

# Understanding barriers to Restorative Justice for young people, young adults and victims of crime

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March 2023

Why me?

Transforming lives through  
Restorative Justice



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# Executive Summary

This report is based on Why me?'s three-year project which started in September 2020 and focused on improving Restorative Justice for young people and young adults. The work done within this project has enabled us to learn about the barriers preventing the wider use of Restorative Justice for young people and young adults.

The aims of the project were to develop a Good Practice Guide for Youth Justice Services and to publish this policy recommendation report.

There are three strands to the project and throughout the work we have done, we have been keen to ensure that the research is informed by the young people and young adults it is designed to help.

The three strands to the project are:

1. Working with Youth Justice Services
2. Focusing on young adults aged 18-25 by working in Young Offender Institutions and with Police and Crime Commission-funded Restorative Justice services
3. Exploring disparities in access to and the uptake of Restorative Justice for young people and young adults from Black, Asian and other ethnic backgrounds

We conducted a total of seven partnerships, 32 service user interviews, 39 staff members interviews, five focus groups and four restorative circles. From these, we have grouped our key findings into five categories.

For the purposes of anonymity, the individuals we interviewed have been identified according to a number e.g. young person 1 as YP1, young adult 1 from the Young Offender Institutions as YO11, victim 1 as V1 and so on.

- Awareness and misconceptions

There was a distinct lack of awareness of what Restorative Justice is and the availability of the service. Many young people and young adults had never heard of Restorative Justice before and, once it was explained to them, there were a lot of misconceptions due to the lack of prior knowledge.

One young adult we interviewed stated:

“I think if you [...] actually let people know what the actual process is I think they'd be interested in doing it and if they knew the benefit for the other person, they'd be more likely to do it as well.” (YO11)

A young person from the second restorative circle focusing on the third strand explained that “it is a good thing because you get to talk about how you feel and resolve things in a less violent way.”

Additionally, one attendee acknowledged that if they were the offender they would want to know the ways in which they had negatively affected someone's life in order for them to do better in the future.

- Terminology

When explaining Restorative Justice to young people and young adults, some of the terminology can be confusing, including the term 'Restorative Justice' itself. Utilising consistent terminology that service users can understand and relate to is crucial to ensuring that they fully understand what Restorative Justice is. This falls in line with the restorative principle of accessibility (Restorative Justice Council, 2015) whereby processes and approaches should be adapted to the needs, learning styles and additional needs, where applicable, of the people with whom you are working.

When asked to rate their understanding of the word 'restorative', one interviewee gave a rating of three or four, explaining:

"Someone's told me a bit about it and yeah but before that I didn't know too much about it [...] basically making up with someone, yeah, finding the middle point with another person and coming to agreement, yeah ... yeah, it's happened in school but it wasn't the exact words." (YP2)

This response highlights the need for consistency in terminology as this participant understood the process as it had been used in their school but was not familiar with the word 'restorative'.

- Provision

Once young people and young adults in particular have been made aware of Restorative Justice and their ability to engage in the process should they wish, there are a lack of formal processes through which they can access the service.

A young adult we interviewed explained the ways in which his response would have varied according to the times in his life at which Restorative Justice was offered to him:

"Well, if I was given the chance I dunno last week, I probably would have said 'yes'. If I was given the chance last year, probably would've said no. I'm gonna be honest with you, and that's just because my mindset back then was quite different to how it is now." (YO13)

One victim highlighted how information and preparation had been instrumental in the ten out of ten rating they had given the Restorative Justice process:

"I suppose if the engagement from the outset through to the point of where I met him wasn't as good and I probably wasn't as well prepared, I probably wouldn't have given the overall thing of ten. [...] [The Restorative Justice worker] kept in touch with me throughout highlighting any concerns that I might have and addressing them [...] laid out how it would go if both parties were happy to meet each other. And then on the day Restorative Justice worker] was very, they were very keen. [The] organisation [made it] very clear on what would happen." (V1)

Another interviewee who was the parent of a direct victim stated that they were "quite impressed [...] the whole process [...] is really, really positive. It's positive for us and positive for the two young people [...] Yeah, it was brilliant, ten [out of ten]." (V4)

- Mistrust of services

One of the key findings from the work focusing on disparities in the uptake of Restorative Justice for young people and young adults from Black, Asian and other ethnic backgrounds was the lack of trust in services, particularly regarding the police. This is particularly prevalent when the Officer in Charge of a case is the person who is offering information about Restorative Justice. There is still a lot of work to be done with building up trusting relationships between communities and statutory services like the police in order to streamline the ways in which people access information about and opportunities to engage in Restorative Justice to ensure consistency and equity.

One participant in the first restorative circle discussed the harshness of police concerning their race, stating: "The reason why the police are so harsh is because it's a punitive justice system to begin with, like the court says you need to punish first rather than healing."

Another respondent from the first restorative circle discussed this, highlighting that "it's just because that from decades ago, police had that power and 'cause that's been run like that there's no respect and I don't trust them offering anything."

The police were also raised as a factor in relation to perceptions based on race, gender and physical stature, with attendees of the fourth restorative circle stating:

"I've noticed that there's a difference in the way the police treat you based on gender. [...] Like if you're a male, are you perceived as being aggressive in your communication style when if you're a woman you may not be held up to the same standard."

"I feel like size really affects you, especially [if] they treat you differently if you're a big black man, you're seen as a massive threat, for example [...] I don't like want that judgement."

- Real-world examples to act as case studies

While Why me? has a number of ambassadors who have engaged in Restorative Justice as a victim, there is a distinct lack of offenders who offer to discuss their own experience of Restorative Justice. Particularly for young adults in custody, having examples of offenders who have had positive experiences of a restorative process would have significantly increased their likelihood of engaging in Restorative Justice themselves. Across all the interview and focus group participants, the consensus was that the preferred method of Restorative Justice would be a face-to-face meeting. Therefore, the availability of real-world examples to act as case studies needs to be more accessible for everyone, including those in custody.

[We have therefore been able to outline ten policy recommendations.](#)

We would encourage all statutory services, professionals and organisations working with young people, young adults and victims of crime to engage with the policy and practice recommendations provided in this report.

# Acknowledgements

This project has been supported by the Barrow Cadbury Trust (charity number 1115476), Charles Hayward Foundation (charity number 1078969) and CHK Foundation (charity number 1050900).



We would also like to thank the following for their support with this project, which has enabled us to produce this report:

Carney's Community  
HMP Aylesbury (HMP/YOI Aylesbury at the time of completed work)  
HMP/YOI Isis  
Lambeth Youth Offending Service  
Lancashire Child and Youth Justice Service  
Peer Power  
Prospects, Gloucestershire

## About Why me?

Why me? is a national charity that promotes and delivers Restorative Justice, a process which empowers people affected by crime and other harmful behaviour to communicate with the person responsible. This is done through a face-to-face meeting where appropriate, or indirect methods such as video messaging or letter writing. The process is facilitated by trained professionals who speak to both parties in advance to prepare them. Restorative Justice can be used to address any type of crime, as long as both parties consent and the facilitators agree that it is safe to do so. It is not a substitute for other measures such as criminal justice proceedings and can take place while people are serving time in prison.

Restorative Justice gives people who have been harmed the chance to talk about the impact of the incident and seek answers about why it happened. Victims of crime often feel excluded, confused and re-victimised by the criminal justice process. Restorative Justice brings them back to the heart of the discussion and allows their voices to be heard. It is also one of the most powerful methods of making people who have offended appreciate the consequences of their actions. This is why it has been shown to reduce repeat offending by 14% (Shapland et al., 2011). Restorative practices can also be used for other harmful behaviour outside the Criminal Justice System, such as to address conflict in schools or in care homes.

Why me? seeks to improve access to Restorative Justice through campaigns, communications, and development work. We also run our own registered Restorative Justice service. Why me? was formed after Peter Woolf met Will Riley, someone whom he had burgled and assaulted, in a Restorative Justice meeting in prison. This meeting transformed Will's recovery and turned Peter away from a life of crime. Will then set up Why me? with Peter's help, to enable other people affected by crime to experience the benefits of Restorative Justice.

# Introduction

As part of [Why me?'s three-year project focusing on improving Restorative Justice for young people and young adults](#), this report details the past two years' work that has been completed. It summarises the project methodology and documents our key findings from the partnerships, interviews, focus groups and restorative circles which have been conducted by Project Lead, Leah Robinson.

The report begins with a literature review to understand the academic and theoretical context of Restorative Justice for young people and young adults. Consequently, having conducted a thematic analysis we have documented our findings regarding young people, young adults, understanding and addressing racial disparity and finally in relation to victims of crime.

We have concluded this report with our key policy recommendations which, if acted upon, we believe will increase awareness of, access to and provision of Restorative Justice for young people and young adults.

When practising restoratively, the terms 'harmed' and 'harmer' are used in place of 'victim' or 'survivor' and 'offender' respectively, in order to avoid labelling anyone as good or bad, in line with Tannenbaum's labelling theory (Becker, 1963; Hopkins Burke, 2014; Tannenbaum, 1938). However, for the purposes of this report we will be using the terms 'victim' and 'offender' for ease of reading and to provide clarity.

## Literature review

Restorative Justice is increasingly becoming an established and evidence-based element of the Criminal Justice System (CJS) (Hobson et al., 2022). It has been one of the most significant developments in the CJS over the past few decades, as well as one of the most debated academic areas of both criminological practice and thinking (Van Ness and Strong, 2015). The origins of Restorative Justice lie in ancient indigenous practices which gave rise to the key principles on which it still relies today (Considine, 1995; Crawford and Newburn, 2003; Weitekamp, 1999). The ground-breaking development of Family Group Conferences in New Zealand's Youth Justice system (as a result of the Child, Young Persons and their Families Act 1989) also had a profound effect on restorative practices as an approach to youth offending. These conferences have been replicated across the world, including the Youth Justice System in England and Wales (Morris and Maxwell, 2000).

Due to the diversity of practices that fall under the Restorative Justice umbrella, it can be challenging to link it to a single programme, philosophy, practice, or outcome (Wilson et al., 2017). Having said this, one well-established definition of Restorative Justice within academic discourse describes it as a "process whereby the parties with a stake in a particular offence come together to resolve collectively how to deal with the aftermath of the offence and its implications for the future" (Marshall, 1996:37 cited in Crawford and Newburn, 2003:22). An adapted version of Marshall's definition of Restorative Justice has been adopted by the Ministry of Justice and the Restorative Justice Council: "Restorative Justice is a process that brings those harmed by crime or conflict and those responsible for the harm, into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward" (Ministry of Justice, 2014: 3).



What differentiates restorative practices from other criminal justice approaches is the notion that crime is more than an offence against the state, instead focusing on the people who have been harmed. The parties with a stake in an offence include the victim(s) of the crime, the perpetrator, their families, friends and members of their respective communities. Restorative Justice aims to repair the harm caused to those who were directly or indirectly affected by crime, with the ultimate goal of repairing the harm and restoring relationships (Bergseth and Bouffard, 2007; Wilson et al., 2017). Restorative Justice can take multiple forms, such as group conferencing which uses family and/or community members as support for both the offender and the victim. Conversely, peace or sentencing circles tend to involve a larger number of community representatives physically sitting in a circle (Umbreit et al., 2006).

## Restorative Justice within Youth Justice

Restorative Justice was first recognised in statute in England and Wales in 1998 when the Crime and Disorder Act (CDA) introduced Youth Offending Teams, now commonly referred to as Youth Justice Services. The restorative principles of restoration, responsibility and reintegration were outlined in the CDA 1998 as underlying principles of youth justice.

Shortly following the CDA 1998 was the introduction of the Youth Justice and Criminal Evidence Act of 1999. This Act made further substantial changes to youth justice through the introduction of Referral Orders and Referral Order panels. A Referral Order is a mandatory court order that refers the offender to a Referral Order panel. The panel is comprised of one Youth Justice Service worker and two volunteer community members, the young offender, the young offender's family and the victim where appropriate, taking into account informed consent and a risk assessment (Ministry of Justice, 2018). Young offenders who plead guilty to an offence attend the panel to determine the conditions of their order. The contract that is constructed and signed in the panel meeting must always contain some form of reparation. This reparation should be directed to the victim or alternatively the local community if there is no clear victim or they do not wish to take part (Ministry of Justice, 2018). Referral Order panels should run based on the principles of Restorative Justice and victims should be encouraged to be part of the Referral Order process (Ministry of Justice/Youth Justice Board, 2018).

The Code of Practice for Victims of Crime in England and Wales or Victims' Code (Ministry of Justice, 2021) sets out the minimum standards that organisations should provide to victims of crime. The Victims' Code states that every victim has the right to receive information about Restorative Justice and how to access it. In relation to youth justice, the Victims' Code holds that "If the offender is under the age of 18, you [the victim] have the right to receive information about Restorative Justice from the Youth Offending Team" (Ministry of Justice, 2021: 16). Youth Justice Services, now deemed to be the cornerstone of the Youth Justice System, must act in accordance with such national instruments, embed restorative principles into their practice, adhere to their statutory obligations by consulting victims as to their wishes and provide victims with the opportunity to participate in Restorative Justice.

In England and Wales, the aims of Restorative Justice in youth justice have been summarised using the '3 Rs': restoration, reintegration and responsibility (Home Office, 1997). The restoration element involves young offenders making amends for the harm that they have caused in committing an offence. Reintegration involves supporting young offenders back into the community and helping them move away from criminal activity. The

responsibility element ensures that young offenders are held accountable for their actions and take responsibility for the impact that their behaviour has had on those affected by the crime (Dignan, 1999; Home Office, 1997). These principles were outlined in a Home Office White Paper on youth justice in an attempt to reshape the Criminal Justice System to create more constructive outcomes (Home Office, 1997).

Restorative Justice practices for young people can take place at different stages throughout the Youth Justice System and within a range of settings. Restorative Justice can be offered as part of a diversionary Out of Court Disposal, a legal community sentence such as a Referral Order, alongside a period of incarceration, or used in residential treatment settings and probation (Bouffard et al., 2017; Newbury, 2011). Alternatively, this conflict resolution approach can be used as a preventive mechanism when applied to non-crime arenas such as in schools. Implementing restorative principles in a school environment can have a “positive impact on pupils” (Sellman et al., 2013:1) and has been found to “substantially reduce student offending [...] and destroy the school-to-prison pipeline” ([Payne and Welch, 2018: 237](#)).

There are many different theories which can be discussed and explained in relation to Restorative Justice, including labelling theory and reintegrative shaming theory. Labelling theory (Becker, 1963; Hopkins Burke, 2014; Tannenbaum, 1938) states that behaviour is not inherently deviant, but becomes deviant once it is labelled as such. Therefore, an action in itself is not deviant, but societal reaction leads to it being acknowledged as deviant. Once an individual is labelled as ‘deviant’ this can result in a self-fulfilling prophecy (Merton, 1948) whereby the labelled individual internalises the label and acts according to the label prescribed. Labelling theory and the idea of a self-fulfilling prophecy is particularly important when working with young people, as societal labelling of a young person as an ‘offender’ or ‘deviant’ can result in them exhibiting offending behaviour by internalising the label.

When working restoratively and in any restorative process, the words ‘offender’ and ‘victim’ are not used. Rather, individuals are referred to as ‘harmer’ and ‘harmed’, or ‘person harmed’ accordingly. This idea of restorative language adheres to the principles of labelling theory, by not defining an individual as ‘good’ or ‘bad’ according to their actions, but instead focusing on repairing the harm that has been caused for all parties involved.

Despite reintegrative shaming sounding counterintuitive to restorative principles, it is an important theory to discuss concerning Restorative Justice. Nathanson’s (1992) ‘compass of shame’ identifies four different types of human responses employed to cope with feelings of shame: withdrawal, attack self, avoidance and attack other(s). The theory of reintegrative shaming - developed by Australian criminologist John Braithwaite in 1989 - refers to the positive power and ability of human relationships to cope with behaviour which causes harm and potentially endangers community cohesion. Contrary to this, the theory of reintegrative shaming involves a two-fold approach for successful intervention. The first aspect is appropriate punishment, where necessary, of the person who has caused the harm. This would be, for example, a prison or community sentence. The second aspect involves reintegration of the offender to allow them to be welcomed back into an accepting and inclusive society where their role within the community is valued and appreciated (Hopkins Burke, 2016).

Reintegrative shaming can inform Restorative Justice as they are complementary concepts that are mutually beneficial (Walgrave and Aertsen, 1996). Reintegrative shaming falls in line with the key elements of any restorative process (responsibility, reparation, reintegration). The young person can suffer stigmatisation and reintegration is therefore necessary.

Reintegrative shaming aims to remove the ‘offender’ stigma from the young person, enabling them to be reintegrated back into their communities “as whole, contributing members of those communities” (Van Ness, 2000: 4). The restorative principles of restoration and empowerment are mirrored by the reintegrative process within this theory, which could be a restorative intervention in itself.

The social discipline window exemplifies restorative practice as a whole. It was originally developed by Glaser in 1964 and adapted by McCold and Wachtel (2000) and subsequently by Vaandering in 2013. Vaandering focused more on the concept of relationships between people when they are seen as objects, as explained below.

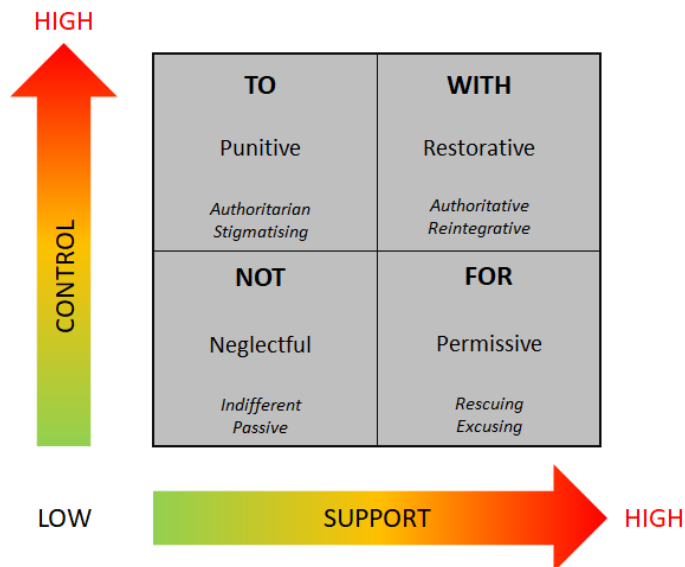


Figure 1: Adapted from McCold and Watchel (2000)

The vertical axis shows levels of control (strictness/boundaries) and the horizontal axis shows levels of support (kindness/nurture), which can be explained as follows:

- High control, low support - Doing something to someone, which is a punitive standpoint. People are seen as objects to be managed.
- Low control, low support - Not doing something - neglecting the issue or person. People are seen as objects to be ignored.
- Low control, high support - Doing something for someone - a permissive way of working. People are seen as objects of need.
- High control, high support - Doing something with someone - the restorative way of working. People are seen as objects to be honoured.

Restorative Justice focuses on working ‘with’ individuals to enable young people to take accountability, have a voice and be part of the decision-making process.

## Empirical Evidence of Restorative Justice Practices

### Victim-specific benefits of Restorative Justice

Many studies have evidenced a number of victim-specific benefits of participating in Restorative Justice (Angel, 2005; Van Camp and Wemmers, 2013). Numerous studies have highlighted the psychological benefits to victims of participating in a Restorative Justice process and how these benefits are far higher than the benefits experienced through the conventional court process (Angel, 2005; Poulson, 2003; Shapland et al., 2011; Strang et al., 2006; Umbreit et al., 1994). Participating in a Restorative Justice process has “substantial benefits for victims” (Strang et al., 2013: 2), including empowerment and agency, being validated as a victim, gaining closure and reduced levels of stress and fear (Angel, 2005; Koss, 2014; O’Mahoney and Doak, 2017; Van Camp and Wemmers, 2013). Victims who participate in a restorative process have been found to be significantly more likely to believe that the offender was held accountable. They have reported that the process and the outcome had been fair and that through communicating (directly or indirectly) with the offender their voice had been heard. Victims also outlined that they had been able to have their questions answered and had the opportunity to be involved in the decision-making process (Hoyle, 2002; Shapland et al., 2011; Van Camp and Wemmers, 2013). Moreover, victims who participate in Restorative Justice report an increased sense of empowerment in relation to keeping themselves safe, increased feelings of self-worth and increased awareness of self and situational context (Brathay Trust, 2017).

Studies have also found higher levels of victim satisfaction, procedural fairness and trust within Restorative Justice in comparison to mainstream criminal justice (Shapland et al., 2011; Van Camp and Wemmers, 2013). Shapland and her team (2011) have evidenced that victim satisfaction levels are higher for victims who have participated in a Restorative Justice process than for those who have only been through the mainstream criminal justice process. Victims perceive the Restorative Justice process to be procedurally just, which therefore improves victim satisfaction and well-being (Tyler, 2000).

Furthermore, research conducted by Williams-Hayes (2002) found a positive effect on both victim and offender satisfaction and outcome resolutions. Latimer et al. (2005) found that Restorative Justice practices such as victim-offender mediation and conferencing groups improved both victim and offender satisfaction.

## Benefits of Restorative Justice for Youth Offenders

Notwithstanding the benefits of Restorative Justice for victims, many of the psychological benefits outlined above apply to offenders too. A review of Restorative Justice conducted by Poulson (2003) determined that young offenders who participate in Restorative Justice are more likely to feel that both the process and outcome were fair, that their opinion has been considered and have a better understanding of the impact of their offending on victims. Young offenders who have been through a restorative conference process are more likely to show feelings of repentance (Kim and Gerber, 2012) and are significantly more likely to spontaneously apologise to the victim (Poulson, 2003). Many young offenders have repeatedly been exposed to violence throughout their childhood and this exposure is a “significant proximate cause of youth crime, which may desensitise them to violence” and “impair their ability to appreciate and understand how their own violent behaviour affects and impacts their victims” (Clark, 2012: 87). Restorative Justice is a mechanism that focuses on repairing the harm and addressing the needs of both the victim and the offender (Zehr, 1990) and has the potential to be transformative (Johnstone and Van Ness, 2007). Restorative Justice interventions enable young offenders to reflect on their use of violence, reconsider the use of violence (Wallis et al., 2013) and to change their perspective on offending (Criminal Justice Joint Inspection, 2012). Furthermore, Restorative Justice has the

potential to reduce reoffending by up to 14% (Shapland et al., 2011) and substantially reduce reoffending offence severity (Wallis et al. 2013), more so than through the application of traditional retributive youth justice sanctions (Daly, 2006).

Studies have also shown that participating in Restorative Justice processes can provide young offenders with the opportunity to acknowledge and reflect on their own harmful behaviour that fosters guilt and concern for the hurt caused to others (Froggett, 2007; Hobson et al., 2022). Through communicating with the people they harmed, young offenders can understand the impact of their offending on others (Clark, 2012). A study conducted by Kim and Gerber (2012) found that when young offenders take part in Restorative Justice they are more likely to repent and make amends (Kim and Gerber, 2012). Furthermore, studies have evidenced an increased likelihood of repairing the relationship between the victim and offender (Froggett, 2007).

Studies have also determined a correlation between restorative practices and reduced recidivism. The Home Office-funded evaluation conducted by Shapland et al (2011) of three Restorative Justice pilot schemes determined a 14% reduction in reoffending rates. A similar conclusion was drawn by Strang et al. (2013: 2), stating that “on average, RJs [Restorative Justice conferences] cause a modest... reduction in repeat offending”. Having said this, they also deemed this modest reduction to be highly cost-effective. Most recently Why me? undertook an economic evaluation of Restorative Justice and found it to be “associated with a substantial cost-social benefit ratio and direct return on investment to the Criminal Justice System” (Grimsey Jones and Harris, 2022: 42).

Moreover, young people participating in Restorative Justice processes have been found to have a greater perception of fairness, higher levels of satisfaction and “displayed somewhat less supportive attitudes towards delinquency” (Wilson et al., 2017: 6).

## Challenges in Restorative Justice Practices

Restorative Justice adopts a ‘victim-centric’ approach that focuses on healing the harm caused by the crime and simultaneously offers the offender an opportunity to repair some of the harm caused by their actions, allowing for a dialogue between those affected by the crime, mediated by a trained facilitator. However, it is important to acknowledge that while Restorative Justice has numerous great strengths, it also has limitations.

### Offenders

Restorative Justice is an individually-focused process which prioritises the needs of the participants. However, some argue that for the person who committed the offence, this can mean that the focus is solely on their behaviour rather than the external conditions of their lives. It is argued that there is a tendency in restorative practices to see violence as an individual issue and therefore provide only individual solutions (Brathay Trust, 2017; Schulz et al., 2021: 1241). However, many young offenders are victims themselves (Brathay Trust, 2017) who have repeatedly been exposed to violence throughout their childhood and this exposure is a “significant proximate cause of youth crime” (Clark, 2012: 87). One of the challenges for Restorative Justice is to identify and acknowledge the impact of structural and social issues on offending behaviour. Research states that Youth Justice Services should adopt a holistic, trauma-informed approach that can enable young people to be signposted to other support services (Harden et al., 2015; Lane et al., 2007; Utheim, 2011).

“Restorative Justice or restorative practice programmes that target youth violence need to be comprehensive, involve multiple agencies and be developed as a phased or staged approach” that fosters partnership working and collaboration between services (Hobson et al., 2022: 15).

## Victims

The Youth Justice System primarily prioritises the rehabilitation of young offenders and recent research has highlighted that Youth Justice Services remain offender-focused (Banwell-Moore, 2022). Therefore, conflict can arise between the needs of the Youth Justice System and the needs of the victim. This focus of Youth Justice Services means that when prioritising the needs of the young offender, the needs of the victim can be overlooked (Hoyle and Rosenblatt, 2016). This sidelining of victim needs can mean that they are further traumatised and disappointed by a process which is meant to be designed to repair the harm that they have suffered.

There are undoubtedly challenges when applying the principles of Restorative Justice to the Youth Justice System as young people differ in many ways from those in the adult Criminal Justice System. This can mean that they are vulnerable to an imbalance of power, lack an understanding of some of the key principles and struggle to articulate their feelings, thereby appearing uninterested. However, effective training of facilitators, acknowledgement of the young person’s personal circumstances and an understanding of how they may display feelings of vulnerability or defensiveness can prevent these obstacles from becoming insurmountable. The benefits of using Restorative Justice for young people therefore far outweigh the risks.

## Project information and methodology

This report is one of the outputs of Why me?’s three-year project which started in September 2020 and focused on improving Restorative Justice for young people and young adults. The work done within this project has enabled us to learn about the barriers preventing the wider use of Restorative Justice for young people and young adults, along with looking at how services can improve their standard of practice.

The aims of the project were to develop a [Good Practice Guide for Youth Justice Services](#) and publish this policy recommendation report.

There are three strands to the project and throughout the work we have done, we have been keen to ensure that the research is informed by the young people and young adults it is designed to help.

The three strands are:

1. Working with Youth Justice Services
2. Focusing on young adults aged 18-25
3. Exploring disparities in access to and uptake of Restorative Justice for young people and young adults from Black, Asian and other ethnic backgrounds.

## *1. Working with Youth Justice Services*

The first strand involved partnering with Youth Justice Services (YJSs). We partnered with Prospects in Gloucestershire, Lambeth Youth Offending Service and Lancashire Child and Youth Justice Service. One of our funders requested that we conduct some of our work within Gloucestershire, hence we chose prospects as our first partner. We met with various Youth Justice Services to determine our other two partners, wanting to ensure that we worked with partners who had the capacity to work with us over a period of roughly six months. We wanted our second partner to be a London borough working with diverse identities. Our third partner was selected for geographical diversity and desire to become a restorative organisation.

Staff across all three services were invited to participate in the research. The knowledge gained from these interviews enabled us to draw up a map detailing the different ways in which young people and victims of crime can enter the service and the different pathways they can take through the service. We were then able to pinpoint where things were going well and where things could be improved, as well as identifying whether there was any disparity between how things work in theory, as highlighted in the procedures and policies, versus how they work in practice. Project lead Leah Robinson built upon her previous experience as a Victim Liaison and Restorative Justice worker in a Youth Offending Team in order to develop good practice within Youth Justice Services. This experience was further developed with knowledge gained through our Youth Justice Forums, an Action Learning Set, Youth Justice Advisory Board and interviews with Youth Justice Service staff and users.

A data analysis was conducted to examine the number of victims of crime with whom the service had worked as well as the number and breakdown of Restorative Justice cases facilitated (i.e. number face-to-face conferences compared to letters of explanation) over the previous year. This information was provided by the Youth Justice Service with whom we were working, having been extracted from their database.

Qualitative interviews were undertaken with ten young people from two Youth Justice Service teams; seven from Lambeth and three from Lancashire. Furthermore, we interviewed six victims of crime to learn about their experiences of working with the service. These victims were offered the opportunity to participate in the research via one of service's Restorative Justice workers. One of the young people and five victims of crime had engaged in a face-to-face restorative process, meaning we were able to enquire about their experiences of Restorative Justice itself.

The interview questions (see Appendix 1 for full interview script) were divided into three sets (see below and Appendix 1) and focused on the following areas:

- Interviewee's knowledge of the word 'restorative' and Restorative Justice.
- Whether the interviewee had been offered and if so, accepted or declined the opportunity to engage in Restorative Justice.
- Question set one was for those who had not been offered Restorative Justice. These questions focused on what the interviewee would have said if they had been offered, their preference for what type of process in which they would engage, their experience of and/or thoughts on writing a letter of explanation.
- Question set two was for those who accepted the offer of Restorative Justice, focusing on how prepared, confident, safe and satisfied they were for/with the service as well as their overall rating. These interviewees were asked about the

process of being offered Restorative Justice and then going through the process itself, including any outcomes and reflections they may have had.

- Question set three was for those who declined the offer of Restorative Justice. These questions focused on the process of being offered Restorative Justice, what might have made them more interested in partaking in the process and their experience of and/or thoughts on writing a letter of explanation.

We also administered a skills audit of staff across the service to fully understand their knowledge and experience of Restorative Justice and/or restorative practice. This involved a set of questions exploring the staff members' previous training, understanding of Restorative Justice and whether they had participated in or observed a restorative process before. This enabled us to develop and deliver bespoke training to staff according to their needs. Each partnership concluded with us writing a report detailing our key findings and recommendations, which we presented to management staff and the wider staff team.

These partnerships have each been very successful and we are grateful to all three services for their time and effort. One partner stated:

“The partnership has helped to steer our approach as a service. It has been useful to gain an independent view of our strengths and areas for development.”

Alongside these partnerships, our learnings around what works well and what needs to be improved have also been taken from other meetings throughout the two years. These have included our Youth Justice Forums, a Youth Justice Advisory Board and an Action Learning Set, the latter of which was attended by the Project Lead, Leah Robinson. Why me? published a [Good Practice Guide](#) based on this first strand of the partnership in 2022.

## *2. Young adults 18-25*

The second strand of the project is focused on young adults, aged 18-25. The aim of the project was to explore whether there is a difference in the uptake of and barriers to accessing Restorative Justice for this age group versus young people (aged 10-18 and who are under the remit of the Youth Justice Service) or adults (aged 25+).

Surveys (see Appendix 2) were sent out electronically to Police and Crime Commissioner funded Restorative Justice service providers to obtain quantitative data to determine whether there is a statistical difference between uptake of Restorative Justice for this age group.

We also conducted interviews (see Appendix 1) and focus groups with young adults in custody in two Young Offender Institutions (YOIs): (formerly) HMP/YOI Aylesbury and HMP/YOI Isis. We conducted a total of five focus groups and sixteen individual interviews with young adults aged 18-25. The young adults were invited to participate through advertisements in the prison newspaper and were also approached directly by prison staff and/or us giving them the option to engage. The findings from the thematic analysis of these focus groups and interviews have been included in this report.

## *3. Racial disparity*

The third strand of the project is centred around race and ethnicity. Despite the fact that young people from Black and other ethnic backgrounds are overrepresented in the Youth



Justice System as a whole, there is anecdotal evidence that they might be underrepresented when it comes to uptake of Restorative Justice. This strand of the project focuses on whether that is the case and if so, what the barriers are for specific races and ethnicities. Rather than grouping all non-white young people together, we worked with youth groups with service users of Black and/or other ethnic backgrounds to break down the term 'BAME' and understand what specific barriers and challenges there are to accessing and engaging with Restorative Justice. Restorative circles were held with service users from the aforementioned youth groups to hear their thoughts and opinions to better understand their needs.

The findings of the study are presented below. Firstly the findings of the interviews conducted with young people (10-18 years) working with Youth Justice Services are outlined. The report then presents the findings from the interviews and focus groups with young adults (aged 18-25) incarcerated in Young Offender Institutions. Lastly, the findings from the interviews conducted with six victims are presented.

## Findings: Young people (Youth Justice Service interviews)

For the purposes of anonymity, the young people we interviewed have been identified according to a number e.g. YP1, YP2 and so on.

### **Had the young person been offered Restorative Justice?**

Of the ten young people asked, four said they had not been offered the chance to engage in a restorative process, one was unsure if they had been offered Restorative Justice, another said Restorative Justice was discussed but it was not relevant as there was no direct victim and four young people reported that they had been offered Restorative Justice. However, of the latter, one young person said they had only been offered Restorative Justice in the form of writing a letter of explanation.

When making the offer of Restorative Justice, we would recommend staff offer each type of intervention individually, focusing on one at a time to allow for a full discussion of each option. This will ensure that the people impacted by the harm can choose the right restorative intervention for themselves.

One way of doing this could be to create a flowchart or pyramid of the types of processes that can be offered. For example, starting with face-to-face conferences and shuttle mediation at the top of the pyramid and working through it level by level, with indirect processes such as letters of explanation at the end. This will allow the participant to make their decision based on informed consent, as per the Restorative Justice Council's restorative principles (2015).

Furthermore, every young person should have been offered the chance to engage in a restorative process. Even if the victim of crime does not wish to do so, there are other options such as a restorative conversation or use of a proxy victim in which the young person could still engage.

### **Did the young person know what the word 'restorative' meant?**

When asked to rate on a scale of one to ten whether they had heard of the word 'restorative' before, two young people reported that their Youth Justice Service worker had discussed Restorative Justice with them. A further two interviewees were quite confident that they knew what 'restorative' meant as it had been used in their school setting to deal with conflict. Several others, despite not hearing the word before, felt that they were able to define what it meant.

In one case, the young person had forgotten they had previously been informed about Restorative Justice and when initially asked to rate on a scale of one to ten how much they knew about the word 'restorative' replied with one. However, once the interviewer explained what Restorative Justice is, the young person recalled "I think I have, I have, yeah, I have I have" and named their Youth Justice Service worker as the person that had discussed Restorative Justice with them. This response may suggest that if Restorative Justice is not mentioned or explained regularly, young people are likely to forget what it is.

These responses also suggest that when Restorative Justice is integrated into a school's conflict resolution policy, young people may become more familiar with the term.

After giving a rating of nine out of ten for knowing what the word 'restorative' meant, one interviewee responded:

"In secondary school we used to do this. So say, for example, you had an altercation with someone at [...] lunchtime what the teachers would make you do [...] have a Restorative Justice little session, where you might come into a room like this and basically just talk it out with the other person and try to just hear their story and see what happened and why. Maybe it's just me but when I hear the words Restorative Justice, I can tell what's gonna happen. I already know what that means that before someone's explaining it to me, just because of the words. Just a way to resolve conflicts that's happened between two people." (YP4)

After giving a rating of three or four, one interviewee responded:

"Someone's told me a bit about it and yeah but before that I didn't know too much about it [...] basically making up with someone, yeah, finding the middle point with another person and coming to agreement, yeah ... yeah, it's happened in school but it wasn't the exact words." (YP2)

This response highlights the need for consistency in terminology as this participant understood the process as it had been used in their school but was not familiar with the word 'restorative'.

### **Did the young person take part in a restorative process?**

Six of the ten young people interviewed were offered Restorative. This figure includes one young person who was unsure if they had been offered. Later in the interview this young person said they had been asked if they wanted to write a letter of explanation. The figure also includes a second young person who said there was no direct victim and therefore it was not relevant. Four of the young people offered Restorative Justice said yes. Two out of the four young people who had agreed to take part were waiting for the process to happen, with one stating: "I said yes but no movement. Don't think it's going to happen as the guy said no." (YP5)

The third young person who had said yes to participating in Restorative Justice had already engaged in a face-to-face conference, stating that this involved “meeting the victim and sitting down with him and just talking about it.” (YP10)

The fourth young person who had said yes had initially agreed to take part but then changed his mind. The case was a complicated family issue and the young person’s father did not want his child to take part which led to the young person deciding not to proceed.

Only two young people declined the offer to participate in Restorative Justice. These were the young person who could not recall if they had been asked if they wanted to take part but, in fact, had been offered the chance to write a letter of explanation and the young person who said that Restorative Justice was not relevant due to there being no direct victim.

### **Young people who stated they would consider taking part in Restorative Justice but were not offered the opportunity**

Of the young people (n=4) who had not been offered the opportunity to engage in a restorative process, there was a very positive response to being asked if they would consider taking part. Half of the young people who were not offered Restorative Justice stated that they would probably have taken part in it if they had been asked (n=2).

### **For what reasons would they not want to participate in a restorative process?**

A total of three young people responded that they would not take part in a restorative intervention, one had been offered Restorative Justice and two had not been offered Restorative Justice.

One of the young people who declined the offer to engage in a restorative process chose not to participate as they believed that Restorative Justice would not be relevant to their case, stating: “I don't know if it was relevant to me [...] I didn't have any problems with anyone.” This young person stated they would possibly participate in Restorative Justice if they felt it was relevant:

“If it was a thing where kind of questions or wanting clarity on something, or I wanted to resolve an issue with a specific person, then I would do it. But if, for example, I didn't need any answers from the person, I didn't want to see their face again [...] I don't really care about our relationship being mended, then I wouldn't want to.” (YP4)

Another young person was only offered the opportunity to write a letter of explanation when presented with Restorative Justice and consequently declined the offer. This appeared to be due to the young person’s father’s negative opinion regarding his child taking part in a restorative process and that the incident was in relation to an ongoing and unresolved intrafamilial matter. When asked about it, the young person’s father stated:

“I said well, you can ask him [child], you can ask him on his own what he wants to do [...] but I disagree with it. [...] when I spoke to him, he didn't want to do it either because obviously there's beef there.” (Father of YP3)

### **If yes, in what type of process would the young person wish to participate?**

The only Restorative Justice process to have taken place among the interviewees was a face-to-face meeting.

However, when asked what type of process they would take part in, 80% of the young people stated their preference would be face-to-face, with several others saying they would take part in a video conference or write a letter of explanation.

### **If yes, what was the young person's experience of Restorative Justice?**

The young person who engaged in a face-to-face conference rated their experience, feelings of safety, confidence and satisfaction with meeting as ten out of ten. When asked why they had given this rating the young person responded:

"Just because it obviously turned out really well, obviously, he comes up to me and says, 'Hello' and there was, there was no conflict when we were there, it was just a nice little chat. [...] So then when I see him about he always comes up to me and shakes my hand and says 'hello'." (YP10)

### **For what reasons would the young person participate in Restorative Justice? This includes reasons given by those who had not been given the opportunity and those who did not know prior to the interview what Restorative Justice was.**

To resolve issues, get answers to questions, seek clarity and communicate

One young person was offered Restorative Justice for an offence with no direct victim. However, when asked if they would engage in a process if there was a direct victim the young person stated:

"I only would have said yes if I myself thought it was necessary for me. And if I thought at the end of it, it would have been somewhat beneficial. [...] I just feel like if it was a thing where kind of questions or wanting clarity on something, or I wanted to resolve an issue with a specific person, then I would do it. But if, for example, I didn't need any answers from the person, I didn't want to see their face again. And yeah, I don't really care about our relationship being mended, then I wouldn't want to." (YP4)

One young person thought that it would prevent any further altercations.

Another interviewee stated:

"I thought it was like, Oh, that's good. That's an opportunity. But it felt a little bit scary, because I don't know the geezer do I. I don't know who he was, he could be like, he could just be really angry. Or he could be like, really forgiving. [...] But if they come to me like oh this guy, that the victim of the crime, or whatever, he wants to speak to you, then that would have been much more helpful." (YP5)

Another young person thought Restorative Justice would be beneficial in cases where "there was any, like, bitchiness in the remaining fight, just arguing or anything like that." (YP10)

### To have the opportunity to apologise

One young person would engage in Restorative Justice if “it was more or less the fact that like, I kind of knew I’d been in the wrong and I just wanted to actually apologise that I were in a state.” (YP10)

### To help the victim

One interviewee stated:

“Yeah, just know how it really affected him. So then it didn't like, I don't know. I just wanted to see what he felt about it [...] I mean, I had nothing against him or anything like that, it was just, he was just some random guy that I'd never met before and it was this, there was nothing there before and there was no, no, I had no hatred against him or anything like that.” (YP10)

## **What might prevent them from participating?**

### Embarrassing/feeling uncomfortable

One young person stated: “I just don't feel like I'd want to communicate with, erm, the other person [...] I'm not kind of comfortable with that.” (YP7)

### Timing

The young person who participated in a direct Restorative Justice process felt that the offer needs to be made early:

“Yeah, to be fair, even if I got offered it like any earlier, I probably would have still said the same. Even at the time it were quite fresh when the incident happened, [...] Probably only, like, a couple weeks [after the young person started their order that their Youth Justice Service worker discussed Restorative Justice].” (YP10)

When asked when the best time to participate in Restorative Justice is, they replied: “Well, from my perspective, as early as you can get it in, as long as both parties are fine with it.”

## **Factors that could act as barriers or enablers to participation in Restorative Justice**

### Hearing first-hand accounts of Restorative Justice experience

One interviewee stated:

“I think it would be helpful if it was like [...] something that, like could help your process. Like, coming out of the Youth Offending System, or whatever, or support or whatever it's called, like, or just like statistics, people that have done Restorative Justice.” (YP5)

### Being able to have a variety of Restorative Justice processes offered

While there were no specific comments on this enabler to participation, interviewees discussed the different forms offered. They highlighted the fact that engaging in the

Sycamore Tree programme led them to think about the victim, in line with Restorative Justice.

The Sycamore Tree programme is a victim awareness programme taught in prisons, teaching attendees the principles of Restorative Justice. This is done by exploring the ways in which people are affected by crime and the consequences of taking responsibility for their actions (Prison Fellowship, 2021).

#### Person making the offer - trust

Several respondents discussed the importance of who makes the offer, highlighting that it needs to be made by someone who the young person has come to trust:

“So if [Youth Justice Service worker] came to me, it would be a thing like I'd be open minded about it and be like cool what is it? Why do you [think] I should do it? Is it good? Cool. And I'll see. If a police officer came to me now, since he's walked over to me already don't want to hear what he's saying [...] [you need a] level of comfortability to go in and do [Restorative Justice]. I feel like the person offering it to you has to have that same level of comfortability with you. It can't just be a random person. [...] So, yeah, we're more likely to listen if it was someone I felt comfortable with.” (YP4)

#### **Benefits of victim awareness which then paves the way for Restorative Justice**

One interviewee acknowledged the ways in which sessions focused on victim awareness can open new avenues to explore restorative processes:

“I mean, a lot of the sessions that I'd done, they do just, like, put into perspective what a victim would feel like and it makes you, like, it opens your eyes to it.” (YP10)

#### **Letters of explanation**

The majority of the young respondents had not heard of a letter of explanation before. However, one-third of respondents reported that they would, or would consider, writing a letter of explanation.

Three respondents stated that they would not write a letter as it may appear disingenuous:

“I feel like if you've got a problem with someone, I ain't writing a letter to you, I'll say it to your face. So I would expect you to say it to my face, I feel like body language and tone of voice is an important thing as well and you might not be able to get that through a letter, because I can write anything down. But you don't know exactly how I'm feeling when I say that.” (YP4)

These young people stated that they would prefer to meet and talk face-to-face with the person they harmed, with one stating:

“I feel like anyone can write a letter and make it sound good. But speaking to someone is kind of different. Because it's like, you're actually speaking to them. And you can actually hear and also they can respond to me. I mean they can probably write, write back. [...] But it was like a carefully constructed [letter] and a conversation isn't. It's just two people talking. I would rather have a sit down.” (YP5)

This interviewee went on to say that writing a letter of explanation would be a possibility:

“Obviously it's a possibility, but I would prefer to have a sit down. And I think I would write about like, you know, who I was at the time. How [...] I've dealt with it and who I am now.” (YP5)

## Findings: Young adults, taken from the interviews conducted in Young Offender Institutions

For the purposes of anonymity, the young adults we interviewed in a Young Offender Institution have been identified according to a number e.g. YO11, YO12 and so on.

### Had the young adult been offered Restorative Justice?

Of the young adults with whom we spoke, two of the 16 had been offered Restorative Justice. Only two young adult interviewees said Restorative Justice had been mentioned to them with one saying they had been asked if they wanted to write a letter of explanation but not offered any other form of Restorative Justice.

Two of the focus groups discussed whether the attendees had heard of Restorative Justice or if they had been offered the opportunity to engage in a restorative process. In focus group 2, neither of the participants had prior knowledge of Restorative Justice and in focus group 4, two out of the three respondents did have prior knowledge. This was a result of having attended the Sycamore Tree programme in prison.

### Did the young adult know what the word 'restorative' meant?

When asked to rate on a scale of one to ten whether they have heard of the word 'restorative' before, over half of the young adults did not know what the word meant. Several others, despite not hearing the word before, felt that they were able to define what it meant:

“I would say about a seven ... you're bringing back something like you're trying to recreate or rebuild something.” (YO19)

“Seven or eight [...] Know what it could mean/alternatives but have a habit of mixing it up with other words. Restorative is the equivalent of exchanging. Crime is negative, [Restorative Justice] makes it back to zero.” (YO18)

### Initial thoughts on Restorative Justice

The young adults who attended the focus groups described their initial thoughts on Restorative Justice. Many of the young adults were very positive about Restorative Justice, with various attendees highlighting it as “100% a very good idea”. The young adults felt that a restorative process could help resolve issues with someone and provide answers to questions such as ‘why me?’ and ‘was I targeted?’. They thought that getting answers to questions could provide closure for all those involved and that participants could give each other something in relation to moving on from what happened. Other benefits of participating in Restorative Justice from the young adult’s perspective also included: helping people to grow, enabling someone to live their life without ongoing regrets and allowing

someone to empathise with the other person's perspective. Anger management classes were mentioned as a comparison, whereby both processes allow someone to better understand their behaviour and the reasons why harm was caused. However, the young adults said that Restorative Justice might be "complicated" and therefore should be case specific, a voluntary process and should not be "pushed on anyone".

The young adults also expressed that whilst it is a "good idea for victims of crime" it might bring back bad memories. They felt that for some people it may be too painful, especially for what attendees described as major crimes, which we would identify as complex and sensitive cases. Furthermore, the young attendees felt that age and maturity would be a factor to take into consideration. Lastly, they also raised the question of safety and whether meeting face-to-face would be safe for those involved.

### **Did the young adult take part in a Restorative Justice process?**

None of the young adults had taken part in a restorative process.

### **Young adults who stated they would consider taking part in Restorative Justice but were not offered the opportunity**

Out of a total of 18 YOI interviewees, half (n=9) were not offered Restorative Justice. However, over half of the young adults who were not offered Restorative Justice stated that they might take part in the process if asked (n= 5).

Two respondents explained that while they would not be willing to engage in a restorative process now, it is something that they would consider at a later stage. With one stating: "not at the minute, but probably maybe down the line I would" (YOI2) and another explaining that they "would think about it." (YOI16)

Another interviewee said that he: "would have maybe said yes [...] later on" but at this present time would not want to take part in a Restorative Justice process. He felt that he needed the "chance to think about it" and that "given time" he "might want to." (YOI1)

One young adult discussed their experiences as both victim and offender and how this would impact their decision on whether to engage in Restorative Justice: "If like, there was someone else in the picture, then obviously, yeah, I'll probably do it innit but and as I said, I'm both the victim and the other one you know what I'm saying." This young adult also stated that if they took part in a restorative process they would "rather be face-to-face than nothing." (YOI8)

Another respondent discussed the fact that they would "have loads of questions [...] Because it's obviously something that I've never took part of personally. Do you know what I mean and I don't think I've known anyone who has, so it would be very new [...] [so] I'd say maybe." (YOI 20)

Several young adults (n=4) gave a resounding, positive 'yes' response when asked if they would take part in a Restorative Justice process if they were given the opportunity.

One young adult stated that they would "100%" take part in Restorative Justice. When asked if they wanted to explore the option of taking part in Restorative Justice they replied "I wouldn't mind yeah" and wanted contact information so they could take it forward (YOI19).



Another interviewee explained that they would say “yeah” to the opportunity to meet the person(s) they had harmed, stating that they would: “like to meet face-to-face [...] and say sorry for what I've done.” (YOI6)

A further respondent who also expressed that they wanted to take part asked the Prison Officer (who was present in the interview) if it was available at the Young Offender Institution.

These responses highlight that there is a clear interest in engaging in Restorative Justice from young adults but a lack of awareness about the opportunities available to them.

### **In what type of process would the young adult wish to participate?**

When asked what type of Restorative Justice process they would take part in, the majority of the young adults stated face-to-face and several others said they would take part in a video conference or would write a letter of explanation.

### **For what reasons would the young adults participate in Restorative Justice? (including reasons given by those who had not been given the opportunity and those who did not know prior to the interview what Restorative Justice was)**

To resolve issues, get answers to questions, seek clarity and/or communicate

One young adult stated that someone may want to engage in a restorative process as “they might need to explain themselves for self-satisfaction” (YOI18). Another answered that they would participate to enable them to see “my point of going across like[...] why I've done this, why I done that, the reason behind it.” (YOI19)

Forgiveness

Religion arose as a theme with some of the young adults interviewed, with one explaining that someone may want to engage in Restorative Justice “for religious purposes; forgiving themselves for sin” (YOI18).

To have the opportunity to apologise

One young adult was not offered Restorative Justice but responded that if offered they would have said yes as they wanted the opportunity to “say sorry for what I've done” (YOI6).

Another respondent explained that while they might not previously have wanted to or been ready to, now they had “had long enough to think about it, can accept it now and [am] ready to apologise.” (YOI17)

Another respondent said that while they are not ready now, they would be ready to apologise at a later stage: “I would like to say sorry at some stage in the future but not now, say five years' time.” (YOI16)

To help the victim

The young adults identified helping the victim(s) as a reason why someone may want to engage in Restorative Justice: “like it can help like obviously the victim and obviously, the person that's done it and could sort stuff out.” (YOI2)

One young adult spoke about specifically helping the person they harmed:

“[I] don't want them feeling like they can't be safe in their home, or they can't be safe.” (YOI11)

#### To take the weight off their shoulders

Two of the young adults described Restorative Justice as being an opportunity to take a weight off their shoulders, stating this would be a reason they or others may want to take part in a restorative process with the person(s) they harmed.

#### To take responsibility

One young adult highlighted that they would want to take the opportunity to take responsibility for their actions and acknowledge the harm they have caused:

“If I believe someone done [something] wrong yeah they should own up to it [...], if I done something wrong and I got caught I will own up to it you know what I'm saying, so I believe yeah, if you know you've done something wrong, then you need to own up. It's [as] simple as that.” (YOI19)

The young adults who attended the focus groups expressed a variety of reasons why they or others may want to engage in Restorative Justice. These were as follows:

- They would want to see what it's like, as they would always be happy to try something new
- Could be good to get things off their chest
- They feel bad and want to do good
- For religious reasons, explaining that lots of young adults convert or revert in custody and therefore become more respectful
- To obtain peace of mind
- To apologise
- To help keep the victim(s) safe
- For personal healing
- For a victim to have their questions answered
- To get closure and be able to put things behind you
- For a victim to have a say in their own recovery
- To face up to things and allow the opportunity for forgiveness
- To understand the ripple effect (the young adults who described this explained they had learnt about the ripple effect through the Sycamore Tree programme)
- Due to peer pressure
- To provide an opportunity to explain how and why they committed the offence
- To allow a participant to see how the other person feels

#### **For what reasons would they not want to participate in a restorative process?**

Only one of the young adults not offered said that they would not take part even if offered. Therefore, a total of four young adults (three were offered and one was not offered Restorative Justice) responded that they would not take part in a Restorative Justice intervention.

Out of the four young adults who declined the offer of Restorative Justice, one did not want to participate as they were appealing their case. This young adult stated that they had not committed the crime and said that the “victim lied on the stand” and that they did not agree with some things such as their conviction (YOI17). They were therefore concerned that they

might “kick-off” if they participated in Restorative Justice. However, this young adult also said that they “would want to know the process”, suggesting that they would be willing to participate in Restorative Justice for other offences and cited having “long enough to think about it”, “can accept it now” and being “ready to apologise” as reasons they would want to participate in Restorative Justice (YOI17).

The fourth young adult (YOI11) was only offered the opportunity to write a letter and declined the offer, stating that they were “a bit young at the time and immature so I was just like, I don't want to do that”.

### **What might prevent them from participating?**

While the young adults identified several reasons why someone may want to engage in Restorative Justice, they also discussed factors that may prevent someone from wanting to take part. The following were identified are some of the reasons why someone may not engage:

#### Lack of information about or knowledge of Restorative Justice

One interviewee stated that they would “probably maybe” participate in a restorative process if offered and that this response was because “obviously I don't know too much about it” and they would want to know “what's it about and that, what does it do?” (YOI8).

#### Having to reflect on the mistakes they have made

Another respondent explained that they would not participate in Restorative Justice as:

“It is one thing to commit a crime, another thing to look back and see how you were before and demonise yourself.” (YOI18)

#### Not feeling sorry

One young adult explained that they did not feel sorry and therefore did not feel remorse. For these reasons, they would not want to engage in Restorative Justice.

#### Feeling embarrassed or uncomfortable

Another interviewee explained that they would find the process embarrassing and that feeling uncomfortable would prohibit them from taking part.

#### Unsure of what to say

A young adult who was convicted of joint enterprise said that they would have “nothing to explain” and therefore would decline the offer of Restorative Justice because they would question “what would I say?” (YOI16).

Other reasons given by the young adults in the focus groups for why they or others may not want to engage in Restorative Justice were as follows:

- If they feel that there is no need to engage as they are already in custody
- If they are scared of the response from the victim(s)
- If they do not want to see the impact they have had on another person's life
- The victim may not want to hear anything from the offender

- If they are not sorry for what they did
- If there are too many victims
- If they feel shame at what they have done
- Some people may not be ready to engage in the process
- Due to a sense of pride
- It depends on the case, as some sensitive cases such as child exploitation may not be suitable
- Some people cannot deal with the guilt and so do not want to face the person(s) they have harmed

## **Factors that could act as barriers or enablers to participation in Restorative Justice**

### Timing

The importance of good timing was highlighted as a significant consideration when making the offer of Restorative Justice. One interviewee stated that if they were offered the chance to engage in a restorative process, they “would have maybe said yes later on but not right now [...] Chance to think about it, given time might want to.” (YOI1)

Another young adult also explained how his response would have varied according to the times at which Restorative Justice was offered to him:

“Well, if I was given the chance I dunno last week, I probably would have said ‘yes’. If I was given the chance last year, probably would’ve said no. I’m gonna be honest with you, and that’s just because my mindset back then was quite different to how it is now.” (YOI3)

One respondent discussed the length of time in which they had been able to ruminate on what happened, stating that they have “had long enough to think about it, can accept it now and ready to apologise.” (YOI17)

The young adult who declined the offer of Restorative Justice, as they thought that they were “a bit young at the time and immature” explained that if they were offered Restorative Justice now they would like the opportunity to meet their victim face-to-face as “now, obviously, I’ve changed my mindset” (YOI11). If a face-to-face restorative process was not appropriate for the victim of crime then this young adult stated they would be willing to write a letter of explanation instead.

In contrast to this, another interviewee expressed that they wished they had been told about Restorative Justice when they first entered the Young Offender Institution.

### Hearing first-hand accounts of those who have experienced Restorative Justice

The focus group respondents felt that role models - an offender who could explain their experience of the process when they took part in Restorative Justice - could help to break down any potential barriers. They said they would strongly welcome the opportunity to hear more from people who have been through it. They wanted to be able to hear other prisoners who have experienced Restorative Justice discuss their positive outcomes.

However, in focus group 1 it was suggested that the organisational, masculine culture within custodial settings may be a barrier to hearing first-hand accounts. One young adult thought that “in prison, if you’ve been through Restorative Justice, prisoners wouldn’t say anything about it due to image.”

The 'culture' barrier was also discussed in terms of embedding Restorative Justice within the ethos of youth justice. Respondents explained that "Restorative Justice [is] a mindset". This 'mindset'/embedding Restorative Justice in the culture of Youth Justice Services and Young Offender Institutions requires "hearing from someone who has been through [it]".

### Knowledge

Several interviewees highlighted that in order to decide whether they would participate in Restorative Justice they would want to "know more about it [...] Just about the whole thing, the whole point of it." (YOI6)

One respondent stated: "I think if you [...] actually let people know what the actual process is I think they'd be interested in doing it and if they knew the benefit for the other person, they'd be more likely to do it as well." (YOI11)

Another young adult described the extent of the questions they would have and the need for a full understanding of the process: "If I were to take part in a Restorative Justice program. I'd have questions yeah [about] probably everything." (YOI20)

### **Benefits of victim awareness which then paves the way for Restorative Justice**

The focus groups highlighted how victim awareness programmes could open avenues for young adults in custody to engage in Restorative Justice. Some participants were also encouraged by the idea of including Restorative Justice within the programmes themselves. Focus group 5 stated that they now understood the ripple effect as a result of attending the Sycamore Tree programme, in which Restorative Justice was explained and explored.

### **Letters of explanation**

The majority of the young adults had not heard of a letter of explanation before. However, one-third of those spoken to would, or would consider, writing a letter of explanation.

## **Findings: Young adults, taken from the survey responses from Police and Crime Commissioner-funded Restorative Justice services**

We sent out an online survey to all of the Police and Crime Commissioner-funded Restorative Justice services to gain quantitative and qualitative data on their work with young adults aged 18-25 in comparison to young people (aged 10-18) and adults (aged 25+).

This section of the report explores the answers we received from the nine services who responded to the survey.

*Certain answers have been redacted for confidentiality purposes.*

### **What percentage of offenders are aged between 18 and 25?**

The services reported an estimated average of 14.6% with a range from 0% to 40%.

### **How, if at all, does your approach differ when working with offenders aged 18-25 as opposed to those over 25?**

Most services reported that there is little to no difference in their approach, highlighting the fact that restorative work is “geared around individual circumstances of the case” and the emphasis on a conscious effort to “adapt our practices based on every individual we work with” to ensure “through [...] initial meetings and assessments [...] we are catering for any specific requirements such as extra support needs”.

Some services identified specific differences, including using “slightly different terminology when working with a younger audience” and that they “would perhaps be more encouraging for them to identify a supporter”.

### **What (if any) different challenges do you come across when working with offenders aged 18-25 compared to over 25s?**

While some services did not report any specific challenges unique to the 18-25 age group, several highlighted the varying maturity levels as being an issue, particularly concerning showing remorse and making a commitment to the process. The latter was discussed as a potential barrier to creating relationships “built on trust and openness”.

Other factors emphasised included stability, housing, mental health and substance use.

### **How, if at all, does your approach differ when working with offenders aged under 18 as opposed to those over 18?**

The majority of the service providers had worked with offenders under the age of 18.

Most services reported that the most significant difference in approach was the need for an appropriate adult when working with offenders under the age of 18, as opposed to contacting and gaining consent from the offender themselves.

Some services elaborated on this, highlighting the importance of the presence of a supporter for offenders under the age of 18, with one stating:

“We also have paper resources to help guide the sessions and to keep the parties engaged, where possible this is sent to the supporter a few days beforehand to familiarise themselves with and to begin to have restorative conversations.”

### **Is there any difference in uptake of Restorative Justice for different races or ethnicities?**

While some service providers were not sure, the majority did report a difference in uptake of Restorative Justice for different races or ethnicities.

There was a difficulty from some services in extrapolating data in relation to ethnicity. However, one service elaborated:

“It is unclear if the disparity in the diversity of clients is due to uptake, or a lack of initial referrals. When offered [Restorative Justice] from our team, there does not seem to be one group that is more likely to participate than another, but [Restorative Justice] is not being discussed and offered to all races and ethnicities fairly. As this is happening before the cases reach us, it is unclear why this is occurring.”

### **Are there particular barriers you have encountered when working with people from Black, Asian or other ethnic backgrounds?**

The services responded yes, no and not sure in equal amounts, so no findings can be drawn from this question.

### **If you answered yes to the previous question, what were they and how did you overcome them?**

Several services provided a more in-depth answer to this question, as follows:

“We are fortunate enough to have resources within the force that can assist us when facing any challenges such as language barriers, practitioners’ lack of cultural understanding and participants’ confidence in the police. We reach out to our diversity and community engagement teams.”

“Only where this is also coupled with the participant not being able to speak/read English. As a service, we acknowledge that all of our Hub staff are of a White - British background but this has not (yet) presented as the only/sole barrier to [Restorative Justice] being taken up more widely by people from Black, Asian and ethnic minority backgrounds.”

“Although we are an independent organisation, being associated with the CJS and therefore the police, can be a barrier to building trust. Similarly, the rate of referrals is disproportionately white British clients, which suggests that our service is not being offered consistently across services in [certain areas].”

“Raising awareness in other organisations, through talks and information sharing meetings, could potentially be a good way to begin building relationships across the sector within [the area].”

## **Findings: Racial disparity**

This section of the report focuses on the fact that while young people from Black, Asian and other ethnic backgrounds are over-represented within the Youth Justice System, which is a problem in and of itself, there is anecdotal evidence that these communities of young people may be underrepresented when it comes to the uptake of Restorative Justice.

This strand of the project was designed to encourage young people to discuss their thoughts, feelings and opinions in relation to Restorative Justice and their ethnic and racial

identity by providing a safe, open space through restorative circles. We conducted a total of four restorative circles with the aim of breaking down the term 'BAME' to identify specific challenges and barriers for individual young people, rather than grouping all young people from Black, Asian and other ethnic backgrounds together.

*We do not believe that saying 'BAME' is conducive to positively talking about racial identity as it is impossible to distil centuries of history and culture into a handy acronym. Therefore, we asked all participants to self-identify regarding their racial or ethnic identity.*

### **First restorative circle**

This circle was made up of seven Black attendees.

Among one of the circles there was a feeling of distrust towards the Restorative Justice process if there is a need for police involvement in the process. The circle attendees were unsure as to whether they would be tricked into taking part in the process, which was followed by a general feeling that there needs to be retribution for a crime in line with "an eye for an eye".

### **Initial thoughts on Restorative Justice**

There was quite a negative response to Restorative Justice at first, with one young person stating: "I think it's stupid. I think it sounds kind of stupid because it doesn't really do anything for anyone. It doesn't do anything for anyone."

Another young person said they did not see a point in it because if they were faced with the person who, hypothetically, killed a member of their family, they would want to harm them:

"There is not going to be talking, I'm just gonna get mad or I'm gonna scrap I'm gonna punch them up differently. [...] I'm not doing the talking thing. [...] You can't go around killing people and not expect the payback ... It's an eye for an eye, that's how the world is."

There were also elements of disapproval and frustration around the offender's explanation of their motivation for fear it would not be "good enough", with one attendee explaining:

"I could be going through the same thing that they've been going through and not commit a crime, so why does that give him the right? I'm not gonna want to know why he's done what he's done. And how do you know someone's not going to use it to get revenge?"

One attendee, however, after questioning the safety measures used by facilitators, had mixed feelings about Restorative Justice:

"It depends on the people because there's going to be certain situations that mediation ain't gonna work, generally all that ain't gonna work. But if both parties feel that they want to get the closure on it, then at that point it might work. To convince someone to do it is not, it's not something that I would personally recommend because like I said, people just say yes for the wrong reasons."



## **Do you feel your ethnic identity, where you are from and how you identify affects how you feel about Restorative Justice?**

### Mistrust of the police

One attendee discussed the harshness of police in relation to their race, stating:

“The reason why the police are so harsh is because it’s a punitive justice system to begin with, like the court says you need to punish first rather than healing.”

There was a thorough discussion about the mistrust of the police and the impact this would have on participants’ willingness to engage in Restorative Justice if they were first approached to do so by a police officer:

“It’s just because that from decades ago, police had that power and ‘cause that’s been run like that there’s no respect and I don’t trust them offering anything.”

“The communication really is lacking. If they spoke they might get somewhere actually, but some of them just speak, speak and not listen to you, let’s be real. It’s a lack of respect, lack of knowing what they’re doing and how you’re dealing with [the] situation.”

### **Second restorative circle**

This circle had three participants who self-identified as Black or Brown.

### **Initial thoughts on Restorative Justice**

The attendees had an overall positive response to Restorative Justice, describing it as a “good thing”. They were positive about the process being voluntary, highlighting that it is important to ensure people are okay with talking to each other.

The participants outlined the positive outcomes of engaging in a restorative process, including the hope that the offender will “learn to not do that anymore”. They also focused on benefits for the victim through the potential for them to “learn how to keep their things safer” when discussing a theft and learning “how to deal with it in a better way”.

One participant explained that “it is a good thing because you get to talk about how you feel and resolve things in a less violent way” and another felt particularly positive about the process, stating that “talking to the victim and offender is a really good idea, keep doing what you are doing!”

### **If this became an option for you, what would make you want or not want to take part?**

#### Victim versus offender

There was a consensus from participants that they would be more likely to participate in a restorative process if they were the victim rather than the offender, as it would provide them with an opportunity to see things from the offender's perspective and understand their mindset and reasoning. Furthermore, the victim could find out why the harm was committed in the first place, which could provide some form of closure: "If they stole from me because they needed food for their family I wouldn't be upset."

In contrast to this, one attendee said that it might be good for an offender to take part in Restorative Justice in order to tell the victim the reasons why they committed the offence, which may satisfy the victim's need to understand why they were victimised in the first place. Additionally, another attendee acknowledged that if they were the offender they would want to know the ways in which they had negatively affected someone's life in order for them to do better in the future.

### Hate crimes

There was some discussion about how the type of offence could have an impact on the decision to take part in Restorative Justice:

"If it was just an argument I would be happy to talk it through but if it was a hate crime or someone hurting me I would not be okay with it."

Hate crimes were discussed in detail as a further consideration:

"If it's a hate crime, you knew what you were doing, you are a racist or sexist so don't want to learn about it. I have already heard their opinion so I don't need to hear it again."

"If it was a hate crime, someone coming at me for something I can't control, there is no point in talking to someone who can't see past sexual orientation or gender or race."

However, the latter comment was caveated by the participant acknowledging that "people can change". The opportunity to provide education to the offender was also discussed, particularly in relation to hate crimes:

"I did personally think about the fact that you could educate them. I have experiences of people coming at me for something I can't control, for the way I look and for supporting the LGBT+ community and I could never talk to her again. Especially for LGBT+ people because it's something that you genuinely can't help."

On further discussion, another attendee said that they "couldn't personally bother" to educate an offender in this way. In addition, one attendee highlighted that they have spent a lot of time arguing with people online without getting anywhere. Therefore, they would be reluctant to bother doing so through Restorative Justice as they would not want to waste their time explaining why the actions were wrong.

### Lack of freedom and shame

A further topic of discussion was a self-imposed barrier, whereby the victim and/or offender may not feel free to talk about what happened. When highlighting this as an advantage of

participating in Restorative Justice, one attendee explained that someone may hide it and “get really ill from it, get sick and wonder why they never talked about it”.

Additionally, if someone felt shame about the reasons behind their offending they may be reluctant to explain this to the victim. One attendee gave the example of a person experiencing homelessness:

“If the offender stole and needed the money they might be a good person and feel ashamed. Homeless people really struggle to get a job because they don’t have an address. They might then steal and feel ashamed.”

### Mental health implications

Circle attendees discussed the fact that if the victim is going through a hard time they may be able to get clarity on what happened by communicating with the offender.

### Rebuilding relationships

One participant highlighted the opportunity for the victim and offender to perhaps “become mates” after engaging with the process. This was further enforced by another attendee stating that “not all people who commit crimes are evil” and should therefore be given a chance.

## **What could be done to change this for you?**

### Hear people’s opinions

Participants highlighted the benefits of being able to talk to someone who has knowledge about the process and could answer questions, as well as being able to hear other people’s opinions on Restorative Justice.

There was a consensus among the attendees, with one specifically stating that “people our age want their opinions heard, so ask them their opinions.” This could lead to higher levels of engagement in Restorative Justice or better highlight the barriers to engagement.

### Engaging with one party may encourage the other

If someone were to speak to the victim or offender and get them engaged in the process then the other party may also want to take part as “they won’t feel so bad and will get to talk about why they did it and how the victim felt after.”

## **Third restorative circle**

This circle involved two attendees who self-identified as Black.

## **Initial thoughts on Restorative Justice**

### Motivations for engaging and revenge

One participant questioned the motivations for engaging in Restorative Justice, explaining that an offender may say yes to engaging in the process in order to have a good image. Furthermore, they added that the participants may say they are fine “but when they come outside with that person it will be different”, indicating that people may not be entirely honest throughout the restorative process.

The topic of revenge was raised regarding uncertainty around how much anger someone may have about what they experienced. One attendee said this might manifest itself as someone wanting to find their own peace and justice by retaliating and fighting rather than by engaging in Restorative Justice.

There was some uncertainty around the consequences of engaging in Restorative Justice concerning reduced sentences after participating. However, it was explained to participants that this is not the case and Restorative Justice is not an alternative to the traditional justice system.

### School-based restorative practices

One attendee recognised the process as that which is sometimes done in schools, particularly “when two people who have had a fight [...] talk together”. However, this young person stated that unfortunately, the schools “never do it well”.

## **If this became an option for you, what would make you want to take part?**

### Revenge

Even though revenge cannot act as a motivation for partaking in Restorative Justice, some participants said they would want revenge if they had been harmed by someone:

“At the time [talking about having experienced harm as a victim] I definitely wanted to take justice, I was calling up everyone I knew to get justice. Might as well be calm, I don’t want to do that anymore. At the time I told him how angry I was. Nowadays I like to be calm with everyone.”

“I’m deffo getting him back.”

“I’m not speaking to them, I’m robbing them back.”

### Resolve the conflict

Participants identified the benefit of Restorative Justice as a mechanism for conflict resolution, particularly focusing on more serious cases of harm:

“It depends on what I did, if I ruined someone’s life then I would go talk to them, if it was minor then there would be no point.”

“You say you don’t have a problem but if you see them in real life you would.”

The latter attendee implied that engaging in a restorative process may also be advantageous when there are unrecognised and/or unresolved thoughts and feelings in relation to the harm that was caused.

### **If this became an option for you, what would make you not want to take part?**

The participants’ reasons for not wanting to take part focused on feelings of anger, a lack of resolution of the conflict and the threat of extended punishment:

“Because I know I’m just going to get angry.”

“Because I don’t really like talking to people, I will end up getting more time for punching them up if they annoyed me.”

### **Fourth restorative circle**

This circle involved eight participants who self-identified as Black, Bengali, Black British and Black British Caribbean.

### **Initial thoughts on Restorative Justice**

#### Opinions from Black British participant(s)

One attendee identified the benefits of Restorative Justice as being “emotional and mental health based”. Accepting responsibility as a precursor for engaging in a restorative process was also discussed, with one participant discussing the fact that it is “down to moral compasses”.

#### Opinions from Bengali participant(s)

Participants discussed different examples to aid their understanding of how Restorative Justice can work in a range of cases and contexts. The overarching response was focused on the concept of restoration as a tool for rehabilitating offenders.

“For example, let’s say someone that is harassing a particular person is trying to kind of restore them in a way where they have more people have their own rights.”

“For example, we know sometimes where the woman’s a victim of domestic abuse, the perpetrator might still even if they’re not in a relationship anymore, they might be stalking, breaking into houses, etc. Do you support women in that way, as well, as in like, try to restore the actual perpetrator that’s doing that to the woman?”

## **Do you feel your ethnic identity, where you are from and how you identify affects how you feel about Restorative Justice?**

### Opinions from Black participant(s)

Some respondents mentioned cultural norms with regard to being harmed. These were outlined in terms of dealing with things without outside intervention and want for retaliation as a response.

“There's almost always a little element, especially within the Black community of dealing with our own problems ourselves, rather than interacting with the services to be able to help you deal with that particular issue. [...] dealing with emotions culturally, you know, we're very sort of, we're very much if there's [a] problem I'm gonna go sort it out, not anyone else type of thing, you know what I mean? And I think that's quite synonymous [with] the young people today or anyone today within my community.”

“Some of these things are taught to us by our parents, you know what I mean? Like, if someone hits you, you go hit them back type thing, you know and it's that precedent that's been set to us from a young age [...] so it almost blocks us wanting to go out and find services to help us deal with, you know, things emotionally or mentally.”

The police were also raised as an issue in relation to Restorative Justice, particularly around perceptions based on race, gender and physical stature:

“I've noticed that there's a difference in the way the police treat you based on gender. [...] Like if you're a male, are you perceived as being aggressive in your communication style when if you're a woman you may not be held up to the same standard.”

“I feel like size really affects you, especially [if] they treat you differently if you're a big black man, you're seen as a massive threat, for example [...] I don't like want that judgement.”

### Opinions from Black British participant(s)

Mistrust in services was raised again as a factor regarding trusting in the process of Restorative Justice itself, with particular reference to the motivation of participants:

“Also not even having trust in the services themselves. Because if you're dealing with, maybe you've just come out of prison and maybe the way they were treated in prison was bad, then having to come out and then do Restorative Justice with the person that put them in prison maybe they're gonna think that's a trap again or it's not really going to be positive in their favour.”

### Opinions from Black British Caribbean participant(s)

The cultural norms concerning dealing with crime and conflict were raised again, this time around mistrust of the police due to not wanting to report when a crime is committed.

Participants raised the issue of continued conflict with the police over an ongoing period and whether Restorative Justice can change that:

“I think it’s a good idea but I think in my culture [...] sometimes we have like stigmas or biases on it. So for example, let’s say someone knew somebody was hurt, you might not tell the police or the services because we know we’re in fear of retaliation or so in terms of that.”

“It’s about how you’ve been brought up and you know, somebody you know, helps you defend yourself or fight back or in some circumstances sometimes that advice isn’t always helpful and it’s not, it’s not really useful. It can hold us back especially now as we get older.”

#### Opinions from Bengali participant(s)

The ability of services, particularly the police, to safeguard and protect women from violence was mentioned, with specific personal experiences utilised as evidence:

“I think when it comes to women and if they’ve been victims of violence, for example, domestic violence, I think that the police to this day don’t take it seriously.”

“So I think it’s very dear to me because my mom was a victim [...] and to this day, she’s not got that, you know, Restorative Justice that she was hoping for back then.”

## Findings: Victims of crime

For the purposes of anonymity, the victims of crime we interviewed have been identified according to a number e.g. V1, V2 and so on.

All of the victims (n=6) were contacted through one Youth Justice Service and they were all adult victims. Two were indirect victims as they are the parents of young people who had been victims of crime. They therefore had to support their children through the criminal justice process.

Many of the cases involved young people who were being given an Out of Court Disposal (including a community resolution). The majority of the victims appeared to have been informed that the young person would be completing a short programme with the Youth Justice System as part of their Out Of Court Disposal and that Restorative Justice formed part of this programme.

The main findings from the victim interviews were that making the offer is important but more importantly, making the offer during a home visit gave victims the opportunity to find out about Restorative Justice and the time to discuss this offer. Awareness of Restorative Justice appears to have been a factor in victims agreeing to participate, signifying the benefits of making the offer early on. Many of the victims had either previous experience, knowledge, or awareness of Restorative Justice. There were many reasons why victims decided to participate and these included prosocial motives. Information, support and preparation were key to victims’ decision-making and their overall satisfaction with the Restorative Justice process.

## How the offer was made

All the victims recalled a Youth Justice Service worker discussing and offering them the opportunity to participate in Restorative Justice. Several victims said that a police officer had initially mentioned the process but that it was the Youth Justice Service worker who contacted them and met with them to discuss Restorative Justice.

All the victims who responded to the question regarding how the offer was made (n=4) described how they had initially received a telephone call, followed by a home visit by the Youth Justice Service worker (or in the case of a schoolteacher a meeting held elsewhere). In this meeting, they discussed Restorative Justice and explained the work that the Youth Justice Service would be carrying out with the young offender.

## Awareness of Restorative Justice

Over half (n=4) of the victims were already aware of Restorative Justice as a justice process. One victim (schoolteacher, V2) had previously practised it in school and was an advocate of Restorative Justice, stating "it works, it's a value". Another victim (V1) knew about Restorative Justice as some of their colleagues had encountered it in their previous jobs, although did not specify what these were.

Another victim had previous experience of Restorative Justice as a result of their now adult son having been through the process with the police. This victim described their negative previous experience of Restorative Justice as: "[the police] explained what he'd done wrong, we signed a piece of paper and left. So there wasn't really any Restorative Justice, it just seemed like a paper exercise" (V4). This victim confirmed that their previous experience of Restorative Justice with their son did not actually involve the victim and there had been no discussion of victim contact/involvement. In addition to this previous experience, two of V4's colleagues volunteered as school governors and knew about Restorative Justice through their roles. When V4 discussed the process with them, they confirmed: "yeah, it's a good thing for people to get involved in".

The fourth and final victim to state they had been aware of Restorative Justice prior to the offer had heard about it on the news but did not know exactly what the process was. The remaining victim to respond to this question did not have any prior knowledge of Restorative Justice but stated:

"When [...] actually explained it to us, we was on board straight away, me and my son like I said, we just wanted justice to be done really [...] any sort of form really, you know, as long as it wasn't, you know, a warning or a tap on the wrist." (V6)

This suggests that prior awareness or having Restorative Justice fully explained by a restorative facilitator improves participation rates. All of the victims agreed to participate in Restorative Justice. One victim had not taken part in the process at the time of the interview as it was a violent offence committed by another young person. Initially the victim (V6) had declined to participate but "circumstances had changed" and the offender had tried to make contact informally to sort out the issues. Therefore the victim decided to formally meet them through Restorative Justice.

## The importance of information, support and preparation

Victim satisfaction seemed to be linked to high levels of information, support and preparation which all the victims reported they had received. All five of the six victims who



responded to the question on information, support and preparation responded very positively.

V1 highlighted how information and preparation had been instrumental in the ten out of ten rating they had given the Restorative Justice process:

"I suppose if the engagement from the outset through to the point of where I met him wasn't as good and I probably wasn't as well prepared, I probably wouldn't have given the overall thing of ten. [...] [The Restorative Justice worker] kept in touch with me throughout highlighting any concerns that I might have and addressing them [...] laid out how it would go if both parties were happy to meet each other. And then on the day Restorative Justice worker] was very, they were very keen. [The] organisation [made it] very clear on what would happen."

One victim (V2) highlighted the importance of continuity of information and engagement from all the criminal justice professionals involved from the outset:

"I think from start to finish, because it's a partnership [...] working with [Youth Justice Service Restorative Justice worker], the Youth Justice Service team, it's the police and the communication with the police officers. And then there's a [gender] police officer in between the initial statement was taken and it was just very open, very transparent. Very honest, nothing was kept secret, kept guessing or unclear, or a long lapse of time in between anything. Well, it's been dropped or, well, they're not taking serious anything like that [...] it flowed very well".

Another victim also said that they had received information and updates throughout the process: "I met [redacted] on a few occasions, we'd gone through what to expect, what will happen at meetings and the format." (V4)

Being kept regularly updated helped build trust and rapport with victims:

"My son has been let down by quite a few adults in his lifetime and I think that's a problem, but that's the reason why [they] took to [Restorative Justice worker] so much, because [they haven't] let [them] down. [They've] actually been in touch, [they've] been keeping in touch about what's been going on, you know and keep giving us updates." (V6)

This victim (V6) described how the Youth Justice Service worker had explained Restorative Justice "in great detail and [they were] quite lovely when I first met [them] [...] quite down to earth if I'm being completely honest and [they] obviously made sure that we were getting all the support that we needed."

Another victim (V8) highlighted that even when the news was not positive i.e. the young person in question was not engaging with the Restorative Justice worker, being kept updated was important:

"[They] always kept us informed, even if [they] had no information, [they] would say, 'Look, X was meant to happen this week, but it's not happened'. So that service of [theirs] has been fantastic." (V8)

However, this continuum of information may be due to this particular Youth Justice Service and police force. It appears that it was individual criminal justice professionals that provided a 'proactive and systematic' service as V4 expressed that despite the great service they had received in regard to this offence, the same service had not been provided following a subsequent offence:

"About two months ago, we were broken into, again, the police haven't caught anybody for it but we've heard nothing from them. So I think, you know, hearing, once you've spoke to somebody and you know something's been done so it sets your mind at ease a bit."(V4)

The level of information, support and preparation provided by the Youth Justice Service staff ensured that victims felt safe. All the victims (n=4) who responded to the question 'did you feel safe during the Restorative Justice process?' said that they felt very safe, with two victims rating their feelings of safety during the process as ten out of ten. One victim described how following the Restorative Justice process their child had stated "I feel safe now."

### **Victims' reasons for participating**

The victims in this study were asked why they chose to participate in Restorative Justice. Factors for participation included helping the young person, letting them know the impact, getting closure, gaining answers, stopping it from happening again, getting justice and standing up to the offender.

In this section, we have provided victim quotes to illustrate each of the reasons given.

#### To help the young offender

"For me, it wasn't, I didn't need closure [... I think it's beneficial to meet together [with] the perpetrator [...] I think it really is important [...] I did it for that young person [...]. Obviously I know [their] background, [they were] a looked after child. A lot of trauma in [their] life. So I empathise with that. [They] needed the help. And I think, if [they] hadn't got the help at that time, from people, other than in school that's outside of school, then we risk losing [them] in society. So that was my motivation. And also to let [them] know that although it felt personal, physically personal at the time, I knew that I was a messenger." (V2)

#### Prosocial motives

"It was just some kind of sense of you know, I dunno, [they] [...] from everything I've heard [...] [they were] just a bit of a lost soul really. And it was just going a bit that you know. So I suppose in some respects, it was more of a personal endeavour to put something right for someone I don't know I don't really know to be perfectly honest with you [...] It's not as easy as it would appear in [their] personal life. [...] If [they] can make gains from what happened, then well, you know, we can't begrudge that can we?" (V1)

### To let the offender(s) know the impact

"I'd like them to know that they caused a long term damage. I really would like them to know that." (V8)

### To get closure

"I like closure on things, so I think that's, I think that's why I wanted to take part as well. So it was, we've drawn a line under it and it was, it was dealt with and we can move on." (V4)

### To get answers and stop it from happening again

"It was more about the building because they came in through the roof [...] I wanted to know how they got up, so it's more questions on how to prevent it happening again." (V4)

"I'd like to know what happened on the night, they'd never spoken to [young victim] in their life, they hadn't met [them] from Adam. I'd like to know why they did it. But, we'll never know." (V8)

### To get 'justice'

"We was on board straight away, me and my [child], like I said, we just wanted justice to be done really. And any sort of form really, you know, as long as it wasn't, you know, a warning or a tap on the wrist." (V6, parent)

### To face up to the offender(s)

V8 wanted their child to meet the offender(s) to "face up to them, even if it meant breaking down in front of them".

Many victims did not give just one sole reason for deciding to participate; they had two or three reasons.

### **Was the offer made at the right time?**

V2 recalled that the offer was made approximately four months after the incident and felt that it was the right time. However, had it been made earlier this would have still been the right time. V2 thought that the offer should "certainly not [be made] straight away. Again, to me, that would've been fine. And then come back to me later and said, you remember when we said this is available? I think you'd have to either know the person or the type of work, the background they're in. It's difficult if you're not seeing them face-to-face because you don't know how traumatised they might be. So it's very individual."

For V4 the offer had been made "quite quickly. It wasn't, I think it was weeks rather than months" and expressed that it was important to make the offer quickly as "the longer things go on, people, I won't say, forget about it, but their interest is, is lost. You know, it's, I suppose, well, it's still fresh when you deal with it."

V6 also felt that making the offer sooner rather than later was important:

“I think the earlier the better. Yeah, I really do, especially for my [child’s] experience with it, I really do believe it’s best off getting in touch soon rather than later [...] See, it took us, I’d say a good month to get over fully what happened, especially with my [daughter/son] and for things to, not so much, cool down, because obviously it hadn’t cooled down by then things were still happening online and whatnot. But I do believe, possibly a month afterwards, if that, if they could do earlier, then that’s really good but, obviously, if not, then a month would be really good.”

Moreover, V2 said that:

“Early engagement I think is probably one of the best things that could be promoted across, not just [area] but across the country. Really on such matters I think early.”

However, one victim described how their child had initially not wanted to meet with the offender but after many weeks of working with the Restorative Justice worker they changed their mind and decided they did want to meet the offender face-to-face. This case had not yet resulted in a direct meeting but was in the process of being organised.

These comments highlight that planting the seed early gives victims time to think about the process, become familiar with Restorative Justice and take part when the time is right for them.

### **What type of Restorative Justice did the victim participate in/want to participate in?**

All six victims had agreed to participate in Restorative Justice and to meet the offender face-to-face. The majority of Restorative Justice interventions were direct, face-to-face (n= 5) but one case was still working towards a face-to-face meeting. The remaining victim (a young person) had agreed to meet the offenders face-to-face “but [they] never followed through for it”.

### **Victim Satisfaction**

Overall, the victims had a very positive experience and when asked how satisfied they were with the Restorative Justice process four out of the six victims rated their satisfaction and experience of Restorative Justice as ten out of ten.

V4 (parent of a direct victim) stated that they were “quite impressed [...] the whole process [...] is really, really positive. It’s positive for us and positive for the two young people [...] Yeah, it was brilliant, ten”.

One victim did not give an overall rating but did respond that their overall experience of Restorative Justice was positive and they wouldn’t change anything about the process.

One further victim (V8 – parent of a direct victim) gave their experience of Restorative Justice a rating of five out of ten. However, there were several young offenders involved in their child’s case and in regard to two of these offenders the rating was ten out of ten, but for the remaining young offender only three out of ten. This victim explained why they rated their experience five out of ten:

“Do you know what, I'm gonna go [...] down the middle here and I'm gonna say a five, just because it could have worked out perfect. But there were a few little problems like [...] the letter. [...] but I'm gonna go straight down the middle and say, so now the good thing nor a bad thing” and went on to confirm “what else I do think affects the case with this one, there's three offenders and one of them is, I couldn't, if I saw that [young person] I couldn't say what I'd do personally. But the other two we do have forgiveness for.” (V8)

### **Would the victim recommend Restorative Justice to other victims?**

100% of the victims who responded to the question asking ‘would you recommend Restorative Justice to others?’ (n=5) stated that they would recommend engaging in the process. Even when victims did not get the outcome they desired (for example, V8 felt that the letter from one of the three victims was insincere and the young victim had received a further threat from the young offender after the letter), the victims were still satisfied with the process. They praised the Youth Justice Service staff for their work and would recommend Restorative Justice to other people who have been affected by crime and conflict. This demonstrates that despite the outcome, victims who feel they have been treated fairly and with respect have a far more positive experience and feel that they have been heard and have been part of the decision-making process. Another victim wanted to meet the offender who originally agreed but subsequently pulled out. However, the victim was still positive about the Restorative Justice process.

One victim (V9), who had learning difficulties, after a face-to-face conference which reached “a good outcome”, was still upset and experiencing flashbacks. However, this victim could not thank the Restorative Justice worker at the Youth Justice Service enough and described the process as a “positive experience” stating they “would not change the process and would recommend [it] to other victims”.

Finally, V2 explained that they felt that it was important that other victims were made aware of Restorative Justice and the benefits of participating:

“The key takeaway would be just passing it on. You know, for people that maybe feel nervous, unsure about doing it, it's just given the confidence to go ahead with it. You've nothing to lose. But as I say, everyone is different. So going through that might be like going through it again. So we have to bear that in mind. But I would strongly encourage people to not be afraid. It isn't that formal. No, one's passing judgement on any side. There isn't a bias. There definitely wasn't a bias on it.”

However, a caveat to the victim satisfaction reported by the victims in this study, is that the interviews conducted for this study did not include any victims who had declined the offer.

## **Discussion**

Having completed this work, we have identified a number of themes which could influence a person's decision whether or not to engage Restorative Justice.

[Awareness and misconceptions](#)

There was a distinct lack of awareness of what Restorative Justice is and the availability of the service. Many young people and young adults had never heard of Restorative Justice before and, once it was explained to them, there were a lot of misconceptions due to the lack of prior knowledge. According to the Victims' Code of Practice (Ministry of Justice, 2021), every victim of crime has the right to information about Restorative Justice. However, it is important to ensure that the people who have caused the harm also have access to information about Restorative Justice and the opportunity to engage with the process if they wish.

### Terminology

When explaining Restorative Justice to young people and young adults, some of the terminology can be confusing, including the term 'Restorative Justice' itself. Using consistent terminology that service users can understand and relate to is crucial to ensuring that they fully understand what Restorative Justice is. This is in line with the restorative principle of accessibility (Restorative Justice Council, 2015) whereby processes and approaches should be adapted to the needs, learning styles and additional needs, where applicable, of the people with whom you are working.

### Provision

Once young people and young adults in particular have been made aware of Restorative Justice and their ability to engage in the process should they so wish, there is a lack of formal processes through which they can access the service. Particularly in custodial settings, young adults in Young Offender Institutions do not have formal, identified routes and processes they can follow to engage in Restorative Justice.

### Mistrust of services

One of the key findings from the work focusing on disparities in the uptake of Restorative Justice for young people and young adults from Black, Asian and other ethnic backgrounds was the lack of trust in services, particularly regarding the police. This is particularly prevalent when the Officer in Charge of a case is the person who is offering information about Restorative Justice. There is still a lot of work to be done to build up trust between communities and statutory services like the police to streamline the ways in which people access information about and opportunities to engage in Restorative Justice to ensure consistency and equity.

### Real-world examples to act as case studies

While Why me? has a number of ambassadors who have engaged in Restorative Justice as a victim, there is a distinct lack of offenders who offer to discuss their own experience of Restorative Justice. Particularly for young adults in custody, having examples of offenders who have had positive experiences of a restorative process would have significantly increased their likelihood of engaging in Restorative Justice themselves. Across all the interview and focus group participants, the consensus was that the preferred method of Restorative Justice would be a face-to-face meeting. Therefore, the availability of real-world examples to act as case studies needs to be more accessible for everyone, including those in custody.

# Policy recommendations

The work done within this project has enabled us to learn about the barriers preventing the wider use of Restorative Justice for young people and young adults. Increasing access to Restorative Justice should be a policy priority within the Criminal Justice System. This can be achieved by implementing the following recommendations, which have been developed in line with the evidence laid out in this report.

## Good practice

Why me?'s [Good Practice Guide](#) sets out how to make the offer of Restorative Justice. If followed, the Good Practice Guidance can help alleviate misconceptions about Restorative Justice.

1. The Youth Justice Board should work with Youth Justice Services to support the onboarding of Why me?'s Good Practice Guide and embed its recommendations into their service delivery.

## Information

When explaining Restorative Justice to young people and young adults, some of the terminology can be confusing, including the term 'Restorative Justice' itself. Using consistent terminology that service users can understand and relate to is crucial to ensuring that they fully understand what Restorative Justice is.

2. The Ministry of Justice and Youth Justice Board should develop clear and consistent terminology on Restorative Justice in consultation with organisations, researchers, and practitioners in the Restorative Justice sector. This should be disseminated to service providers such as Youth Justice Services and Young Offender Institutions to ensure that young people are able to make an informed decision about participating in Restorative Justice.

## Prevention and diversion

David Lammy MP highlighted in his review that disproportionality within the Youth Justice System was his biggest concern (Lammy, 2017). The Ministry of Justice, the Youth Justice Board (YJB) and the Youth Custody Service have each identified their own priorities for tackling disproportionality in the Youth Justice System. The development of effective prevention and diversion measures is an integral aspect of the YJB's strategic priorities for race disproportionality. Restorative Justice can be prioritised as part of prevention and diversion work.

3. The Youth Justice Board and Ministry of Justice should develop a strategy to include Restorative Justice as a priority in prevention and diversion work with young people. This could include specifically listing Restorative Justice as a rehabilitative or reparative activity within the 2022-2027 National Strategy for Out of Court Disposals (OOCs) framework. They should consult stakeholders such as Why me? regarding

the code of practice for the statutory OOCDF framework to ensure that a referral for Restorative Justice can be made even if there is no admission of guilt.

4. Regional Probation Directors should promote Restorative Justice as a recommended intervention. This would be aided by the allocation of the Regional Outcomes and Innovations Fund by Regional Probation Directors to co-commission Restorative Justice services alongside Police and Crime Commissioners and Local Authorities. This will help to improve young adults' access to Restorative Justice services.

### Prison and probation

There was a distinct lack of awareness of what Restorative Justice is and the availability of the service. Many young people and young adults had never heard of Restorative Justice before and, once it was explained to them, there were a lot of misconceptions due to the lack of prior knowledge. It is important to ensure that the people who have caused the harm also have access to information about Restorative Justice and the opportunity to engage with the process if they wish.

5. His Majesty's Prison and Probation Service should consult with Young Offender Institutions, the All Party-Parliamentary Group on Restorative Justice, Youth Justice Restorative Practitioners and young people with lived experience to develop a policy framework that provides guidance on how Restorative Justice can be implemented for young people on probation/in prison. This should include a clear outline for referral pathways in order to bridge the gap between a young person's interest in engaging in Restorative Justice and awareness of opportunities available to them.
6. His Majesty's Prison and Probation Service should consult with organisations, researchers, and practitioners in the Restorative Justice sector to revise the Restorative Practice (incorporating Restorative Justice services) Policy Framework to support the delivery of Restorative Justice in prisons and probation.
7. His Majesty's Inspectorate of Prisons and His Majesty's Inspectorate of Probation should update the inspectorate criteria for Youth Justice Services, Youth Offender Institutions, and Probation services to include inspection criteria relating to the provision of Restorative Justice. This would mirror the [work Why me? did to influence the Youth Justice Board adopting a tenth Key Performance Indicator](#) focusing on victims and Restorative Justice.

### National oversight

Once young people and young adults in particular have been made aware of Restorative Justice and their ability to engage in the process should they wish, there are a lack of formal processes through which they can access the service.

8. Why me?'s annual [Valuing Victims report](#) has repeatedly found that data provided by PCC areas is too unreliable to draw meaningful conclusions on the provision of Restorative Justice. The All-Party Parliamentary Group on Restorative Justice has also identified a need to capture evidence in a consistent format. The Ministry of Justice should design, develop and embed a National Reporting Framework to improve access to Restorative Justice interventions across England and Wales. This



should include robust measures of victim well-being, offender well-being and recidivism.

- a. This framework would help to hold organisations accountable for upholding their statutory duties and safeguarding victims' rights.
  - b. The framework would provide primary evidence of the impact of Restorative Justice, furthering understanding of its social and economic impact
9. A National Action Plan on Restorative Justice would improve national coordination and oversight of provisions for victims and offenders. We recommend that the plan should be championed by a dedicated Minister. They would be responsible for oversight of the implementation of the plan and for reporting on the progress of the plan annually in Parliament, with the support of a dedicated team within the Ministry of Justice.
10. The Ministry of Justice should introduce a ring-fenced Restorative Justice budget, separate from the Victims' Grant to Police and Crime Commissioners and mayoral areas. This would ensure financial sustainability for Restorative Justice services and equal access for victims and offenders nationally.

## Conclusion

Restorative Justice is an approach that has been embraced and implemented widely within the Youth Justice System. The extensive research evidence within existing literature on the implications of Restorative Justice indicates that it can be applied successfully to heal the harm caused by an offence, improve victim satisfaction and in some cases even reduce recidivism rates. Although some of the findings of the meta-analyses were variable, there is a consensus that Restorative Justice is a positive and promising solution to resolving conflict and helping to transform the lives of those affected by crime and conflict. While some challenges arise in the use of Restorative Justice in the Youth Justice System, many of these can be remedied through effective training and awareness of the vulnerabilities and needs of all participants involved.

Over the past two years we have conducted a total of seven partnerships, 32 service user interviews, 39 staff members interviews, five focus groups and four restorative circles. We have used this information to identify key themes and policy recommendations to increase access to and uptake of Restorative Justice for young people, young adults and victims of crime.

Through our work with Youth Justice Services and interviewing young offenders we found that young people have a lack of understanding about what Restorative Justice is. When explained to them, many young people would be interested in participating in a restorative process, with a preference for face-to-face conferences. We also found trusting the person making the offer of Restorative Justice to be an important factor in young people's perceptions of the process. We therefore have to prioritise consistent terminology and increasing awareness and understanding across all statutory services in order to ensure young people have consistent information about and access to Restorative Justice.

When conducting interviews and focus groups with young adults in custody and through analysing our survey results from Policy and Crime Commissioner-funded Restorative Justice services, we found a distinct lack of awareness of Restorative Justice. Many young adults had a keen interest in participating in the process, but there was no formal process through which they could access it. Additionally, young adults felt that hearing from other people who have experienced Restorative Justice as a harmer (offender) would increase awareness of and uptake of the process. Therefore, we recommend every Young Offender Institution having materials such as leaflets, videos and training staff in restorative principles to increase awareness. Consequently, having a defined process through which young adults can access Restorative Justice would increase uptake of the process.

Facilitating restorative circles for young people and young adults from Black, Asian and other ethnic backgrounds highlighted the extent to which mistrust of services can act as a barrier to engaging in Restorative Justice.

By interviewing victims of crime we found that those who had engaged in Restorative Justice spoke highly of it both as a result of the direct impact it had but also the extent to which they were kept informed throughout the process. Even when they did not get the outcome they desired, victims still reported high satisfaction levels and credited the consistent updates as being a significant factor. We would recommend that all professionals and services offering Restorative Justice ensure they provide regular updates for their service users, as per their specific needs.

We would encourage all professionals and organisations working with young people, young adults and victims of crime to engage with these recommendations and our policy recommendations.

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# Appendices

## *Appendix 1: Interview questions*

### QUANTITATIVE: GENERIC

On a scale of 1-10, 1 being the least and 10 being the most:

How much do you know about the word 'restorative'?

*Lead on from quantitative question.*

- Why have you given this rating?

Answering only yes or no:

1. Prior to today, has anyone explained to you what Restorative Justice is?
2. Were you offered a restorative intervention?
3. If yes, did you accept the offer of a restorative intervention?

***If the answer to number 2 is no, please proceed to question set 1.***

***If the answer to number 3 is yes, please proceed to question set 2.***

***If the answer to number 3 is no, please proceed to question set 3.***

### **QUESTION SET 1**

1. Have you heard of Restorative Justice before?
2. If you had been offered a restorative intervention, what questions might you have had?
3. If you had been offered a restorative intervention, would you have spoken to family/friends about it?
4. If you had been offered a restorative intervention, would you have accepted the offer? If so, what would have been your preference of the type of process (i.e., direct conference, indirect shuttle mediation, etc.).
5. Did you write/receive a letter of explanation? If so, on a scale of 1-10, 1 being the least and 10 being the most, how:
  - Satisfied are/were you with the process?
  - Would you rate the whole experience?

*Lead on from quantitative questions:*

- Why have you given this rating?



- What happened to make you feel this way?
- What could have made this rating higher?
- What could have made this rating lower?

**If you answered yes to question 5:**

- Were you aware in advance of having to write/receiving the letter?
- How do you feel towards the other party having written/read the letter?
- What, if any, questions do you have now for the other party?

**If you answered no to question 5:**

- Would you have been interested in writing/receiving a letter of explanation?
- What would you have wanted to write/read in the letter?

**QUESTION SET 2**

In what type of restorative process did you engage?

QUANTITATIVE

On a scale of 1-10, 1 being the least and 10 being the most, how:

- Prepared did you feel for the restorative process?
- Confident did you feel about the process?
- Safe did you feel during the process?
- Satisfied are/were you with the process?
- Would you rate the whole experience?

*Lead on from quantitative questions:*

- Why have you given this rating?
- What happened to make you feel this way?
- What could have made this rating higher?
- What could have made this rating lower?

QUALITATIVE

*Preparation*

1. How did you find out about restorative processes?
  - Did you have knowledge prior to being offered the intervention?
2. Who offered you the opportunity to engage in the process?
3. How and when was the offer made?
  - Do you think this was the right person/way to do this?
  - Do you think anything needs to be changed about the way in which restorative interventions are offered?
  - Do you think this was the right time to receive the offer?
  - When do you think the best time to receive the offer is/would be?

4. What made you decide to accept the offer of a restorative intervention?
  - What did you hope to gain from the experience?
5. How did you feel about the other person(s) involved in the restorative process?
  - What do you think their motivation was for engaging?
6. Did you speak to friends and family?
  - What did they say?
  - How did they react?
  - Did their opinion(s) influence your decision?
7. Did you find it easy to engage with the process?
8. Did you feel prepared for the process?

#### *Outcomes/Reflections*

1. Is there anything you would have changed about the experience?
  - Is there anything you wish you had known beforehand that you were not aware of?
2. What would be your key takeaway from your Restorative Justice experience?
3. Was there anything missing?
  - What could have been improved/done better?
4. Describe your Restorative Justice experience in three words.
5. Would you recommend engaging in a restorative process to other people who have been affected by crime?
  - What advice would you give them?
6. If you were offered the chance to engage in a restorative process again, would you take it?

#### **QUESTION SET 3**

1. How did you find out about restorative processes?
  - Did you have knowledge prior to being offered the intervention?
2. Who offered you the opportunity to engage in the process?
3. How and when was the offer made?
  - Do you think this was the right person/way to do this?
  - Do you think anything needs to be changed about the way in which restorative interventions are offered?
  - Do you think this was the right time to receive the offer?
  - When do you think the best time to receive the offer is/would be?

4. What did you take away from the conversation?
5. What questions did you have?
6. Did you speak to friends and family?
  - What did they say?
  - How did they react?
  - Did their opinion(s) influence your decision?
7. What might have made you more interested in taking it up?
8. Did you write/receive a letter of explanation? If so, on a scale of 1-10, 1 being the least and 10 being the most, how:
  - Satisfied are/were you with the process?
  - Would you rate the whole experience?

*Lead on from quantitative questions:*

- Why have you given this rating?
- What happened to make you feel this way?
- What could have made this rating higher?
- What could have made this rating lower?

**If you answered yes to question 8:**

- Were you aware in advance of having to write/receiving the letter?
- How do you feel towards the other party having written/read the letter?
- What, if any, questions do you have now for the other party?

**If you answered no to question 8:**

- Would you have been interested in writing/receiving a letter of explanation?
- What would you have wanted to write/read in the letter?

### ***Appendix 2: Police and Crime Commissioner survey questions***

What is your name?

What is your email address?

In what geographical area does your service operate?

What percentage of harmers (offenders) are aged between 18 and 25? If you have data, please give a figure, if not an estimate or range would be helpful.

How, if at all, does your approach differ when working with harmers aged 18-25 as opposed to those over 25?

What (if any) different challenges do you come across when working with harmers aged 18-25 compared to over 25s?

Do you work with harmers under the age of 18?

How, if at all, does your approach differ when working with harmers aged under 18 as opposed to those over 18?

Is there any difference in uptake of Restorative Justice for different races or ethnicities?

If you answered yes to the question above, please elaborate.

Are there particular barriers you have encountered when working with people from Black, Asian or other ethnic backgrounds?

If you answered yes to the previous question, what were they and how did you overcome them?