replicated in another area/police force and a Special Constable was not available, having a member of police staff or a PCSO who might have an interest in restorative justice working in a restorative justice service would be a good idea, because they would also know how the police system works and would be working with officers in their police role. It was argued that it can take a long time for someone outside of the police to become ingrained into the culture to the point where people will come to you with cases. Just having that link into Restorative Solutions was seen as critical, as one police officer stated:

[The Victim Engagement Officer] is new. So, to actually have a SPOC – a single point of contact – for anybody, whether that's front-line officers, supervisors, sergeants, inspectors – is brilliant. Because, most of the time a barrier is when someone gets something to do, they don't understand it, and actually they don't know who to go to, to ask. But, now we've actually got [the Victim Engagement Officer]. We've got [the Restorative Justice Manager] as well. But, we've got both of those people, actually, we can easily contact and say "[I'm a] bit uncertain about this, what do you think?" And they can offer advice. (W4)

Although it was argued that a role like that of the Victim Engagement Officer did not need to be held by someone in the police, it was also argued that police officers respond better to other police officers, and being one gives you credibility. If you are not, you have 'a higher mountain to climb'.

Neighbourhood Support Hub

In addition to creating strong working relationships with the police force, Restorative Solutions sit in the Neighbourhood Support Hub in the local authority, alongside the hate crime coordinator, the anti-social behaviour team, the neighbourhood policing coordinator, the sergeant in charge of Special Constables, and victim support. Sitting next to these people, in the same office, has aided referrals for restorative justice, with the hate crime coordinator now making referrals, and with discussions about cases happening there and then. The fact that Restorative Solutions is part of a police team, also gives them credibility. It has also helped with their access to police systems:

When we got Niche access two years ago, that was because we sat with the police and they could see why we needed it and the benefits. Had we been sat somewhere totally separate and then we went to the Chief Inspector and said 'can we have access to Niche?' I think it would have been a much more difficult conversation to have. But, because they could see, and we went to their team meetings and we could see how we work together, it meant that any kind of access we needed, or any discussions has happened a lot faster and a lot smoother, because they can see what we do, as well as us seeing what they do as well. (W3)

Such access also means they are less reliant on other people/organisations.

Victims Code of Practice question

In addition to the introduction of the VCOP question allowing for the measurement of how many people say 'yes' and how many people say 'no' to restorative justice, and a means of assessing interest, it was also seen as a method of planting the seed, for victims who might not be interested in

restorative justice now, but might be interested later. Special Constables in the focus group added that having leaflets or cards that they could give to people – explaining what restorative justice is, and that it is not just face-to-face conferences (which might put some people off) – would also give victims the opportunity to consider it at a later date. Similarly, in terms of reminding police officers about restorative justice, one interviewee said that if there was an option on the police system for recording restorative justice on its own, it would be at the forefront of officers' minds, which would lead to more people talking about it and using it.

The future of restorative justice

In terms of the future of restorative justice, it was felt that the police, as an organisation, need to get positive messages about restorative justice out. They were of the opinion that they were much better at putting out negative news stories, and not very good at being positive about what they do – something that needed to change. One officer thought that the force could put out a story of a case where restorative justice had been successfully used (perhaps in partnership with Restorative Solutions), what happened, and what the impact had been.

In addition, in order to keep the momentum that the pilot had created, it was seen as important to not suddenly stop once the pilot had ended, or everything would go back to square one, partly because there is so much staff turnover in the police. It was seen as something that needed to be on the agenda all the time, and embedded in systems, as one interviewee stated:

Historically, it's been about individuals driving it forward. And I think that's why we wanted to focus on systems. So, we move away from, actually, if that person leaves then it all kind of dies, to this is what we do. So, it's not about individuals then. (W3)

Another interviewee added that there is a real danger that once a pilot ends, everything about it ends too, highlighting that the police had done training in restorative justice previously, as part of a Ministry of Justice pilot. But, once that pilot ended, everything ground to a halt.

2. Encourage the use of restorative justice supported by safer schools liaison officers (Town E)

Key components of pilot:

- Training in restorative justice facilitation for Safer Schools Officers
- Development of a new method for Safer Schools Officers to electronically record restorative justice work
- Recruitment of a new Youth Crime Prevention Officer

What happened when/where?

Aim of the pilot

The aim of the Safer Schools pilot (which commenced 1 January 2017) was to promote the delivery of restorative justice, for suitable cases, by the 27 Safer Schools Officers working throughout Town E, in an attempt to foster more extensive delivery of restorative justice at a consistent level in accordance with principles and best practice which are sensitive to the needs of victims. It was intended that restorative approaches to crime, antisocial behaviour and conflict in and around schools would provide victims with a voice and highlight to offenders the impact of their behaviour, thus reinforcing responsibilities and holding individuals to account. The use of restorative interventions involving school pupils was also seen as part of a wider aim to avoid criminalising young people, as well as a means of dealing with (often minor) incidents before they escalated into more serious offending. This rationale for the initiative was articulated by one officer as follows:

[It's] a means of not always punishing people by either a criminal outcome or a custodial sentence. And looking to restore faith in each other by a meeting between a victim and a perpetrator. And letting the perpetrator understand the impact of their actions on the victim and it gives the victim an opportunity to explain how they feel, how they've been affected, and it gives them an opportunity to be part of the outcome for the perpetrator. (W6)

While Safer Schools Officers had used restorative justice prior to the introduction of the pilot and officers had benefited from earlier dedicated training to encourage its use, the pilot constituted a distinctly new phase in the partnership between schools and police to promote restorative justice in a more strategic, consistent and comprehensive way underpinned by targeted support. The pilot involved training new Safer Schools Officers in restorative justice facilitation. It also provided a new standardised method for all officers to electronically record their restorative justice work. In addition, a new Youth Crime Prevention Officer role included advising, supporting and working across the Safer Schools Officers in Town E, as part of a wider youth crime remit.

The Safer Schools programme across Town E incorporates over 30 schools (and two universities) each of which match funds (50/50) the cost of a dedicated officer with West Yorkshire Police providing the rest of the match funding. Some schools fund an officer for part of the week (sometimes only one day per week), whereas others commit resources to support an officer full-time. Officers have a wide remit to engage in work to prevent young people from becoming victims of crime or of being involved with anti-social behaviour and crime. They also go into classrooms to talk to young people about drugs, weapons, rights, responsibilities and crime levels where they live.

Training

In January 2017, all of the Safer Schools Officers in Town E were invited to a police-run awareness day (attended by over 20 of the 27 Safer Schools Officers), where a range of issues relating to their role in schools were explored and discussed. A large component of the day was dedicated to promoting and understanding the use of restorative justice in schools. The restorative justice sessions included a presentation by a Chief Inspector and the sergeant who oversees Town E Safer Schools Officers, as well as the new Youth Crime Prevention Officer. This was followed by group discussions. It was also planned that future safer schools awareness days (which occur every 10 weeks), would cover restorative justice, to ensure there is continued support to officers and a constant push in this area of policing. It was suggested that such days might include shared learning, and presentations by Safer Schools Officers on specific cases, and would give the officers the opportunity to develop peer support networks. There have also been discussions on having an annual restorative justice refresher training session for Safer Schools Officers.

The majority of the Safer Schools Officers had received 2-3 days restorative justice facilitation training in the previous year, provided by Town E council's Children's Services as part of its wider ambition to make Town E a 'Restorative City'. However, as part of the pilot, all new Safer Schools Officers attended 2 days restorative justice facilitation training in February 2017. The training was delivered by a restorative justice trainer from Town E council, and attended by eight police officers (including the four new Safer Schools Officers). It aimed to enable officers to be sufficiently confident to hold restorative conversations and facilitate restorative justice conferences, and encouraged the use of restorative justice to deal with school incidents (where appropriate).

Observations of the training supported the views articulated in subsequent interviews that the Safer Schools Officers found the training really interesting, particularly with regard to how they might use restorative justice in their schools. The officers were highly engaged, particularly by the roleplay aspect of the training and, by the end of the second day, appeared to have developed considerably their knowledge of restorative justice, and their ability to hold restorative conversations and facilitate restorative justice conferences. Observations revealed there was a definite sense that officers felt they would use what they had learned in their schools, at the first appropriate opportunities.

Although all of the Safer Schools Officers have been trained in restorative justice, officers and others felt that this was something that needed to be continuously developed with refresher training, updating, and meaningful support on an ongoing basis.

Recording

Prior to the start of the pilot, the recording of restorative justice in schools was varied and inconsistent. Depending on the officer and the school they worked in, restorative justice could be officially recorded on the police system, on the school's own system, in an officer's pocket notebook (for personal use, so they had something that could be referred to at a later date, if needed), or simply not recorded at all. Moreover, the same officers tended to record restorative justice in different ways, depending on the crime type or specifics of the situation. Even when recorded on the police system, Safer Schools Officers did so in different ways, as there was no dedicated means of recording restorative justice. Where a crime had been committed, some officers would record it as 'another party dealing' (the other party being the school), with the reference to restorative justice often buried in individual case notes.

From the start of the pilot, all Safer Schools Officers were asked to record all of their restorative justice work in the same way, electronically, on an 'Occurrence Enquiry Log Report', as a means of structuring and documenting this work in a standardised manner, across all of the different schools that they worked in. As one officer put it:

The recording of the incidents [is] now recorded on a police system. Whereas before, unless it fell under certain areas of Home Office counting rules then it would've been recorded on a school's system and not on the police system. So, we're more aware of what's going on because that information hasn't always been available to us, or we've not been aware how to go about collecting it. So, that's changed. We get a better idea now of how much [restorative justice] is going on, what areas it's going on in. (W6)

The purpose of recording incidents of restorative justice was so the police could get an overview of the quantity and quality of restorative justice work conducted in schools. It was intended to enable them to analyse what was being delivered and, by doing so, also to find out what was not being delivered and where restorative justice was not being used. This would assist in identifying where improvements in delivery might be made. It would also highlight which schools are helping to promote restorative justice and encouraging its more extensive use as contrasted with those schools which are less disposed to promote restorative justice and hence, where additional support and training might best be targeted.

Staff

In addition to the work of a police sergeant who oversees all of the Safer Schools Officers in Town E (in terms of governance and compliance), a Police Constable was recruited to the post of Youth Crime Prevention Officer at the beginning of the pilot. The role includes advising, and working across, the Safer Schools Officers in Town E and driving forward the delivery and use of restorative justice. Although the new officer recruited to this role was replacing an existing officer who had previously held the post, the change in staff created an opportunity for the police to look at what could be done differently and how the role could be developed in ways that supported the promotion of restorative justice through safer schools and furthered the aims of the pilot.

However, at the time of the research the post was very much in its infancy, with the new officer spending half of the time transitioning between the previous role that s/he had been undertaking (and assisting the new incumbent to that role). It was only toward the end of the research period that the officer was able to begin to focus a greater proportion of time on the new role. It was recognised that, once fully in post, the officer would be able to dedicate greater time to promote restorative justice work through the coordination of the safer schools programme across Town E. It was clear that more time and resource could be given to working in partnership with other agencies outside of the police in relation to restorative justice.

Outcomes (data/observations)

Use of restorative justice

Of the 18 Safer Schools Officers who participated in the two focus groups, all but one had received restorative justice training. Of the officers who stated the type of training that they had received

(N=16), all had had more substantial training (over several days). Most of the Safer Schools Officers, across both focus groups, said that they use restorative interventions 'all the time'. This ranged from restorative justice done in the school corridor (the school version of street RJ) to formal conferences, sometimes including parents/family members of those involved. In one focus group an officer commented that s/he had used restorative justice three times in the previous week. However, the majority of the officers felt that the level of use of restorative justice had not significantly increased since the start of the pilot, in large part as many of them had been implementing restorative work (for crimes and less serious incidents) in their school for some time, most particularly since they had received the earlier training a year or so prior to the commencement of the pilot.

All but one of the Safer Schools Officers said that they were fairly or very confident at undertaking restorative justice (e.g. street RJ) themselves. In terms of facilitating a restorative justice conference, 15 of the officers said that they were fairly or very confident, with three not very confident. Only half of the officers were fairly or very confident at referring a case to a restorative justice service (such as a RJ provider, a community panel or neighbourhood resolution panel, or a YOT), with seven officers not very confident and one not at all confident. However, as most of these services are for adults, they were less relevant to Safer Schools Officers, who deal with children. It was also noted in the focus groups that referrals to the YOT were only deemed relevant for the most serious of cases. Officers would actively seek to avoid referring a case to the YOT, where possible.

When asked how many times since their restorative justice training they had successfully done street RJ, 13 of the 18 officers had done so over six times, with only two answering 'not at all'. When asked to estimate how many times since their restorative justice training they had thought of facilitating a restorative justice conference, 10 had done so more than six times, and five had done so between two and five times. Only two had not done so at all. Although three officers had not successfully done a restorative justice conference since their restorative justice training, the rest had, with nine having done so over six times. Most of the Safer Schools Officers had not referred a young person to a YOT specifically for restorative justice (n = 15), or referred a case to a community panel or neighbourhood resolution panel (n = 16), or a restorative justice provider (n = 17) since their restorative justice training. However, as previously discussed, referral to external agencies was felt less relevant to Safer Schools Officers, who tend to deal with cases involving restorative justice 'in-house'.

Similar findings were reflected when Safer Schools Officers were asked the same questions, but in the last 12 months or so. Again, when asked how many times in the last 12 months or so they had successfully done street RJ, 11 of the 18 officers had done so over six times, with only three answering 'not at all'. When asked to estimate how many times in the last 12 months or so they had thought of facilitating a restorative justice conference, 11 had over six times, with only three answering 'not at all'. Four officers had not successfully done a restorative justice conference in the last 12 months or so, although eight had done so more than six times. Again, most of the Safer Schools Officers had not referred a young person to a YOT specifically for restorative justice (n = 13), or a case to a community panel or neighbourhood resolution panel (n = 16), or a restorative justice provider (n = 17) in the last 12 months or so.

Recorded incidents

Throughout the three months of the pilot, Safer Schools Officers were asked to record all of their restorative justice work electronically on an 'Occurrence Enquiry Log Report'. Data were received from 27 secondary schools, with a total of 124 incidents of restorative justice recorded – the vast majority of which were restorative conferences, with a small number being verbal apologies (n = 16) and letters of apology (n = 9). The most common incidents resulting in restorative justice were fighting (17%), assault (15%), arguments (15%), verbal abuse (10%), theft (7%), threats (6%), and inappropriate comments (5%). Other types of crime where restorative justice was done included harassment, bullying, online abuse/arguments, vandalism and general anti-social behaviour. As confirmed by the officers in the focus groups, more serious crime was generally dealt with either by other police officers or the YOT, or with the aid of more formal criminal justice disposals and/or temporary or permanent exclusion from the school.

Attitudes (interviews/focus groups)

Views of restorative justice: police

In contrast to the views about, and levels of knowledge of, restorative justice held by many police working outside of schools - many of whom held the opinion that it is a 'soft option' - Safer Schools Officers were overwhelming in favour of using restorative justice in schools and really believed in it as an appropriate way of dealing with incidents involving young people. In addition, they were seen by more senior police officers as very competent at delivering restorative justice with young people. It was felt that, as Safer Schools Officers used restorative justice 'all the time', and are able to see (first hand) the positive impact that it can have, they had a more balanced view of its value and benefits, compared to police officers in other roles, notably response officers. The use of restorative justice in schools was very much seen as a central and vital element in attempts to avoid criminalising young people. It was also seen as enhancing a more victim-focused approach to policing, as the following Safer Schools Officer noted:

I think that the Safer Schools Officers have probably used it enough to see that it's actually really effective. And that it does make a difference afterwards, especially compared with alternatives – when you're looking at using the criminal justice system, or even something that isn't going to go, isn't that severe, actually the outcomes are so much better in how people conduct themselves within the school afterwards is so much better. And it empowers victims to feel better. It makes them feel safer within the school and feel that they can get on. And enables them to understand what actually happened. I think it's very well received. (W7)

As they are dedicated to work in schools, Safer Schools Officers also felt they had more of a connection to the environment and community they worked in and with (as compared to response officers, who generally cover larger areas and were seen to be more 'at arms length' from the communities they police). Officers frequently described their school as a 'community' that they felt they are a part of and are keen to help improve. One officer even described the school s/he worked in as more like 'home'. Because of this, officers often argued that they approach policing in a different 'problem-solving' way – something many believed kept restorative justice at the front of officers' minds, when dealing with incidents.

Views of restorative justice: schools

Generally, teachers and other school staff (including senior management teams) were also seen as favourably disposed to the use of restorative interventions as effective ways of working preventively and seeking to resolve problematic situations, preferring it over more punitive approaches. In many schools, this level of 'buy-in' to the principles of restorative justice permeated throughout, from the head teachers down, with restorative practice seen as an essential philosophy and everyday practice of some schools. When talking about staff attitudes towards restorative justice at their school, one member of school staff said:

I don't think they see it as a separate part of the school. I think we've all been sort of brought up on it, for the last several years. And it's an integral part of our pastoral system ... But actually, I would say, as a school it's so embedded, we almost don't think about it. We just do it as part of our natural practice.' (W8)

However, not all schools are as supportive of restorative justice, either in theory or in practice. Safer Schools Officers noted that if the head teacher in a school did not buy into and promote restorative justice, then it would be unlikely that it would be extensively implemented. Moreover, there remain some schools in Town E that have not yet bought into the idea of Safer Schools Officers in the first place as they have not been willing to fund them. When asked about the main challenges for schools in the delivery of restorative justice, one officer identified the importance of a school's 'ethos' in its 'responses to discipline', elaborating as follows:

Because police officers work with the schools and if a police officer goes in there, and they've got a zero-tolerance approach, and none of the staff are into [restorative justice], interested in it, and they expect, well; "you're a police officer, you need to get your bat and your cuffs out. Go, go to work. Go to work, my lad", which happens in schools. That's not going to help. You also have a lot

of people who don't trust police officers in schools, which is a big one. So, a police officer is turning around and saying to a teacher, a member of staff, or a young person; "listen, I want to deal with it like this, I don't want you getting in trouble". They're going to be there thinking; "whatever, yeah, you're a copper, you're a liar, you're going to do me over the first instance you get". And so, they're not going to want to respond to the police officers there. And that's why I think it's really important that staff in the school are trained up in [restorative justice] and the staff understand it... And you need to not just have a lone voice in school. You need to have the whole school moving in the direction of restorative justice, because then it will start working, people will understand it better. And then you'll have less offences committed, hopefully.' (W12)

As this suggests, the importance of leadership within the school is seen as vital to advancing the work of Safer Schools Officers in delivering restorative justice. Schools where an approach to pupil behaviour and discipline exists that is conducive to problem solving and restorative principles rather than punishment, considerably facilitates Safer Schools Officers in their work.

Scenarios

In the focus groups, the Safer Schools Officers were given a series of scenarios, and asked what they would do in each. For a minor shoplifting offence, carried out by a 14 year old pupil on their way to school, most officers thought that this would be ideal for restorative justice, as long as it is what the victim (and offender, who would need to be remorseful and not have a long previous offending history) wanted. A couple of officers had recently dealt with cases like this, with one involving several pupils shoplifting, which was dealt with in a restorative meeting in the school with them, their parents and the person who owned the shop. It gave the shop owner the opportunity to explain how such thefts affected their livelihood. Officers had mixed views around if an incident like this would be officially recorded, with one noting that if the store contacts the school directly, there is a better chance that it can be dealt with without the need to officially record it on the police system (either by recording it on the school system only, or not recording it at all). Most officers also added that they would try to keep such an incident away from official disposals, such as a community resolution. It was also mentioned that officers have less discretion when an incident happens outside the school, with some not always involved in things that happen beyond the school gate. Where officers would deal with an incident like this, and use restorative justice, the victim would always be involved from the start, as officers are victim-led. When asked if anything would change if the pupil was 18 years old, officers agreed that if the circumstances were no different, the way they would deal with it would be the same, as the 18 year old is still a pupil at the school.

In the scenario of a fight/assault in a playground, restorative justice was seen by Safer Schools Officers as a particularly suitable approach, given that the pupils involved would still have to continue attending the school, post-incident, whereas, in a similar incident on the street, the two parties may be strangers and never have to see each other again. It was noted in one focus group that 'nine times out of 10' restorative justice works for this type of incident. However, incidents like this were rarely officially recorded (whereas, officers would be duty-bound to record it as a crime if the same thing happened on the street), unless the pupils' parents got involved and demanded it. Although, officers did note that many parents who may initially express punitive sentiments – and 'want blood' according to one – might change their minds, once everything has been explained to them.

For the scenario involving a history of verbal abuse by a pupil towards a teacher, Safer Schools Officers had mixed views – some would get involved with such incidents, others would not - if they even found out about them in the first place. Another officer added that, because this is something that happens a lot in their school, there simply was not the time to do restorative justice with all incidents like this. For others, it depended on the circumstances, how serious it was, and what was said. Safer Schools Officers will get involved if, for example, it was a public order offence, a threat or indication that there might be violence, or a racist incident. A few officers had dealt with such incidents. One officer had previously used restorative justice in a similar case, where the pupil had the chance to see how the abuse made the teacher feel, and it worked very well. Incidents like this tended to be recorded on the schools' system only.

When presented with more serious scenarios – i.e. a pupil found in possession of a knife in school, who has threatened to use it on another pupil – Safer Schools Officers were in agreement that, because it involved a weapon, the pupil would be expelled and the incident would be recorded as a

crime. One officer, who had dealt with a similar case a few weeks prior to the focus group taking place, said the pupil had been expelled, and the incident has been recorded as a 'threat to life', with a full investigation ongoing. Officers felt that, in such a scenario, restorative justice could be done later (once the criminal justice part of the process was complete), e.g. as part of a conditional caution (something that would be done by a youth panel outside of the school). However, another officer who had dealt with a similar case said that they really had to push to get restorative justice done this way, as anything involving a knife tends to go straight to court.

Senior command communication/culture/sustainability

The Safer Schools initiative across Town E was seen by partner organisations as an important investment of police and school resources, by promoting awareness and responsibility among young people for crime and anti-social behaviour, as well as fostering crime prevention more generally. Some officers expressed the view that restorative justice, delivered by Safer Schools Officers in schools, was very well supported by more senior police officers. They were of the opinion that police leaders and managers saw restorative justice in school settings as a successful intervention for both victims (in terms of having their voice heard and being sensitively treated) and offenders (in terms of providing accountability, fostering responsibility and reducing reoffending). Senior commanders were seen by many as not only fully supportive of restorative justice in schools, but wanting to extend its use into the wider community and adult arena. It was thought that a driving force behind the desire on the part of police managers to be a part of the pilot in the first place was so they could have an 'honest reflection' on its benefits and learn from its implementation. The very existence of a post within the police (Youth Crime Prevention Officer) that includes advising and working across all of the Safer Schools Officers in Town E was also seen as a strong indication of organisational support and buy-in. As one officer noted:

There is definitely buy-in, and it's pushed from the top. When you've got the Crime Commissioner there saying: "I want this, I'm putting big amounts of funding into it". And you got a Chief Constable backing him up. And an Assistant Chief Constable backing him up, it's fantastic. And they're driving it from the top, and they do talk about it a hell of a lot. (W12)

When the pilot was first devised, all Safer Schools Officers were contacted, via email, informing them of the pilot and detailing how it would work. In addition, all were invited to the awareness day, in January 2017, where the pilot was explained and discussed at length.

Safer Schools Officers acknowledged that senior officers have to, and do, 'fight their corner' to secure the continuation of the Safer Schools programme due to extensive demands and restrictions on police budgets. They are aware that Safer Schools Officers (and their equivalents) have been sacrificed to police budget cuts in recent years, across many forces and force areas. They recognised the precarious nature of their role in the current context of fiscal restraint on public sector budgets (schools included). They felt that they worked under a constant threat of being taken out of schools and redeployed to the frontline, given wider austerity pressures. Hence, they are very sensitive to the level of support provided by their managers. There was some concern that the level of initial support given at the beginning of the pilot had not always been followed up or translated into continued action. Although officers came away from the initial awareness day in January feeling really positive, the consensus was that this enthusiasm had diminished. At the time of the focus groups, despite undertakings to hold a follow up meeting with a senior manager, none had been arranged, which some were disappointed about.

Others felt that a difficulty in getting more senior officers on board with, and seeing the value of, restorative justice was that it is difficult to measure:

The reason that we sometimes get involved in low-level restorative is because we don't want it to escalate into somebody pulling a knife out and stabbing somebody, damage or theft or we deal with it very low [level offences] to hopefully nip it in the bud. And I think, you can't measure it, and I don't think people, sergeants and inspectors understand that, or really want to give you much time of day. Because it's not detecting crime, it's not doing, it's important, but it can't be measured. (WFG2)

It was felt by some officers at the frontline, that higher up the organisational hierarchy support for restorative justice can become more difficult as it competes with other – often more urgent – priorities. The policing focus on immediate response to demand and processing crimes often results in preventive and problem-solving work – often in partnership with other public sector organisations – being squeezed by short-term demands. Moreover, it was noted that even those overseeing Safer Schools Officers in Town E had various other competing responsibilities and had constantly to prioritise different aspects of the job. Some officers went on to question the scope for the most senior officers actually to be engaged with and promote restorative justice, even if they are advocates of it. As the following officer noted, the demands of responsive crime-fighting and criminal processing can serve to undermine the place of restorative justice within policing:

My professional judgement tells me that, as you go up the organisation, the buy-in for [restorative justice], for me anyway, feels like it dilutes a little bit. And I can understand that, because [senior managers] ... they're not sat in a district, and they're certainly not sat in Town E being influenced by other key partners. And I just think there are so many pressures on policing, and the top layer of policing, to deliver against public demand, that it's very difficult to balance the RJ ethos, against hard-core policing and court processes and criminal justice outcomes. (W14)

However, they added that there is a huge appetite for restorative justice within Town E and felt that despite these organisational uncertainties the pilot had generated and evidenced much commitment and support from the leadership within the police and partner organisations.

On the ground, many Safer Schools Officers felt that support from police officers that they work closely with had strengthened. One officer noted how their sergeant now comes into the school that they work in, once a term, and how there was also a lot of support from inspectors, and the local and ward area police. Another reported that they frequently talk to their sergeant, who is always contactable and sends them lots of useful information. One said:

I think within the policing organisation, there has been a greater understanding [of restorative justice], and a greater understanding of its value, particularly within the middle management, which are the people that we go to. Whereas, previously, we had maybe somebody as a senior manager who thought it was a great idea, who maybe knew about or was involved in influencing the safer schools partnership, who knew and understood. But, not a lot of people were getting it, in between. But, actually that's really changed and that's really important. So, that middle management are really, really keen on it now. (W7)

Similar support was reported in relation to the role of the Youth Crime Prevention Officer, particularly with regard to explaining, advising and promoting restorative principles and procedures:

Yeah, he's been really helpful with everything, because I felt a bit like a duck out of water, really, when I started doing this role. But, [the Youth Crime Prevention Officer] has been really supportive, and I feel like whatever I ask for he'd come back to me with a boatload of information, and [say]: "this is what you need to do". And I feel like he's my go-to man now, for everything. (W11)

However, others were of the opinion that buy-in was dependent on officers' knowledge of restorative justice, as well as the constant impact of other priorities in their work. In addition, although officers were hopeful that the new Youth Crime Prevention Officer would be an important additional resource, there was a worry that the post-holder would get drawn into and tied up with other aspects of their role. Other fears were that something else in the future might become the new priority.

In addition, the Safer Schools Officers also had to work with their local Partnership Working Area (PWA) Sergeants, who often did not know the officers well or understand the schools that they work in. The juxtaposition of having a sergeant who oversees Safer Schools Officers (and is keen for them to use restorative justice) and a PWA sergeant (who is in charge of officers' day-to-day workload and who frequently knows little about restorative justice), caused some confusion and possible conflict. It was also felt that the main focus for PWA sergeants was processing cases as rapidly as possible, not necessarily by working restoratively. In addition, the focus groups highlighted inconsistencies in terms of PWAs across Town E – with some Safer Schools Officers having regular contact with them, and others never seeing them.

Many of the schools where Safer Schools Officers worked – particularly those where restorative practice is embedded into the fabric and ethos of the school – were ‘totally committed’ to restorative justice, with buy-in and support described as: ‘100%’. They were seen as ‘high challenge, high support’ establishments, where although senior people make decisions, everyone has a voice. Some of these schools have all of their staff and many of their pupils trained in restorative practices and restorative justice, with the belief that if you incorporate the principles into the running of your school, you greatly increase your chance of having a conducive environment that supports restorative justice.

Officers hoped that the police leadership remains committed to continuing their work in schools, and dealing with crime and antisocial behaviour in a restorative way, as the outcomes were seen as much better for all concerned. However, it was felt that the delivery and promotion of restorative justice should not become just a tick box exercise. Delivering restorative justice in schools in a principled manner that accords with best practice, it was believed, will reap wider societal rewards as young people move beyond school to become adults. It was generally felt that the more people realise that restorative justice can be used for a wide variety of types of offence, the more it is likely to flourish.

Lessons and reflections

There was a general consensus among those working in schools that if you can get children working restoratively (in ways that accord with ‘high challenge, high support’), it can have a massive impact on the individuals when they leave school. It can provide them with the skills to bring up families, be successful in the work environment, and work better with authority – ultimately creating communities where people get along better. In addition, it was felt that the more young people in schools are exposed to, and involved in restorative justice, the more established and culturally accepted it will become as a means of dealing with conflict and crime in the future. One interviewee noted that in countries where restorative justice is more established, it is used for quite serious offences, because adults have been ‘living in that world’ from a young age.

School buy-in and funding

However, not all schools use restorative justice across Town E. Some schools prefer not to employ a Safer Schools Officer at all. It was thought that getting buy-in from some schools can be difficult (and sometimes impossible), and something that has to be done on a case-by-case basis. Getting the head teacher on board was perceived to be critical. Moreover, even among the schools that had opted to employ a Safer Schools Officer, some officers felt they were not supported by the school they worked in, particularly if the school had a zero-tolerance approach to discipline.

In addition, some of the Safer Schools Officers said that their time was not always used as effectively as it could be by the school they worked in. Some would be tasked to walk around the school playground at break time and/ or do ‘lunch duties’. Officers thought that if there was a centralised police policy on the role of Safer Schools Officers that included what the role did and did not entail, this would ensure the best use of their time. However, they also acknowledged that a blanket rule might provoke some schools to turn around and say that they no longer want a Safer Schools Officer. In contrast, one officer said that they valued lunch duties, as it was where they built rapport with the pupils and was often a source of intelligence.

The use of Safer Schools Officers’ time caused some police officers to question the funding model. Currently, Safer Schools Officers are matched funded (50% by the school, 50% by the police), effectively giving the school a full-time police officer for half the cost. It was argued by at least one police officer that this model came about when resourcing was plentiful and the context has now changed. One concern articulated was that the model is not based on risk or harm-based need or demand. Rather it is based on the ability or willingness of the school to pay for an officer (or at least contribute to the cost). Decisions about the amount of resource – i.e. the time that a dedicated officer is based in a school – are not determined by need or the nature of the problems within a given school. It was noted that there are some schools in Town E that have a lot of problems – troubled families, high offending and absentee rates, with the Safer Schools Officers at these schools overwhelmed. At the other end of the spectrum, there are schools that have hardly any problems. Yet, some schools with extensive problems might have no Safer Schools Officer whilst a school with limited social problems might have a full-time officer working in it. More than one officer covered multiple schools (up to five) whilst most officers are full-time dedicated to a particular school. Yet this distribution of

policing cover is not reflective of need. Some argued that a more effective and rational distribution would result in the more problematic schools having perhaps two officers, whereas schools with less problems might have a PCSO or a part-time officer. In short, it was proposed that consideration might be given to a tiered approach, and one that is discussed with the schools, as opposed to the current approach – where a police officer is effectively handed over to a school and it was felt it was hoped they use them in a productive manner. However, the funding model would mean that this would require some schools, in essence funding the provision of policing in other schools, which is more difficult if they are independently funded. In addition, one could comment that though the quantity of problems in a school is usually correlated with their seriousness, this is not necessarily true all the time.

Community policing

There was also a general concern by Safer Schools Officers that local police ward managers (neighbourhood policing managers) often deal with incidents in the community very differently from the Safer Schools Officers who work in the community's schools – dealing with things like sexting by removing phones and laptops, the trivial nature of which was described by one Safer Schools Officers as going to 'the far end of a fart'. Officers felt that, if the ward managers contacted them, they could deal with such incidents more restoratively. They described the contrast between what occurs inside and outside of the school gates as 'the luck of the draw' for young people, and a source of much confusion for them. One Safer Schools Officer reflected:

It's about your ward managers as well. Your ward managers are not working restoratively and they're working with our children in the community. And the children are now seeing two different ways of being managed. The schools officer deals with them restoratively, the ward manager deals with them punitively – gives them community resolutions like crisps, for gobbing off, nicking this, that, and the other. And the children are becoming quite confused about why the schools officer's got other kits in their bag to deal with an incident, yet the ward manager, who they see on a night-time, and who they see at the weekend, deals with them completely different. (WFG3)

It was thought that providing training in restorative justice to local neighbourhood police officers would help resolve this problem.

Incidents and impact

In terms of recording restorative justice, the Safer Schools Officers acknowledged that recording needed to be more uniform, and that although the system brought in for recording restorative justice for the pilot was 'brilliant' (as one officer put it), it might be beneficial on a number of levels for Safer Schools Officers to have their own system for recording incidents, as the following observation suggests:

I think we should have our own system – safer schools police officers system. And we could record it on there, not as crimes, on that system. Because even schools systems, one of my schools don't have a system, it's all paper. So, I can't look through that system ... But, even on the school system some of it's not appropriate because it's CP [crime prevention] stuff, isn't it? So, we should have our own system, for restorative and CP.' (WFG2)

In addition to the recording of restorative justice work, there was a general consensus among those interviewed that measuring the impact of restorative justice was also a difficult task, and although you could look at how much restorative justice is done, or if training is up-to-date, that is more about whether the police have their 'house in order'. One Safer Schools Officer noted that it is often subtle things that are hard to record that nonetheless highlight impact:

That is a really tough one, because sometimes it can be just a look that a child gives you, or someone simply walking away, but how do you record that? Being in this environment, when a kid has taken something on board that made us walk away. Whereas, before, they've always been the one to get involved ... and suddenly they've just toned it down. So, I would find that to be very difficult one to record, because they're never going say, come to me and say "oh, miss, I've not done this today", or anything like that. It's just for keeping your eyes open and watching what goes on.' (W11)

Another interviewee highlighted how it is difficult to measure impact because, when it comes to prevention, you would never know if something would or would not have happened. Another added that you could look at an individual's future offending, but to be done properly, you would have to do it over an extended period of time.

The future of restorative justice

It was felt that to continue to promote and drive the use of restorative justice by Safer Schools Officers, it was important to ensure the continuation of the support provided during the pilot. Furthermore, in relation to the police as an organisation, it was seen as essential that restorative justice becomes 'one of their obsessions', for police leaders, the organisation and for schools more generally. However, it was recognised that the wider political, economic and cultural climate may also need to change. One police officer pointed out that to ensure the promotion of restorative justice in schools properly, across the whole force, the political agenda from government needs to change, and that there needs to be a policy statement about how this country is going to be policed, putting the victim at the centre of outcomes. At present it was felt that restorative justice is often seen as a bit of an 'alternative disposal', as opposed to the core business of the police.

II – Wider recommendations to facilitate restorative policing across the force area over a longer time span

1. Designation of in-station 'restorative justice champions'

In late 2016, the police appointed a lead 'single point of contact' (SPOC) in each of the five districts of West Yorkshire (at the rank of inspector or sergeant), tasked with the responsibility for championing restorative justice within the police and driving it forward, in conjunction with partners, by identifying gaps and sharing best practice. SPOCs meet quarterly together with the police lead, OPCC representation and input from Restorative Solutions in an open and frank discussion about progress, obstacles to it and ways to promote restorative justice further. They are supported by a police inspector with force-wide responsibility for restorative justice (who chairs the meetings) and who is responsible to a Chief Inspector, in close liaison with a representative of the OPCC.

The first meeting of the SPOCs was held in February 2017, where it was confirmed that the aim was to learn through practice (by reflecting on both barriers and opportunities) and to share good practice. Observations revealed that the meeting reinforced the uneven development across the five districts but provided a valuable opportunity to implement the learning from the different areas. Some SPOCs were finding significant challenges in engaging and securing appropriate commitment from relevant partners outside the police. Whilst Town D had been leading the way, with established partnership relations, good local buy in, and benefiting from charismatic and well regarded leadership and a cohort of dedicated volunteers, at the other end of the spectrum, another town was struggling to get meaningful engagement. One other had also experienced significant barriers, whereas a fourth and (for different reasons) Town E had made progress but still had challenges to confront.

Subsequent to the first SPOC meeting, action plans that contain coordinated common (minimum) standards of service delivery are being developed for each district. The expectation is that each district will establish its own Strategy Group to drive forward the delivery of their action plans. These will be overseen and coordinated through reports to the force-wide oversight mechanisms.

Looking to the future, it was felt that the group might be able to experiment more in one or more district(s) with new ideas for promoting practice, which others might learn from and possibly adopt or adapt. For example, one area was experimenting with accessing GAP court (where anticipated guilty pleas are set down) files, so that they might be able to offer information about (possible) restorative justice to victims shortly after the court hearing at the same time as notifying them of the outcome of the case at court. As one SPOC commented: 'maybe each district should take a lead on one aspect or experiment in developing restorative justice rather than all districts trying to do the same things at the same time.' It was also felt that more might be done collaboratively, by way of communication

through raising the profile of the restorative justice staff and volunteers through events, celebrations, etc.

One of the key challenges for this group of 'champions' relates to problems created by the movement and turnover of police personnel. Less than six months since their inception, SPOCs were already being replaced due to existing SPOCs either being promoted or moving post. Furthermore, some of the SPOCs were having to fit their restorative justice 'champion' role alongside a host of other commitments and responsibilities.

In addition to the work of the SPOCs, certain districts have been able to appoint a dedicated Restorative Justice Victim Engagement Officer – funded by the OPCC. Two districts (including Town D) have filled similar posts with a third (Town E) looking to follow suit.

2. Force-wide oversight and coordination of restorative justice within the police (including strategic commitment and leadership)

Significant progress has been made with regard to establishing more robust procedures for force-wide co-ordination and oversight, despite the traditionally high level of autonomy and identity expressed within each of the districts. In many senses, the timing of the research project was fortuitous in that it coincided with a number of internal developments and reviews that the OPCC and police were already committed to delivering. These included:

- Building on the initial work developed through the PCC's Ministry of Justice victims funding. This supported two rounds of developments of directly funding the five districts through their community safety partnerships (CSPs) to establish local hubs to promote opportunities for the delivery of restorative justice in relation to adult offenders. In the first round, all five districts benefited from funding to the CSPs. In the second round, two districts were provided with follow-on funding (although all were offered the opportunity to put forward a case for further funding).
- PCC resources were also used to employ a part-time coordinator to: (i) draw together lessons on progress made; (ii) review progress across the force; and (iii) provide recommendations on the future delivery of restorative justice. The report was submitted to the OPCC in spring 2016.
- The Police and Crime Plan for 2016-2021 committed the PCC to 'work with community safety partners to ensure restorative justice is available to all victims' (p. 20).¹¹
- In late 2016, a decision was taken to adopt a 'single provider model' across West Yorkshire (for which the provider will accept referrals from any organisation, including the police) and for the force 'to continue to provide a coordination role, training and developing and ensure referrals are directed to appropriate services'; and hence, move away from the five districts being directly funded to provide their own local services.

Some managers felt that the initial directly funded approach had been useful to help identify the challenges that exist within and between the very different districts:

It's enabled us to work through some of the blockages and obstacles so that we are now in a much better position in terms of our understanding of RJ delivery across West Yorkshire ... We now know a lot more about the obstacles and difficulties in the different districts. (W13)

One of the key barriers related to the 'differing degrees of enthusiasm and interest' in restorative justice across the five districts has been the varying levels of motivation and understanding – and hence investment and ownership - from the Community Safety Partnerships (CSPs). Some of the involvement and engagement from CSP members had been disappointing to those within the police and OPCC who were trying to coordinate across the force.

The recommendations from our first report highlighted, and brought into sharp focus, the uneven development and provision of restorative justice across the different districts and (in its

¹¹ https://www.westyorkshire-pcc.gov.uk/media/120614/police_crime_plan_2016_lr.pdf

recommendations) reinforced the need for greater force-wide coordination and oversight (Shapland et al. 2017a). The report had proved something of a wake-up call that the 'hands-off' devolving of responsibility and funds to the local CSPs was not producing the desired change and impact across all the districts. While some were developing innovative practices others were making little headway. According to at least one partner, a key driver going forward was to ensure greater consistency across the force in terms of the provision of restorative justice: 'to get away from the current post-code lottery' (W16) and to ensure a 'minimum provision and standards' (W14) across the force. Another commented:

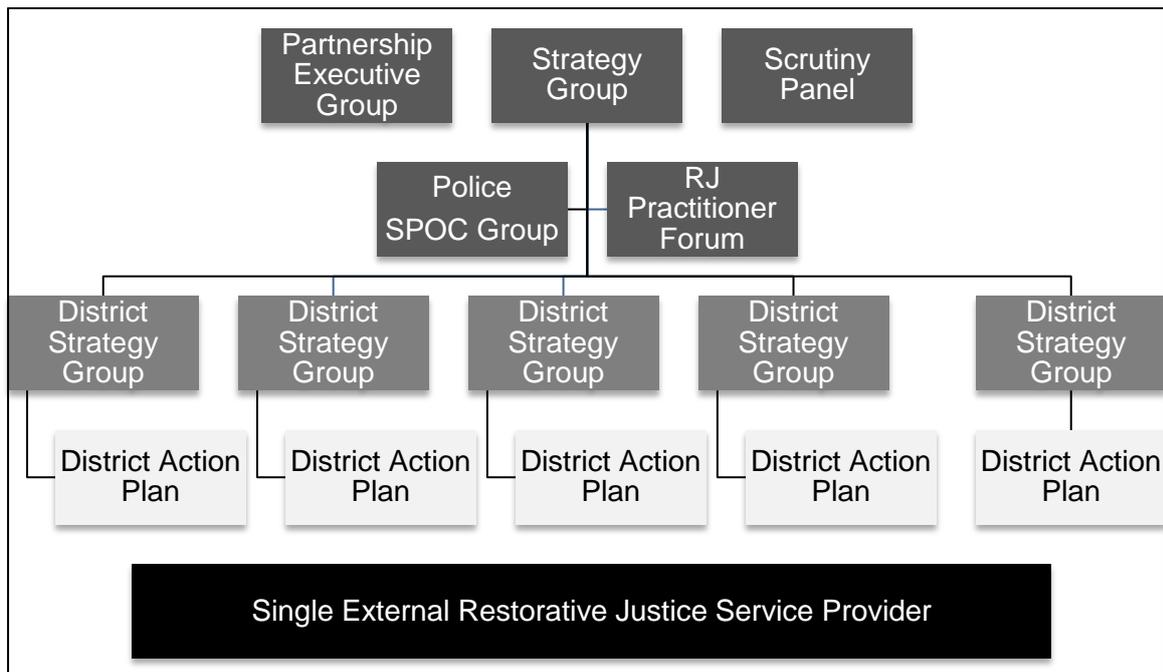
We are in a better place for restorative justice now than we were at the start of the [research] project and I think that the project has contributed to that, undoubtedly. It's not the only thing going on, but it's had a positive effect ... Progress may have been not as rapid as I would have liked but that's the nature of these things. We are a good deal further forward than we were when the work started. (W13)

In essence, force-wide coordination and oversight is now ensured through the following:

- The West Yorkshire Restorative Justice Development Project Strategy Group is a meeting for Community Safety Partnership leads across West Yorkshire. The Strategy Group meets quarterly, is chaired by the PCC, and includes representatives from the Community Rehabilitation Company, Victim Support, prison and police. Representation from the YOTs has also been secured for future Strategy Group meetings. It was acknowledged that the first report from this project (Shapland et al. 2017a) had 'helped highlight' that the relationship with YOTs with regard to the delivery of restorative justice was 'not as straightforward' as had been assumed. The Strategy Group aims to put victims at the centre, coordinate restorative justice at the West-Yorkshire level, improve referral mechanisms, identify gaps in provision, provide training and development, and enable routes to national accreditation. The Strategy Group has also engaged with the PCC's Partnership Executive Group which brings together leaders of the main criminal justice, community safety and policing organisations across West Yorkshire.
- A West Yorkshire wide Scrutiny Panel, which audits and reviews out of court disposals and began in 2017 considering restorative justice. It benefits from input from the various criminal justice partner organisations including police, courts, magistrates, probation (CRCs) and Children's Services. Although it only sees a small number of cases (approximately 32 per quarterly meeting), it also provides additional oversight. The Panel is explicitly asked whether they thought that specific cases were suitable for possible restorative justice. This enables the panel to ask why restorative justice had not been considered appropriate and was not being offered in certain cases.
- The West Yorkshire Restorative Justice Practitioner Forum is a meeting of restorative justice coordinators from across West Yorkshire, convened by the Restorative Justice Development Project. They meet every couple of months, to share learning, best practice and discuss difficult cases. YOT restorative justice facilitators from across West Yorkshire have recently agreed to join this group.
- Since late 2016, the police have appointed a lead 'single point of contact' (SPOC) in each of the districts. They meet quarterly to ensure coordination, consistency in terms of standards of delivery and the dissemination of learning and good practice.

The planned structure for delivering oversight and coordination, once all the components are in place, is broadly reflected in Figure One.

Figure 1: Force-wide structures for oversight and coordination



From late 2017, there will be a 'one-provider' model, for the whole of West Yorkshire, as a result of which one external service provider will be commissioned by the PCC to manage and deliver restorative justice in all five of the districts. The tender will go out to procurement and the successful provider is envisaged to start in April 2018, with existing arrangements continuing until then. The new model of appointing a single external provider, for a contract of 3 years with annual reviews and quarterly performance monitoring, was deemed the most appropriate given the learning to date as the following interviewee explained:

We've learned quite a bit over the years, since the OPCC has been commissioning work. We are taking a longer-term view, not simply year on year contracts but longer-term, with suitable monitoring and break points. We think that funding will remain pretty much flat until 2020 so we are planning on that basis and trying to move away from simply short-term funding. (W13)

A single provider, it was believed, would offer a degree of integrity, by involving a third party in the process to provide relevant expertise, experience and training to bear on the specialist provision of restorative justice. The use of an external provider was also justified in terms of acknowledging the cultural obstacles and skills limitations of police officers. One police officer explained the benefits of an outside provider (though the police would still need to ensure victims are aware of restorative justice, be able to explain it and with the victim's consent make the referral to the provider):

I don't think [the police] should be doing [restorative justice]. I don't think we've got the right skills. We're good at catching bad people, we're good at talking to people, and I don't think RJ is something, personally, that the police should do. I think that's something that should go to other agencies, because if we've been dealing with a bad incident, how then are we going to get people to open up to us? It's difficult to wear two hats sometimes and I think by passing it on to another agency actually takes the heat out of it. Maybe the schools' officers [might be an exception] ... I could see Neighbourhood Officers potentially doing it, dealing with problem-solving things, and I know we do it with neighbourhood disputes and the like, but I wouldn't want to see every response officer being expected to do restorative justice, because I just don't think they've got the time and I do think it's a different skillset that you need and it's more long-term problem-solving skills that I think they need. So I wouldn't want to see us taking responsibility for that, albeit we have got some people dotted around that would be able to deliver it, and should be able to, but I don't think, as a whole, the whole of RJ should come to us, just individual officers that have got the skills.' (W15)

Another officer commented similarly:

Having worked with [the Restorative Justice Manager], I can see how specialised that is ... So no, I don't think the police should do RJ in a sense of the conferences, there's nothing to stop an officer doing the practice, which is on the street, there and then, done and dusted, which is what it says, but they still need the days training to understand it. The ideal, for me - what does success look like - is that the police have the ability to ask the question and then there is a service provider to collect it at the other end and you have really strong partnerships that are developed and they work together, like a team, and that we have the ability to know how many that we are referring ... and that we have the good links with the partners or whoever is going to deliver it, so we know when we ask the question, we get a yes, we can hand it to somebody who is trained, who understands it, who can deliver it to the right level. That's what success would be for me. (W14)

Securing strategic leadership and commitment from senior representatives of key organisations has been seen as critical to ensuring progress. The buy-in and support from the PCC and the police Senior Command Team were identified to have been an important development during the period of the research, one that was assisted by the attention drawn to restorative justice by the research project as well as other developments - such as the Report of the Victims' Commissioner in 2016. One interviewee commented:

To be honest, before we started the project, [restorative justice] was not a priority for the PCC nor was it for the Chief Constable. That has changed. (W13)

The fact that an Assistant Chief Constable had restorative justice included in their portfolio was highlighted as significant progress. The same interviewee rated progress on senior buy-in with regard to restorative justice over the duration of the project as 'six or seven out of ten', but felt that there was still some considerable room for improvement, both with regard to both senior buy-in and implementation on the ground. Another police officer reflected on the progress made over the previous 18 months of the project:

So we've got the vision, we've looked at the common standards, and once you know where you need to get to, that's when you can plan your journey, you can plan with your action plans, you and get your strategy groups. I just don't think, 18 months ago, we had a structure in place and I think we've got that now. And moving forwards, I think once you've got the structure and the processes, the people almost fit in, as long as you've got your accountability. (W15)

Three key challenges were identified for the incoming provider and the continued coordination and development of restorative justice across the force. First, that all the existing partners, with their shared responsibility, need to remain committed to a common goal. The danger is that the external partner model may be interpreted as letting other partners off their responsibility for delivering and making referrals. Second, the level of senior commitment and support needs to be maintained. Some participants feared that, given the various competing priorities in policing, restorative justice may easily be squeezed and the spotlight brought by this project might wane once the project concludes. Third, the low take up of restorative justice as measured through referrals to the hubs remains a real challenge. Some feared that it is hard to justify the significant investment (in people, processes and resources) given the low numbers of restorative justice outcomes. If this does not increase significantly over the next year or so (under the new scheme), the sustainability of the investment will come into question. As one manager noted: 'Without a significant increase in the number of referrals it will be difficult to continue to justify the financial support, priority and commitment given' (W13). One of the SPOCs was more specific in suggesting that the current level of resource could not be justified on 'one per cent of one per cent of cases' (W17).

A number of police officers felt that relations between the OPCC and police had become much clearer and more effective, recently. However, they felt that it was ultimately the responsibility of the OPCC to provide the vision and direction in coordinating and leading the various partners in the delivery of restorative justice. Some saw one of the benefits of the research project as having demonstrated clearly the importance of PCC leadership. Moreover, as the commissioner of services (through funding) the OPCC – not the police – can hold partners to account when they are not delivering. One officer described this as follows:

I think it's about holding people to account and the police service can't hold other people to account because we're not in charge, whereas the PCC is like the spider at the middle of the web that can hold the police to account, they can hold the local authority to account, the prisons [and so on]. They are the Police and Crime Commissioner, so actually they hold all the partners to account¹² and it's a really difficult position to put the police in to say: "Can you hold all these partners to account?" and I think it's really focused their mind, to say: "The PCC needs to take this and all the other partners need to report in and link in with each other", but actually the PCC needs to be at the centre of this web and be the driver. So I think that's been quite useful for me, because I think the PCCs were thinking it's for the police to drive it. I'm certainly of the opinion that it's not for the police to drive it – we'll certainly help drive it – but we can't tell other organisations what to do. (W15)

3. Increase the take up of police-led restorative justice by developing efficient electronic administrative systems (which in the long term will be linked with piloting the collection of victim satisfaction data from adult offenders and victims involved in police-referred or undertaken restorative justice)

West Yorkshire Police and restorative justice hubs have explored a number of possible ways of using routine electronic administrative systems and processes for triggering an offer of restorative justice to victims and offenders.

The opportunities presented by completing the Victim Code requirements via the VCOPs (electronic system based on the Victims Code), at which occasion the officer makes an agreement with the victim how many times they will be contacted by the police during the course of the investigation, have been exploited by introducing a new mandatory restorative justice question for all officers to ask victims before they can proceed. Victims are asked: 'If the perpetrator is identified would you like more information on restorative justice?' Originally piloted in Town D, the plan has been for this to be rolled out across the force. However, there have been technical problems which have delayed this. Moreover, there has been some concern, from some restorative justice hubs/CSPs, that this might create an increase in demand – in terms of the volume of referrals - that exceeds the services' ability to deliver.

Each police district is now using *MyRJ* (complementary case management software designed for use by restorative justice partners) for collecting partnership data on the restorative justice cases referred to partners and their management. The (annual) licence is paid for by the OPCC, and this has recently been renewed for another year (2017/18), force-wide. The take up and use of *MyRJ* has only recently become expected practice and it is anticipated that it will become more so in the future. But as one police officer recognised, with regard to the systems for collecting performance data:

It's a work in progress and there isn't something that we can buy off the shelf that will fix it, because we're dealing with a police computer system and an external system, and the two don't fit. (W14)

Other districts' restorative justice providers were at the time of the research trying to get access to Niche, the police software, whether in relation to selecting cases or finding out more information about referred cases, in the way that Town D had done – although they were experiencing problems with data sharing and data sharing protocols would need to be developed.

The West Yorkshire pilot to provide training to the force-wide crime management unit staff, to encourage them to identify and make appropriate referrals, however, did not prove a success (see this section above). In large part, this was due to the fact that it was not felt appropriate to raise victims' expectations so early in the process, as well as other demands on crime management unit staff.

In relation to restorative justice, victim satisfaction has been identified as an important driver of restorative justice and a key factor in terms of making the case for the continuation of funding. There

¹² Legally, of course, though the Chief Constable is accountable to the PCC, other agencies are not, though the PCC may be able to exert leadership and develop the relationships needed to ensure a consistent response across the area.

will be an emphasis on the single external service provider evidencing victim satisfaction and the *MyRJ* recording system allows for its collection. At present, these data are collected in Town D and collated via *MyRJ*. The plans are to use *MyRJ* to assist in providing victim satisfaction data across the districts.

5. Concluding discussion: the lessons and implications of the research findings

Evident from this research – and echoing familiar findings across the research literature – are (at least) three salient messages. First, the obstacles to change in police organisations are wide-ranging and significant, many of which are embedded in processes internal to police agencies (Skogan 2008). Both active resistance and more passive inertia, and reaction, occur at various levels of the police organisation; from mid-level and senior managers, through front-line supervisors and rank-and-file officers. The challenges of implementing community policing and problem-oriented policing – over many years - testify to the difficulties of organisational change in the police (Skogan 2008; Sparrow 2016). Second, the implementation and take-up of restorative justice in policing (and criminal justice more widely) has proved stubbornly difficult to realise - even where supported by a conducive environment, robust structures, adequate resources and training, and dynamic leaders. This was demonstrated and reinforced in the findings from the comparative phase of research from this study in Northern Ireland and Belgium (Shapland et al. 2017b). Third, where innovations rely on policing partnerships with other (external) agencies, communication weakness, difficulties in information sharing, inter-agency misunderstandings and failings of cooperation, as well as competing inter-organisational priorities, working practices and divergent cultures, can also stymie successful change. One of the key questions from this research is whether restorative justice introduced or delivered at the level of the police - our focus here - necessarily involves the police working with partners or whether it can be done by the police alone.

Within this research, we have made a distinction (also made by HMIC 2012) between restorative justice facilitated by the police themselves, normally by the individual officer responsible for the case, involving consultation with the victim and offender and a relatively informal process with few visits (often called street RJ), and a longer process, possibly facilitated by the police or by external service providers to which the case is referred (voluntary sector restorative justice providers, YOTs, community justice panels) and which may involve conferencing (a meeting of all parties) or indirect mediation (or 'shuttle mediation', which involves the exchange of information between parties other than in a direct face-to-face meeting). Typically, street RJ ends in the case having a police disposal (community resolution, caution) or no formal action being taken against the offender (though there may be informal intervention, e.g. by YOT staff). Conferencing and mediation may result in a police disposal. Alternatively, they may be undertaken in parallel with formal criminal justice processes of prosecution, conviction and sentence. This research indicates that police officers' views of the delivery of restorative justice tend to concentrate upon the suitability of the case (and offender) for restorative justice in relation to police disposals, with little realisation that their actions will impinge upon its availability in parallel with formal criminal justice processes. The focus tended to be on the offender and the offender's suitability, rather than on making the offer of restorative justice to the victim (with the victim deciding whether they wished to take it up) or on victim needs. In other words, officers give limited consideration to how they might introduce the idea of restorative justice at an early stage in the process, thus laying the basis for it to be taken up later and facilitated by others.

The research originated due to the perceived gaps between the position set out both in the Victims' Code (Ministry of Justice 2015) and EU Directive on victims of crime (European Commission 2012) and the practical experiences as revealed both by previous research (e.g. Shapland et al. 2011) and the thematic inspection conducted by HM Inspectorate of Constabulary (2012). The Victims' Code provides a legal entitlement for victims to be given information about restorative justice (and, where the offender is a young offender, to be offered an opportunity to take part) and puts the responsibility for providing that information on relevant service providers, in this case police forces and PCCs. The HMIC report showed that, though there had been a significant increase in the use of restorative justice by the police, there were 'inequalities in the service provided to victims and offenders: there were inconsistencies in the use of RJ – not only between criminal justice agencies but also within agencies from one area to the next (2012: 7). Our first report indicated that those inconsistencies did indeed exist in and between all three of the forces that are the focus of this research (Shapland et al. 2017a) and that, though there was significant impetus at policy levels to provide a more consistent and more widespread service, it was not absolutely clear how this was best done within the police service and with partners. The initiatives outlined in this report should therefore be seen as

experiments and pilots which drew on what was known about change and successful initiatives in policing (including in relation to topics outside restorative justice) to improve the service to victims within the three force areas and to point towards force-wide strategies for the future.

The combination of the three factors described above renders seeking to promote the greater take up of restorative justice within policing and increased use of restorative justice at the level of the police a genuinely challenging enterprise. For the purpose of this study, the very short timescales during which the novel initiatives and experiments, reported here, were implemented and their (initial) impact observed (approximately three months), somewhat constrains the judgements and wider implications of success that might be drawn. Significant impacts will need to be monitored and evaluated over a longer period of time to assess the sustainability of any initial positive changes that have been detected and discussed in the preceding chapters. Nonetheless, the diverse range of initiatives considered in this study highlights some of the different means of promoting restorative justice in policing and the various points within police (and pre-court prosecution) processes at which interventions might fruitfully occur to foster both the greater use of restorative justice by police as a means of crime-related problem-solving and increased referrals to specialist providers of restorative justice. From early initiation at the point of an offence, via street RJ – or in a schools context, ‘corridor RJ’ – through various referral systems, victim contact, community sanctions and diversionary schemes, to post-hoc case review, the various experiments across the three forces have sought to encourage greater take up of restorative justice with differing implications for learning.

1. Fostering change at the front-line

A victim-sensitive approach to restorative justice emphasises core principles, values and expectations that are different to, and sometimes at odds with, established policing practices, priorities, thinking and ways of working. Business as usual for most police officers is not aligned with a restorative approach nor is it always particularly sensitive to the needs of victims. Despite the fact that restorative disposals constitute crime outcomes, the existence of a strong performance culture that emphasises detection, prosecution and conviction is likely to hinder restorative justice. Whilst being a hierarchical, ‘command-and-control’ organisation, significant discretion resides at the front-line, often exercised in situations that are not easily subject to transparent review. For as James Q Wilson (1968: 7) put it (some time ago), ‘The police department has the special property ... that within it discretion increases as one moves down the hierarchy’.

Moreover, the police often exhibit significant organisational and cultural differences between senior commanders, middle management and the front-line. As was sometimes evident in this research, the differing meanings, interpretations and rationales provided for restorative justice are often understood and expressed somewhat differently at different levels within the organisational structure. Stockdale’s (2015) research suggests that whereas at senior command level restorative justice tends to be interpreted as a *philosophy* through which to influence responses to crime and styles of policing, by contrast among middle managers restorative justice is seen as a *practice* to give victims a greater voice and hold offenders to account and finally, among front-line officers it is viewed more as a *process* to repair the harm caused. For Stockdale, this does not mean that front-line officers did not understand the philosophy of restorative justice but rather that their predominant focus was on practical questions of how to do it. Whilst our research did not find such stark differentiation (some front-line specialist practitioners were well versed in and keen to promote the broader philosophy of restorative justice as widely as possible, for instance safer schools officers), there were clear differences in emphasis on attributes and limitations of restorative justice across different managerial levels reflecting different concerns for the operational and strategic dimensions of restorative justice. These somewhat different hierarchical interpretations certainly can result in inconsistent messages within the police organisation. Moreover, in our research, it also resulted in slightly different understandings between the police and the Offices of the PCC whose rationales often aligned firmly with political concerns for victims of crime.

Management guru, Peter Drucker, is said to have coined the aphorism ‘culture eats strategy for breakfast, lunch and dinner’. Studies have long shown that not anchoring change in the organisational culture is a major factor in why transformation efforts fail (Kotter 1995). As a generalisation, this is as applicable to policing as is it to other fields of organisational management. Significantly, volumes of policing research have highlighted the stubbornness of police culture in the face of intentional organisational transformations (Reiner 2010). Some time ago, Chan noted how change in policing is

frequently resisted if it 'challenges existing definitions of the problems, if it makes officers feel more vulnerable and their work less predictable, if it deviates from the accepted methods of how their work is to be accomplished, if it does not accord with "commonsense", if it violates their collective values, and if ignoring the change has no consequences' (1997: 235). However, police culture is often (mis)understood as both overly-homogenous (with less attention to differences between hierarchies and specialist sub-teams within the organisation) and in a negative light as constraining innovations and change, as well as having problematic implications for the ways officers interact with members of the public. Less regard is sometimes given to the ways in which police culture, as a dynamic force through which shared experiences, expectations and behaviours are interpreted and given meaning in strong group identities, can foster positive commitments to goals aligned to restorative values and principles. Culture as a dynamic of situated learning can evolve out of and through everyday practices as professionals seek to negotiate and manage the problems and people they encounter in the context of their work. Moreover, where organisationally supported, shared identities can harness strong motivations and un-tap existing propensities among officers that align with desired goals. This is particularly evident where officers feel that they are treated in organisationally just ways by managers and supervisors – where they are given a voice in programmes of organisational change and where decisions are made fairly and communicated openly and honestly to them (Bradford et al. 2014). This is especially salient in the context of ongoing current reductions in policing budgets and staff.

Getting officers to do new things/change their pattern of work

Commencing and increasing the use and offer of restorative justice means encouraging more front-line officers to contemplate offering or using restorative justice – i.e. changing away from 'business as usual' - when they have been doing their own work quite happily without it previously. This means disrupting their established ways of working and existing routine assumptions. This highlights the importance of changing the mind-set of officers and ensuring that they do not simply default to traditional and more familiar procedures and ways of doing things. Without disruption of some kind, officers (like all other professionals) will carry on using their discretion in usual, routine and set, default ways. Where reforms prompt concerns over taking on more responsibilities, losing control or authority, and undermining (or getting in the way of) core arrest and crime-fighting functions, these can all serve to put off front-line officers.

For new ways of working to be readily taken up and embraced, they need to work with (rather than against) the grain of officers' existing skills, competencies, motivation and commitment. Those front-line officers whose work and practices are more aligned with the perceived purpose, ethos and processes of restorative justice are more likely to adopt such new practices than those furthest removed from them. Officer motivation is central in driving and delivering organisational change (Bradford et al. 2014). Officers need to see how it conforms with, or advances, their wider world-view of their role and work as a police officer. This may be easier for some officers operating in certain specialist units of policing, for example, safer schools officers, who might better understand the ways in which restorative justice fits with their problem-solving and preventive work with young people (both possible victims and offenders) in schools.

Some police identified restorative justice as an approach to problem-solving as very different and contrasting with their routine ways of working and principal practices of police work – collecting evidence, investigation and processing offenders. During the routines of normal duties and practices it can be difficult for individual officers to adopt a different (new), and often contrasting, approach to problem-solving and find the sufficient 'head space' (time) to do so. Moreover, some felt that 'wearing two hats' can be both difficult for officers and can be seen as confusing for victims and offenders.

Hence, a key issue that constitutes a stumbling block in fostering restorative approaches within the police organisation is the question of police discretion – but not simply in the sense that the police have too much (unfettered) discretion as the core problem. For most front-line officers – in reality and practice – their discretion to deal with the exigencies of the situation they confront as first responders or front-line officers normally, more often than not, results in a reversion to the norm by way of 'business as usual'. Moreover, attempts to limit or control discretion (in the name of promoting restorative justice or otherwise) can result in resistance and reactance that is not conducive to the advancement of restorative principles or values. Frequently, what is required is not 'unthinking compliance', but rather the thoughtful and creative use of discretion that prompts problem-solving,

prevention and a sensitivity to the prospective treatment of victims (across their engagement with the criminal justice process). This creative application of discretion may be facilitated by self-reflection and situated learning through experience.

Given their policing role within the organisation, different front-line officers are likely to be more (or less) receptive to the implementation of restorative justice (both doing it themselves and referring to others), depending on the extent to which their role aligns with such principles and allows or encourages creative problem-solving – i.e. encourages them to move beyond the default of 'business as usual'. In our research, this was most evident among safer schools officers and some (pockets of) neighbourhood officers/PCSOs where their roles aligned more easily with greater problem solving, prevention and a future orientation (rather than moving on and putting the case to bed as quickly as possible). By contrast, this was least evident among many reactive, response officers. Whilst individual officers undoubtedly have different dispositions towards restorative justice as a philosophy, our research suggests that organisational roles and shared identities matter as they help shape everyday practices – i.e. what comes to constitute the 'business as usual' norm.

These processes of reflection and the values that attend them are more likely to be enabled and sustained among front-line officers where they permeate the police organisation more broadly – as part of a culture of learning and problem-solving – i.e. where officers are encouraged to take time to think and to solve problems in ways that are not too dissimilar to Herman Goldstein's (1990) aspirations for 'problem-oriented policing', focused more on the ends of policing than the means of policing. Furthermore, they are likely to be supported by organisational environments in which such values are shared and communicated throughout the organisation at senior management levels, among middle managers and at the front-line. Hence, discretion is not itself the obstacle to implementing restorative justice in policing. Rather, there is a need to enhance the capacity of officers to use their discretion in particular ways that are conducive to restorative values and victims' needs.

Nonetheless, simple processes and procedures (electronic systems, referral routes, etc.) are also necessary to foster restorative intervention and facilitate referrals. Otherwise busy officers will avoid overly clumsy or bureaucratic processes and revert to the normal means of policing. Moreover, fostering compliance with the Victims' Code – namely the duty on police officers to inform victims about restorative justice in the first place – may be much more susceptible to influence through forms of 'constrained discretion' (as, for example, with the very similar requirement to inform victims about victim support) and does not necessarily require the same problem-solving outlook.

Paper-based referral systems were seen by officers as often involving the duplication of work and, as such, were perceived to be overly bureaucratic and time-intensive. Officers stated that an electronic system, accessed via a smart phone or other mobile device at the time of the offence, would significantly help to increase the speed at which they could conduct restorative justice-based disposals and make referrals to the relevant agencies (YOT/restorative justice provider). Such electronic systems of prompting and referral were being piloted in more than one of the areas. However, such an approach requires appropriate funding, both initially (in terms of setup costs) and beyond (in terms of maintenance and monitoring), with one area highlighting a number of (mostly technical) teething problems. Moreover, the existence of easier, electronic referral systems, in themselves, does not necessarily lead to their greater use. In one area a 'one-click' referral button to a restorative justice provider was so simple it was, paradoxically, easily ignored/overlooked by staff (some staff were unaware it was there). At the time of the research, it was too early to assess the effectiveness of these approaches or why, in cases where a referral for restorative justice was not made, this decision was taken. However, it is clear that simpler (and more electronically-based) referral systems and information cards/leaflets (as used in South Yorkshire) are important both to promote and sustain change. They are not though a complete solution – officers also have to believe that making such a referral or providing the information is their job (and a proper police task) and supervisors have to monitor whether the electronic means are being used in relevant cases. The difficulties in making referrals to other agencies are reminiscent of earlier difficulties in relation to referral to victim support, much of which had to be circumvented by 'automatic' referral of categories of offences. The position in relation to restorative justice though is more complicated, as we discuss below, because there is no obvious 'category' of offences for restorative justice for which all will be suitable.

As found in many other evaluations (Iivari et al. 2009; Shapland, et al. 2011), more paperwork is likely to result in fewer, not more, restorative justice referrals. If the restorative justice path is complicated by imposing additional burdens on officers via difficult recording procedures - often involving the duplication of work they have already done - then it is unlikely that restorative justice will be the chosen path followed by officers.

Training

Restorative policing is seen by many officers as a significant cultural shift away from (current prioritisation of) core police business that promotes rapid response and reactive investigation. By contrast, restorative justice is more harm-oriented and victim-focused, requiring reflection, empathy and negotiation skills. It expects officers to have the courage and confidence to intervene and use their discretion in problem-solving ways that are frequently more informal and lacking in strict legal direction. As such, training is seen by officers as essential before they can put restorative justice into practice; to increase confidence, to map out the broad legal framework and to promote the necessary professional shift in orientation and practice. As Alarid and Montemayor (2012: 458) note with regard to implementing restorative justice in US police departments: 'organisational learning is a necessary component of change ... individuals within organisations must change their old ways of thinking, overcome defensive routines, and engage in incremental change'. Accordingly, training is a basic element of formal organisational learning and the requirement to train officers in what is restorative justice and how to do it within their day-to-day work was seen as crucial in all three forces, both at senior level and at the front line. Perhaps more than in other professions, the need to receive a training input **before** trying to undertake restorative justice was emphasised – and so training in restorative justice as an initial step figured strongly in all the initiatives we were evaluating.

Training was also seen as important given persisting uncertainties and misunderstandings about restorative justice, what it entails, what its parameters are and how it should be delivered, as we highlighted in our first report (Shapland et al. 2017a). This of course parallels public uncertainty about restorative justice. Many officers felt that restorative justice is often (mis)used to cover a variety of practices and sanctions and that this adds to wider confusion among police and the public. Indeed, many participants in this research were of the opinion that restorative justice not only needs to be promoted throughout the police, to improve officers' knowledge and awareness, but that it also needs to be publicised and advertised more widely to the public, to raise their awareness of restorative justice as an option that (where appropriate) is available to them.

It is clear from our research that restorative justice training had not previously been a part of initial recruitment training in all the forces. Whilst it has been introduced more recently in some forces, this remains limited in coverage and content. More broadly, it is not clear to what extent any entry-level training locates the provision of restorative justice within the broader context of problem-solving or problem-oriented policing, crime prevention or a victim-oriented service. Furthermore, there is some evidence that current initial training and teaching methods do not provide sufficient opportunities for officers to interpret their role in flexible ways and foster critical reflection. Situating and justifying restorative justice within a broader philosophy of Peelian principles and contemporary policing goals may help ensure alignment with officer recruits' core personal motivations for joining the organisation.

Our research suggests that the requirement set out in the Victims' Code of Practice - that victims should be given information about restorative justice and how they might take part - had not filtered throughout the police organisations. Simply put, there was no widespread acceptance that restorative justice (or at least the offer of and information about how to access restorative justice) is seen as a fundamental police responsibility or part of the job. It is not clear that there is uniform understanding of the requirement or that this is built into and emphasised within basic and subsequent training.

It is vital that more is done to ensure that, across the police organisation, there is greater awareness of the Victims' Code requirements and appreciation that fulfilling this duty is a police responsibility at various points in the victim's journey through the criminal justice process. To this end, it is imperative that police training (especially any training packages or material produced nationally by the College of Policing, but also local police force initiated material and training) clearly reinforces the duties on service providers to discuss restorative justice with victims and facilitate subsequent referrals or police action on restorative justice.

Our evaluation of the initiatives in the three forces shows that those who had benefitted from restorative justice training generally appreciated and valued it. Officers and staff felt that they understood more about restorative justice from the training - especially where roleplay elements were integrated within the training, as was often a feature of restorative justice conferencing training. It was noted that officers felt they would benefit from meeting, or hearing from, actual victims of crime who have been through restorative justice and derived benefits from it, as well as the experiences of other officers who had delivered, or referred cases for, restorative justice. Although some of the training observed was highly engaging with high levels of active participation from trainees, other training sessions (typically those that were shorter, and more concerned with referral to an external agency, as opposed to facilitator training) were somewhat 'dry' and 'abstract', and not always sufficiently engaging to 'motivate' or 'inspire' officers. Providing officers with examples of real-life stories and experiences might prompt some meaningful thought and careful consideration among those exposed to them through training. Moreover, some of the training programmes appeared more generic, and 'off-the-shelf', rather than tailored to the needs of the particular pilot or initiative that it was seeking to inform, or those of police officers in the context of policing.

Generally, the response from officers to the experience of training was positive rather than eliciting rejection or resistance – even though the training might be encouraging them to change their practices or desired case outcomes. Training on restorative justice was seen as needing ongoing provision rather than a one-off event. It was recognised that shifting police culture is unlikely to occur following one single training course. Moreover, restorative justice demands different levels of training depending upon the involvement of officers in its offer and/or delivery. Given that restorative justice remains in a developmental state within policing, practices and procedures (e.g. referral routes, forms) are likely to change, thus necessitating periodic update. In addition, police officers frequently move to other forces, meaning that not only will forces lose officers trained in restorative justice, but will also gain officers who are not (in addition to new recruits).

However, there was some evidence that some of the messages from training, over a period of time, have been confused. Where at one point in some forces the emphasis was on the application of restorative justice only for low level issues, this communication subsequently changed to one in which restorative justice may be attached to a Community Resolution and can be requested at any stage (i.e. can be parallel to prosecution or after sentence). Response officers felt that they needed clear, up-to-date guidelines about when and where restorative justice can be done by them themselves or cases referred to external providers. Officers wanted good quality, and meaningful, training delivered by accredited trainers. Follow-up paperwork with clear and concise information would also consolidate learning.

Training alone, however, is not enough to get officers to use the new techniques and embrace new procedures to make the offer of restorative justice. Officers need to have sufficient confidence to use their own judgement to offer restorative justice, to try it out themselves or to refer it to others to do. Aligned to this, officers need to feel that restorative justice is something that is a part of policing and their own job to promote; that it is something they are supposed to be doing. Both of these require other input, which has sometimes happened in these initiatives, and sometimes not. They also need appropriate funding, resources, processes, systems and mechanisms to facilitate the above.

The perceived need for training and feelings of insecurity without such training – expressed by both front-line and more senior officers - actually contrasts with their 'just do what you can' attitude to the complexities and challenges posed by dealing with jobs to which they are sent to interact with the public. It may be that the sheer heterogeneity of work with a largely unknown public - exacerbated by very recent institutional effects of decreases in neighbourhood policing so that officers may have less personal contacts with the area they are policing and so be more nervous as to what would be acceptable outcomes to cases - has produced a certain timidity and concern about not doing the right thing (in a risk-averse organisational culture), which means officers cling to what they have mostly done before; the safe, tried and tested routines of case processing. On the one hand, front-line police draw on their 'craft' skills in the context of uncertainty – what Bittner (1970: 46) described as their 'intuitive grasp of situational exigencies' – on the other hand, however, they feel that their discretion is circumscribed by their uncertainty and their ability to solve problems creatively is constrained.

The effects of the research process

It was felt by many involved in the research project, that its very existence and participatory framework as a vehicle of learning, produced benefits at an operational level, in terms of engagement (as well as generating an organisational spotlight and priority focus on the delivery of restorative justice). Engaging front-line officers in the processes of innovation and experimentation, as well as their evaluation, can provide practitioners with a stake in new ways of working. The participatory action approach to research, adopted throughout this project, explicitly sought to engage operational police in shaping new practices that advanced a principled approach to the offer of restorative justice (at different stages and through diverse processes), in ways that are attentive to the needs and interests of victims of crime. As such, those practitioners charged with applying and using the research, and applying the learning from it, were themselves actively involved in building the evidence and knowledge base. In this way, rather than research and evaluation conceived as a distanced and linear process, they become co-produced, reciprocal and negotiated processes, whereby policing professionals 'become knowledge producers as well as evidence users' (Crawford 2017: 204). Participation in knowledge generation, experimentation and the process of change can foster ownership. As with effective training, it can provide valuable opportunities for personal growth and learning.

Police officers can be cynical about certain research experiments, their aims and the merits of research more generally, as other have highlighted (MacQueen and Bradford 2016). Moreover, these perceptions can combine with wider suspicions of managerially driven change, leading some to react to attempts to encourage the offer of and use of restorative justice and to downplay the relevance of principles that inform victim engagement and restorative justice. Our focus groups with front-line officers provided some limited evidence of this but, generally speaking, there was a positive reception to the idea and ideals of restorative justice and to the focus of the research on restorative justice. Resistance appeared less overtly ideological or principled (e.g. this isn't policing; it's someone else's task), but rather more pragmatic and personal. We as researchers think this acceptance in principle (though with some cynicism about possibilities in practice) is founded on judgements about situational context, appropriateness, legitimacy and group identity, as well as alignment with intrinsic motivations (i.e. yes, restorative justice and enabling victims to access it if they need it is a proper thing). We are saying that instrumental rewards and sanctions are by themselves insufficient to change police practice, but that restorative justice (at least in some cases and respects – see below) passes the test of being 'proper' to front-line officers. Part of this was about helping victims and part about the potential of restorative justice to decrease reoffending amongst those offenders who officers thought might have the potential to change (officers did not seem to be aware of the potential of restorative justice to change more persistent offending by adults). This is not to suggest that instrumental incentives do not matter, they clearly do. The pressures that officers perceive themselves to be under - to respond to service calls, move on to the next job and leave earlier cases behind - are clearly linked with regimes of performance management.

Hence, making referrals and processes easier to action, in both instrumental ways and by enhancing officers' perceptions of organisational fairness and legitimacy – in ways that only require small 'nudges' (Thaler and Sunstein 2008) – can help embed restorative justice into the fabric of the organisation. As MacQueen and Bradford (2016: 23) note:

Sufficient 'buy-in' from officers on the ground is critical, and coercive direction inadequate to achieve this. Achieving buy-in and fostering open environments conducive to new practice requires substantial change in internal, and external, approaches to undertaking and implementing policing research, experimental or otherwise.

There is some evidence to suggest that police officer motivations are associated with their perceptions of the fairness of both their immediate supervisors and the organization as a whole, and that those officers who feel more emotionally attached and loyal to their organisation are more likely to say they are ready to take on discretionary activities, and feel more confident and empowered to use their own initiative (Bradford et al. 2014: 123). The organisational justice literature suggests that police culture, informed by positive shared identities based on a culture of cooperation and fair process, can influence the ways in which officers interact with victims, offenders and members of the public (Skogan et al. 2014).

The widespread understanding and take up of restorative justice across the police organisation may require a more fundamental shift in the ways in which the police embrace and ensure internal organisational justice and reform, such that values aligned with restorative principles of procedural justice, problem-solving and prevention are more central goals that permeate across the organisation (including in its internal dealings with its staff). Such a transformation to a model of a restorative organisation will undoubtedly require wider structural and procedural changes (McLeod 2003). This research suggests that similar challenges are presented with regard to reorienting policing to the expectations, needs and interests of victims (Shapland 2016).

2. Promoting the offer of restorative justice by giving officers greater confidence

Fostering confidence among front-line officers to embrace new ways of working is important in moving forward change within policing. Where the environment has previously clearly used restorative justice, or others are using approaches conducive to restorative justice (such as problem-solving, community engagement or problem-oriented policing), officers are more prepared to try to initiate restorative justice, where supported to do so (through appropriate funding, resources, processes, systems and mechanisms to facilitate this). This is most obvious in the example of the safer schools officers (in West Yorkshire). However, what this example also illustrates is the fact that this support may extend beyond the police themselves. Restorative justice work among safer schools officers benefited significantly where the school itself was favourable to restorative justice and restorative practices were more broadly accepted within the school culture and organisation. By contrast, it was rendered more difficult where the school's disciplinary ethos was more punitive and the school management looked to the police to punish offenders on their behalf. Nonetheless, even where schools were less supportive or accommodating of restorative justice, safer schools officers – given their role and relative autonomy – still had the scope to explore the potential of restorative justice.

Leadership throughout an organisation – at the front-line, middle management and senior command – is important in providing a clear vision and sense of mission, and in driving forward change. It enables the construction of a 'powerful guiding coalition' (Kotter 1995) as a resource for promoting change by allocating responsibility and authority to designated individuals to identify and seek to work around or remove obstacles to the vision. Within our pilots this operational leadership role was accorded to a designated 'single point of contact' (SPOC) or 'RJ champion'.

Having an RJ 'champion' or SPOC of relatively similar, or the same, rank (e.g. sergeant or constable or even PCSO) was said to be a significant boost to increasing confidence in officers to try to use restorative justice, or at least initiate a conversation about it. This is because officers felt more supported and encouraged to do so, and able to ask for, and access, advice on cases. The 'champion' can become the 'go to' person to provide advice, counsel and assistance where and when needed and provide a human face to the promotion of restorative justice work within the organisation. They can also become a conduit for good ideas, shared learning and problem solving in relation to improving support for restorative justice, particularly where a supportive network of SPOCs/champions is brought together periodically to share good practice lessons and ideas for experimentation (as in West Yorkshire). Furthermore, individual SPOCs or RJ champions need middle management support and lines of responsibility upwards within the organisation. Otherwise, they could easily feel isolated in their work, which may be overtaken by the demands of day-to-day management and more urgent priorities. Commitment at the highest level needs bridging and support within the organisation if it is to mesh with and inform the work at the front-line.

Fostering self-reflection by officers about their work and the scope for restorative justice in everyday cases can also provide a valuable means of encouraging confidence and greater use of restorative justice. In this vein, safer schools officers' recording diaries provided learning opportunities and prospects for reflection, prompting possible individual level developments. At the level of the organisation, case review processes and scrutiny reviews (such as those in Humberside and South Yorkshire) also provide opportunities to reflect upon what is and what is not occurring (after the event) in individual cases, as well as the nature and quality of restorative interventions and sanctions. These, however, are limited in that they are *post hoc* and only relate to a relatively small number of cases rather than routine, everyday practices. Nonetheless, they reinforce the need to develop and provide

robust mechanisms for accountability and regulation (Shapland et al. 2011). Collecting routine victim satisfaction data can add to and inform this oversight of process.

However, the police making restorative justice referrals to other agencies outside of the police, our findings suggest, seems to be problematic both to initiate and require continuing work to sustain, particularly when there are few downsides to not making the referral. This appears to be the case even where the external organisation is seen as a relevant and trusted partner (e.g. council panels for neighbourhood disputes or community safety partnerships). It also seems to remain difficult even after a considerable time, when partner agencies are well known to each other and used to working together (for example, in Belgium: Shapland et al. 2017b). While fostering confidence in the police as to the benefits of referral and the skills and competency of the external service provider are important, they are not, of themselves, sufficient to foster a judicious flow of referrals. It is important to appreciate that this is not solely a UK problem, nor confined to restorative justice, nor confined to the police. Multi-agency or partnership working is always difficult compared to working within the same agency, because priorities, resources and cultures vary between agencies (see, for example, findings on multi-agency working on vulnerabilities cases or on young people in difficulties: Atkinson et al. 2005, Edwards et al. 2009). Hence referral, particularly referral where the case is likely to return to the referring agency (e.g. if a police officer or prosecutor has to 'sign off' what the second agency has done) will always need willingness to cooperate and take a little more time on both sides. In times of austerity or pressure of demand, that willingness may be more stretched.

The kinds of factors that make inter-agency working (and referrals) easier include:

- Where there is joint decision making on cases and joint responsibility (e.g. on risk in relation to VISOR and MAPPA cases: Kemshall and Maguire 2001, or the triage system for young offenders in Northern Ireland: Shapland et al. 2017b)
- Where cases do not have to be 'kept on the books' while the agency to which they have been referred is working on them (e.g. the South Yorkshire pilot on cases referred to the YOT effectively being transferred to the YOT)
- Where partners are co-located (e.g. the Hub in South Yorkshire, or the emerging arrangements for REMEDI to be co-located in Humberside)
- Where personal contacts can develop because a coordinator or liaison person regularly attends shift briefings or meetings.

3. Seeing restorative justice as a part of policing and the job of the police

The study findings suggest that most response officers, whilst aware of key policing priorities, did not see restorative justice as a priority or related to any aligned priority (i.e. responsiveness to victims' needs). Even though the pilot initiatives were agreed by senior officers and assigned to specific (sometimes geographically small) locations, which became the focus of targeted efforts, many officers in those areas did not believe that initiating or conducting restorative justice (i.e. making the offer or checking whether others were making the offer) was part of their job (notably, in some cases, those staff were not aware that their station was involved in a pilot project). There was little recognition that it is a police duty, under the requirements of the Victims' Code of Practice, and that this has implications throughout the organisation. Even where officers and staff knew about the Victims' Code, and had received training about it, they still did not necessarily identify this as their responsibility.

Data from some of the focus groups reflect the manner in which front-line officers were almost entirely focused on offenders and the outcomes for them. This stemmed from a perceived need to manage their own workload, expressed often in terms of how they could 'get rid of cases' and 'move on' – so that a particular case was not 'hanging around' on the officer's workload. For many officers, the main question relating to restorative justice eligibility was whether or not the offender qualified. Little priority or consideration was being accorded to victims and their needs, interests and wishes – even though many police decisions on non-prosecution outcomes are supposed to require consultation with the victim or victim consent.

Front-line staff appeared to hold a very time-sensitive view of their role, which seemed to be confined to the time-span whilst they are attending an incident, before moving on to the next case/job from

police control. This left little space for consideration of the offer of restorative justice. Moreover, this mind-set, traditionally found in response officers, seemed to have expanded to cover all responding officers. These responsive pressures may well have been fuelled and exacerbated by reductions in the numbers of dedicated neighbourhood police staff associated with police budget restrictions resulting from austerity measures. Fast responses appeared to be preferred over considered or most effective outcomes across all three forces. In South Yorkshire and Humberside, changes back to neighbourhood policing had not yet occurred at the time of the evaluation. In the focus groups officers talked almost entirely about restorative justice being provided during the time span of the initial response to the call, rather than restorative justice being mentioned or offered for it to be taken up later. This myopic outlook has considerable implications for referrals, which become increasingly problematic, because referral means thinking about the future progress of the case. Our research suggests that too often officers did not seem to believe that a foresighted, longer-term approach was their responsibility (unless the file was returned to them, though of course this would exacerbate workload pressures and cause some disgruntlement). Such a mentality provides barriers to problem-solving through restorative justice as the focus 'is designed to *remove* problems, not *fix* them' (Hines and Bazemore 2003: 416, emphasis in original).

On the basis that different people – notably victims, but also offenders – are likely to be receptive to the idea of restorative justice at different times in their journey through the criminal justice system, it is important both that the offer of restorative justice is made (and information provided) at the outset, by the attending police officer(s), and that this is then subsequently revisited and reiterated at various points throughout the process. This research reinforces earlier findings about the prevalence of misplaced assumptions that there is a particular point in time at which victims should be offered restorative justice, thus rendering it somehow problematic to offer it at different stages of the criminal justice process (Shapland et al. 2011: 183).

Officers' decisions on what the disposal of a case may be (in terms of which of the official police disposals should apply) are actually relatively unconstrained and discretionary. However, there are other rhetorics and views about punishment which seemed to have become ingrained into organisational structures, e.g. the retributive justice view that disposals should be governed entirely by the perceived police view of the seriousness of the offender's conduct. This retributive view can become dominant if it predominates in scrutiny panels or the work of police departments checking disposals and evidence. The organisational consequences of going against these rhetorics (files coming back, telling off) are felt to impinge on officers, so it is 'easier' to turn to the more 'repressive' and 'familiar' path (prosecution, caution). This may explain the lack of community disposals in Humberside over time (as data from the PNC showed). Any action which promotes a less restorative view (e.g. schools adopting a 'zero tolerance' approach to incivilities or supervisory action which promotes a retributive view on disposals) will tend to work against the use of community resolutions/restorative justice (and against finding out and acting upon the views of victims). It is likely rapidly to dismantle any small inroads that have been made on promotion of a more restorative view.

Whether restorative justice is seen as part of policing and part of police officers' jobs affects not only the likelihood of whether officers will deliver restorative justice themselves (as in street RJ or work in schools) but also whether referrals will be made to voluntary sector providers. One conclusion, given the difficulties, might be that senior officers will decide that it is easier that all of this 'new stuff' should be delivered by the voluntary sector agency. However, as was also found earlier in relation to victim support and assistance, unless an automatic way is found of referring to that other agency, the result is likely to be that victims (and offenders) are not offered restorative justice by anyone.

4. Delivering restorative justice through policing partnerships

What was clearly apparent across all the research sites and various pilots was that the delivery of restorative justice at the level of policing is more often than not a multi-agency enterprise in which the quality of partnership relations are vital (as we saw above). Where restorative justice was being delivered through community justice panels, local partnership hubs, external service providers and dedicated police personnel (such as safer schools officers), the referral mechanisms, processes and outcomes of restorative justice frequently rested upon complex cross-institutional working structures and relations. As such, restorative justice demands the police working closely with partner agencies – OPCCs, local councils, community safety partnerships, social care, housing providers, schools, youth offending services, community justice panels, specialist service providers, victim support, third sector

and civil society groups, *inter alia* - with contrasting organisational cultures, institutional priorities and agendas, and working practices. These partnerships can be very beneficial in enabling holistic approaches that: are 'problem-focused', rather than 'bureaucracy-premised'; afford the potential co-ordination and pooling of expertise, information and resources; challenge introspective cultures; and foster practitioner and institutional learning. However, due to organisational differences and power differentials, they can also engender tensions, misunderstandings and sites of conflict, as well as coordination, information and communication fault-lines and failures. The short-term funding cycle created by Ministry of Justice budgets only being agreed for a year in advance (potentially exacerbated by PCCs' electoral time-horizons) can mean that the commissioning of services from the voluntary and third sector induces instability, disruption and change in service providers which can undercut the development of local and contextual knowledge, as well as social capital. Like inter-organisational trust these difficulties accrue over time. It was therefore encouraging to see evidence from our study of longer-term planning and the issuing of contracts in some areas that extended beyond the annual funding cycle, albeit with suitable built-in reviews.

The main barriers to successful policing partnerships, already highlighted in the existing research literature (Crawford and Cunningham 2015), were also evident in the context of developing and delivering restorative justice, including a reluctance or inability to share information; conflicting interests, priorities and cultural assumptions on the part of different agencies; lack of inter-organisational trust; local political differences; short-term funding; desire to protect budgets; lack of capacity and expertise; and over-reliance on informal contacts, networks and commitment which lapsed if key personnel moved on.

Data and information sharing remain one of the most intractable aspects of partnership working, as technological and cultural barriers to data exchange (as in other areas of joint working) often undermine effective partnership working (even where considerable will and commitment exists). Yet, for restorative justice partnerships, good quality data collection, management and use matter significantly because they:

- allow for joined-up provision and continuity of service – for victims and offenders – over time and between different service providers;
- afford opportunities for joint analysis and coordinated working between relevant agencies;
- provide the capacity to track individual victims' journeys through service provision, across criminal justice agencies;
- provide a robust evidence base from which to assess effectiveness and to monitor the quality of service provision and outcomes, as well as to evaluate what works best, for whom and in which contexts;
- ensure the best use of resources and facilitate best practice; and
- afford opportunities to monitor performance and render services accountable and reviewable.

Our research found that different models for organising these relations present both varied opportunities and challenges. Each model is presented separately, but it is entirely possible for forces to operate a mixture of models in relation to different geographical areas or types of situations (e.g. for young people in schools).

Model	Benefits	Challenges
Outsourced restorative justice delivery to expert external service provider	Skilled facilitators, independent of criminal justice or police priorities, who have access to dedicated facilities and resources required to undertake effective restorative justice, and who are well trained in its	Those police officers initially responding to calls and crime may not mention the possibility of restorative justice or know enough about it Difficulties of securing sufficient and

	delivery, in accordance with international principles and values.	<p>appropriate referrals</p> <p>Understanding and buy-in among front-line officers of what partners do – co-location can help address this. Restorative justice is ‘not seen as police business’</p> <p>Difficulties accessing information and data from the police</p> <p>Difficulties associated with commissioning and the funding cycle</p>
Multi-agency hub co-ordinating service delivery	Multiple partners bringing different skills, knowledge and resources	Difficulties of coordination among various partners – problems of accountability and responsibility
Specialist team within police working closely with external partners – e.g. Safer Schools Officers	Dedicated team of police facilitators trained in delivering restorative justice in accordance with principles and values and problem-solving. Restorative justice can become routine practice for team members and the communities they work in. Team members can develop their skills and knowledge jointly	<p>Securing and maintaining sustainable, and appropriate levels of, funding for specialist teams</p> <p>Obtaining buy-in from external partners i.e. schools</p>
Dedicated individuals/teams within the police	Integrated within the organisation with understanding of fit with policing – reliant only on internal systems of data and communication	Isolation from the wider organisation – possibilities for misunderstanding of how the work contributes to the police as a whole
Generalised commitment for all police officers to deliver restorative justice	Encourages a restorative philosophy throughout policing with the possibility of transforming culture and organisational practice. Restorative justice can become routine practice across the organisation	<p>Uneven practice with possibilities that restorative justice values are diluted and distorted</p> <p>Maintaining the skills of officers – whose priorities often change and who often move to other forces</p>

The more complex working structures which were present in the three forces (particularly in the pilot areas) allowed staff to share resources and provide a consolidated response to the community. They also brought with them their own distinct working cultures, particularly where situated in novel inter-institutional spaces at the edges of organisations and in emergent configurations or multi-disciplinary teams. The restorative justice hubs, panels and specialist teams (whether co-located or not) afford nascent possibilities for staff working across organisational boundaries to share resources, provide consolidated responses that engage with victims and communities, and (in small ways) challenge existing practices and dominant cultural assumptions. Where founded on shared commitment and purpose; relations of trust; balanced exchange of information and resources; mutual respect for difference; and an open and mature dialogue over possible conflicts, they can also foster novel and distinct working cultures. The kind of ‘boundary crossing’ that restorative justice provision often requires can open opportunities to foster increased reflexivity among policing professionals – about how best to accommodate victims’ interests, engender prevention and encourage problem-solving - prompting self-reflection on values, reassessment of assumptions and questioning of terminology (see Crawford and L’Hoiry 2017). Finally, successful inter-organisational partnerships in the delivery

of restorative justice do not simply occur; they need to be fashioned, crafted, nurtured and adequately supported. They need both strategic leadership and the appropriately skilled people to deliver them on the ground.

Should the police deliver restorative justice or outsource it?

There were differing perspectives, and sometimes strong opinions, on the fundamental question of whether police officers or staff should themselves deliver restorative justice. One view held that the police generally are not well suited – because of their competencies, skills and organisational position within the criminal justice process – to deliver restorative justice in a consistent way that accords with restorative justice values and principles. One senior officer, from outside the three forces, with significant experience in overseeing restorative justice initiatives expressed this perspective as follows:

It works best where you have police officers investigating the crime, deciding whether the evidence is there and then referring those cases into external partners to carry out restorative conferencing. I think that is where it works best. Now, don't get me wrong, there are some really good examples where police officers pick up a crime instantaneously – street RJ - that instant restorative justice is possible with really good practitioners. But I think also if we celebrate that we should also recognise that at the same time there are a lot of examples where police officers use the term restorative justice where there is no restorative process of value sat within their activities ... over the years, looking at the evidence, I think when you scratch the surface you will see that police officers have attempted in some way to bastardise restorative justice. They've sort of said, well how do we make this term something that we can use to get a quicker process? There are too many corners being cut ... So I think if you just leave the delivery of restorative justice in the hands of police officers - unless you are going to engage in a significant training commitment and a real cultural transformation - you end up with the delivery of restorative practice, which is not capable of delivering the outcomes that the evidence seems to suggest it can. So, for me I think it's five or six years of evidence of practice, which effectively leads me to the point that in the main police officers don't make great restorative practitioners. They didn't volunteer to do this ... We select police officers for a range of skills and one of those skills has not necessarily been an empathetic restorative practitioner. So what we do is we end up seeing individual variations that just risk the reputation of the whole process of restorative justice.

However, this ignores the evidence that some police officers have been found to be excellent restorative justice facilitators in various evaluations (e.g. Shapland et al. 2011) and that policing is moving at present towards much greater emphasis on safeguarding, risk management and vulnerabilities – a development widely acknowledged in our focus groups with response officers. It is also less clear whether police should be recruited for one generic set of skills matching those for response officers – or whether the police now need a variety of officers with different skill sets.

A contrary view holds that restorative justice has the possibility to influence policing only if it is integrated into the routine delivery of policing services and, hence, it needs to become something that police officers throughout the organisation engage in and see as an integral part of their responsibility, as a matter of course. Outsourcing restorative justice to external service providers in all instances risks removing the responsibility from the police. Additionally, external providers are in no position to deliver on-the-street restorative interventions. The likelihood of variable practice across different officers may be a price worth paying for the wider adoption of a restorative philosophy such that restorative justice is best served where officers have the discretion to apply it. This viewpoint was articulated by a different senior police officer, also from outside the project partner forces:

We encourage officers to do the right thing. Officers will go down the path of least resistance. We said that we wanted to move away from the performance culture of detections. The detection rate doesn't matter. We want to do what's best for the victim. Officers were re-trained, to reset their moral compass. All officers are encouraged to bring up restorative justice. We aren't simply getting police officers to do restorative justice, rather we are getting to a point where it's normal business. They don't even think about it. It's just what they do, because that's how we do our business ... It's important that restorative justice is weaved in, as business as usual, not an adjunct ... In terms of culture and resistance, it's important too

that it's not in too much of a formal structure or else you get robots, who just follow the path. If you let people think for themselves then they start to get hungry for it and want more. We need to support them through that journey. As the journey progresses you weave things into it – problem-solving, moving away from being process-driven, thinking about the victim.

Regardless of what position one adopts on the desirability, efficacy and effectiveness of police officers delivering restorative justice themselves, two factors are clear from our research with regard to specialist provision. First, the police occupy a vital position within the criminal justice system for pre-court referrals to any specialist restorative justice providers (be they within or outside of the police organisation). Second, unless there is an automatic referral system that bypasses police officers themselves, there is a need to engage police in understanding restorative justice (and its benefits) such that they can make a well-informed, credible and persuasive offer to victims and offenders. Hence, to conform to the requirements of the Victims' Code 2015, the police need to engage with restorative justice and not simply see it as someone else's responsibility. Some respondents saw the best way to achieve this as associated with directly engaging police officers and staff in the delivery of restorative justice thus enabling situated and experiential learning. It is hard for someone to convey what restorative justice means and explain the benefits and limitations that derive from it to others - such as victims, offenders or members of the community - so the argument goes, if they do not understand it themselves.

Hence, there is something of a 'Catch 22' at present: on the one hand, restorative justice sits awkwardly with much police practice and culture in relation to response work and consequently referrals (to external providers or internal specialists) are low; on the other hand, increasing referrals requires a wider shift in understanding and practice, which may result in officers without sufficient understanding or skills engaging in practices of variable quality - but it may be that it is only through this that restorative justice can become part of routine practice that is legitimately seen as part of police business for which the police have responsibility.

5. Communication gaps

Communicating clearly the vision of change and the rationale for it is vital both in terms of internal communication within the organisation and external communication to key partners and to members of the public with whom the police interact. During the research there were several significant communication gaps and problems within the forces, which resulted in implementation failure of the agreed pilot initiatives or elements of them. In some instances there had been insufficient prior discussion or engagement between those officers and supervisors charged with implementing the initiative and their seniors. The lack of buy-in and ownership on behalf of the front-line staff and management resulted in little advances being made. As noted earlier, organisational change is more likely to be successful where officers feel that they are given a voice and decisions made are fair and are communicated openly and honestly to them.

There seemed to be a (sometimes critical) gap between relatively senior officers and those working in particular units or areas designated to be involved in our initiatives. Furthermore, there was also a separate gap between the more 'political' end of policing policy and funding and those needing to put the policies in place.

Some front-line officers were uncertain about where restorative justice sat within managerial priorities when asked whether senior officers were in favour of the initiatives on which they were working. There was evidence of some unclear communication of policy on restorative justice down the chain of command within the force. It was not perceived by many to be a recognised policing priority at senior management level - despite the fact that one of the longer-term recommendations in all forces related to senior leadership and commitment. However, the short-term nature of our evaluation means that we cannot judge progress on this communication over a longer time span.

It appears that where there were gaps, these were not just in the communication of the initiative or policy, but also in following up initiatives within the force through supervisors. Somewhere in the long chain from say ACC to PCSO, things sometimes broke down. This can occur in other organisations with long chains of command, but may be exacerbated within the police because of its hierarchical tradition, such that it is important that each tier of supervision understands and emphasises the new

element as it is passed on to lower ranks/tiers. In relation to the pilot initiatives in this project, though there were checking mechanisms in place using different units (such as a Force Crime Management Unit, or disposal checking unit), it had not always been appreciated that to implement the new initiative, their practice would also need to change and they would also need to be on board with the philosophy behind the initiative. Without this holistic consideration of management, the danger is that front-line officers may continue to do their (usual) thing, as Weatheritt (1986) found many years ago. In policing there is always a fine line between hierarchical command and empowering officers to use their discretion, so professionalising policing at the level of working on individual cases. Encouraging discretion also implies governing discretion (and hence constantly reviewing whether that governance structure and practice is compatible with any new initiative – on restorative justice or another area of policing). A related problem is to enable discretion for front-line officers but lengthen their perceptual time frame, so that they consider the eventual outcome of the case, not just the element of work on it that they are undertaking at the time.

In sum, the obstacles to restorative policing are significant both in terms of broad structural and cultural barriers and in terms of mundane, sometimes small-scale, practical hurdles and limitations in personal skills, competencies and commitments. On one level, delivering change may require 'significant change in the sociocultural meaning of police work' (Clamp and Patterson 2017: 151) such that a philosophy of restorative justice informs diverse aspects of the organisation's values, principles and practices (McLeod 2003). However, such a grandiose ambition may founder if it is not built firmly upon incremental change and short-term successes that can demonstrate value and public benefit, whilst simultaneously fostering understanding, commitment and motivation among those practitioners charged with its implementation. We have seen during this limited time span pilot that it is possible to increase both the quality of restorative justice delivery and its prevalence – in small geographical areas and amongst officers doing particular specialised work. It was also the case that some of the pilot initiatives foundered on the obstacles we have outlined above. It is in attending to the conditions necessary for change that it will be possible in the future to accomplish up-scaling from successful case studies to full-scale organisational change.

Where now?

Developing restorative justice at the level of the police and implementing the Victims' Code requirements have been shown in this research - both with regard to England and elsewhere (see Shapland et al. 2017b) – to be challenging and difficult, facing numerous cultural, procedural and organisational obstacles. However, it is most evidently clear that they should not be abandoned as 'too difficult' ambitions. They are important goals for policing with direct benefits for both the parties and the police organisation more generally, especially with regard to victims' needs. What our research highlights are some of the challenges and possibilities for better securing effective and principled restorative policing that draws on the lessons of the growing research evidence base and is sensitive to the needs and expectations of victims of crime.

Given the very short timescale in which the new initiatives to promote restorative justice considered in this report were implemented and evaluated, the findings as to their effectiveness are inevitably only provisional. Longer-term structures and organisational contexts, as well as cultures, which require sustained leadership and impetus to implement simply could not be undertaken within the time span of this funded research period. On the other hand, being a pilot, particularly a funded pilot may create a 'honeymoon' period of reception before institutional factors assert countervailing pressures and/or attention shifts to other, different initiatives or priorities. Hence, it is vital that the pilots outlined here continue to be supported, promoted and sustained through investments of time, people and resources as well as monitored and evaluated for their effectiveness over the longer term.

We have outlined above at some length the plethora of influences which we saw affecting the delivery of restorative justice at the level of policing and the making of the offer to victims. The following points attempt to summarise some of our concluding reflections:

- Undertaking restorative justice well is difficult and requires coordination within police forces and with many other agencies. In relevant cases, however, it does have considerable scope both for benefit to victims (as previous research has shown) and also to reduce the reoccurrence of problems (or even prevent problems from occurring in the first place).

- Our research reinforces the findings from the wider research (for example, Meadows et al. 2014) that many practices referred to as 'restorative' in the context of policing do not conform adequately to the principles and values of restorative justice. This is difficult, because it confuses practitioners - as well as victims and offenders - and can subsequently undermine the take up and use of genuinely restorative interventions. Moreover, many of these practices remain untested and under-evaluated in terms of their effects and outcomes. As Strang and Sherman note: 'It is deceitful to claim that an untested form of justice is beneficial based on evidence that comes from a test of a form of justice that is different in major ways' (2015: 13). Furthermore, the lack of consistent terminology and its application also inhibits wider public understanding of restorative justice and its benefits, especially for victims.
- It may be that each police force needs to develop different ways of undertaking restorative justice in different areas and specialisms within the force. So, where officers have continuing contact with relatively small populations and are aware of tensions and difficulties (as in schools or neighbourhoods) they themselves may be best suited both to suggest restorative justice and to carry it out. (They may also bring in a neutral facilitator so that the officer can speak at the conference where that is appropriate.) However, where responding officers have little knowledge of the area, it may be more suitable to make referrals. Referrals to external providers can provide skilled facilitators, who have access to dedicated facilities and resources required to undertake effective restorative justice, and who are well trained in its delivery, in accordance with international principles and values. It needs to be recognised though that there are dangers that attend to outsourcing restorative justice, which can remove from the police acceptance of responsibility for restorative justice, reduce the police buy-in and understanding of the process (resulting in few referrals), and leave the cultural changes untouched.
- Given the extensive demands on front-line police officers - particularly response and neighbourhood officers - restorative justice will inevitably compete with other, often more pressing or urgent demands. Supporting police personnel whose work aligns more closely to a restorative philosophy to integrate restorative practices into their normal working patterns will be key to fostering greater restorative justice in policing.
- In all cases with identifiable victims, a known offender and no extreme power imbalances, though, it is only the police who have the standing, information and position in the criminal justice system to inform potential participants about what restorative justice constitutes: its processes values and benefits. There is a significant proportion of crimes now which end in a police disposal. For these, only the police can 'make the offer' (though other organisations which may be in contact with victims, such as victim support services, may also play some role in this). For other cases which will go to court, it is important that prosecutors and courts know that potential participants have been well-informed about the opportunities for restorative justice.
- Both in England and Wales and in other countries, restorative justice has tended to be used in relation to minor incidents (notably property offences) and youth crime and anti-social behaviour. Yet much of the research evidence highlights substantial benefits from restorative justice in relation to more serious (adult) offences. Our research reinforces the findings of others that, at the level of the police, too little use is being made of restorative justice practices in relation to more serious adult crimes for which there is an existing and robust evidence base. This mirrors officers' perceptions (and possibly previous police practice) that have emphasised that restorative justice is only for more minor crime and not for persistent offenders.
- Perhaps not surprisingly, responding officers' views seemed constrained by the time horizon of their immediate job orientation. Hence, they seemed to have become less concerned with problem solving and more focused on caseloads (be that 'getting rid' of cases or 'firefighting'). Restorative justice, done well, will never be a time-saving sticking-plaster for a tricky case or dispute. In a time of austerity, the time horizon of possible policing solutions seemed to have shortened – but this may reverse, and the overall benefits of problem-solving and the creative use of discretion may become more obvious.

- Policing philosophy has become far more 'victim-led' in the past decade or so. Though such a move towards victim care, risk assessment and provision of support for victims seemed to be supported in principle by all the officers in this research project, it was remarkable how these views had not, as yet, been followed through into real consideration of victim views by responding officers in practice. Consideration of disposals and possible use of restorative justice were being viewed through a lens of the characteristics of the offender (particularly previous convictions and youth) and the seriousness of the case. This was as true of those exerting governance over the disposal of cases, as those dealing with them initially.
- If, however, restorative justice is to be seen as a service to victims (as well as offenders and the community), then policing and the disposals over which the police have authority will need to become more victim-focused. Reflecting on whether a case may be suitable for restorative justice will need to become a matter of seeing victim needs, rather than offender deficits.

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