

# **Restorative practice in Gloucestershire schools**



**Evidencing Success and Successful Evidence  
in Restorative Work: An Overview of initial  
Findings**

**Institutionalising Restorative Justice in  
Scotland**

**Dr Marian Liebmann receives the RJC's  
Significant Contribution Award 2022**

# **RESOLUTION**

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## Introduction



**W**elcome to the first edition of Resolution in 2023. We start this new year with the burst of creative thinking, new perspectives and enthusiasm that the excellent Annual RJC Conference in November engendered. A sample of the papers and presentations from the Conference are the backbone of this edition of Resolution. We know that the Annual Conference can only be attended by a portion of the restorative community, and so Resolution provides a platform to share more widely some of the presentations. The conference is an important annual event for our national restorative justice community, taking place in International Restorative Justice Week each year. This is where the restorative justice practitioner community, and our allies, come together to share their hard work and the progress they are making in their areas of practice. But the conference is also where we celebrate our community, where we can recharge our batteries, refresh our ideas, and develop new connections. This year the event was online, to enable those who cannot afford the time or the resources to travel to attend.

The theme of this year's conference, Living in Troubled Times: Restorative Approaches to Building Resilience clearly resonated with the restorative community, as it drew a wide range of submissions. The team at the RJC did a superb job of collating the submissions and commissioning keynote speakers,

from Northern Ireland, New Zealand and our own local NHS.

The papers featured in the conference and in this edition represent the priority areas for restorative practice of innovation alongside evaluation and research. Two Ph.D studies, Inger Brit Lowater's piece providing an overview of the impressive project in Gloucestershire schools, appears alongside early findings from Ben Fisk's doctoral research on effectiveness, also emanating from the fertile restorative soils of Gloucestershire. The theme of the needs of young people is picked up in Jana Dilger's piece on County Lines and vulnerability. Jamie Buchan from Edinburgh Napier University has a piece on research on policy development in Scotland. This maintains a key thread in representing developments across the devolved regions of the United Kingdom. Why me? are regular contributors, and on this occasion the important study on the economic case for restorative interventions in the CJS. But this sits alongside Amanda Carrasco's powerful piece on survivor advocacy and making a difference on policy, as well as Hannah Moore's touching piece from her workshop on the power of the stories we tell ourselves.

But perhaps the most important event at the Conference came at the end, when Jim presented Marian Liebmann with the Significant Contribution Award 2022. Jim's citation and Marian's moving response to the Award are reproduced here in full as we know how important it is to honour our longest serving, and most committed restorative 'parents'. Congratulations and thank you Marian!

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**Dr Gerard Drennan**  
**Chair of Trustees**  
 Restorative Justice Council

# Restorative Practice in Gloucestershire Schools

**T**his PhD research is an evaluation of a Restorative Practice Leadership Programme offered to head teachers in primary and secondary schools in Gloucestershire. The article sets out the development of the training offer, a brief overview of the training and some preliminary findings.

## Why Restorative Practice?

The Restorative journey for the Education Team in Gloucestershire County Council (GCC) started in 2016 as a response to exclusion numbers that exceeded both the national average and that of statistical neighbours. Recognising the negative impact exclusions have on the life of young people as well as the cost to the local authority and community, a pilot using restorative practice (RP) was initiated in one primary and one secondary school. Restorative practice is recognised for creating more inclusive school communities (Thorsborne and Blood, 2013; Gregory and Evans, 2020).

## Repairing harm is not enough

It quickly became apparent that within schools a focus purely on repairing harm was not the best way to work. A programme was developed which focused on building and maintaining relationships as well as repairing them when they go wrong. By building strong relationships within schools, we not only support the wellbeing of both staff and pupils but also reduce the number of conflicts. Skills and strategies for dealing with conflict and harm are still important as conflict is an inevitable part of life, but conflict is hard, so we want to keep it to a minimum. And sorting out conflicts is labour intensive and exhausting.

## It's all about the people



Gloucestershire County Council Restorative Practice Team: Sam James, Mel Warner, Inger Brit Lowater, Kate Simpson, Charlotte Fearn, Nadeem Siddiqui and Molly Macleod

From the initial successful pilots, further resources were committed and the RP team gradually grew to include seven people who all bring unique expertise, experience and interests to the team. The team does not just teach restorative principles to others but explicitly focus on working restoratively within the team which means it is all about the people involved. By that I don't mean it has to be these particular people but there must be a commitment to working in a way that honours the three core human needs of Autonomy, Belonging and Competence (West, 2019). This is done by using fair practice in planning, regular check-ins and games to create connection, and building space for everyone to use their strengths. What has evolved is a culture where team members work to their passion and interest while also working towards a shared goal of taking RP into schools across Gloucestershire.

## Radical collaboration

Success and innovation have come through radical collaboration both locally and nationally. This includes educational psychologists, inclusion officers, outcome coordinators, ACEs coordinator, managers, leaders, HR, Family Group Conferencing and others in GCC. Within school this means senior leaders, teachers, teaching assistants, playground staff, governors and pupils. Across the county there are close links with Health, Restorative Gloucestershire/Gloucestershire Constabulary and University of Gloucestershire. Nationally the team have been involved in the RESTORE project ([Restore Our Schools – Providing a restorative perspective \(wordpress.com\)](https://www.restoreourschools.com)), creation of [online training guidelines](#) for the RJC, the All Party Parliamentary Group (APPG) on restorative justice and creation of a national Local Authority RP network.

## Listening to head teachers during the pandemic

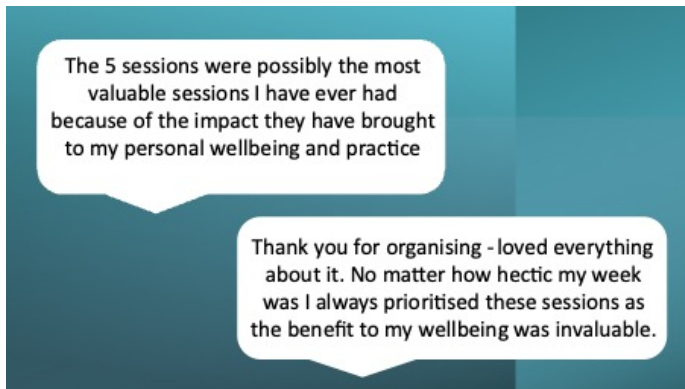
COVID changed the way restorative training was delivered. Going into schools was no longer an option and, speaking to head teachers during lockdown, it became clear that one of their main concerns was how to look after their staff and how to help staff cope with the stress of home-schooling, remote teaching, risk of COVID etc. Because if the staff are not ok, how can they in turn look after the students?

In response to what headteachers were saying, the RP team created a 5-week online course called 'Restorative Circles for staff', with the aim of supporting wellbeing for senior leaders so they in turn could support the



wellbeing of their staff. The training was developed and delivered by the RP team in collaboration with The Restorative Lab and Tom Shaw. It was delivered to 80 leaders in 8 cohorts in late 2020 and early 2021. 100% enjoyed the programme, with 71% seeing visible benefits in school. Learning from this course heavily influenced how future training was shaped with emphasis on teaching RP in a restorative way.

Below is some of the feedback from school leaders attending the training:



## Restorative training must be restorative

One of the main learning points from the online training offered to school leaders was that delivering training in a way that honours restorative principles and values has the greatest impact. To appreciate the power of working restoratively it is not enough to hear about RP, people must experience it. This means being part of a group that builds strong connections, provides a safe place to learn, explore and reflect and focuses on people's needs. To create restorative culture in schools we need to first create this culture among those school leaders who will lead the culture change (Hollweck, Reimer and Bouchard, 2019).

## Gloucestershire training offer

For a school to move to a restorative culture, it is essential that the head teacher is on board. The training offer from GCC consists of a 2-year leadership programme for head teachers (10 full days in person training, delivered by The Restorative Lab, and mentoring), Trauma Informed Relational Practice (TIRP) training for all staff (15 online modules followed by in person group discussions), further training for some staff in Circle keeping (20 hours) and Conference Facilitation Skills (20 hours). The training offer is supported by communities of practice among schools and ongoing support from the RP team in GCC.

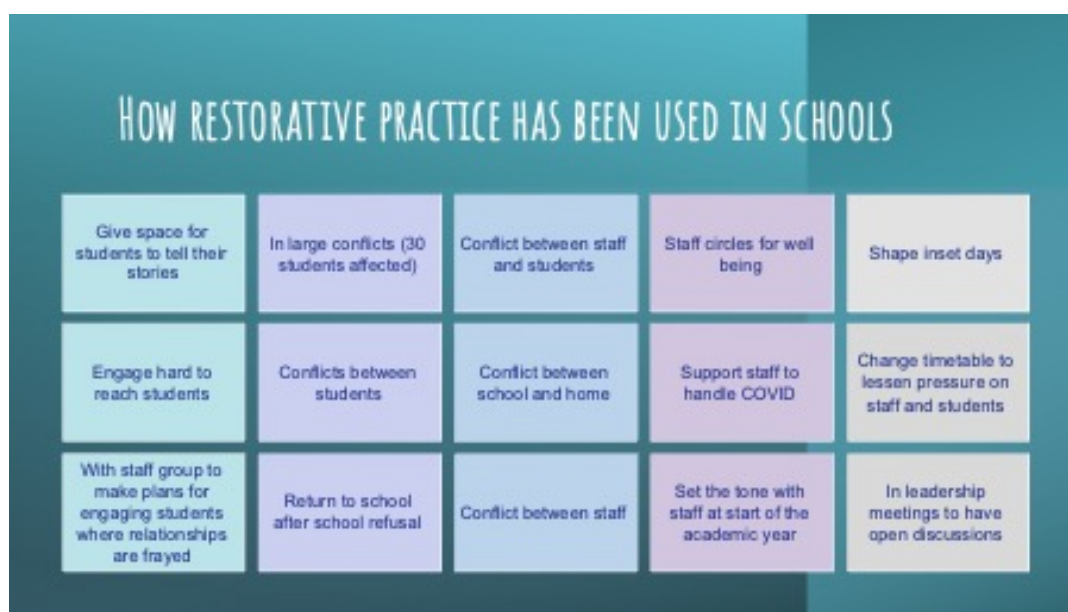
## Preliminary findings

This is a qualitative research project using ethnographic observations, participant interviews and document analysis. The result will be an evaluation of processes and outcomes of the programme. 14 months into the research some preliminary findings have come through observation of training and midpoint interviews with leaders in primary and secondary school.





Culture change takes time, and it is generally accepted that whole school change will take 3-5 years. The programme focuses on immersing school leaders in RP before implementation so I was not necessarily expecting to see much implementation yet. In interviews it became clear that though whole school implementation is some way off, especially in large secondary schools, RP was used extensively within school and in a range of different scenarios. Real life stories from interviews showed that RP had been used in the following situations.



As further data is collected and the data is systematically analysed, further finding will emerge. One year into the leadership training, observations and interviews indicate that school leaders are finding the restorative format of the training engaging, supportive, educative, and useful. The support school leaders find in each other through this way of working came out very clearly in the interviews with several seasoned educators saying it is among the best CPD they have ever taken part in.

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**Inger Brit Lowater**  
**University of Gloucestershire/Gloucestershire**  
**County Council**

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# Evidencing Success and Successful Evidence in Restorative Work: An Overview of initial Findings

This year's conference was a fantastic opportunity to share my initial findings from research conducted for a PhD studentship commissioned by the Restorative Justice Council over the previous 12 months. It was great to be in a (virtual) room again with the highly experienced David Smith, chairing the panel, and fellow presenter Frank Grimsey-Jones representing Why Me?, who I have had the pleasure of connecting with over the last year as our research interests around data and evaluation are closely aligned.

“Evidencing Success and Successful Evidence in Restorative Work” is about understanding how professionals think about success in relation to restorative practice and how services use data to provide evidence of success. I'm interested in how the perspectives of individuals and organisations align with what they are recording and monitoring in practice.

I have used 3 research methods to explore this:

1. Online survey for professionals involved in restorative work (Volunteers, practitioners, service managers, commissioners, data operators, academics).
2. Interviews and focus groups.
3. Documentary analysis (Blank templates of documents such as reporting templates and referral forms; case management systems)

The online survey will be open until Summer 2023 and is still accepting responses. If you are interested in contributing towards an understanding of success in the restorative sector and have a spare 5-10 minutes, please scan this QR to visit the survey:

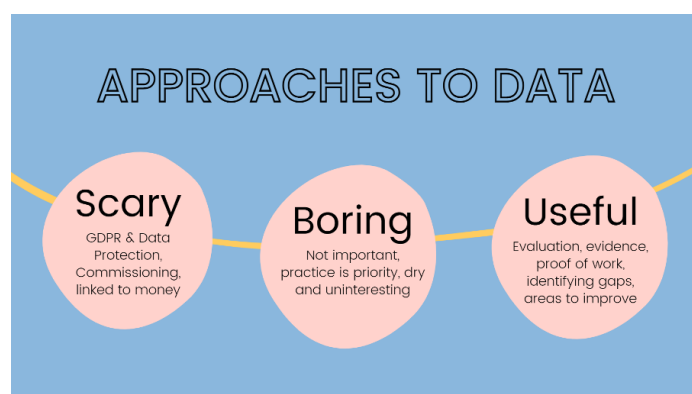


Responses to my survey at this early stage have highlighted the contextual and subjective nature of “success” in restorative work, with restorative values such as collaboration, empowerment of participants, and repairing of harm being common themes that tie many definitions together. Participants have

commented on the positioning of success, and that this is relative to the various individual stakeholders who are involved in a specific process as well as those connected to the service itself. Success means a lot of different things to people and it was frequently noted that success is not one singular thing but individual elements of a process as well as the process itself, the agreed outcomes and for many just a service user agreeing to consider undertaking the process in the first place.

Definitions of “effectiveness”, “efficiency” and “impact” have also varied but more work is needed to analyse these contributions and explore how they connect to one another and their relationship to recording and monitoring processes used by services.

A number of contributors have been interviewed for further feedback about their responses, to understand their thoughts about data in restorative work and to explore how the organisations they work with use recording and monitoring processes. Participant feelings about data were interesting and frequently overlapped, as this slide from my presentation highlights:



Data is not straight forward. Many find it daunting with legal implications for using it incorrectly, gate keeping around data being a massive barrier to implementation, and, for many services, statistics produced from data could potentially impact on contracts and ultimately jobs. Many felt that data takes away from the important business of practice and is secondary to doing the work. For others, data is a useful tool that can shed light on referral gaps, equality, diversity and inclusion issues for a service, help develop training, and ultimately prove the effectiveness, efficiency, and impact of working restoratively. Respondents frequently held more than

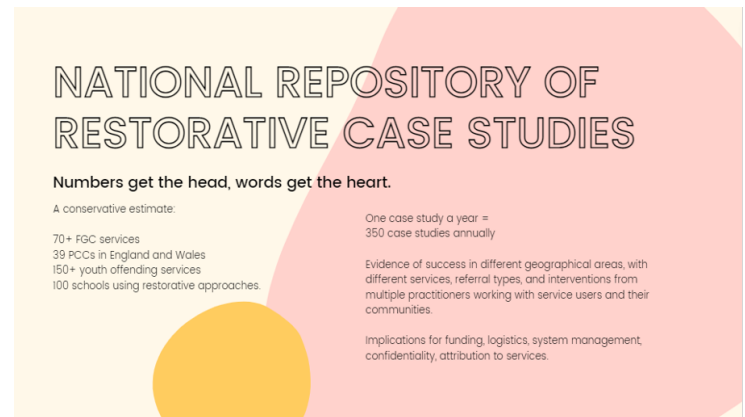
one or all of these opinions, and often grappled with these competing perspectives.

For many, recording and monitoring processes do not fully capture the success that they as professionals see or consider to be of most importance. This begs the question that if success exists that we are not able to evidence using current methods, what is that and is there a way to capture it? In the vein of Nils Christie, many see the success as being owned by the service user and not the service. I'm hoping that by speaking with more practitioners, and other individuals who manage, commission or have strong links to organisations, we can explore the processes used by different services to offer further insight.

Regarding processes specifically, I presented my findings from an analysis of 6 reporting templates used by different Police and Crime Commissioners with their restorative justice service providers. What I found was several variations between templates that impact on the ability for external analysts to compare the data collected. Initially, the format and organisation of these templates was visually different, highlighting the lack of a universal approach that makes even cursory comparison difficult. Further variations in content included the general language used across templates, with different headings and categories to describe similar data types, including differences in what constituted "outcome", "feedback" and "satisfaction" with different measures employed to capture these. Variations were also observed in the type of "restorative processes" recorded by services, different crime and offence terminology and approaches to tracking equality, diversity, and inclusion data. Services are predominantly using simple count data to monitor practice but many data points are counted at different times and in different ways, for example at referral or case closure, which would affect the accuracy of an analysis.

This work highlights the difficulty in standardising for recording and monitoring restorative work, outlining some of the areas where decisions need to be made collaboratively by the MoJ, RJC and services, whilst emphasising the urgency for consistency given the level of variation and need for up-to-date evidence in the sector.

Finally, my take home for attendees to consider is a recommendation to coordinate evidencing of success using a common resource that many services have created previously and continue to produce: The development of a National Repository for Restorative Case Studies (NRRCS).



The benefits of a NRRCS could include:

- For any stakeholder to see a range of case types worked with effectively and to understand first-hand the emotional and transformative impact of restorative work.
- For service users to see success that may speak to their own situation and offer hope, offering the opportunity to drive service expansion from the ground level.
- For practitioners to see the creative ways others have worked, in turn improving professional development and service performance.
- For commissioners, senior leaders and members of government to see the overwhelming evidence for investing in restorative work.

The work on defining success and standardising measures that capture effectiveness, efficiency and impact in a straightforward way will take time, but the ability to share success stories and tap into some of the intangibles that professionals have touched upon would be invaluable and something that could be achieved relatively quickly and easily.

I have another 2 years left in my PhD studentship, and I know I have barely scratched the surface when it comes to meeting professionals and understanding the complexity of success and evidence in restorative work but it was a pleasure to meet so many fantastic people at the RJC conference and I would encourage anyone who wants to chat, formally or informally, to get in contact with me at [benfisk@connect.glos.ac.uk](mailto:benfisk@connect.glos.ac.uk)

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**Ben Fisk**  
**University of Gloucestershire**



# The Economic Case for Restorative Justice

**R**estorative Justice (RJ) has the power to change the lives of all those affected by crime. Why me?'s [ambassador stories](#) are powerful examples of its impact on individuals. To promote evidence based decision making, these stories need to be combined with data and research on the economic impact of Restorative Justice.

In a unique collaboration between Why me? and economist Frank Grimsey Jones, we have carried out a contemporary, holistic, and generalisable economic evaluation of Restorative Justice. We aim to inform evidence-based commissioning of RJ that will improve funding of, and access to, RJ interventions. The resulting [report and economic model](#) has been published on Why me?'s website.

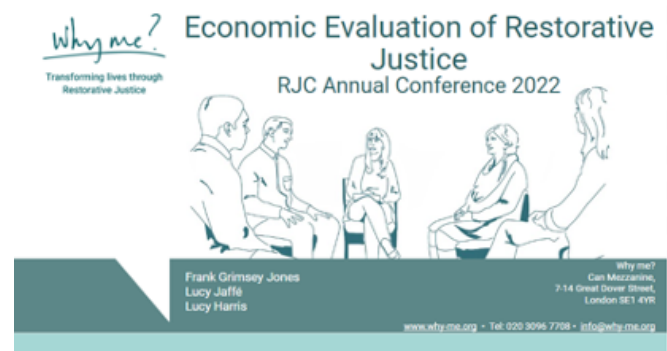
At the Restorative Justice Council's Annual Conference on 21st November, Frank Grimsey Jones presented on our findings during his session: "An Economic Evaluation of Restorative Justice post-sentence in England and Wales".

## Why is it necessary to demonstrate the economic benefits of criminal justice interventions?

Crime has substantial costs for society and the government. In 2016, the total economic and social costs of crime were estimated to be £59 billion (Heeks et al., 2018). High reoffending rates are a major contributor to these costs. Around a quarter of proven offenders reoffend within a year, committing an average of three to four offences each (UK Government Database). Reoffending in the first year of follow-up accounts for £18 billion of the total economic and social costs of crime (Newton et al., 2019). Breaking the cycle of reoffending is crucial to reduce spending by the criminal justice system, and improve the lives of offenders and victims.

A disproportionate amount of public spending is directed at a small minority of the population. The government's annual spend on prisons alone is £5.5 billion, despite accounting for only 0.1% of the population. The average prison place costs the government £45k. In contrast, the annual spend on victims' services amounts to only £0.5 billion.

There can be a strong economic case for intensive interventions targeted at a small group of people, who are at risk of incurring extremely high public spending and costs for society. Targeted early interventions for



these groups can avoid the need for greater spending later on.

## Evidence based decision making

While there exists strong qualitative evidence for RJ, the quantitative evidence is more limited. Criminal justice budgets are constrained and, for decision makers, there are always more worthwhile services than there is money to fund them. Providing robust data and research is crucial to enable evidence based commissioning of RJ services.

Overall, economic evaluations are underutilised in the social sector but can be a useful and compelling way to demonstrate the value of interventions and achieve the best possible outcomes with scarce resources.

## An Economic Evaluation of Restorative Justice

Our research focused on post-sentence Restorative Justice interventions for adults and young people in England and Wales. Restorative Justice was modelled as reducing reoffending for one year.

In the model, 8% of referrals to a Restorative Justice service resulted in direct Restorative Justice interventions (a face-to-face meeting), and 19% resulted in indirect Restorative Justice interventions (a two-way dialogue between victim and offender that is not face-to-face). The cost of the Restorative Justice pathway was £285 per referral and £3,394 per direct Restorative Justice intervention.

Our findings demonstrate that the social return on investment in Restorative Justice is substantial. For every £1 invested in Restorative Justice, there were **£14 of social benefits**. The direct return on investment for the Criminal Justice System was **£4 per £1** invested in RJ. RJ substantially reduces reoffending. In our model each direct RJ intervention reduced the average number of reoffences in the first year from **27 to 19**. Overall, our

model suggested that a £5 million investment in RJ, would be associated with total benefits of £76 million, including saving the criminal justice system **£17 million**.

Although previous research (Shapland et al., 2008; Strang et al., 2013) shows that direct Restorative Justice interventions reduce reoffending, investment in, and access to, RJ remains limited. Our economic evaluation has provided a robust way to demonstrate and model the economic benefit of RJ interventions linked to reduced reoffending and improved wellbeing. It provides a significant breakthrough for the economic case for Restorative Justice:

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*"A key aspect for anyone considering initiatives benefiting victims or encouraging desistance is whether they are value for money. This in-depth economic analysis of restorative justice takes us much further to answer this question - in a positive direction."*

Joanna Shapland, Edward Bramley Professor of Criminal Justice at the University of Sheffield.

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## Our recommendations for future research, policy makers, and Police and Crime Commissioners

Our research shows that Restorative Justice can reduce reoffending, save money and help victims to recover. Via this research, Why me? continue to demonstrate that increasing access to Restorative Justice should be a policy priority for national and local decision makers within the Criminal Justice System.

Why me? believe that this can be achieved by implementing a series of recommendations made in the report for policymakers, Police and Crime Commissioners (PCCs), and researchers, including:

1. Improved national data collection should be a priority, based on a shared definition of key metrics, including level of investment, number of referrals, number of direct Restorative Justice interventions, number of indirect Restorative Justice interventions, reoffending rate, victim wellbeing and offender wellbeing.
2. The right to be given information about and access to Restorative Justice should be enshrined within the primary legislation of the Victims' Bill. This legislative right should end existing blanket bans on Restorative Justice provision for specific types of cases, so that all victims of crime are able to decide whether to engage with Restorative Justice.

3. Police and Crime Commissioners should use the model produced by this research to understand the return on investment in Restorative Justice in their area. PPCs should share the model with staff or external providers responsible for Restorative Justice delivery, establish an action plan to ensure consistent data collection and analysis to understand and improve return on investment.

Read the published report and economic model [here](#). If you're interested in hearing more about the research, or need any assistance with using the model, please get in contact via [info@why-me.org](mailto:info@why-me.org).

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**Lucy Harris**  
**Why me?**

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# Using traditional stories to develop our emotional capability as restorative practitioners - The Loving Wolf Workshop at the RJC Annual Conference 2022

The theme of 2022's conference was Living in Troubled Times. The theme acknowledged the strife that feels very alive in the world today and invited space for members to consider how we each choose to respond to this suffering and the challenges it brings.

As restorative practitioners, we peddle in compassion and empathy, in connecting with and seeing through to the vulnerable and human core in other people, even when their behaviour or actions might be hard to accept. In troubled times, the hard to accept - the divisive and the alienating - can feel like it dominates our interactions. We have to work harder to practise what we preach, to avoid slipping into othering behaviours, to continue to work restoratively.

The Loving Wolf workshop used traditional stories to help participants explore their capacity for compassion and to find fresh tools for understanding others' emotions and behaviours.

I volunteer as a Restorative Justice Facilitator and I work as a traditional storyteller. I am constantly fascinated by how these two practices reflect and inform each other.

In restorative practices, we work with an awareness of how people's personal stories play a key part in repairing the harm that has been done. In traditional storytelling, we talk about 'story medicine' - the gifts that stories offer, the healing and the personal and communal growth that folktales and myths can support, when people have space to listen and talk about them.

In the Loving Wolf Workshop I shared some traditional stories that I feel speak vividly to the core values of restorative practice and offered space for participants to explore what they might take from these stories for their own development - both personal and professional.

But why tell stories to professionals?

I use folktales, fairytales and myths in a wide range of learning and development contexts because:

- They are accessible, engaging and often universal in their themes.

- They give us a depersonalised language - the metaphorical images of the story - which is useful for exploring behaviours, feelings and experiences that are hard to talk about.
- Participants get the creative experience of time in their own imaginations - which is a healing and compassionate experience in itself - and often therefore relax more quickly into the group dynamic because they have all shared the very personal experience of listening to a story.
- I find that starting in the world of the imagination draws people out of their present difficulties and into a freer, more fluid and responsive head-space. This helps to unlock more imaginative discussion and open thinking in the workshop that follows.
- Stories invite the listeners to experience compassion from the word go, as they travel with the characters through the challenges and triumphs they face.

So what stories did the workshop include and what did participants consider and discuss in response?

## The Two Wolves

An old man sits by the fire with his granddaughter.

*Hoping he will have the answer to a question that has been eating her up, the little girl demands, "Grandfather, what kind of person am I going to be when I grow up!?"*



*He takes a deep breath and replies slowly: "Well, you've got two wolves you - a wolf that is joyful, compassionate, generous, full of love and care, and a wolf that is depleted, resentful, intolerant, full of hate and pain. These two wolves are fighting each other fiercely inside you all the time."*



*"Which one is going to win?!"*

*And he laughs: "the one you feed."*

### Reflection points:

- Share a time recently when your loving wolf felt really fed - what happened or what were you doing?
- When your hurting wolf is activated, what can sooth it? - Think of a word that would be medicine for your sad wolf e.g. affirmation, friendship, space etc
- What does this story bring alive for you?
- How do you see both wolves playing out in your RP experience and practice?

## The Angry Hearts

*A Sadhu (holy woman) and her disciples are walking along a peaceful river when suddenly up ahead they see - and hear! - an arguing couple. The couple are right up in each others' faces shouting and blazing. The Sadhu stops and asks her companions "why are they shouting?"*

*Her companions shrug, "because they are angry?"*

*"Yes, but why are they shouting about it? They are so close they could rub noses, anything one says in a whisper the other one will hear. What are they shouting?"*

*Her disciples hum and haa, but can't come up with a satisfactory answer for why these two people's anger explains their noisiness.*

*Eventually, the Sadhu gives her explanation:*

*"In their conflict, their hearts have gone further and further apart, until by this point, they feel so far away from each other that they think they have to shout to be heard. You know how lovers so often whisper - feeling their hearts to be nestled close together? Here, the opposite - the hearts feel on either side of the river and so they shout to reach each other and be seen."*

### Exercise:

Draw something that represents a time when you've experienced one feeling on the inside and a different behaviour on the outside - either in yourself or from another person.

Discuss what you see in each others' drawings. How do these images help us understand communication in complicated emotional situations?

## The Two Soldiers

*There was a terrible war. The armies annihilated each other until only two soldiers remained alive. Night fell - they would have to duel it out in the morning. So they searched for firewood to keep themselves warm through the night. But between them they only had enough fuel to make one fire.*

*As they sat together, they found themselves talking. Dreams, regrets, worries, triumphs - they shared everything, because they had nothing to lose.*

*When the sun rose, they looked at each other. Then, without a word, they picked up their weapons and each turned for home.*

*The stories teach us that an enemy is someone whose story we haven't heard yet and we cannot kill those who's stories we truly know.*

### Reflection points:

- Whose story do you not know at the moment that you would like to know? What would you ask them if you could?
- When have you seen story-sharing happen really effectively in your restorative work?

## The Girl and the Pots

*In a small community with few resources, there was a teenage girl who was playing up. Her behaviour was getting more frustrating and the villagers were getting more impatient with her. One day, in a fit of frustration, she smashed some pots that were precious.*



*The elders gathered everyone in the middle of the village. They found her and brought her to stand in the middle of the circle. Then, one by one, they went around every member of the community and each person said something about her that they valued, appreciated or loved. And that was the end of the matter.*

### Exercise:

Think of someone who does something that really aggravates you. Take a few minutes to write down a validation or appreciation of them that they find it healing to hear.

Discussion: how did it feel to do that exercise?

These stories and exercises really brought home for the workshop members how, as practitioners, 'we are what we do'. We talked a lot about the benefit of having space to explore our personal experiences of emotional situations and the resilient, empathetic, self-aware responses that are available to us when things are challenging.

Participants fed back that they enjoyed the following outcomes from the workshop:

- Experiential learning - having emotional and mental experiences through the events in the stories that gave insights into their own experiences, and the experiences of friends, family and restorative participants.
- A fresh reminder of the importance of being kind to ourselves and being mindful of others' stories. How, when we are given space to look at our own experience, and then explore parallels with others, this improves our capacity to empathise and see things from fresh or different angles.
- The power of storytelling and imagery - how the stories provide a metaphorical language that helps us to depersonalise experiences and therefore be more empathetic. For example, talking about when the loving wolf and the hurting wolf are gaining the upper hand, rather than talking about 'good' and 'bad' people.

I will leave you with a final story that inspires me in my work:

When a community is in conflict, South African medicine people often ask these 'diagnostic' questions to try and understand the root of the problem:

"When did you last dance together? When did you last sing, play games, eat or tell stories together?"

If the community can't remember, they suggest these positive, shared experiences are the place to start with rebuilding connection, harmony and personal wellbeing. So please take a break now and go and have a boogie! And may your loving wolf feel fed.

If you are interested in experiencing the workshop or a bespoke session, please contact me on [hannah.eadie.moore@gmail.com](mailto:hannah.eadie.moore@gmail.com)

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**Hannah Moore**  
Practitioner

Storytelling for Peace and Reconciliation  
Workshops - Courses - Programmes - Events

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The Loving Wolf Workshop

Developing compassion and cultivating emotional  
resilience in these troubled times

resilience in these troubled times  
Developing compassion and cultivating emotional

# Institutionalising Restorative Justice in Scotland

**I**n criminal justice matters, Scotland is often, not always rightly, seen as more progressive than England and Wales. However, although restorative justice (RJ) has been used in response to crime since the 1980s, Scotland has lagged behind other nations in developing this in a systematic way. More recently, RJ has become somewhat more systematised, but mainly in youth justice with adult RJ underdeveloped, and fuelling an unhelpful perception that RJ is suitable only for minor youth offending (Maglione et al., 2020).

The Scottish Government is seeking to promote RJ throughout all of Scotland's justice system, through national Guidance in 2017 followed by a 2019 Action Plan, which set the ambitious goal of having RJ available nationwide to anyone seeking it by 2023. Our research, which formed Siobhan Butler's Masters by Research project, investigated the views of Scottish criminal justice practitioners on this RJ policy drive.

I presented our findings at this year's annual RJC conference in a dynamic session focused on developments in Scotland. As an academic criminologist who researches RJ from a policy perspective, not a practitioner, I really appreciated the warm welcome from the RJC, Jim and Aisa's help as organiser and chair, and the questions and comments from attendees. Here I outline briefly the key points of that presentation.

## Context

To understand the development of Scottish restorative justice, we first have to understand some relevant features of the criminal justice context.

First, Scotland is a devolved nation within the UK. Devolution gave us (back) a Parliament and Government with significant autonomy around policymaking, where previously this was the responsibility of the UK Government's Scottish Office. However, our criminal law and justice arrangements have always been separate to those of England and Wales. In many ways, they are quite similar; one important difference is Scotland's tradition of more locally-focused approaches to non-custodial measures; rather than a probation service, we use 'Justice Social Work' (JSW) in local authorities to perform probation functions. As our colleague Katrina Morrison (2015) has written, the organisation of JSW has been something of a political football, with repeated efforts to centralise the system resisted by local government and social work interests.

Another key element of this context is international - the growing systematisation of RJ and its incorporation into criminal justice systems. This development has been controversial, provoking debate over whether RJ can do the most good as part of criminal justice or as a radical alternative to it. In Europe, much of this institutionalisation has been driven by the EU Directive 2012/29 on victims' rights, implemented in Scots law by the 2014 Victims and Witnesses (Scotland) Act. Notably, though, and unlike in other jurisdictions, the 2014 Act made little mention of RJ.

## Our Findings

Siobhan interviewed 17 people across Scottish criminal justice about their views of restorative justice and the Scottish government's policy. It is encouraging to note that there seems to be agreement in Scottish criminal justice about what RJ is - a facilitated, voluntary, dialogue-driven process aimed at repairing the harms caused by crime. RJ stands in contrast to a criminal justice system that is coercive, often harmful to victims as well as offenders, and largely unrepresentative of the people it tends to deal with.

Our interviewees welcomed the overt political support for more use of RJ. However, they tended to be sceptical about the Scottish Government's ability to actually deliver on the 2023 goal of the Action Plan. More experienced interviewees recalled that previous efforts to develop RJ provision in Scotland had foundered on a lack of consistent political support. Our interviewees also saw the 2014 Victims and Witnesses Act as a missed opportunity to develop and promote RJ further, sometimes implying that this was due to the influence of some victim support organisations in the policy process. Our fieldwork was conducted in 2019-20, but that scepticism probably grew (with some justification) when the governing Scottish National Party recommitted to the 2023 goal in its 2021 election manifesto, despite the enormous impact of Covid-19 on our justice system.

As in our previous RJ research (Maglione et al., 2020), our interviewees highlighted specific systemic challenges to the further development of RJ for adults in Scotland. Some of these will be familiar to many of us with professional experience of bureaucracies, but play out in particular ways in the Scottish context. These included 'silo working' hindering effective partnerships, the impact of GDPR on information sharing, and the challenges of securing referrals to RJ services, especially when knowledge of RJ is limited. Increasing the number



of referrals requires knowledge of RJ across the criminal justice system, particularly among police and prosecutors, who would refer most cases. (Unfortunately we couldn't get access to interview prosecutors for this project). That means not just abstract knowledge of the benefits of RJ but concrete awareness of which RJ services are available where. This is obviously challenging in the context of Scotland's local-oriented approach to criminal justice, particularly given the repeated rounds of service reorganisation in recent years.

Related to this there is also a clear need for funding that is not only adequate but sustained and equitable. In the context of austerity spending cuts, non-coercive and voluntary responses to crime cannot take priority for funding over services required by law (probation supervision, court reporting, etc.). Funding needs to balance autonomy for local organisations with the need to avoid a 'postcode lottery' in which RJ is limited to those prosperous local authorities which have enough extra money to pay for it. RJ providers should be independent of criminal justice, yet they need the financial stability to bed in, get criminal justice buy-in and make long-term service plans. We do not need more local pilots that get good results for a few years then run out of money and stop. In short, RJ in Scotland needs to be properly funded, locally responsive yet centrally supported.

Despite their support in principle for the policy of expanding RJ in Scotland, our participants highlighted some important risks of bringing RJ into the mainstream of criminal justice. In the context of criminal justice policymaking that tends to be dominated by reoffending measures, there is a concern that people harmed by crime can be rendered means of offender rehabilitation rather than ends in themselves. The creativity and bottom-up community focus of RJ sit uneasily with the top-down, centralising and systematising tendencies of criminal justice. Equally, however, our participants accepted that for RJ to become established as a response to crime, some involvement with mainstream criminal justice was inevitable. All of this gives us a rather nuanced view of the debate over institutionalisation and how it plays out 'on the ground'.

## Future of RJ in Scotland

Our study indicates that RJ for adults in Scotland should be victim-centred, consensus-based, dialogue-driven and oriented to repairing the harms of crime. Restorative justice must remain to some extent apart from and different to criminal justice and always voluntary for all parties. RJ providers should remain independent of criminal justice and must avoid instrumentalising victims or dragging more people into

the 'net' of criminal justice. Equally, for RJ to become widely used as a response to crime, requires robust referral pathways and 'buy-in' from criminal justice agencies.

There is also a need for restorative justice that is responsive to local needs, 'bottom-up' and actively engages the community (an element hitherto unaddressed by the Scottish Government plans). However, there must also be proper funding and support from the centre if we are to avoid a 'postcode lottery' and fully realise the promise of nationwide RJ. Scotland will need to proceed carefully to balance the advantages of central support and coordination with local responsiveness.

A full nationwide RJ service is unlikely to appear by next year but since we carried out our research, there have been some further developments. An 'initial test project' of restorative justice in Edinburgh and the Lothians is now underway; and, as discussed by my conference co-panellist Ashley Scotland, the 'Thriving Survivors' service has been set up with Scottish Government backing to provide restorative responses to sexual harm.

For RJ policy in Scotland to succeed will require a careful and ongoing navigation of some tricky balances. If we can get this right, the potential opportunities are enormous.

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**Jamie Buchan**  
Edinburgh Napier University

## End matter & References

Our article is available open access (i.e. without needing to log in or pay a fee) [here](#) or by emailing the authors. The MRes research presented here was funded by Edinburgh Napier University's Research Funding Competition.

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# The Restorative Justice Law Reform



**Amanda Carrasco is a thriving survivor and registered victim of a crime. She used her experiences to motivate her to achieve an MA in Business Leadership (Canada), an MA in Public Policy (USA), and an MA in Law (UK). She also has certificates in Restorative Justice from Simon Fraser University and Prevention of Sexual Exploitation and Abuse from the United Nations. She is a partner in a non-profit in California called Sharp Circle Inc. that provides mentorship as well as workshops on Restorative Justice and Conflict Resolution.**

## The Need for Justice that is Restorative

**R**estorative Justice is a victim centred approach to the criminal justice system. Plato and Aristotle developed the Greek concept of justice as being a virtue from the soul into a heart attitude of obedience. ‘Justice was the ideal of human relationships’. They were looking for the avenue through which to achieve harmony in society. This makes justice about our connections with each other and not about punishment for crime. Restorative Justice changes the framing of crime away from our current system which asks, who is right and wrong and dividing people in a court room into two sides, the prosecution, and the defence. It takes a holistic approach of seeing everyone as part of the same community where someone(s) in the community has been harmed and someone(s) has committed the harm. It finds justice in us and our relationships with each other. Restorative systems seek the restoration of victims and reintegration of offenders resulting in a repair of relationships not only between victim and offender but also between offender and the community.

## The Current UK Situation

Advocates of Restorative Justice know that it makes a positive difference in people’s lives and thus society. They also know that Restorative Justice is underfunded, under practiced and misunderstood.

As it stands in the UK right now, Restorative Justice laws only apply post-conviction. The Crime and Courts Act 2013 allows judges the opportunity to defer sentencing so restorative justice can take place and the Offender Rehabilitation Act 2014 allows restorative justice to be a part of probationary services. The Victims Code establishes the rights of a victim, but it is not legislation: it is like a guideline that people “should” follow but it gives them the option to choose to follow it,

with no accountability for failure to do so. A previous Minister of Justice even created an action plan that specifically called for restorative justice practices but that is also not legislation and data shows that very few victims have been offered the option of restorative services.

In 2016, the House of Commons Justice Committee published a Restorative Justice Report that stated they were broadly supportive of the action plan from the Minister of Justice and its importance of restorative justice at every stage of the criminal justice process. The Minister of Justice’s Restorative Justice Action Plan ended in 2018 and no new action plan has been produced since with more recent rejection by the government for an action plan citing “unnecessary bureaucracy.”

According to National Statistics for restorative justice, between the dates of April 2019 to March 2020 only 5.5% of victims reported being given the opportunity to meet the offender. The low number of victims who are reporting being offered restorative services and incomplete public data are indicators that restorative justice is not being implemented as often as it is supposed to be under the current laws and codes. The All-Party Parliamentary Group for Restorative Justice issued a report in 2021 that highlighted an issue with gatekeepers who have hindered access to restorative justice by being improperly informed and making decisions on behalf of victims or the offender about suitability.

## Would Legislation Help?

The United Nations Handbook on Restorative Justice Programmes concludes that that there is difficulty in achieving successful integration of an effective restorative program into a criminal system without legislation. Legislation gives predictability and certainty as well as regulation and they recommend restorative justice be legislated.

Legislation contributes to culture and sets a standard for how a society operates. Legislation also opens doors for funding, education, and practice. Most victims choose restorative justice as a process when it is offered and 85% were satisfied with the process. The 2021 report from the All-Party Parliamentary Group for Restorative Justice recommended minimum ring-fenced funding to ensure greater consistency in accessibility as well as transparency through a published framework. Greater funding for restorative options is less likely without legislation to support it.

The Ministry of Justice conducted a consultation (Dec 2021-Feb 2022) with reference to an upcoming legislative proposal for a victim's bill. It says that this is "a Bill which will build on the foundations provided by the Victims' Code to substantially improve victims' experiences of the criminal justice system," yet the bill does not have any further support for restorative practices and does not enshrine all aspects of the Code. The current format of the Bill waters down the entitlements set out in the code.

## Goals of Restorative Justice Law Reform

- To enshrine restorative justice practise at all stages of the criminal justice process
- To promote restorative justice education for anyone who works in the field of criminal justice and the public
- For every victim to be offered an opportunity for a restorative justice process at various stages of the offence

These goals could be accomplished within a new Victims Law; however, the current proposals and consultations do not present a strategy which would meet these goals.

## How You Can Help Reform Laws in the UK

I am a registered victim of a crime and I have decided that justice starts with me, and it is me. I participated in a Restorative Justice circle in August 2022 with the man who murdered our family 27 years prior. I know how important this is because I am living it. We need more advocates to help people just like me. Here are simple actions steps that will make a huge difference:

- Contact your Member of Parliament (<https://members.parliament.uk/members/commons>) and let them know that we need restorative justice practices specifically addressed in a new Victims Law.
- Use your social media to bring awareness to the need for RJ Law reform and show your support for

the All-Party Parliamentary Group for Restorative Justice by tagging them on twitter [@RJAPPG](https://twitter.com/RJAPPG) and the Restorative Justice Council [@RJCouncil](https://twitter.com/RJCouncil)

- Stay connected and up to date with the RJ network and RJ Law Reform by visiting the website of the All-Party Parliamentary Group for Restorative Justice: <https://rjappg.co.uk> and signing up for the newsletter of the RJ Council <https://restorativejustice.org.uk/stay-touch>

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**Amanda Carrasco**

### Take Action

To find out more information and what you can do to help change this, scan the QR code:





# Harmed and harmer: how to incorporate trauma-informed and restorative practices when working with young people affected by crime and conflict

**T**his skills workshop was delivered by Leah Robinson who is the Restorative Justice Development Officer (Youth Justice) at Why me?. Leah is a trained restorative practitioner who has previously worked as the Victim Liaison and Restorative Justice worker at Slough Youth Offending Team. Leah currently runs Why me?'s Youth Justice and LGBTQ+ projects and is involved with the delivery of Restorative Justice training.

Why me? runs campaigns and research projects, lobbies the Government and supports organisations which deliver Restorative Justice. We also run our own registered Restorative Justice service. Why me? was created after Peter Woolf met Will Riley, who Peter 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 set up Why me? with Peter's help, to enable other people affected by crime to experience the benefits of Restorative Justice.

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*It is crucial to understand how to utilise restorative practices in a sector which is increasingly focused on trauma-informed practice.*

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When working with young people, it is commonplace to find that someone will have experienced situations as both the harmed and the harmer person. It is vital, therefore, to work with young people according to both trauma-informed and restorative practices.

This skills workshop explored engaging with young people from this mindset, acknowledging the importance of working according to a holistic, participant-focused approach. This engagement can therefore be seen as victim engagement and/or offender engagement, both in diversion schemes and through court ordered interventions.

*What does it mean to work according to trauma-informed practice?*

*What does it mean to work according to restorative practice?*

*How can you work according to both? What does this look like in theory and in practice?*

Within the skills workshop, we explored answers to these questions, drawing on theory and practical experience. This blog will discuss the topics covered in the workshop.

## Trauma-informed and restorative practices

[The principles of trauma-informed practice and restorative practices are mutually beneficial](#) and many of the defining statements for each practice could be used to define the other.

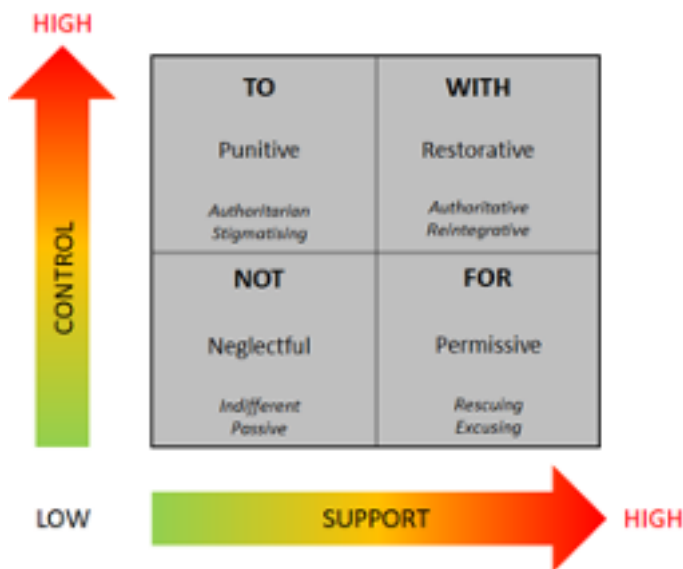
Trauma-informed practice involves working according to a child's whole life experiences in a holistic way by adopting a person-centred approach. Working according to trauma-informed practice means focusing on 'what happened to you?' as opposed to 'what's wrong with you?'

Restorative practice involves separating the person from the action by focusing on repairing the harm that has been caused. As per Becker's (1963) labelling theory, working restoratively avoids labelling anyone as 'good' or 'bad' and, as such, the terms harmed and harmer are used rather than offender and victim.

As such, restorative principles mirror those of trauma-informed practices and when working with young people affected by crime and conflict, we would recommend utilising all of the above principles and allowing trauma-informed and restorative practices to underpin the work completed.

## Theory

While both Maslow's hierarchy of needs and the trauma-recovery model were mentioned, the Social Discipline Window was examined in more detail as it exemplifies restorative practice as a whole by providing a way of thinking about the ways in which we communicate with others. The Social Discipline Window was originally developed by Glaser in 1964 and adapted by McCold and Wachtel in 2001 and subsequently by Vaandering in 2013 into the subject-object relationship window.



(Image 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). The social discipline window can be examined using the example of walking into a young person's room and seeing a pile of dirty clothes, as follows:

- High control, low support - This involves doing something to someone, which is a punitive standpoint. Working within the 'to' window would mean telling the young person to do their washing as a punitive instruction, with no supervision or support.
- Low control, low support - This involves not doing something and therefore neglecting the issue or person. Working within the 'not' window would mean ignoring the problem and leaving the young person's room with the pile of dirty washing still there.
- Low control, high support - This involves doing something for someone which is a permissive way of working. Working within the 'for' window would mean doing the washing for the young person and is often referred to as 'rescuing'.
- High control, high support - This involves doing something with someone which is the restorative way of working. Working 'with' someone would mean showing the young person how to do their washing and doing it with them step by step, so that next time they have washing to do they are able to do it themselves. Unsurprisingly, this is the window in which we would recommend working.

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.

## Tools and techniques - language and communication, active listening

Restorative language helps to shift the focus away from 'blame and shame' towards 'root cause and repair'. It is important to be aware of how we communicate with people and make a conscious effort to create as open and comfortable an environment as possible, within professional boundaries, when working with young people who have been affected by crime and conflict. There were various tools and techniques explained during the skills workshop.

We examined how communication can be broken down, as follows:

- Tone of voice accounts for 38% of communication
- Body language accounts for 55% of communication. Often people will mirror each other's body language and it is important therefore to replicate the open environment you want there to be through open and relaxed body language.
- What we say only accounts for 7% of communication

This shows how important it is for us to be actively and visibly engaged in the conversation, taking all aspects of communication into consideration.

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*Sometimes we get so concerned with what we are saying or what we are going to say that we do not listen to the entirety of what the other person is saying.*

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It may be that you know what question you want to ask next or want to remember to document something the young person has said in your write-up after the session. However, when we go over these things in our head it often means that we listen selectively, thus hearing what we expect to hear rather than what is actually being said. It is important to try and avoid doing this and to listen to the complete message of what the other person is saying - what they have to say is likely to be far more important and beneficial to your ongoing work than what you are planning as a response.

It is important not to underestimate the power of silence. A period of silence can allow someone to hear and process the question or comment, think, feel and prepare what they want to say. Often the best conversations come as a result of a period of silence.

Finally, we discussed how restorative questions do not include the word 'why?'. 'Why' has quite negative connotations and can often feel accusatory or punitive. Therefore, instead of asking 'why did you do that?', try

to rephrase to ‘what were you thinking ... and so how were you feeling?’.

The skills workshop included a pairs-based activity in which attendees were provided with two scenarios with which they could practise reframing questions and taking all the tools and techniques discussed into consideration.

Attendees left the skills workshop with a better understanding of how to incorporate both trauma-informed and restorative practices when working with young people affected by crime and conflict. They learnt about different tools and techniques, such as the use of language and through empirical case study examples provided, along with a theoretical understanding which they can utilise when working with young people who have been affected as both harmed and harmer.

## Youth Justice Services: Good Practice Guide

Leah Robinson  
December 2022

*Why me?*  
Transforming lives through  
Restorative Justice



To read more about utilising trauma-informed and restorative principles when working with young people, as well as other good practice recommendations, read Why me?'s [Good Practice Guide](#) written by Leah Robinson.

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## Book Review: Boys, Childhood Domestic Abuse, and Gang Involvement

**S**ometimes a book comes along that, whilst not directly about restorative practice, contains new insights that merit attention from practitioners because it helps them understand the dynamics of the issues they engage with – this is such a book.

At its heart are the life stories of young men who have lived with childhood domestic abuse and then gone on to become involved in gang violence. The author wanted to understand how masculinity was developed in the context of violent childhoods within a racialised and patriarchal society.

The author argues that young people who occupy this interface often fall through the gaps of support services. Their experiences all occurred in childhood. This is an important consideration to be placed at the forefront. The criminalisation of young people who are, or who are thought to be, on- road and gang-involved, swiftly scoops them up into the criminal justice system where they are seen as offenders first and as children only a poor second if at all.

The author recognises that stories of violence are not easy to share and the tool that was used in this study was music as an elicitation, or communication, tool. Participants were asked to bring three music tracks to help them tell parts of their life stories. Music has been a powerful coping tool for the participants and was also a powerful listening tool in this study.

It's difficult to give a flavour of the stories these young men tell, but they are compelling narratives that deserve to be heard and warrant a response in their own terms.

To take the first three accounts given: “Dylan” is a mixed- race man who saw and heard high-level violence from an early age; indeed, he had the perspective that this was usual within his wider family and community. “Eric” is a Rwandan refugee who explained the domestic violence and abuse (DVA) in terms of his family’s struggle to adjust due to their asylum- seeking journey. “Dave” is a white man who had seen his mother being abused by her boyfriend, whom he later tried to confront.

Their stories are told, as far as possible, using their own words. So “Dylan” says:

*“I could hear as a kid the water splashing and all that, coz he’d put her in the bath and then he’d beat her while she was in the bath. He was the nicest man ever when he hadn’t had a drink and I’m not saying it coz, I don’t call him dad no more because of what I’d found out, but honestly you wouldn’t meet a nicer man, and my mum would say the same thing, it’s once he had a drink he would turn into a devil, he’d turn into a monster.”*

Later in the book, another young man, “Sam”, describes his first experience of selling drugs.

*“The first time ... was when the older boys they gave me this stuff, I was only eight [years old] and I walked down the road and ... I had to give it to this guy and then they’d give me sweets and then fivers and it went up until one day I see the guy OD’ing [overdosing] on the floor and I realised what I gave to that man was drugs and I was scared and I didn’t wanna be in that lifestyle so I kinda run away but I ran away from them but they lived on the estate so they was always*

*there. But the things I seen ... I don’t wanna see things like that, I didn’t choose to see that, erm, and being around people that were threatening and scary they [were] carrying knives or they got guns, like the guys coming into the house with a gun and crack and brown all around you, you can’t be a pussycat, when you’re around these lines.”*

These accounts do not make for easy reading and I was brought to tears more than once. I connect with them through the experiences of close friends, and one in particular, who as a teenager was physically and mentally abused by his mother. He did not react by being drawn into committing acts of violence himself – and the author rightly acknowledges the existence of the survivors who have not reacted in the same way as those she writes about in this book.

The book draws out the policy links in its final section, appropriately entitled “Joining the dots”. Amongst the issues discussed here is the work of the 18 Violence Reduction Units (VRUs) established in 2018, and the serious violence duty included in the Police, Crime, Sentencing and Courts Act 2022. The author is critical of the decision to separate serious violence from domestic and sexual violence and says that the responses to these two forms of violence in effect occupy different planets in policy terms. They are concerned that this separation is a huge barrier in devising appropriate responses to the needs of the young men profiled in the book, and in preventing them from re-offending in the future. The Domestic Abuse Commissioner referenced this work in her response to the [consultation on the serious violence duty](#) last year.

The author provides a much needed analysis of the public health approach to serious violence which has driven the development of VRUs and argues that “There is a fundamental tension between promoting a public health model to address violence and then separation of two of the most prevalent forms of violence into disparate strategic approaches.”

The author concludes that “What is required is closer joint work between DVA (and gender-based violence organisations) with youth offending/gang outreach organisations. The reason behind this study in the first place was a gap in professional practice and knowledge around the experiences of men who live with DVA in childhood and later go on-road and become gang-involved.”

This book draws attention to hidden aspects of sexual violence that are seldom discussed. In particular, it suggests that sexual violence and exploitation is more common among young men than is widely understood. Testimonies of the impact of sexual violence among men and on men, and in particular ex-gang-involved men, are seldom heard.

There is only one direct reference to restorative justice in this book, when one of the young men portrayed talks about the power of forgiveness as an important part of his recovery. Lester says:

*“Right, so then first you go through a process that, you first have to judge your own self, you have to go to yourself that certain things you were doing was wrong, and atone for that, genuinely.”*

The author references John Brathwaite’s work on reintegrative shaming with reference to these comments.

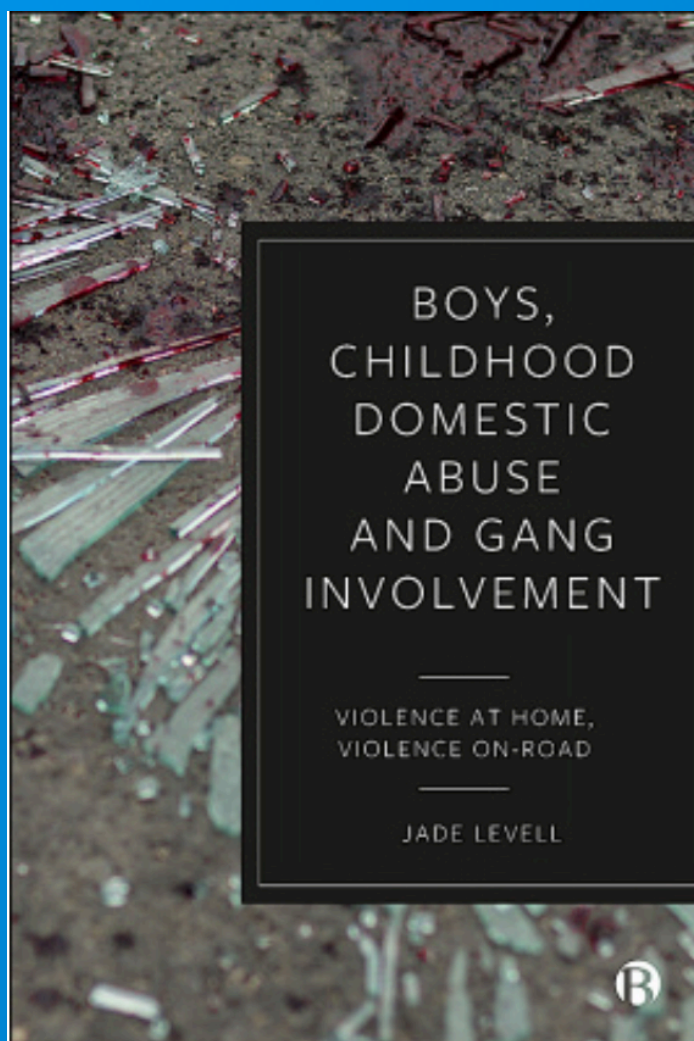
“Boys, Childhood Domestic Abuse, and Gang Involvement” is available from Bristol University Press Bristol University Press | Boys, Childhood

Domestic Abuse and Gang Involvement - Violence at Home, Violence On-Road, By Jade Levell and is also available in a Kindle edition via Amazon

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**David Smith**  
**Policy and Communications**  
**Officer**

Restorative Justice Council



Get your copy of ‘Boys, Childhood Domestic Abuse, and Gang Involvement’ from [Bristol University Press](#) or via the Amazon Kindle store

# Poster Presentation Winner 2022

## Natalya Waddy

### RJ and the opportunity of transforming outcomes in cases of domestic violence

**Title: Restorative Justice and Domestic Violence: Risks, challenges and benefits**



#### BACKGROUND:

Against the backdrop of real life cases including Mason Greenwood and R, Kelly, domestic violence (DV) continues to stand as an ongoing social and criminal concern.

**Feminist critics:** controversy over the risks and benefits of using restorative justice as an effective tool for cases of DV.

**Concerns:** victim protection and prevention of 'victim blaming mentality' (Cheon & Regehr, 2006: 39).

#### THEORIES TO EFFECTIVE RJ

- Schwartz basic value theory (2006): effect of personal values on outcomes of justice
- Barton empowerment model (2003): achieving closure through empowerment of victim, offender and community
- Lamia (2020): guide to effective interactions; using shame to motivate desire to change
- Navajo peacemaking

#### DEFINITIONS OF RJ APPLIED TO DV:

- Process-based definition (gov, uk, 2022): procedural aspects of practice to resolve conflict
- Transformative definition Coker (2006): considering change in worldview and challenging processes that sustain violence against women, beginning by recognising offender accountability

RJ and the opportunity of transforming outcomes in cases of Domestic Violence;



not only empowering victims of DV, but offering a space to challenge the worldview of the offender

European Union Agency For Fundamental Rights, F., (2022)

Key benefits:	Key weaknesses:
<ul style="list-style-type: none"> <li>• Victim empowerment</li> <li>• Minimisation of harm</li> <li>• Change in worldview of offenders</li> <li>• Victim identity not neglected</li> </ul>	<ul style="list-style-type: none"> <li>• RJ is not used in all global jurisdictions to address domestic violence crime</li> <li>• Outcomes depend on case specifics</li> <li>• Potential risk of further harm to victim and family members</li> </ul>

#### COMMON RJ PRACTICES USED IN CASES OF DV:

- Victim-Offender meditation (VOM)
- Family group conferencing
- Peacemaking circles

# Congratulations



# Children and young adults recruited for County Lines drug trafficking - identifying vulnerabilities that put young people at risk as well as the signs a child or young adult is being exploited by County Lines gangs

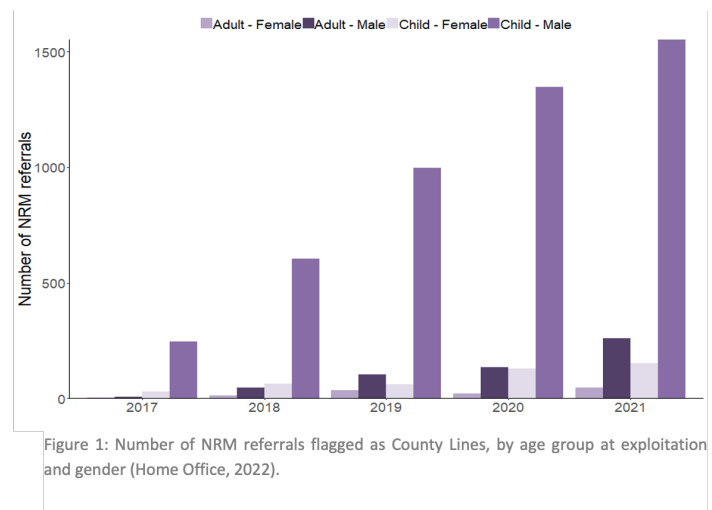
Grooming as well as recruitment of children and young adults into County Lines gangs has been significantly increasing over the last years in the UK. In parallel, children involved with County Lines gangs are often considered perpetrators rather than victims by law enforcement agencies. First responders often appear to lack sufficient guidance, training, understanding, and capacity to identify and safeguard victims of County Lines. Similarly, knowledge of the public about the crimes is limited: According to a study by the UK charity and helpline Unseen (2021), 32% of UK adults do not know what County Lines is. Moreover, 34% of poll respondents said that they would not feel confident spotting the signs if their child was being used for County Lines (Unseen, 2021).

The workshop as part of the Restorative Justice Council's 4th annual conference aimed to close this 'knowledge gap' by providing useful information, guidance and, ultimately, indicators to facilitate the identification of individuals that have fallen victim to County Lines. This is a needed endeavour, as successful identification is essential to safeguarding minors and young adults involved in organised crime groups – rather than seeing them as an active perpetrator. The workshop was based on a case study produced as part of the European-funded HEROES project[1] (Novel Strategies to Fight Child Sexual Exploitation and Human Trafficking Crimes and Protect their Victims).

## County Lines and Cuckooing

The UK government defines County Lines as “gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of “deal line”” (Home Office, 2020). Those gangs and organised criminal networks “(...) are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons” (Home Office, 2020). According to Public Health England (2021), it is estimated that approximately 1,000 different County Lines are operating across the UK, with each line generating about £800,000 a year. Children are considered to make up

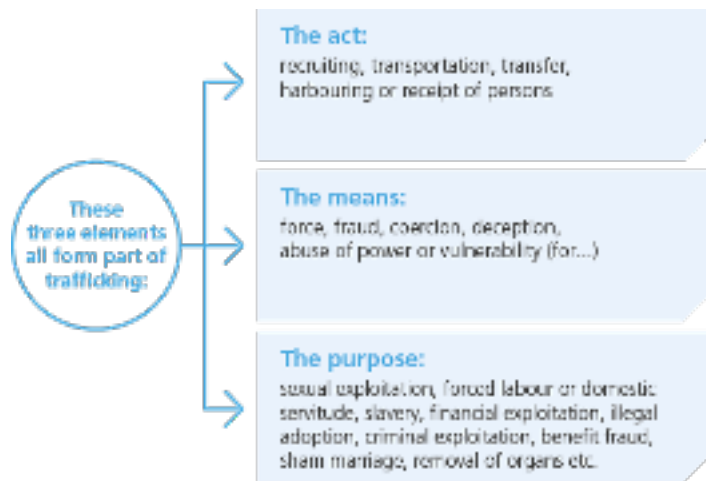
most victims groomed into County Lines (Havard, 2022; Home Office, 2022 a). Over the recent years, the number of children who have been criminally exploited by County Lines gangs has “skyrocketed” (The Modern Slavery Policy Unit, 2020) across the country. In 2021 a total of 2,053 individuals were flagged as County Lines in the National Referral Mechanism (NRM) – a multi-agency process by which the UK identifies and supports potential survivors of modern slavery by connecting them with appropriate support (Home Office, 2022 a; HM Government, 2022). This represents an increase of 23% compared to the previous year (Home Office, 2022 a). Figure 1 illustrates the increase of County Lines referrals over the last years, divided by age group and gender.



**Cuckooing** is a phenomenon closely linked to County Lines. A relatively novel form of criminal exploitation, Cuckooing refers to the phenomenon of County Lines drug dealers taking over an accommodation located in provincial areas to use them as local drug dealing bases (Spicer, Moyle & Coomber, 2019). The term ‘cuckoo’ in this context refers to the cuckoo bird’s practice of taking over nests of other birds (Butera, 2013).

## Links to Human Trafficking

In the UK, **human trafficking** is understood as an element of **modern slavery** which is an umbrella term covering different forms of exploitation (HM Government 2021). To be considered a victim of human trafficking, the UK government refers to the three elements of **action, means, and purpose of exploitation** (see Figure 2) (Home Office, 2022 b).



All three components must be present for an adult to be considered trafficked. However, as regards to children, the 'means' component is not required as they are not able to give consent. Having applied the three elements of human trafficking to the context of the operating of County Lines gangs, the **close links between exploitation as part of County Lines and human trafficking** become apparent. Firstly, individuals are recruited and may be transported as well as transferred from big cities to small towns where they might be harboured or received at a trap house/cuckooed property (act). To recruit individuals, gangs will use some form of coercion, deception, abuse of power, utilisation of the position of vulnerability of the person to be exploited, and payments or benefits to lure people into gangs or to take over their property (means). Lastly, children and adults will be trafficked for the purpose of exploitation for criminal activities, however, they are likely to be sexually exploited as well (purpose).

## Grooming process

At its core, young people, including minors, are either approached in person or through social media platforms. Prior to the COVID-19 pandemic and lockdowns, recruitment and grooming mainly took place through existing peer networks. Gangs may target and approach children at schools, higher educational institutions, special educational needs schools, places for alternative provision outside of mainstream education, foster homes, and homeless shelters (NSPCC, 2022). However, social media platforms (such as

Facebook, Snapchat, and Instagram) are increasingly used to make initial contact with children and young adults to groom and recruit them into County Lines gangs (NYA, 2021; CrimeStoppers, 2021). This trend has been only increased during COVID-19 restrictions as more young people spent time online (The Children's Society, 2020).

## Vulnerabilities

In general, every child and young adult is at risk of being groomed and exploited by County Lines gangs, with **intersecting vulnerabilities** increasing risks further. The **family context** as well as the **housing situation** of the child or young adult play a dominant role in influencing vulnerability. Children growing up in an impoverished and neglected environment appear particularly vulnerable to recruitment and grooming attempts. Crucially, the promise of money as well as increased social status function as key pull factors (Glover Williams & Finlay, 2018; Robinson, McLean & Densley, 2018; Coomber & Moyle, 2017). Further identified vulnerabilities are linked to **health** and the **emotional wellbeing, academic performance** as well as the **wider social environment** of the child or young adult. For instance, a young person is more at risk of being groomed and recruited if they suffer from mental health problems or have substance misuse issues, have a physical disability or developmental disorders (NSPCC, 2022; Stone, 2018; Safeguarding Network, n.d.; Home Office, 2020; NCA, 2019). Having been excluded from mainstream education is thought to be another critical event increasing vulnerability (NSPCC, 2022; Home Office, 2020). Regarding Cuckooing, there are two factors that stand out. Firstly, people with a **disability** are particularly vulnerable to fall victim to Cuckooing as they often struggle with social isolation leaving them at risk of exploitation (Macdonald et al. 2022). A second factor is **substance addiction**: Of adults, those with heavy drug use or addiction are understood to be targeted the most by gangs (NCA, 2019).

## Identifying and referring a potential victim

A potential victim of modern slavery (a child or consenting adult) must be referred into the NRM by public authorities in England and Wales (HM Government, 2022). Since an individual is not able to self-refer to the NRM, staff at designated first responder organisations can make referrals (Unseen, n.d.). However, anyone on the frontline who is engaging with people potentially involved with County Lines has a positive role in identification. A coordinated collaboration, better communication, and information sharing between first responders and other relevant actors are crucial to improve early identification and

support of victims. Key actors include the housing, public health, education, community, and voluntary sector as well as police forces. In addition, the public is able to report suspected cases of modern slavery by using the UK's free **Modern Slavery Helpline**, operated by Unseen (NCA, n.d.).

## Indicators

The case study produced an extensive list of indicators (divided into act, means, and purpose) to spot signs of exploitation as part of County Lines. While a single indicator by itself may not necessarily point to a person being involved in County Lines activities, a combination of indicators is understood to increase likelihood.

Selected indicators include:

- A person is missing frequently from home for short and/or long periods.
- A person is found to be staying in unsafe accommodations.
- Lack of engagement in school and/or change in school attendance.
- Suddenly having unexplained money and/or owning unexplained and usually unaffordable items.
- Receiving a huge amount of phone calls and/or texts (as a way of controlling the individual).
- Decline in wellbeing (mental and physical health).
- Sudden change in use of language (using phrases/terms in relation to drug dealing and/or violence).

## Discussion

Following the presentation, the workshop provided an opportunity for participants to reflect and share experiences; questions discussed in breakout rooms focused on the relevance of the topic for the sectors participants work in, lessons learned, challenges, and gaps in support.

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**Jana Dilger**  
Trilateral Research

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## Dr Marian Liebmann receives the RJC's Significant Contribution Award 2022

The RJC launched the Significant Contribution Award in 2021 to promote restorative justice in England and Wales and increase the visibility of outstanding restorative justice practitioners and scholars in the field and in the public domain more broadly. It honours individuals whose life work has had a significant and profound impact on the field of restorative justice at a national level. The Board of Trustees collectively agreed that Dr Marian Liebmann is a worthy recipient for this year's award.



Marian has had a long, varied and distinguished career including her directorship of Mediation UK, as an author of numerous books on restorative justice and her use of art therapy in responding to conflict and crime. In 2013 she was awarded an OBE for services to Social Justice through Art Therapy and Mediation. She now works as a freelance consultant and trainer in the UK and overseas, especially in Eastern Europe and Africa.

Marian started her career at a day centre for ex-offenders where she was responsible for the education aspects of the service. During her time there, she saw first-hand how lives could be transformed by the right kind of support and an appreciation of the perspectives of both offenders and victims.

As a result of this experience, Marian came to feel that victims' support needs were hardly recognised at all. And so, in 1980 she joined the staff of one of the earliest victim services initiatives, the Bristol Victim Support Scheme. It was in this role that her interest in mediation was stimulated and grew.

Marian went on to train and work as a probation officer. Having worked to support victims, she wanted to see how that experience might be relevant for work with

offenders. Marian was passionate about victim-offender mediation and took every opportunity she could to pursue it. During her time as Director of Mediation UK, Marian learned about the importance of influencing the national agenda and continues this to date.

Marian is committed to working at the local level. She helped to start Bristol Mediation (now Resolve West) in 1987 and has continued to work as a volunteer, undertaking neighbour mediation and restorative justice cases. She played a key role in getting Bristol, where so much of her early work with victims and offenders was done, to make and deliver a commitment to becoming a Restorative City. That work is reflected in the European Forum for Restorative Justice recent publication "A journey around restorative cities in the world: A travel guide" to which she contributed the UK chapter about Bristol.

For several years, Marian chaired Bristol's Holocaust Memorial Day Steering Group, just one among many ways in which she has embedded a commitment to racial justice in her life's work. She is also involved in a drop-in centre for asylum seekers and refugees.

Marian also helped to set up the Restorative Justice Consortium, the forerunner to the Restorative Justice Council. Marian continues to play a very active role in the RJC, contributing to our annual conferences and attending the first meeting of our newly established Leadership Summit early in 2022.

In a recent interview for the International Journal of Restorative Justice, Marian reflected on the highs and lows for restorative practice over that time.

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*"What shines through is that Marian has retained her sense of optimism for the future and an undiminished commitment to the fundamentals of restorative approaches, applied in every facet of life."*

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She identified the highs as the embedding of restorative principles in the youth justice system, the work of the APPG, the evidence of the wider application of restorative principles, for example in education, the "coming alive" of the RJC in recent years, and the work of the European Forum on Restorative Justice, which she describes as "a real powerhouse."

The biggest challenge Marian identifies is ending the “postcode lottery” of services.

What shines through is that Marian has retained her sense of optimism for the future and an undiminished commitment to the fundamentals of restorative approaches, applied in every facet of life. Marian’s commitment and dedication to our sector exemplifies the very nature of this award and it’s our honour to present Marian this accolade.

Upon receiving this award, Marian stated ‘Most of my achievements have been highlighted by Jim, so I thought I would share some particular moments and insights along the way.’

## How did I get into restorative justice?

I started my working life as a teacher in a junior high school, then worked as an educational writer on schools materials. This led on to running the education side of a day centre for ex-offenders which brought me into the criminal justice world. Victims of crime didn’t figure much, if at all, in this sphere.

Jim has already mentioned my work as coordinator of Bristol Victim Support Scheme. After working with offenders, I was curious to find out about the ‘other side’ of crime. BVSS was started by BACRO (Bristol Association for the Care and Resettlement of Offenders), whose members wondered if offenders would offend less if they met their victims. However, nothing was known about victims, so in 1973 they started a research project on victims, visiting them to see if they had any needs. I joined in 1980 and for me it was a complete eye-opener.

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*In about 1984, a friend told me about a mediation course in London, saying, ‘I think this is for you.’*

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It was run by two mediators from Friends Suburban Project, Philadelphia. All the lights went on my head, and I found out about and joined FIRM (Forum for Initiatives in Reparation and Mediation, the forerunner of Mediation UK). I read Tony Marshall’s handbooks of 1984 and 1985, showing the growth of mediation (mostly victim-offender) to about 30 services, from the first UK one in Sheffield in 1983.

## Probation experiences 1987-91

Victim Support pay at that time was not sufficient for my family as the main earner so I trained as a probation officer. I enjoyed the client work and also looked for opportunities for victim-offender mediation, as it was then called. One of my first attempts concerned a case of TDA (take and drive away). I went to see the victim and got a pretty rough response, ‘I know you probation officers, you’re just trying to get him off, but look what

he did to my car’, as he held up a completely shredded tyre. I learnt from that to avoid cases that had not yet been to court.

In a more serious case, of death by dangerous driving, I organised a meeting between the victim’s son and a very remorseful offender, in the prison – it was a moving event, as the victim’s son thought it had been deliberate, rather than a horrible and culpable accident. He was relieved to learn the truth. I hope it may have prevented further violence as both came from the same community.

I also initiated training within the probation service and helped to start Bristol Mediation (now Resolve West) which is still going strong. Initially it took only neighbour cases, now it also has a well-funded Restorative Approaches section.

## Mediation UK 1991-98

From 1991 I was director of Mediation UK, promoting mediation in all its forms but especially neighbour, victim-offender and schools mediation.

I learnt about national politics, as community mediation grew very quickly – without any hard evidence (though plenty of success stories) – because it met a need for local authorities. Restorative Justice, however, slowly declined, as the Conservative Government stalled, calling for ‘more evidence’, despite the plethora of well-documented research studies. It was seen as challenging established ways.

Mediation UK was a charity, so could not lobby. We helped to start the RJC as a campaign for restorative justice. Later, when Mediation UK lost its funding in 2006, the RJC took over much of Mediation UK’s practical work.

## Training and cross-cultural learnings

After leaving Mediation UK, I worked as a freelance trainer and consultant in RJ. I trained many of the new Youth Offending Teams in RJ. Then came invitations from abroad. The first was from Uganda, where a new youth justice law had been passed with several restorative provisions - training in RJ was aimed at getting these provisions into practice. Then followed some work in West Africa – Nigeria, Ghana and the Gambia. In Ghana all the course participants were prison and police officers in uniform. In the Gambia, the lights failed in our windowless training room and we had to relocate to the hotel balcony. I heard later that they had managed to set up a service there.

In my UK work, violence was generally seen as more serious than property crime. But I learnt that in Africa, property crime is often seen as more serious than



violence, because if someone's crops or savings are stolen, the whole family will starve.

In Africa, role plays often led to forgiveness. 'When I saw how poor the offender was, I decided to forgive him and forget about recompense.' In Serbia, however (where I also did a lot of training), role players were more likely to suggest a hard bargain, such as 'the offender's mother will undertake 6 weeks of cleaning work to pay back the cost of the stolen items.'

But Serbian youth offending services were also shocked at the toughness of UK sentences for young people. In Serbia, RJ was seen as 'toughening up' criminal justice responses as their supervision services only managed a visit from a social worker once in 6 months.

## Restorative Cities

After Hull declared itself a Restorative City, the idea spread to Bristol and local RJ organisations and initiatives got together for talks and workshops. Bristol City Council became interested and formed a Restorative Bristol Board. We even had a paid worker for two years and were doing quite well, then Covid struck and everything stopped. At the same time one of the co-chairs became seriously ill (but has now recovered). I am hopeful that Restorative Bristol will soon be rejuvenated. Joining the European Forum Working Group on Restorative Cities has been a fascinating journey; learning about other restorative cities has given me a new perspective on Restorative Bristol.

## For the future

Restorative justice still has a long way to go, but with many new developments, things seem to be definitely on the move. Hopefully we will arrive at a time when our first thoughts in conflict or crime are, 'How can we sort this out? Who can help?' and restorative working is accepted as 'the way we do things round here'.

The last word should go to a local primary school in Bristol which adopted restorative approaches ten years ago. They never exclude children; and even take excluded children from other schools – within months they are having tea with the head teacher for their good reports. The head teacher says, 'Restorative justice is the only way to go.'

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**Jim Simon**  
Chief Executive Officer

**Dr Marian Liebmann**  
Mediator and RJ Practitioner



Click [HERE](#) to watch a presentation made by Quakers to present at the 14th United Nations Congress on Crime Prevention and Criminal Justice held in Kyoto, Japan in March 2021.

# About us

## About the RJC

The Restorative Justice Council (RJC) is the independent third sector membership body for the field of restorative practice. It provides quality assurance and a national voice advocating the widespread use of all forms of restorative practice, including restorative justice. The RJC's vision is of a restorative society where everyone has access to safe, high quality restorative practice wherever and whenever it is needed.

Resolution is the quarterly newsletter of the RJC. Please get in touch if you have any feedback or you would like to submit an article.

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

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