

NEWS

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Commonly asked questions?

Q: What is Restorative justice?

A: Restorative justice is a process whereby those harmed by crime or conflict are encouraged to communicate with those responsible for the harm caused. This enables everyone affected by the particular incident to play a part in repairing the damage, by working together to find a positive middle ground.

Q: Which offences can be used in restorative interventions?

A: Restorative justice can potentially be used with any type of crime, whether it is a low level offence or a highly serious crime. There are a small handful of offences that pose a challenge to the restorative process, such as domestic violence and sexual offences. However, restorative justice can still help the victims of these incidents with the help of skilled and experienced practitioners

Q: Would I have to meet the offender face to face?

A: Not necessarily, with the agreement of both parties it is possible to adjust Restorative Justice to make it more comfortable for the people involved. For example this could include facilitating communication by letter (hand written or typed), or shuttle. These methods can still be beneficial to people, but the greatest outcome is reported to be from a face to face meeting if possible.

Q: How will I know what to do?

A: The restorative justice process is led by facilitators that are trained to support all the parties involved. Each participant will be fully prepared with what will be expected from them prior to any conference. Practitioners explain what will happen every step of the way and are able to answer all questions at any point of the process. Each case is unique and will be handled with what works best for you. Some people prefer to attend restorative justice meetings by themselves, but others prefer to bring along a friend or family member to provide support. Both parties involved will know who will be present at the conference so nothing unknown happens on the day, that may lead to panic or re-victimisation.

Q: Where will it take place?

A: It usually takes place in a mutual venue. And has to be agreed to by both parties prior to the conference to make sure everyone involved is comfortable with the location of the venue and set up of the room

Q: Will all my questions be answered?

A: Restorative Gloucestershire work alongside the participants involved, to manage expectations. This includes whether or not the harmer will be able to answer some of their questions during a conference.

Q: How will this benefit me?

A: Restorative justice allows victims affected by crime to feel more involved with the justice system by having their voice heard. It gives the victim the chance to ask the offender direct questions or sometimes just to explain how the impact of the offender's actions made them feel. Research suggests meeting the person, who caused the harm, can be highly beneficial in moving forward, recovering from the crime.

Q: What are the risks?

A: Restorative justice is a safe process. Facilitators are trained to assess the risks in each individual case and make sure that the process is safe for everybody involved. A conference would not be allowed to go ahead if they were not confident that it could be done safely. Facilitators would support you every step throughout the process and if you wanted to stop at any point you can. Restorative justice is entirely voluntary.

Q: I think restorative justice could benefit me. How can I access it?

A: Your local Police and Crime Commissioner can help you get in touch with the nearest restorative justice service provider

Call us: 01452 75 4542

Email us: RestorativeGloucestershireCaseReferrals@gloucestershire.pnn.police.uk

Follow us on Twitter: @RJGlos



Gloucestershire
Constabulary

Why circles are important!

Circles were originally found in Native American cultures within the U.S. and Canada. They are used for many different reasons and were first adapted into the criminal justice system in the 1980s when the First Nations peoples of the Yukon and local justice officials attempted to build closer ties between the community and formal justice system. Since then restorative justice interventions support the idea of bringing community and family together by meeting within a circle. Sitting in a square/ rectangle can unintentionally cause a hierarchical environment, whereby the victim might not feel in

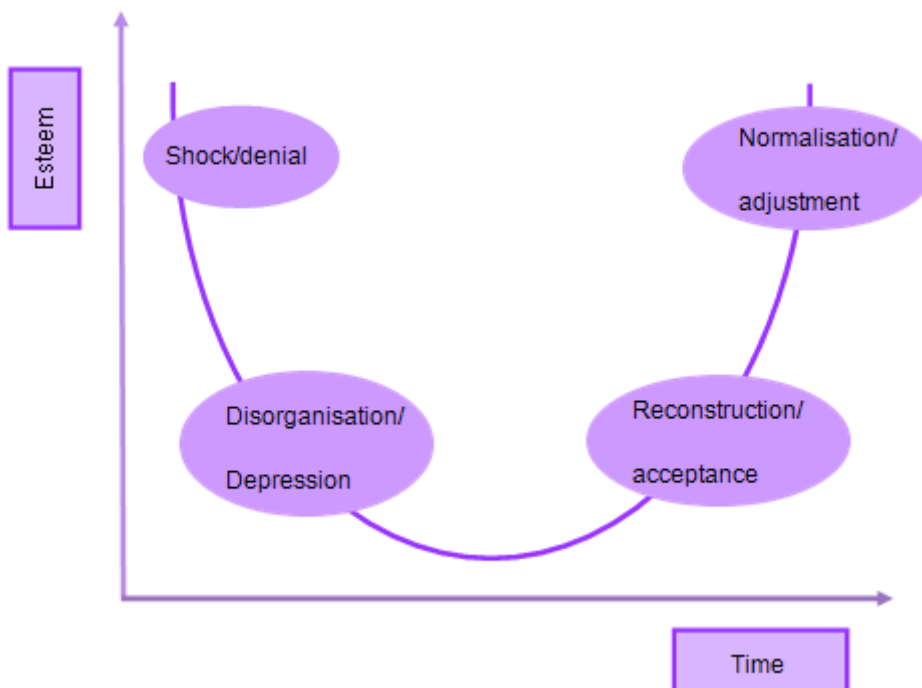
control of the situation, which may lead to the individual becoming re-victimized.

circle is a versatile restorative practice that can be used proactively, to develop relationships and build community to respond to wrongdoing, conflicts and problems. Circles give people an opportunity to speak out individually and listen to each other in a safe and equal environment. Circle Justice only works when both parties want to work together to find a peaceful and constructive solution to the problem and are willing to participate to find a middle ground.

Participants will sit in a circle with no table or objects in-between and the conference facilitator uses a conference script to prompt each participant in the parties involved to each other the restorative questions needed to help repair the harm that's been caused.

“**Bringing people together to put things right**”

Model of Recovery



People tend to blame themselves or their own behaviour when they are harmed by others. Restorative practitioners are careful in making sure that there is no possibility of contributing to secondary victimisation. Commonly victims often feel as if their voices haven't been heard in the traditional justice system, leaving them feeling helpless, and in some cases angry or even humiliated. By looking into a victims needs and what they want out of the process, it is then possible to gauge whether or not the restorative process can assist in their recovery, so their lives can go back to normalisation/ adjust to a more comfortable standard of living.

Do Restorative Practices work?

People who take part in the restorative justice processes generally find it more satisfying than the standard criminal justice process.

The process can help shift feelings of shame and responsibility. As well as helping individuals feel respected, and experiencing feelings of control and empowerment, asking questions and hearing answers.

Most participants that have taken part in restorative justice intervention felt that they found themselves to be more satisfied with the process rather than the initial outcome of the meeting. This is because not only the needs of victims are met that allow them to have their voice heard. But...

EVERYONE IS INVOLVED IN THE HEALING

Whereas in the traditional justice process, victims are often neglected in being involved.

Research suggests that offenders who've gone through the process of meeting those they've harmed are less likely to reoffend. Restorative justice services in England found that the costs saved by the reduction of reoffending is greater than the cost's of running the scheme. It is found to be most effective when dealing with cases of violence especially with adults. Why is this? John Braithwaite (1989) claims that this is due to 'reintegrative shaming', whereby the offence the individual committed stigmatises a feeling of shame, which tends to make them feel excluded from the rest of the general community. By exposing the offender to the person they harmed it makes it difficult for them to avoid the feelings of shame and by encouraging the individuals to feel re-

sponsible for those feelings, they are able to use them as a tool to shift towards non-criminal behaviour.

As restorative justice is becoming more recognised, more people are wanting to take part, because of the benefits of the process.

Last year, out of all offenders participating with RJ in Restorative Gloucestershire. Only 15% re-offended post intervention.



COVID-19 and RG Service Update

Dear all,

I hope you are all doing well during these unprecedented times. The Restorative Gloucestershire team have been following Government guidelines following the Covid-19 pandemic and have been working remotely for the last 2 weeks, working hard to ensure that all of our service users have been kept informed. In line with all the relevant guidelines, all face to face work with our service users has stopped. However, we continue to work with, support and manage the expectations of all of our participants

remotely. We can continue to accept new referrals on the conditions that all parties are aware of our current position.

This will obviously have an impact on our service delivery and we will see a decrease in referrals and interventions. However, I also see this as an opportunity to diversify how we work. As mentioned, we will continue to support individuals, our volunteers and our community by taking advantage of the technology that is available to us. I plan on sending bulletins to keep engaging with our

practitioners, if this something that you would be interested in receiving, please do let me know. I will continue to be available as normal so please feel free to contact me, even if it is just for a Skype coffee!

Take care and kind Regards

Becky

Rebecca Beard
Manager - Restorative Gloucestershire

OVERTONES OF RESTORATIVE JUSTICE FOR HATE CRIME

There are five minimum Home Office recording strands for hate incidents and crimes: Race, Religion, Sexual Orientation, Gender Identity (Trans), Disability.

The National Probation Service seven-minute briefing on Hate Crime suggests “it is not uncommon for perpetrators to be from minority groups”.

There are five cases I worked on this year where this was the case. These led me to wonder whether we need to be more wary of polarized narratives – are protected characteristics ever used to defend or excuse poor behaviour? Are people in authority experiencing protected characteristics as a barrier to challenging poor behavior?

Most victims are known to the perpetrators to some degree. The majority of perpetrators tend to be unemployed, in low paid employment, or economically inactive. Fitzalan Howard (2019:2) notes one explanation of hate crime “suggests people view their hardship as the fault of others and see those who are not suffering as to blame”.

I am collating five recent case studies around situations of conflict which featured the abuse of someone with a protected characteristic. In all these cases, the “perpetrator” had no record of abusing anyone else with a protected characteristic and they were known to each other. They all lived in close proximity to each other.

Perhaps it is reductionist to suggest the narratives of all ten people in conflict were motivated by prejudice. Sometimes people in conflict express their emotions as a stream of consciousness. Could it be that what they said was a cheap shot, designed to cause maximum impact and effect in the moment? Could motivation, intonation and context also have a part to play? When dealing with the above cases, it was also difficult to ignore power imbalances at play. Who has more right to

be offended in cases where both parties have protected characteristics? Williams, Z, (2019) suggests we progress from A to B not by shutting down conversations, but by argument, persuasion, rage, ridicule, openness and candor. Restorative practice could provide a safe forum for what Beer & Packard (2017) describe as one of the pleasures of conflict: “camaraderie and a stronger sense of community and identity”.

A British Asian student at Oxford University questioned those in favor of “no-platforming”, asking why she should be “deprived of the opportunity to face and interrogate intolerant speakers in person”. Critical thinking would suggest no-platformers don’t represent all minority groups. Authorities must take care not to assume power by shielding others in “a paternalist, infantilizing vein”.

How might victims of hate crime feel if asked whether they would like to have been offered a restorative intervention, but were not offered by those in authority, who wanted to protect them and believed they knew better than them how this could be accomplished?

I would prefer they answer that question.

Jane Durston

*Beer, J & Packard C The Mediator's Handbook (2017)
New Society Publishers: Canada p.87*

*Williams, Z (2019) “Ten Arguments for and Against No
Platforming” (online) available from URL:
<https://freespeechdebate.com>*

*Fitzalan Howard, F (2019) National Probation Service
Seven minute briefing – Hate crime.*