Community-based Restorative Justice:
Challenging 'Cultures of Violence'
in Local Communities.

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Declaration

I declare that the work in this thesis was carried out in accordance with the regulations of the University of Gloucestershire and is original except where indicated by specific reference in the text. No part of the thesis has been submitted as part of any other academic award.

The thesis has not been presented to any other education institution in the United Kingdom or overseas.

Any views expressed in the thesis are those of the author and in no way, represent those of the University.

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Abstract

The overall aim of this thesis was to explore the efforts of community-based restorative justice agencies in responding to 'cultures of violence' in local communities in Northern Ireland. The first research objective is to explore the rationale behind the emergence of community-based restorative justice in Northern Ireland. The second research objective is to capture the perspectives of community restorative justice practitioners on the methods used to challenge 'cultures of violence'. The third research objective is to identify and interpret principles of good practice in the use of community-based restorative justice in Northern Ireland with respect to tackling 'cultures of violence' and promoting key restorative principles.

The key literature in the thesis explores the application of theory, defining restorative justice, previous and other context research and the emergence of 'cultures of violence' and community-based restorative justice within the Northern Ireland Context. This thesis uses a mixed methods research design that uses both semi-structured interviews and document based research to collect data. It uses both an inductive and deductive approach to thematic analysis to analyse the data. It focuses on five themes.

The key findings from this project were that community based-restorative justice can be used to challenge 'cultures of violence' but won't necessarily eradicate the problem. Restorative justice practices should be placed at a community level especially in working class areas where cultures of violence are seen to thrive, and should be made available to young males who are most susceptible to the dangers associated with cultures of violence such as rioting, anti-social behaviour and punishment violence. However, these practices need to continue to be legitimately managed through government accreditation schemes and partnership working with the police to ensure the sustainability of the projects.

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1. <u>Introduction</u>

'Cultures of violence' are described as being the "assertion that there is a direct link between exposure to violence over a long period of time and an acceptance of violence as a means of resolving interpersonal conflict or dealing with frustrations of everyday life" (Hayes and McAllister, 2001; Steenkamp, 2005 as cited in Eriksson, 2012, p.106). In Northern Ireland, cultures of violence can often entail the use of paramilitary punishment violence, a punitive form of community justice that involves the shooting or beating a perceived offender. Attending to cultures of violence is just as relevant to other jurisdictions beyond the Northern Ireland context, and can include wider issues such as rioting, gun crime and terrorism.

The aim of this research is to explore the use of community-based restorative justice principles and practices in challenging cultures of violence that are said to be prevalent in many local communities in Northern Ireland. The first research objective; to explore the rationale for the emergence of community-based restorative justice in Northern Ireland, sets out the context for the emergence of community-based restorative justice agencies in Northern Ireland. Ashe (2009) describes how community-based restorative justice schemes emerged during the 'peace process' to provide an alternative to informal systems of justice, which are known locally as 'punishment attacks' (McEvoy and Mika, 2001, p.1) which, despite the ceasefires, has continued to be prevalent across Northern Ireland. Figures showed that in 2014, there were 41 recorded punishment style shootings or beatings with an average of about two shootings occurring every month (Kilpatrick, 2014).

Moreover, Gormally (2015) argues that the reason for this is that there is a perceived gap in the policing of anti-social behaviour and more serious crimes and a desire by certain groups to serve the community by filling this gap. For example, McDonald (2012) describes how recently many teens have faced punishment style attacks in certain communities for 'alleged' involvement in drug dealing. BBC News (2017) recently reported that "the number of paramilitary-style shootings in west Belfast doubled in 2016 compared to the previous year." which suggests that it is still a problem that Northern Ireland faces.

Uprimny and Saffron (2006, p.6) argue that in Northern Ireland's transition from conflict to peace, crime anti-social behaviour started to become a problem in many communities and at the time there was severe lack of community policing. As a response to this lack of policing, paramilitary groups took it upon themselves to exercise social control over delinquency in their communities by applying swift punitive justice. Payne (2008) claims that it has long been accepted that punishment violence has damaging effects on the community. This suggests that, paramilitary punishment violence can be seen as cultural entity that needed to be challenged in Northern Ireland. With this notion in mind, restorative justice initiatives have been introduced in an attempt to eradicate the culture of using violence to resolve problems of crime and anti-social behaviour (McEvoy and Mika, 2001, p.23). Eriksson (2012, p.112) also argues that community-based restorative agencies have the potential to challenge cultures of violence by involving the community in discourse.

Research objective two which is to capture the perspectives of community restorative justice practitioners on the methods used to challenge 'cultures of violence', expands on the context of the rise of restorative agencies in Northern Ireland by examining the ethos behind the use of

community-based restorative justice and the practices used to address cultures of violence. In particular, community-based restorative initiatives tend to focus on repairing the harm caused by crime and antisocial behaviour through processes of mediation and conferencing (Ashe, 2009). Furthermore, Payne (2008) argues that community based restorative agencies also attempt to address some of the issues attached to unemployment, poverty, ill health and lack of education that are prevalent in the local communities.

In order to achieve research objective two; I have gained access to two restorative justice agencies in Northern Ireland engaged in challenging cultures of violence: Community Restorative Justice Ireland; and Northern Ireland Alternatives. Community Restorative Justice Ireland (2015) argues the ethos behind their practice is the belief in community empowerment. They initially expected that their work would be mainly youth focused such as tackling anti-social behaviour issues, car crime and drugs offences. However, the agency quickly found that they also had to deal with a range of adult issues such as neighbourhood disputes, criminal offences and the impact of drug and alcohol addiction. Similarly, Northern Ireland Alternatives (2015) believe that restorative justice practices should aim to reach vulnerable sections of the community. In order to achieve this they offer a range of programmes in areas that were most affected by violence and deprivation and tend to target a youth audience. Their programmes include: Youth support, Prevention, Mediation, Community support and Conflict transformation.

Finally, research objective three is to identify and interpret principles of good practice in the use of community-based restorative justice in Northern Ireland with respect to tackling 'cultures of violence' and promoting key restorative principles, aims to evaluate the good practices used by community-based restorative justice agencies in Northern Ireland to challenge cultures of violence and promote key restorative values such as social transformation and community cohesion. It will then explore how these good practices could potentially be used elsewhere.

The basic structure of this thesis is as follows. Chapter one introduces the topic and the basic structure of the thesis. Chapter two is a review of the literature that exists on the topic and focuses on achieving research objective one. It looks at; applying theory, defining restorative justice, the emergence of community-based restorative justice practices in Belfast, the existence of cultures of violence in Northern Ireland and previous and other context research that has been conducted in similar fashions. Chapter three sets out the research methodology used in this project and focuses on research objective two. It explores the philosophical assumptions, methods, settings, sampling and ethical concerns that are associated with this research. Chapter four is the data and discussion in which research objective two is again focused upon and five themes that have emerged from data collection and literature are discussed. A comparison between the data collected from interviews and literature on the topic is carried out to see if there are any similarities and differences in relation to those five themes. Chapter five is a reflection on project and focuses on achieving research objective three. Chapter six is the conclusion whereby what was learned from doing the research, the short comings of this research, the benefits of this research and future recommendations for research will all be discussed.

The subsequent chapter is the literature review whereby literature that exists on the topic will be examined and focus will be placed on achieving research objective one. It looks at; applying theory, defining restorative justice, the emergence of community-based restorative justice practices in Belfast, the existence of cultures of violence in Northern Ireland and previous and other context research that has been conducted in similar fashions.

2. <u>Literature</u>

This chapter is a review of the literature surrounding the topic of community-based restorative justice: challenging cultures of violence in local communities in Northern Ireland. This chapter particularly looks at achieving research objective one and is split into five subchapters. The first sub-chapter begins by considering how theory may be applied to this research. Following on from this the next sub-chapter looks to define restorative justice and explores the basic practices and principles associated with it. The subsequent sub-chapters look at the emergence of community-based restorative justice practices and cultures of violence in Northern Ireland. The final sub-chapter looks at previous and other context research.

2.1 Application of theory

The topic of restorative justice emerges in both the Sociology and Criminology research disciplines so when it comes to applying key theory it is important to first establish its roots within the major theories of both of these two disciplines. Later a breakdown of theories of restorative justice that could also be applied to my research will be discussed. For the purpose of this research and its context in Northern Ireland, I have narrowed my scope when discussing key theory to just Conflict Theory. However, I recognise that there are many other major theories that could be applied to this research especially those surrounding crime, deviance, gender, race, religion and criminal justice such as classical, postmodern, labelling, subcultural, social control and strain theory.

Within this area of study, the key theoretical perspective that informs this research is Conflict Theory, which often falls under the umbrellas of Marxist and Feminist theory. Simon (2016, p.2) defines conflict theory as a sociological perspective that attempts to make sense of the social

world. In particular, it focuses on change, competing interests, tensions, divisions, power, wealth, status and inequalities that are present in society. This perspective suggests that when resources and power are unevenly distributed between social groups in society, tensions start to arise. For example, Zembroski (2011, p.249) argues that "crime is a product of conflicts over the distribution of resources and the illegitimacy of such a distribution."

Zembroski (2011, p.249) states that "conflict theory is primarily concerned with the concept of power and has its roots in rebellion, class conflict, and the philosophy of Marxism." Therefore, conflict theory looks at the dynamics of a variety of factors such as gender, race and class. Conflict theory is based upon the idea that society is built upon a conflict or competition between two different groups (Moore and Morris, 2011, p.288). One group is seen as being powerful and the other group is seen as being less powerful or a minority. Moore and Morris (2011, p.288) describe how this theory holds the view that criminality is a large social problem in which crime is seen as being "a direct result of conflict that results from stratification or power differentials between these two groups." Moreover, Hayle et al (2016, p.325) argue that "the law is frequently imposed in a discriminatory fashion to protect dominant interests from threats to social order posed by minority groups." Szczecinska-Musielak (2016, p.119) argues that conflict between these two groups plays an important role in shaping aspects of social life. However, a criticism of this theory is that it focuses on change and inequalities and neglects the idea of social stability (Simon, 2016, p.14).

Despite these criticisms, this perspective can be applied to this research. Research objective one begins to addressed here as conflict theory offers a significant explanation for the emergence and use of restorative justice practices in Northern Ireland. Mika (2006, p.2) describes how the emergence of community-based restorative justice in Northern Ireland was a result of the need to find non-violent alternatives to punishment violence that was often carried

out by paramilitary organisations in local communities. This so-called punishment violence was perpetuated as a reaction to a perceived epidemic of crime, disorder and lack of community policing that was seen during the conflict in Northern Ireland and that, to some extent, has continued since the peace process. Miller (2008, p.47) argues that in the aftermath of the 'Peace process' there was an increase in punishment violence due to several factors such as the rise in anti-social behaviour, influx of drug culture and because levels of policing and army surveillance dropped during the transition from conflict to peace.

Conflict theory can be seen to have a connection with the transformative paradigm. Mertens (2007, p.212) notes that "the transformative paradigm with its associated philosophical assumptions provides a framework for addressing inequality and injustice in society using culturally competent, mixed methods strategies." This suggests a link to conflict theory through the concepts of justice and inequality. The conflict theory states that tensions arise in society when resources and ultimately power is unevenly distributed between social groups in society. In other words, conflict is, to some extent, linked to the need to seek justice for inequality and oppression felt by certain societal groups.

Mertens (2012, p.802) argues that the transformative paradigm offers a framework for researchers that is based upon a need for social change. The transformative paradigm favours the use of a mixed method approach in which cultural, power and relationship differences are acknowledged within a piece of research. This description also links the transformative paradigm to conflict theory because they both recognise the ignition of conflict comes from a struggle of competing interest and differentiating power relations and how these power relations and the conflict that erupts from these become the engine for social change within society. This relates to the Northern Ireland context because of the competing interests between the state

and certain communities. This research's connection to the transformative paradigm will be discussed further in Chapter Three.

Restorative justice is often described as a theory of justice but many researchers struggle to make a distinction between the theory and the practice of restorative justice. Ashworth (as cited in Payne & Conway, 2011, p.49) notes, "the theory of restorative justice has to a large extent developed through practice, and will probably continue to do so." This suggests that much of the theory that my research will follow will be based on practice which directly links to my third objective: to identify and interpret principles of good practice in the use of community-based restorative justice in Northern Ireland with respect to tackling 'cultures of violence' and promoting key restorative principles. Mantle et al (2005, p.10) state the Braithwaite "has sought to demonstrate the overall superiority of RJ as a theory of crime reduction rather than to systematically map it against other theoretical traditions."

Braithwaite's theory of reintegrative shaming is a theory of restorative practice that can directly be applied to my research. Reintegrative shaming theory is based around the idea that shame of a criminal act is placed solely upon the offence itself, rather than the offender, so that the offender then has a chance to be reintegrated into society rather than being rejected. Braithwaite (1989, p.55) argues that re-integrative shaming is a process whereby "expressions of community disapproval, which may range from mild re-buke to degradation ceremonies, are followed by gestures of re-acceptance into the community of law abiding citizens" The shaming of a local offender will leave a lasting impression of wrongdoing on children (Braithwaite, 1989, p.77). Furthermore, he goes on to argue that directing the shame on to the offender's behaviour rather than the offender themselves could potentially reduce re-offending through the

prevention of labelling an individual and through the prevention of connecting them to certain criminal subcultures.

However, there are limitations to this approach, such as placing such high expectations on the ideal participation of the offender may counteract the reintegrative shaming process (Pavlich as cited in Eriksson, 2007, p.32). Nonetheless, Braithwaite (1989, p.77) argues that "community-wide shaming is necessary because most crimes are not experienced within the average household." Braithwaite (1989, p.73) argues that "Nevertheless, just as shaming needed when conscience fails, punishment is needed when offenders are beyond being shamed".

Additionally, this theory has a connection to my research because it aims to look at community-based restorative practices, which are very much centred around enabling offenders to be reintegrated into society, rather than be shamed publicly which was a common theme across Northern Ireland during the conflict. For example, many young people were tarred and feathered which involved a perceived perpetrator being covered in tar and then feathers and being tied up against a lamppost within the community with a placard round their necks stating their perceived crime. This was a form of visible punishment, humiliation and community justice for perceived anti-social behaviour (Wallace, 2007). Furthermore, I believe that this theory resonates with my second and third research objectives because they both seek to find and explore the restorative justice practices that could potentially be used in challenging cultures of violence.

2.2 Restorative justice

Over the years' restorative justice has rapidly grown in popularity and is increasingly being used in the criminal justice system, workplaces, communities and even schools. Payne and Conway

(2011, p.47) argue that "Northern Ireland presents an exciting environment in which to conduct research into restorative justice. A specific historic and political context has ensured that this jurisdiction has become one of the forerunners in the development and practice of restorative methods."

According to the UK Restorative Justice Council (2016) "Restorative justice brings those harmed by crime or conflict and those responsible for the harm into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward." Restorative practice can be used to prevent conflict, build relationships and repair harm by enabling individuals to interact and communicate effectively with each other. Boehrer (as cited in Monaghan, 2008, p.90) maintains that "the greatest challenge of restorative justice is to confront the social structural violence that pervades the fabric of our culture." Moreover, it helps individuals to recognise the impact of their behaviour and be held accountable for their choices and actions (Restorative Justice Council, 2016). Boehrer (as cited in Monaghan, 2008, p.90) believes that "restorative justice involves a needs-based approach involving alternatives to the state definitions of help, a personal responsibility for other people, an experience of vulnerability (e.g. in terms of finances, health, and emotions) and a sensitivity to the vulnerabilities of others."

Goodey (2005, p.184) argues that there is a great deal of disagreement on the definition of restorative justice and it is anything but clear cut. In addition, Daly (2002, p.57) states that "Restorative justice is not easily defined because it encompasses a variety of practices at different stages of the criminal process". Marshall (1996, p.37) defines "restorative justice as a process whereby parties with a stake in a specific offence collectively resolve how to deal with the aftermath of the offence and its implications for the future." However, Bazemore and Walgrave (as cited in Goodey, 2005, p.184) argue that this definition is too narrow, as it fails to

recognise restoration. Restorative justice aims to bring the offender and victim together using conferencing schemes in an attempt to encourage the offender to recognise the harm done by the offence and to make some direct reparation. Monaghan (2008, p.90) argues that "the concept of 'restorative justice' is not a unitary one nor does it propose a singular academic theory of crime or justice." Consequently, it is a difficult concept to define.

The values and practices of restorative justice also tend to vary along certain lines. This variation exists because of the multitude of different; restorative practices, practitioners, schemes and countries in which they are carried out. However, Roche (2003) believes that there are four fundamental ideals that should be taken into consideration when it comes to restorative practice. The ideals are: personalism, participation, reparation and reintegration.

Personalism revolves around the idea that crime is a violation against the people rather than a violation of the law. This sets restorative justice apart from the mainstream criminal justice system because it focuses on the healing of all parties and seeks reparation rather than just the conviction of the offender. The second fundamental idea, participation, is based upon the expectation that all stakeholders involved must participate on a voluntary basis. The concept of reparation stems from the idea that restorative practice should attempt to repair harm that has been caused. Finally, reintegration refers to holding offenders accountable for their actions but in a supported manner so that they can be reintegrated into society.

Alternatively, The UK Restorative Justice Council (2016) believes that are six core principles of restorative practice that practitioners should hold: restoration, voluntarism, neutrality, safety, accessibility and respect. These six principles are different to the four ideals that Roche (2003) describes above because they are describing a code of practice that should underpin every session of restorative justice to make sure there are no negative effects whereas Roche (2003)

is describing the fundamental building blocks of restorative justice. The primary aim of restorative practice is to address and repair harm and is otherwise known as restoration. This principle promotes healing for the victim, offender, and community. The principle of voluntarism is about participation. In particular, this refers to stakeholders making an informed voluntary choice about whether to participate in a restorative justice process. The principle of neutrality is that restorative practices must be fair and unbiased towards all parties involved. The fourth principle is safety which looks at ensuring the safety of all parties involved by allowing the creation of a safe space, where all of those involved can express their feelings and views about harm that has been caused. Accessibility is the fifth principle and looks to make sure that restorative practices are available to those who have a stake in, or have been affected by, conflict and harm. The final principle is respect; this relies on the idea that restorative practices are respectful to the dignity of all parties involved and those affected by the harm caused (Restorative Justice Council, 2016).

Literature on the topic of restorative justice suggests that are three main groups that have a stake in restorative justice practices. Bazemore (as cited in Payne and Conway, 2011, p.49) states that restorative justice holds a "commitment to victims, communities and offenders as primary stakeholders in the justice process." In the traditional criminal justice system, the circle of stakeholders is somewhat limited to government bodies and offenders because they are seen to be the only ones that have a stake in the outcome of criminal proceedings. However, restorative justice attempts to go beyond this and expands upon the limited circle of stakeholders to also include victims, family members, neighbours and the community because they are seen to have a stake in the outcome of restorative practices (Zehr, 2002, p.8). These stakeholder groups will be explored further below.

The first stakeholder group is victims. Zedner (as cited in Walklate, 2007, p.8) states that "victims, once on the margins of criminological research, are now a central focus of academic research." Zehr (2002, p.12) claims that restorative justice is concerned with the needs of victims that are not being adequately met by the criminal justice system which leads to victims often feeling ignored, neglected, or even abused by the justice process. Restorative justice practices allow victims to meet their offenders to express how their victimization felt and the harm it caused. Restorative Justice Council (2016) states that "Government research demonstrates that restorative justice provides an 85% victim satisfaction rate and a 14% reduction in the frequency of reoffending."

The second stakeholder group is offenders. Unlike in the traditional criminal justice system, an offender must agree on a voluntary basis to participate in restorative justice practices. In a restorative session, offenders' needs are considered just as much as victims'. Restorative justice practices exist with the aim to help to reintegrate offenders. Restorative practices help offenders to repair the harm they have caused victims and/or the community and help offenders to address the underlying causes of their offending (Zehr, 2002, p.14-15). However, there can be problems with the restorative justice process that do not occur in traditional criminal justice systems. For example, offenders may not want to participate in a restorative justice programme because they may not regret the crime whereas offenders would have to participate in the traditional criminal justice process. Braithwaite (2002, p.137) maintains that restorative justice may not have anything to offer those who are victimized by crime because offenders may not regret the crime they committed or may not wish to participate in restorative justice.

The final stakeholder group is the community. Pranis (as cited in Zehr, 2002, p.16) states that "community involvement in a case can provide a forum to work from while strengthening the

community itself." This allows for both victims and offenders to become integrated into the community rather than isolating them.

The UK Restorative Justice Council argues that there are a number ways in which restorative justice practices can impact on the community. Firstly it enables parties involved to understand the impact of their behaviour on others. In addition, restorative practice can contribute to lowering levels of crime and disorder and can be used to create stable, strong, positive community environments. This is because when disputes and disagreements emerge within communities, restorative practice allows the communities themselves to take on an active role in resolving them to ensure that they are dealt with positively and constructively (Restorative Justice Council, 2016).

There is a vast amount of restorative justice models that are practiced but there are three in particular that are noted as being the most common in criminal justice practice. These are victim-offender mediation and conferences, family group conferences and circles (Zehr, 2002, p.47).

A restorative justice conference, or victim–offender mediation as it is sometimes known, is a process whereby victims and offenders are given the opportunity to meet face to face in a safe environment and engage in a discussion about the crime that has occurred. This meeting is led by a trained facilitator who prepares and supports both parties during the process. The Restorative Justice Council (2016) states that in some situations a face to face meeting between the victim and the offender is not always appropriate and that sometimes the victim and offender will instead communicate via letters, recorded interviews or video. Bazemore and Umbreit (2001, p.2) argue that in these sessions "the victim is able to tell the offender about the crime's physical, emotional, and financial impact; receive answers to lingering questions about the

crime and the offender; and be directly involved in developing a restitution plan for the offender to pay back any financial debt to the victim." Both the victim and the offender must be willing to participate for any kind of communication to begin take place.

The benefits of victim-offender mediation are that it allows offenders to take direct responsibility for their behaviour and learn about the impact their behaviour had upon the victim (Bazemore and Umbreit, 2001, p.2-3). Furthermore, it supports the healing process for victims by allowing them to confront not only the crime but also the offender in a voluntary and safe situation (Bazemore and Umbreit, 2001, p.2-3). However, Tinsley and McDonald (2011, p.213) argue that there is the "potential for the victim in a sexual assault case to suffer further damage if they are not adequately supported and protected through a restorative justice process especially if facilitator is not aware of the power dynamics that exist in cases where the offender is known to the victim." Furthermore, Braithwaite (2002, p.137) states that because offenders may not regret their crime or will not participate restorative justice therefore may having nothing to offer those who are victimized by crime.

In addition, Tinsley and McDonald (2011, p.211) argue that "the serious nature of some crimes that are committed can cause potential risk to victim safety, both physically and psychologically if they participate in the restorative process. There is a danger that restorative mechanisms could be used to "play" the system, allowing manipulation and for offenders to minimise their guilt and place the blame on the victim." Additionally, Strang (as cited in Daly, 2005, p.7) states that it is said that what victims want most in the aftermath of a crime is primarily an apology. Hayes (as cited in Daly, 2005, p.8) claims that sincere apologies are sometimes difficult to achieve in restorative justice conference because offenders may drift from being apologetic to giving an account of what happened and this leads to the victim interpreting what is said as the offender being insincere. This suggests that restorative justice practices need to account for the

victims' safety at all times and that because of this it may not be appropriate to use in some cases or particular crimes such a domestic violence cases as a power dynamic may exist between the victim and the offender which is unknown to the facilitator.

The next model of restorative justice is circle sentencing. Bazemore and Umbreit (2001, p.6) argue that it is a strategy designed to help reintegrate the offender into society by addressing the offender's behaviour and the needs of victims, families, and communities. A circle session can involve numerous parties such as victims, offenders, family and friends of both victims and offenders and interested community residents. Circles or circle sentencing is a process that works on a voluntary basis in which all affected parties (victims, family members, neighbours, community members and offenders) are invited to come together in a circle formation to discuss the criminal act that has taken place. The circle is led by a keeper who leads the movement of discussion which allows for everyone within the circle to be given an equal opportunity to participate in deliberations. The process looks to assist in the healing of all parties by helping them to discuss the underlying issues and causes behind this act and therefore allow circle parties to gain more of an understanding as to why it took place. Ultimately the process relies on honesty and listening and seeks for parties to arrive at a consensus that enables them to develop a strategy for addressing the crime such as a term of community service (Bazemore and Umbreit, 2001, p.6). This type of restorative practice is also seen to be used in schools. Pranis et al (2003) discuss how restorative justice has moved on from the criminal justice system in that circles invite: healing rather than coercion, collective and individual accountability rather than solely individual, a greater self-reliance within the community rather than state dependence and justice seen as "getting well" rather than "getting even". The benefits of this practice are that it: promotes healing for all of those involved, provides an opportunity for the offender to make amends, empowers victims, community members, families, and offenders by

giving them a voice and a shared responsibility in finding constructive resolutions. In addition, it addresses the underlying causes of criminal behavior and helps to build a sense of community by promoting and sharing community values and helps to resolve conflict (Bazemore and Umbreit, 2001, p.6).

The final model of restorative justice is family group conferencing. Bazemore and Umbreit (2001, p5) argue that "family group conferencing involves the community of people most affected by the crime the victim, the offender, and the family, friends, and key supporters of both in deciding the resolution of a criminal or delinquent incident." A facilitator brings together the affected parties and allows them to discuss how the offence has harmed them and how that harm may be repaired. The benefits of this model are that it provides an opportunity for victims and offenders to be directly involved in the discussion of the offence, the harm it caused and the sanctions that should be placed on the offender. It helps the offender to realise the impact of their behaviour, make amends. Moreover, it helps to create a support system for the offender that should help to shape the offender's future through collective responsibility (Bazemore and Umbreit, 2001, p.5).

2.3 Community-based restorative justice

Before delving into the literature surrounding community-based restorative justice I believe that it is important to first establish the context in which it sits. This means first looking at literature on the history of Northern Ireland. This subchapter will explore the history of the conflict, policing within the community and the emergence of community-based restorative justice.

The conflict that Northern Ireland faced is embedded in a complex historical relationship between Britain and Ireland (Coulter and Mullin, 2011, p.100). Manktelow (2007, p.32) maintains that Northern Irish society is characterized by segregation. In particular, the conflict was characterized by violence between two communities. Hayward (2006, p.261) argues that these two 'communities' were heavily divided in Northern Ireland and that these were underpinned by their positions on nationality. One 'community' identified itself as Irish and the other as British. Coulter and Mullin (2011, p.100) goes further and states that one community was broadly protestant with allegiance to Britain and the other community held an allegiance to the idea of an all-Ireland state and was broadly seen as Catholic.

The identity of the community can be recognised by flags, wall paintings, slogans, and the colours painted on the edges of the pavements (Coulter and Mullin, 2011, p.100). As a result of this division a territorial border was drawn between the two 'communities'. The border/division became fundamental to differentiation of the identity of individuals' politically, economically and socially (Hayward, 2006, p.264). Moreover, Coulter and Mullin (2011, p.100) discuss how "the conflict has been notable for its geographic specificity. It has been possible in many areas of Northern Ireland to be relatively unaffected by the Troubles. In contrast, a disproportionate level of violence has occurred in areas in which poverty, marginalization, and social exclusion are rife."

During the conflict, many working-class communities saw paramilitary groups emerge. This was said to be because there was a perceived need to defend the community (Feenan as cited in Coulter and Mullin, 2011, p.100). Originally these paramilitary groups were seen as leaders within their communities and were responsible for administering justice and maintaining authority (Byrne as cited in Byrne and Jarman, 2011, p. 448). However, Roche (as cited in Byrne and Jarman, 2011, p. 448) argues that as the years went on these groups began to be

replaced by criminal gangs that were "intent on establishing their own forms of social control, and young people are encouraged through fear or personal gain not to actively pursue relationships with the policing institutions."

Coulter and Mullin (2011, p.100) describe the conflict as a "working-class war" which involved rioting, fighting, harassment, assault, intimidation and even murder between the two opposing communities. Moreover, they discuss a wider picture in which conflict was seen to occur between the state's security forces and paramilitary groups which often resulted in attacks on civilian, military, and commercial targets (Coulter and Mullin, 2011, p.100). In addition, Manktelow (2007, p.45) argues that the conflict had a major impact upon families and communities within Northern Ireland and created an experience of anomie and alienation which consequently caused family disruption and community fragmentation.

There was a perceived lack of formal policing in some communities during the conflict. McEvoy and Mika (as cited in Coulter and Mullin, 2011, p.100-101) describe how paramilitary groups instead chose to take on an informal policing role within their communities and were looked upon by community members to deal with community disputes and antisocial behaviour in which "punishment violence, either through shooting knees, elbows, and ankles or severe beating with wooden clubs and iron bars, was a common sanction." There were many reasons for police being unable to enter certain communities, one of which was because police were often the target of dissident paramilitary groups that resided in those communities. Furthermore, in some communities, especially Catholic communities, community members themselves felt targeted and did not trust the police because the police force was mainly protestant at the time which led to issues surrounding legitimacy.

Legitimacy and public perception of the police are terms that are often discussed within literature surrounding the topic of policing particularly in terms of the Northern Ireland context. Hough (as citied in Tyler, 2007, p.65) argues that in Northern Ireland "concerns about police legitimacy surface most often in jurisdictions where consent to police authority is most precarious." This suggests that the public view of the police during and after the troubles led to unstable and lack of legitimate policing by state forces in certain communities. Legitimacy and public perception are important to policing practices because as Tyler (2011, p.257) states research has shown that the public are more likely to follow and obey the law if they consider the police and other legal authorities to be legitimate. In other words, if the public views the police as illegitimate more unlawful behaviour could potentially occur. This is particularly relevant to the Northern Ireland case study because it suggests a potential reason for the increase in punishment violence and anti-social behaviour after the troubles because in certain communities there was a perception that the police were illegitimate. Furthermore, Tyler (2011, p.255) argues that public perception of the police is important because it "can provide us with a new framework through which to evaluate policing policies and practices".

Some researchers argue that there is still a deep-rooted suspicion and mistrust of police within many communities in Northern Ireland and these attitudes will continue to be passed on through the generations and will continue to affect the view of young people despite changes being made to community policing (Roche as cited in Byrne and Jarman, 2011, p.434). Manktelow (2007, p.46) also highlighted the transgenerational effects of the conflict and how attitudes and experiences are passed on through generations of families. Moreover, Byrne and Jarman (2011, p.446) argue that the legacy of the conflict has played a role in shaping the attitudes and identities of many young people who were affected by the poverty that conflict brought and were

increasingly alienated and marginalized within their communities. In addition, Byrne and Jarman (2011, p.434) claim that "Engaging proactively with the police is still viewed politically as contentious and problematic for some sections of the community. This reluctance to develop partnerships at a civic level is transferred down to the younger population and instils negative stereotypes and encourages an unwillingness to participate in positive engagement." This suggests that there is still a gap within community policing.

Byrne and Jarman (2011, p.435) argue that "The paramilitary ceasefires of 1994 effectively brought an end to the armed conflict, but they did not signal an end to tension and hostility. Instead, the peace process witnessed the emergence of a persistent cycle of disorder and violence which often occurred at the boundaries (or interfaces) of segregated working class residential communities." The 'Peace Process' began in Northern Ireland following the signing of the Good Friday Agreement in 1998 (Hayward, 2006, p.261). Coulter and Mullin (2011, p.100-101) claim that the peace process did not automatically result in the end of violent activity. Although the process meant that violence in Northern Ireland was greatly reduced it was not eliminated (Chapman, 2012, p.1). Harland (2011, p.415) discusses how Northern Ireland is "engaging in post conflict transformation work to ensure lasting peace. This process has included addressing complex issues such as reconciliation, reintegration, police reform, prisoner release, security, the end of paramilitarism, economic investment."

Park (2010, p.95) states that "community-based justice refers to practices that are not associated with the state, that take place in the community, that involve the participation of the community as a whole, and which, at least in part, emerge, endogenously within a community, notwithstanding external assistance, cooperation, or collaboration". Community-based

restorative initiatives tend to focus on repairing the harm caused by crime and antisocial behaviour through processes of mediation and conferencing (Ashe, 2009). Furthermore, Payne (2008) argues that community based restorative agencies also attempt to address some of the issues attached to unemployment, poverty, ill health and lack of education that are prevalent in the local communities. Community-based restorative justice began to emerge in the mid-90's in many loyalist and nationalist communities during what was known as the 'peace-process' in Northern Ireland. Community restorative justice schemes emerged to provide an alternative to the brutal punishments inflicted on mainly young people by paramilitaries in local communities (Chapman, 2012, p.1). Chapman (2012, p.1) claims that "they developed through a process of community consultation to achieve credibility, moral authority and community ownership". From the beginning, it was said that restorative justice would not provide a solution to violent punitive justice but would attempt to instead challenge and provide an alternative to it.

A bottom up approach to justice was used by community-based restorative justice schemes in which crime prevention and management was handled at a local community level. This meant that the scheme was largely run by local community volunteers and the work came from self-referrals made by community members. Chapman (2012 p.11) argues that "for community restorative justice to work, it is necessary to create and protect a space where people can enter into dialogue without being dominated by state regulation or the culture of the market." Community-based restorative justice schemes dealt with many community issues but mainly; local crime, anti-social behaviour and neighbourhood disputes. At first these schemes were privately rather than state funded (Chapman, 2012, p.3).

However, Chapman (2012, p.6) argues that community-restorative justice projects have faced some criticism and challenges. For example, the Government initially refused to cooperate with and fund the schemes despite the suggestion that community-based restorative justice should

be used to address low level crime committed in local communities that was made following a review of the Criminal Justice System in Northern Ireland (Chapman, 2012, p.6). The Government's hesitation to support these projects was said to be because the schemes were led by ex-prisoners and their origin had been centred on providing an alternative to paramilitary punishment violence. Furthermore Chapman (2012, p.6) claims that "concerns were also raised regarding the coercion of parties to a restorative process, the lack of due process and the possible abuse of human rights." Nevertheless, work has been put in place to resolve these issues, and the state and restorative justice schemes now have a better relationship. For example, both Northern Ireland Alternatives and Community Restorative Justice Ireland are now Government accredited schemes.

Several agencies have been set up in Northern Ireland to deliver restorative justice practices. Among these, there are two agencies that this research focuses upon (Community Restorative Justice Ireland and Northern Ireland Alternatives). These two agencies are problem solving organisations that carry out a range of restorative practices that aim to help people to discuss and resolve issues that are affecting their lives. The term 'restorative practices' in this thesis refers to the activities carried out by the restorative justice agencies such as mediation and community support which is an approach that attempts to fix broken relationships between victims, offenders and often community members by bringing them together in a neutral setting to discuss the aftermath of an offence in an attempt to provide reparation for all parties involved. Restorative practices such as mediation are underpinned by the restorative justice principles described above by The UK Restorative Justice Council (2016). For example, the principle of voluntarism which is based upon the idea that restorative practice, in this case mediation, is conducted on a voluntary level so stakeholders are invited to take part by the restorative justice agencies but don't necessarily have to participate.

Restorative justice practices within the Northern Ireland context are similar to that of the rest of the UK in that they all follow a code of practice built upon the principles described above by the UK Restorative Justice Council (2016) but it differs in that the majority restorative practices in Northern Ireland are primarily carried out at a community level in socially disadvantaged areas because these are the areas that are most affected by the legacy of violent conflict and that are shaped by cultures of violence such as punishment violence that developed as a result of that conflict and a perceived lack of legitimate community policing. In many cases, restorative justice agencies in Northern Ireland work with local community members and act as a liaison between them and the police as community members often don't want to use police or other social services because they struggle with the legitimacy of these services and instead turn to the restorative justice agencies for help and support.

2.4 Cultures of violence

Violence has been a visible and dramatic manifestation of post-conflict life in Northern Ireland (Hayes and McAllister, 2001, p.901) Hayes and McAllister (2001, p.908) argue that large portions of the population in Northern Ireland have direct personal experiences of violence during and post conflict with many individuals having witnessed or been involved with acts of violence such as rioting, shooting, beatings, explosions and with some having experienced injury as a result of this violence. Byrne and Jarman (2011, p.449) argue "that a culture of violence continues to exist within many communities that experienced the worst of the conflict." Steenkamp (2005, p.263) argues that "communities glorify past acts of violence in order to strengthen group boundaries and emphasize the distinction between them and the other."

Steenkamp (as cited in Eriksson, 2012, p.106) describes 'cultures of violence' as being the "assertion that there is a direct link between exposure to violence over a long period of time and an acceptance of violence as a means of resolving interpersonal conflict or dealing with frustrations of everyday life." This research project focuses on cultures of violence that exist in Belfast, Northern Ireland. Cultures of violence predominantly focus on violent behaviour such as rioting and paramilitary punishment violence which is a punitive form of community justice, that can entail the shooting or beating of a perceived offender. In addition, Staub (2003, p.6) argues that "there are different cultures of violence, different conditions that lead to different types of violence. For example, there has been a high level of interpersonal violence in the United States." This suggests that attending to cultures of violence is relevant to other jurisdictions beyond the Northern Ireland context, and can include wider issues such as gun crime and terrorism. However, this will be discussed further in subchapter five.

A culture of violence exists in Belfast in the form of paramilitary punishment violence. During the troubles, informal systems of justice were used in communities to address crime such as punishment beatings. Monaghan (2008, p.91) maintains that "as the conflict developed, so too did the informal justice system. Paramilitary groups, particularly in republican areas of Northern Ireland, became less tolerant of those whom they perceived as undermining 'the republican struggle' by their 'antisocial behavior' and turned their weaponry on them." McEvoy and Mika (2001, p.1) describe how despite changes in policing the use of punishment violence has continued to be prevalent across Northern Ireland. This is still the case today, with BBC News (2017) reporting that "the number of paramilitary-style shootings in west Belfast doubled in 2016 compared to the previous year."

During the conflict, paramilitary groups used tactics such as public humiliation in an attempt to shame a perceived offender. For example, many young people were tarred and feathered and ordered to wear placards displaying the crime they were said to have committed. Another way of inflicting punishment on offenders was to drop blocks onto the limbs of the accused otherwise known as 'breeze-blocking' (Monaghan, 2008, p.91). The Police Service of Northern Ireland (2016) describes paramilitary style assaults as an "assault will involve major or minor physical injury to the injured party typically involving a group of assailants armed with, for example, iron bars or baseball bats." These assaults are usually carried out by Loyalist or Republican groups on members of their own community as a so-called punishment.
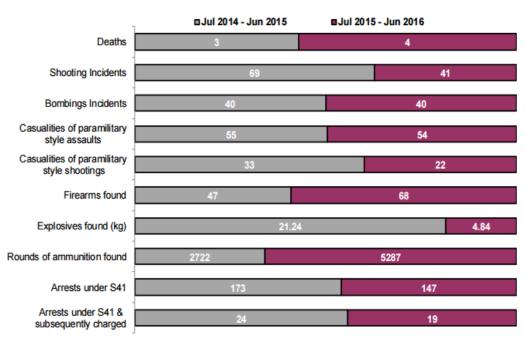
Figure 001: Comparison of security incidents in Northern Ireland.

The Police Service of Northern Ireland. (2016) *Police Recorded Security Situation Statistics*. Available at: https://www.psni.police.uk/globalassets/inside-the-psni/our-statistics/security-situation-statistics/2016/june/security-situation-statistics-to-june-2016.pdf (Accessed: 1 August 2016).

Figure 001, as provided by Police Service of Northern Ireland (2016), show a slight decrease in reported security incidents between the year of 2014-2015 and 2015-2016 except for the number of firearms found and rounds of ammunition. Although figures show a slight decrease, it is clear that a significant threat still remains as evidenced by the increased number of security related deaths, firearms found over the past year and the continued number of bombing incidents. With this research predominantly focusing on the culture of violence surrounding paramilitary punishment it is interesting to note that the statistics show that paramilitary style assaults and shootings have decreased in a year but not significantly. This suggests that this is still an issue that Northern Ireland is dealing with.

Nevertheless, there are strengths and limitations to using police recorded statistics as a source of information that this research needs to consider. For example, a strength of police recorded statistics is that they offer the opportunity for trends in crime to be identified by comparing statistics recorded over the years. On the other hand, a limitation of these statistics is that a level of under-reporting may exist because the statistics only include those incidents that have been brought to the attention of the police and some other incidents that may have occurred may not have been reported to the police. There could also be an element of human error involved where statistics being inputted incorrectly into the system or may have been missed (Police Service of Northern Ireland, 2016).

Monaghan (2008, p.536) argues that the initial rationale behind the emergence of a culture of violence that surrounds the use punishment violence differs between the two main communities the nationalist community and the loyalist community. The nationalist community believed there to be a lack of legitimacy of the police. Gormally (2015) furthers this by stating that the reason for this was that there was a perceived gap in the policing of anti-social behaviour and more serious crimes and a desire by certain groups such as paramilitaries to serve the community by

filling this gap. However, in the loyalist communities' initial informal justice mechanisms were designed to assist in the policing of the community (Monaghan, 2008, p.536).

The understanding of punishment violence is that it is an expression of paramilitary control and hegemony over the community. Chapman (2012, p.3) argues that

> *"paramilitary punishments were a product of a complex set of factors; the contested nature of the state and consequently the Royal Ulster Constabulary, the prevalence of offending in deprived communities, a demand for the control of crime from a beleaguered community, and the strategy of the paramilitary organization to be perceived as legitimate protectors of the community."*

This suggests that punishment violence was seen as a job that was needed to be carried out by paramilitaries because the police were unable to protect the community. Furthermore, Knox and Monaghan (as cited in Monaghan, 2008, p.88) argue that there are three reasons for the continuation of informal systems of justice; "the unacceptability of the police in republican communities/the inability of the police in loyalist areas to deal with crime, the rise in petty crime and antisocial behavior in such communities, and the perceived leniency of the formal criminal justice system in dealing with offenders."

Moreover, certain communities that had no experience of formal community policing during the conflict expected paramilitaries to take on a policing role and as a result carry out punitive informal justice. This led to informal systems of justice proving popular within many communities in Belfast and Northern Ireland. This often led to community members queuing to report suspected offenders to paramilitaries in the hope that they would carry out some form of punishment upon them such as shooting or beating. McEvoy and Mika (as cited in Monaghan, 2008, p.88) state that "punishment violence is often quite popular in the communities in which it occurs as a swift and visible dispensation of justice." However, although these methods were

popular and were supported by many members of the community they did not prove to be more effective than formal policing in reducing levels of crime and offending (Chapman, 2012, p.3).

This culture of violence is epitomised by popular culture associated with paramilitarism. Jarman (2004, p.435) argues that "the media of writing, song, music and the painting of elaborate murals which is maintained through the numerous informal social clubs in working-class areas help to legitimize certain forms of violent or criminal activity." A prime example of this is the murals that can be seen in various areas of Belfast and Northern Ireland. These murals display violent images usually relating to the conflict of masked men holding weapons (see appendix A). This suggests that violence is embedded in many cultural aspects of life in Northern Ireland and it can be argued these aspects such as the murals are glorifying and suggesting that violence is acceptable thus enabling violence to persist.

There are a number of factors that impact upon the nature of cultures of violence that exist in Northern Ireland such as age, gender, race and identity. Young men are heavily influenced by fear of paramilitary violence, recruitment and a need to be identified as being a man or tough. For example, Harland (2011, p.415) found that young men in inner city Belfast increasingly felt marginalized, disenfranchised, alienated, powerless and excluded from the community and were most likely to become victims of violent crime within the area.

There is a prolonged fear of violence that exists in Northern Ireland that manifests itself in a number of ways. For example, a fear of sectarian violence and a threat of paramilitary influence left young males feeling vulnerable, suspicious of other young males and with an inability to venture outside of their own community (Harland, 2011, p.415). Despite these threats, young men rarely report their experiences through fear of being shamed. They believe that vulnerability is a sign of weakness and that by withholding these experiences it is believed that

they are being tough and expressing what it means to be a man (Harland, 2011, p.415). In addition, Harland (2011, p.417) argues that "this often led to them resorting to violence to sort out issues that separated them from their internal world of feelings and emotions often to the extent that they appeared "unemotional" and intimidating to others."

Although Northern Ireland is now seen as being a peaceful society, White (as cited in Harland, 2011, p.428) argues that "the terrorist violence of the past is being replaced by new manifestations of violence." Alongside the use of punishment violence another culture of violence exists in Belfast. Riots and the associated anti-social behaviour have become an ever-increasing visible occurrence on the streets of Belfast. The riots are seen to be an expression of sectarian violence especially amongst the younger generation.

Hayward and Komarova (2014, p. 777) argue that because of Northern Ireland's ailing political system, there is an enduring problem of street violence and rioting at commemorative events in which there are several standoffs between individuals and the police. Furthermore, they state that "despite persistent efforts at conflict prevention, it remains arguably the most predictable occasion and place for serious street-level violence and communal conflict in Northern Ireland. Indeed, this event is widely seen as a weatherglass for community tensions in wider society."

Jarman (2004, p.435) discusses the role that the parades, that occur each year across the city of Belfast, play in legitimizing violence. In 2013, members taking part in the Orange Order parade were banned from taking their traditional route that would have meant the parade crossed sectarian lines which resulted in widespread rioting and disorder, with dozens of police officers injured in the violence (McDonald, 2015). This suggests that, history and culture often associated with the conflict have a role in promoting and legitimizing violence. However, measures are being put in place in an attempt to rid the city of this kind of violence. For example,

McDonald (2015) describes how in anticipation of violence and trouble "Up to 3,000 police officers including riot squad officers as well as mobile water cannons have been deployed to patrol sectarian flashpoints at the climax of Northern Ireland's marching season, the Twelfth."

However, marching season is not the only time rioting is seen. For a number of years now in Belfast on the days leading up to and St Patrick's Day, chaos is caused in the predominantly student area called the Holylands. Young (2016) states "the Holylands, an area of heavily-populated terraced streets in south Belfast where thousands of college and university students live in multiple-occupancy homes, has witnessed scenes of disorder on past St Patrick's Days" and that this year on the night before St Patrick's Day "police were attacked with bottles and other missiles in the Holylands when a street party involving around 300 young people descended into chaos" (Young, 2016).

Payne (2008) claims that it has long been accepted that punishment violence has damaging effects on the community. As mentioned in subchapter three community-based restorative justice in Northern Ireland had been introduced as a non-violent approach to dealing with anti-social behaviour and crime within communities that hoped to help individuals to responsibly disengage from the use of punishment violence (McEvoy and Mika, 2001, p.23). Eriksson (2012, p.112) argues that community-based restorative agencies have the potential to challenge cultures of violence by involving the community in discourse. Chapman (2012, p.13) argues that community-based restorative justice schemes have substantial experience of addressing 'cultures of violence' and that "these schemes can work at the levels of culture and social cohesion in ways that would be very difficult for the police, prosecutors and youth justice

workers. This requires community organisations that have the confidence and courage to challenge the prejudices and oppressive relations within many local communities."

In addition, it can be argued that the community itself is trying to challenge factors that reinforce violence. For example, murals in certain communities that contain images of violence are being painted over with more positive messages. In particular, Belfast City Council (2013) state that "The local community in east Belfast is celebrating the partnership work that has led to a number of sectarian paramilitary-type murals being replaced with more positive images." The re-imaging of the murals, that have adorned the walls of houses for many years in Belfast, is a complex process that aims to make working class communities more inclusive but ultimately it shows how Belfast and Northern Ireland are moving towards a more peaceful future. Furthermore, it highlights the positive attitudes in which to express culture, identity and heritage and helps build an understanding of the shared history of communities in Northern Ireland. An example of this re-imaging is a mural that can be seen on Templemore Street that depicts local boxing heroes like John Lowry and Billy Birch (Belfast City Council, 2013).

Sharp (2011) describes the violent nature of the murals and how they signified street rioting in 2011; "large murals appeared on gable walls in Belfast depicting masked members of the Ulster Volunteer Force in black turtlenecks holding automatic weapons. This presaged the street riots in Belfast in June and a level of sectarian violence that hadn't been witnessed in the city for several years." Gallagher (2015) argues that the murals are seen to some as a symbol of allegiance and defiance but others believe that they act as an unregulated reminder of the past that is glorifying violence and promoting fear and intimidation amongst community members and visitors. The violent murals are beginning to be replaced with more positive and peaceful pieces of artwork as part of a project that aims to regenerate social housing in Belfast.

However, there is some debate involved in the re-imaging of the murals and some individuals believe that the murals should not be replaced because they are too historic. Furthermore, some people argue that they promote tourism and that the paramilitary murals are a key tourist attraction for some tour companies as they use them to promote business such as the Belfast black cab tours (Gallagher, 2015).

2.5 Previous and other context research

Previous research on the topic of community-based restorative justice; challenging cultures of violence has been conducted. For example, Eriksson (2007) conducted her PhD research on "Community Restorative Justice in Northern Ireland: Building Bridges and Challenging Cultures of Violence." There are similarities between Eriksson's research and that of my own research project in terms of the focus of the research. For instance, both projects focus on two case studies (Northern Ireland Alternatives and Community Restorative Justice Ireland) within the Belfast area of Northern Ireland.

However, there are also differences in our research such as Eriksson's research tends to focuses on bridge building in terms of relations between the state and community which I have chosen not to include in my research. Furthermore, it is important to add that with my research being conducted almost ten years on from Eriksson's' it is possible that advances and or changes may have occurred within the now well established field of community-based restorative justice. For example, there may be different practitioners working for the agencies.

This research topic has become more compelling for researchers in recent years. I believe that this topic in particular is important to research because attending to cultures of violence goes beyond the Northern Ireland context and is just as relevant to other jurisdictions such as the USA. Cultures of violence include wider issues than just paramilitary punishment violence and

antisocial behaviour and today the concept is often associated with rioting, gun crime and terrorism.

In America, a culture of violence is seen to exist in the form of gun crime. Solnit and Solomon (2016) argue that a culture of violence exists in America that is heavily linked to domestic violence, mass shootings, rioting, gender, sexuality, race and a cultural attachment to guns. Further they state that many "Americans seek to blame marginalized communities for violence, violence has become a distinctly American and mainstream form of self-expression" (Solnit and Solomon, 2016). Moreover, Williams (2012) argues that a serious examination of the culture of violence that exists in America is needed regarding any debate on gun control.

Moreover, the case surrounding the death of Reeva Steenkamp highlighted concerns about the culture of violence surrounding gender that exists within South Africa. Vogelman and Lewis (1993) argue that "the term 'culture of violence' is often used in South Africa to explain and describe the country's heightened incidence of violence." In understanding this culture of violence, the endorsement and acceptability of violent behaviour must be examined. For example, there is an acceptability of violence towards women as a form of control. Poor working class women are most likely to be victimised in South Africa (Vogelman and Lewis, 1993). This suggests that violence is not experienced equally across social class and gender lines.

As well as Northern Ireland, South Africa faced a transition from conflict to peace that was heavily associated with violence. The legacy of violent political resistance in many communities created a culture tolerant of individuals taking the law into their own hands. As a way of dealing with the aftermath and continuation of violence, restorative justice style practices began to emerge in many communities (Monaghan, 2008, p.83-84).

Monaghan (2008, p.95) describes two models of community-based conflict resolution that emerged in South Africa. The first model is known as a Peace Committee. This model deals with a range of cases including assault, domestic violence, theft, neighbourhood disputes and trespass. The Committee tries to ascertain the facts, by giving all parties involved in the case an opportunity to tell their version of events. Attempts are made to conclude the case by getting all those involved to agree on a resolution. For example, this may include an apology or the exchange of money. This therefore, attempts to shift the focus of attention from the past to the future (Monaghan, 2008, p.95).

The second model Monaghan (2008, p.96) describes is the Guguletu Community Forum. This again deals with a range of disputes including, domestic violence, property damage, assault and theft. This acts almost as a second tier to the Peace Committee in that if a dispute is not settled at the Peace Committee individuals could opt to take their case to a Community Forum for settlement. All parties involved are asked to attend the forum on a voluntary basis. If all parties are present, mediation takes place whereby an attempt is made to restore the harm caused by a conflict situation. This is usually done through a process of getting the offender to take responsibility for their behaviour and allowing for reparation to take place between the victim and the offender. Outcomes of this process usually include an apology, exchange of money and community service (Monaghan, 2008, p.96-97).

To conclude, this chapter has achieved research objective one by outlining literature on the rationale behind the emergence of community-based restorative justice in Northern Ireland. Moreover, this chapter began to tackle research objective two by introducing literature

surrounding the use of community-based restorative justice in challenging cultures of violence in local communities.

This chapter was divided into five subsections, the first of which sought to look at how both sociological and criminological theory may be applied to the topic. The challenges involved in defining restorative justice were debated in the second subsection along with a summary of each of the core stakeholders, models, values and practices that are involved in restorative justice.

Following a general overview of restorative justice in the UK, a narrower approach was taken with the third subsection in which research objective one was directly looked at. Whereby, literature on the emergence of community-based restorative justice within the Northern Ireland context particularly Belfast was discussed.

The fourth subsection began to tackle research objective two by introducing literature on cultures of violence and how they may be challenged. The literature surrounding subsection five looked at previous research on the topic and explored the use of community-based restorative justice in challenging cultures of violence in other contexts such as South Africa.

The next chapter, the methodology, will explore the process behind achieving research objective two whereby, the philosophical assumptions that could be attached to this research, the method of data collection, analysis and sampling will be discussed. In addition, the research setting, identity of the researcher and ethics will also be considered.

3. <u>Methodology</u>

This chapter sets out the research methodology employed in this thesis and focuses on achieving research objective two through the collection of empirical data. The methodology draws upon a cross method, triangulated design involving interviews with restorative justice practitioners and police officers; and document analysis. For example, the analysis of restorative justice case studies. This chapter is divided into eight subchapters and begins by considering the paradigm in which this research may sit within. The rest of the chapter looks at the methodological issues involved in this research project such as gaining access, choosing research methods, as well as sampling and ethical concerns.

3.1 Paradigm

The two main research paradigms of positivism and interpretivism could fit this research project but I believe the transformative paradigm would better inform the nature of this research. The transformative paradigm is a system of beliefs that focuses on increasing social justice and tries to directly engage with society in an attempt to push boundaries and allow community engagement which can give certain members of the community a voice (Merton, 2007, p.10). This research sits within a transformative paradigm because it seeks to offer suggestions for the ways in which inequality and injustice in society can be addressed. Merton (2007, p.14) describes how transformative approaches have a vast focus on community involvement in order to create social justice. This directly links to the aim of this research which seeks to explore efforts of community-based restorative justice agencies responses to 'cultures of violence' in local communities. In other words, this research looks at how involving the community in certain restorative practice and community projects could potentially address cultures of violence and push societal margins to create a more transformative future.

Furthermore, this paradigm embraces the idea that knowledge is socially and historically situated and that reality is shaped by cultural, political, economic and other values. This resonates with this research topic because community-based restorative justice practices emerged as a response to the political conflict in Northern Ireland and many factors such as gender, race, and class are associated with this type of restorative justice practice. For example, Payne (2008) argues that community-based restorative justice practices attempt to address issues relating to crime and anti-social behaviour but also focus on issues surrounding unemployment, poverty, ill health and lack of education that are prevalent in many local communities in Northern Ireland.

3.2 Philosophical assumptions

Epistemology helps us to understand and explain how we know what we know. It is the theory of knowledge that is associated with theoretical perspective and is heavily connected with methodology (Crotty, 1998, p. 3). Bryman (2012, p. 27) goes further and states that epistemology seeks to consider what is regarded as acceptable knowledge within the research field and looks at whether researchers should study the social world in a manner that relates to the natural sciences. For instance, using scientific principles and procedures such as conducting an experiment.

The epistemological position that is most compatible with this research is a constructivist epistemology. Crotty (1998, p. 8) claims that constructivism takes the stance that different people may construct meaning in different ways. This suggests that there is no objective truth and that instead, meaning comes from social interaction and our engagement with reality (Crotty, 1998, p. 9). Merton (2007, p.11) argues that within the transformative paradigm, epistemology must recognise that knowledge is socially and historically situated and that there must be an interactive link between the researcher and the participants. This can be applied to

this research, because the researcher looked at gaining an understanding of the topic through interacting with practitioners in order to hear their values, practices and experiences of working within the restorative justice field. The researcher then hoped to reconstruct and interpret that information in order to construct a basis for social transformation that could be applied to other contexts. Furthermore, constructivism takes the view that knowledge is situated within a historical and social location. This can be said of this research because the use of community-based restorative justice practices began to emerge in Northern Ireland following the political conflict that heavily shaped the course of history in Northern Ireland.

Crotty (1998, p.10) argues that ontology is the study of being and is concerned with the nature of existence and the structure of reality. Every theoretical perspective has an ontological perspective that leads to a certain way of understanding 'what is'. Bryman (2012, p. 32) argues that ontology is concerned with "whether social entities can and should be considered objective entities that have a reality external to social actors, or whether they can and should be considered social constructions built up from the perceptions and actions of social actors." In other words, there are two ways to look at reality; reality is objective and exists of its own entirety or that reality is socially constructed and only exists when socially interacted with.

In terms of this research a relativist approach to ontology can be applied because reality is seen to be socially constructed and is different for different people. Merton (2007, p.11) argues that within the transformative paradigm there are "multiple realities that are shaped by social, political, cultural, economic, ethnic, gender, disability and other values." King and Horrocks (2010, p. 9) describe how a relativist ontology takes the stance that "our understandings and experiences are relative to our specific cultural and social frames of reference, being open to a range of interpretations." Within relativism, reality is the product of social interaction between

individuals. This is relevant to this research because there are a number of factors that inform the topic such as religion, culture, age, location and all of these factors can have an impact upon the social construction of an individual's reality.

3.3 Method of data collection

The transformative paradigm does not favour the use of one method it instead is often associated with an approach that uses multiple methods to investigate an issue. In addition, it can be said that the use of mixed methods under a transformative approach can enhance the validity of a piece of research (Merton, 2007, p.14). Merton (2007, p.11) argues that this paradigm seeks for there to be an interactive link between the researcher and participant. This suggests a clear link between paradigm and method. In particular, it points the researcher in the direction of certain methods to use; such as participant observation and interviewing where there is the potential for a direct interaction between the researcher and a participant.

For this study, I chose to use a triangulation of methods including document analysis and semi-structured interviewing which allowed for me to interact with participants in a face to face situation. An example of a triangulation of methods being used in restorative justice research can be seen by Payne (2012, p.93) who employed a "cross-method triangulation of participant observations, qualitative interview techniques, and documentary and records-based research within an ethnographic framework."

The research design that was applied to this research was a mixed methods approach in which a triangulation of various methods was used to gain an insight into the topic. Grix (2004, p.135) argues that it is a good idea to use more than one method in an attempt to minimise the chance of having biased findings and to improve the chances of getting more reliable data. However, a critical approach should be taken when using a triangulation of methods as Silverman (as cited

in Grix, 2004, p.137) points out that researchers often "fall into the trap of skipping between methods because one doesn't seem to bear the results they were hoping for." In acknowledging this; I chose to use a partially mixed method approach whereby it was predetermined that a certain method would have more weighting than another in terms of the data collection. For example, in this research it was predetermined that semi-structured interviewing would have more weighting and be the primary source of data collection.

In order to achieve objective 2; to capture the perspectives of community-based restorative justice practitioners on the methods used to challenge 'cultures of violence', a more empirical approach was taken in which primary data was collected from semi-structured interviews. A total of eight interviews took place in which six practitioners from various Restorative Justice Agencies and two members of the Police Service of Northern Ireland were interviewed. A mix of both male and female participants over the age of 18 were interviewed. The length of the interviews ranged from five minutes to twenty minutes depending on the context of the interview. None of the interviews were tape recorded as participants preferred for me to take notes by hand instead. Six of the interviews were conducted in April 2016 and two further interviews were conducted in June 2016. The interviews consisted of two formal interviews and six informal interviews.

This method was chosen so that current practical activity, as opposed to theoretical objectives, could be established through discussions with practitioners rather than through an organisation's official statements made available to the public. Eriksson (2007) and Payne (2012) also used semi-structured interviews to explore the work of the community-based restorative justice agencies and found the data produced to be a rich and highly comparable source of information upon which to build their arguments. Eriksson (2007, p.18) argued that

she used semi-structured interviews for two reasons. Firstly, she wanted to make sure that she was covering the same ground over several different interviews. This was in the hope that she would increase the validity of the information gathered. Secondly, she wanted to leave space for the interviewees to elaborate on any points and raise any issues that they believed to be important.

There are a few advantages to using semi-structured interviews. For example, data from these types of interviews can often be converted into statistics which could increase the usability of the data (Grix, 2004, p.128). Furthermore, Grix (2004, p.128) argues that the use of semi-structured interviews in research allows for a degree of flexibility that in turn allows for the researcher to pursue unexpected lines of enquiry based on responses that the interviewee has given which could lead to a large amount of data being collected. However, this degree of flexibility could also be a negative, as it could lead participants to stray far away from the initial question and therefore the researcher may not gain the information they initially wanted. Also, if each participant gives a completely different response to the other participants this could lead to issues surrounding the generalizability of the data.

 In addition, there are more negative aspects to interviewing that must be taken into consideration when conducting research; such as there is no guarantee that the interviewee will be honest with their answers. In order to address this issue, the researcher tried to build a rapport with the participants so that they feel comfortable enough to tell the truth and to further this, the researcher informed the participants that all the information taken from these interviews would remain confidential and anonymous. A further negative aspect to semi-structured interviewing is that although the researcher may meet with participants prior to interviews taking place, the participants may change their behaviour or attitudes when the interview takes place.

This could be because the participant senses a change in the environment. To address this, issue the interviews were conducted in an environment that the participant was familiar with. In this instance the interviews took place in the office buildings of the community-based restorative justice agencies within which all of the participants were familiar in order to make them feel more comfortable in answering questions.

Another research method that I chose to use was document research. I chose to analyse a restorative justice case study. Thematic analysis was also applied in order to analyse this case study. This case study was provided by Community Restorative Justice Ireland. Nevertheless, I need to stress that I did not select this case study myself and that it was preselected by the organisation themselves and then given to me. This suggests that there may be issues around validity and bias because the case study was selected by the organisation and it could show their project work in a better light. However, it can be argued that I have countered this by using a hard hitting no holds barred approach in my interviews with this organisation, in which I was able to ask tricky questions and received honest responses.

3.4 Analysis

As mentioned above, semi-structured interviews were used in order to collect data. The data collected from these interviews were assessed using a form of thematic analysis, which explores themes and relationships within the data. Braun and Clarke (2006 p. 79) state that thematic analysis is a method of analysis whereby data collected is organised and described in detail through a process of identifying, analysing and reporting themes that are seen to exist within the data. In terms of this research, both an inductive and deductive approach to thematic analysis was used. This approach meant that some of the themes were pre-decided based on the literature that the researcher had read upon the topic and the remaining themes emerged from the data itself.

My initial interview questions were produced following a lengthy amount of reading on the literature surrounding the topic and following on from a series of consultations with research supervisors experienced in this area of research. Interviews were manually verbatim transcribed and annotated with observational notes. After discussing my initial ideas for interview questions with my supervisors, I felt it necessary to create a theme planning table in which I looked to see if the interview questions were compatible with my research objectives and the literature on the topic. In addition, the theme planning table showed my justifications for picking the initial interview questions and any themes that I believed had emerged from reading the literature on the topic that I believed were associated with initial interview questions. My theme planning table can be seen below:

Table 001: Theme planning				
Themes	**Objectives**	**Question number**	**Ideas**	**Justification**
Community Based Restorative Justice	1 2	1	Tell me about your connection/ work with restorative justice	I have chosen to start with a descriptive question in order to make the interviewee feel more at home. This question will help to establish individual and organisation ethos.
Community Based Restorative Justice	1 2	2	Tell me about the role that you feel restorative justice plays in Northern Ireland	This question is to establish the need/ emergence of restorative justice in Northern Ireland. The term 'transformation' is heavily referred to in the literature on this topic and it will be interesting to see if practitioners themselves believe that restorative justice has had a transformative role in Northern Ireland.
Youth Community	1 2	3	Which audience/s do you believe restorative justice practices have an impact on?	The literature points to restorative justice having connections with youth and community groups. This question looks to see if there will there be differences in each organisation's viewpoint on.

Practice	2 3	4	What types of restorative justice practice do you believe to be the most effective?	This question will help the researcher to establish which restorative practices are most effective in Northern Ireland and how they could be applied to other contexts.
Cultures of violence	2 3	5	Do you think cultures of violence still exist with Northern Ireland?	Link to overall aim and relevant beyond the N.I context in terms of informing other jurisdictions in dealing with this culture.
Cultures of violence	2 3	6	Do you think restorative justice could be used in respect to tackling cultures of violence?	The interview should finish with a big open question. Link to overall aim and relevant beyond the N.I context and can include wider issues such as rioting, gun crime and terrorism.

There was a process followed in order to generate themes from the data collection and it began soon after I had conducted the interviews. Firstly, I used my handwritten notes to type up a transcription of each of the interviews. I then went on to annotate each of the transcriptions with my initial thoughts. I then began a process of coding in which I started to underline key words and phrases that I believed to be relevant or important. Following on from this, I started to look at whether there were any similar categories of these codes beginning to emerge. Themes began to emerge after comparing and contrasting the codes and categories. This process was repeated with all eight interviews until five categories emerged based on both the literature and the interviews themselves. The five themes are as followed:

1. Beyond offending

2. Legitimacy

3. Principles and practice

4. Stakeholders

5. Transition

These five themes were then given a colour code and each of the interview transcriptions were colour coded according to where the theme was seen. After this had been completed I created a colour coding key which shows the theme, the colour in which it has been highlighted, a definition of theme, an example of where the code can be seen in the text, how this theme links to the theme planning table as seen above and how it links to the literature on the topic. The table below illustrates the colour coding key:

Table 002: Colour coding key				
Code	**Definition**	**Example of coded text**	**Link to theme planning**	**Link to literature**
Stakeholders	Mention of any group or individual that could be involved or affected by restorative practices.	"Youth audiences" – Interview 001, line 13. "Community resolution" – Interview 008, line 5. Restorative justice is both individually and people focused" – Interview 002, line 13.	Practice Cultures of violence	Concern within literature about; the behaviour, exclusion and disengagement of young people, the role the community plays and the notion of power, poverty, class and identity.
Principles	Mention of a thought, view, or attitude towards something.	"Feelings and empathy" –Interview 001, line 21. "Interacting and understanding" – Interview 002, line 11.	Community Based Restorative Justice Practice	Literature talks about the notion of relationships, trust and understanding.
Legitimacy	Mention of a belief about the right of governance.	"Use of punishment violence" –Interview 001, line 9-10. "Discretionary disposals" – Interview 007, line 3.	Community Based Restorative Justice	Literature talks about the failings of the state and concerns about the legitimacy of restorative practices.
Beyond offending	Mention of factors other than crime.	"Unemployment, poverty, health, education and drugs"- Interview 002, line 34.	Community Based Restorative Justice Cultures of violence	Mentioned of how restorative justice can address these factors & how the criminal justice system somewhat fails to do so.
Transition	Mention of a movement or change	"Huge role in the transformation of"	Community Based	Transition of Northern Ireland from conflict to peace seeking state.

| | from one position to another | Northern Ireland" – Interview 003, line 2. | Restorative Justice

Cultures of violence | |
| --- | --- | --- | --- | --- |

An example of an analysed interview can be seen in Appendix E. This shows all the processes the researcher went through whilst analysing the interview such as transcribing, annotating, coding and theme colour coding the transcription. However, not all the transcripts look the same because of the nature of semi structured interviews, some of the interviews I carried out were informal and not all participants were asked the same questions. Despite this some themes seemed to recur throughout nearly every interview. This can be seen in the table below that shows evidence of the themes in each interview:

Table 003: Evidence of themes				
	Stakeholders	**Principles & Practice**	**Beyond offending**	**Transition**	**Legitimacy**
Interview 001	Line number: 6, 7, 13, 15, 16, 20, 21, 25, 30. 40, 48.	Line number: 7, 15, 16, 17, 21, 27, 47, 48.	Line number: 22, 25, 41, 46	Line number: 3-4, 11, 40-41	Line number: 6, 9-10, 33, 39-40, 48.
Interview 002	Line number: 8, 13, 34.	Line number: 11, 27.	Line number: 20-21, 24, 33, 34.	Line number: 3, 15-16.	Line number: 3, 20.
Interview 003	Line number: 3, 4.	Line number: 3.	Line number: 3.	Line number: 2.	Line number: 4.
Interview 004	Not mentioned	Not mentioned	Line number: 7-8.	Line number: 4, 8.	Line number: 9.
Interview 005	Not mentioned	Line number: 4, 5.	Not mentioned	Not mentioned	Not mentioned
Interview 006	Line number: 2, 3.	Not mentioned	Not mentioned	Line number: 3.	Line number: 2, 3.
Interview 007	Line number: 6, 8, 9, 18.	Line number: 6.	Line number: 5, 23.	Line number: 13.	Line number: 3, 22.

Interview 008	Line number: 5, 8, 9.	Line number: 9, 10.	Line number: 5-6, 14, 17, 18.	Line number: 9, 18- 19.	Line number: 2-3, 19.

After the interviews, had been transcribed, annotated, coded, analysed and themes had been chosen I created a table that showed the frequency of the each of the themes occurrence in every interview. This was so that I could see which of the themes were most prominent during the interview process and whether these were also regarded highly within literature on the topic. This table can be seen below:

Table 004: Frequency of themes								
Interview	**001**	**002**	**003**	**004**	**005**	**006**	**007**	**008**	**Total**
Beyond offending	4	6	1	1	0	0	2	4	18
Legitimacy	5	2	1	1	0	1	2	2	14
Principles and practice	12	3	1	0	4	0	1	2	23
Stakeholders	12	3	2	0	0	3	4	3	27
Transition	3	2	1	2	0	1	1	2	12

Following on from the analysis of the interviews, I then followed a similar process and analysed a case study provided by Community Restorative Justice Ireland. This case study provides details of a case in which community-based restorative justice practitioners worked in partnership with police to deal with the aftermath of an offence that involved young people and

caused harm to the community. The case study was analysed using the same process of thematic analysis in order to see if the themes collected during the interviews were relevant or even appeared throughout the text of the case study. The case study was firstly annotated and then coded according to the five themes. This process can be seen in Appendix F.

3.5 Research setting

The main location of the study was Belfast, Northern Ireland. The research setting where the interviewing took place was in the office buildings of both Community Restorative Justice Ireland and Alternatives Northern Ireland. The reason these settings were chosen, was to make the participants feel more comfortable about being interviewed because they were in an environment that is known to them and in which they work. During the interviews a door was kept open at all times to ensure the safety of both the participant and the researcher. In addition, a risk assessment in regards to the safety of the researcher and participants was carried out and approved by the university before traveling to the research setting to conduct this research.

3.6 Sampling and case studies

The population of this study was community-based restorative justice agency practitioners within the area of Belfast. Targeted sampling was used to gain participants from specific organisations. Etikan et al (2015, p.2) argues that targeted sampling is a non-random sampling technique, typically used in qualitative research, in which the researcher makes a deliberate choice about which participant will be used in the study. This decision is usually based on the qualities that each of the potential participants possess. For example, they have knowledge or experience in a subject area and therefore will be better equipped to assist with the research. Nevertheless, there are some limitations to using target sampling. For instance, it can be argued that the researcher is being subjective and biased in choosing the subjects of the study (Etikan

et al, 2015, p.4). However, because of the nature of this research project it was necessary to gain the sample through this sampling method because the researcher wanted to gauge the perceptions of community-based restorative justice practitioners on whether restorative justice has the potential to challenge cultures of violence and therefore a random sampling method would not have been appropriate.

The researcher chose to focus on two well established restorative justice case studies that carry out community-based restorative justice practices in Belfast. These were Northern Ireland Alternatives and Community Restorative Justice Ireland. The emergence of these agencies paint a similar pattern in that they both wish to provide a non-violent alternative to dealing with issues of crime and anti-social behaviour albeit in what can be said to be two diversely different communities.

Northern Ireland Alternatives originally developed as part of a three-year pilot project in the Shankill area of Belfast and is still carrying out community-based restorative justice practices some years later. The aim of the original project was to establish a peaceful, non-violent approach to carrying out justice in local communities. Northern Ireland Alternatives now delivers a range of services in a multitude of areas in and around Belfast such as youth support, victim-offender mediation, youth prevention, school-based conflict resolution. Alternatives work closely with young people involved in anti-social behaviour or deemed at 'risk' within their community and try to address the root causes of their actions. For example, anger management may be provided or programmes will help to address cultural, identity and sexual health issues. Alternatives try to empower local communities by giving them a voice and offering ongoing

support. In addition, Alternatives provides training, interventions and safety networks (Alternatives, 2015).

Community Restorative Justice Ireland's first scheme began to develop alongside a series of other pilot projects in the Belfast area in 1998. The origins of the scheme lay within the conflict of Northern Ireland. The aim at the outset of the scheme was to help the community to develop a different way of dealing with issues of crime and anti-social behaviour that were seen to be an issue within some communities in Northern Ireland as opposed to using the existing formal and informal methods that at the time didn't seem to be making much of a positive impact (Community Restorative Justice Ireland, 2015). Community Restorative Justice Ireland (2015) describes how "at the early stage of its development CRJI remained outside the criminal justice system. This enabled the project to lift off in communities, which were then opposed to engagement with the formal criminal justice system. However, from the beginning of the project, CRJI always knew that it would need to adapt and move in tandem with the political changes affecting the police and other criminal justice agencies." In the initial opening of the scheme it was anticipated that casework would be largely youth focused. However, it was found that more adult issues such as neighbourhood disputes and violent crimes against the person were dealt with and this set the tone for the future running of the scheme (Community Restorative Justice Ireland, 2015).

A mix of both male and female participants over the age of 18 were interviewed as part of this research. Six community-based restorative justice practitioners from Community Restorative Justice Ireland (five) and Northern Ireland Alternatives (one) were interviewed. To preserve the confidentiality of the respondents, their specific roles within the organisations cannot be explicitly stated. However, the roles ranged from co-ordinators to volunteers. Initially, there was a worry that it would be difficult to gain access to these organisations because they have been

researched a lot in the past by university students and there was a possibility that research fatigue might have been an issue. Therefore, access to these organisations was facilitated through a gatekeeper who had a working relationship with these organisations.

After the initial six interviews were carried out and a connection with the community-based restorative justice agencies had been established an opportunity arose for the researcher to carry out two further interviews with individuals who work closely with the community-based projects. This led to two neighbourhood policing officers from the Police Service of Northern Ireland being interviewed.

3.7 Identity of the researcher

Throughout my childhood and even University life, the conflict in Northern Ireland was rarely mentioned. However, if it was discussed it was always in a very one-sided nature and because of this I chose not to conduct a comparative research project that would have discussed the differences between Nationalist and Loyalist restorative justice schemes because I felt uncomfortable at the thought of basing my research on a division that I knew little about.

In the initial stages of my data collection I became concerned about whether my identity would have an impact on my research. In particular, I was worried about the concept of national identity. My reason for being worried about this was my awareness of the tension that exists around the concept of national identity and the conflict that occurred in Northern Ireland. I was particularly concerned that because I was brought up in England I may be treated as an outsider and this could impact heavily on the nature of the interviews I wished to carry out and because of this I was acutely aware of my accent when going into interview situations. I was worried that because of differences in identity that the participants may have their guards up and it would

be difficult for me as a researcher to build trust and rapport. I was also nervous that I would not be taken seriously as researcher because of my age. However, when it got around to me actually conducting my interviews these initial worries that I seemed to have had did not appear to be a concern and the data collection seemed to run smoothly.

3.8 Axiology

Ethics is an extremely important concept that must be considered when carrying out research. In terms of this piece of research, ethics was looked at in a number of different ways with consideration given to various elements such as protecting the researcher and participants from harm, confidentiality, anonymity and sensitivity of topic.

To some extent this research topic could be considered sensitive because of the context in which cultures of violence have emerged in Northern Ireland, my research did not aim to revisit past tensions but instead focus upon the current formations of restorative practice in Northern Ireland and its ability to circumvent the punitive tendencies of many of the local communities. For example, it became apparent to the researcher during the data collection that some of the practitioners were previously linked to criminal/ illegal activity and bodies during the conflict in Northern Ireland. These offences are no longer relevant under the terms of the Good Friday Agreement. Therefore, this also addresses the concept of guilty knowledge. Moreover, Manktelow (2007, p.41) argues that "by the very nature of its subject, research into the effects of the Troubles must be undertaken with an emphasis on confidentiality and sensitivity. The author was the sole researcher throughout the study in order to ensure the highest level of confidentiality and anonymity."

The restorative justice agencies that will be covered in this study are government accredited; state funded and work under a professional code of conduct. Furthermore, there is now an independent statutory body that regulates restorative justice agencies in Northern Ireland. Criminal Justice Inspection Northern Ireland investigates the effectiveness and efficiency of the restorative justice agencies and ratifies the work that they do (Criminal Justice Inspection Northern Ireland, 2015). For that reason, conducting research with these agencies is no different from working with any other professional or statutory body in terms of the perceived risk to the researcher or to the restorative practitioners that will contribute to the research. Moreover, past studies have been conducted on this topic. For example, Eriksson (2007) and Payne (2012) conducted research in this area and no ethical problems were encountered whilst conducting their research.

Diener and Crandall (as cited in Bryman 2012, p.135) maintain that there are four situations in which ethical issues can arise: where there is harm to a participant; informed consent; an invasion of privacy and where deception is involved. Lee (1993, p.98) states that in particular "privacy and confidentiality are important because they provide a framework of trust." The invasion of privacy was considered and addressed by keeping all of the personal information collected about participants confidential and anonymous. Confidentiality was ensured by the researcher and stated supervisors being the only people to have access to the participant's data. All data collected was stored digitally on an encrypted drive on the researcher's secure computer in a locked office. Anonymity was ensured by assigning a code to each participant during the interview process so that no participants could be matched with their data by name. This system made it possible for participants to withdraw their information at any time by simply stating they want to withdraw and supplying the code given to them by the researcher.

The lack of informed consent is an important factor to consider when carrying out research. In regards to this study; before taking part, participants were asked to read a consent form (see appendix C) that outlines full details of the study and were asked to tick a box to indicate their understanding and agreement to participate. Furthermore, participants were given a debrief statement (see appendix D) containing the researcher's contact details, in case participants wished to withdraw their information or required further information about the study.

To conclude, this chapter set out the research methodology employed within this study. It was found that the transformative paradigm was most applicable to this research because it seeks to offer suggestions for the ways in which inequality and injustice in society can be addressed. The epistemological position that is most compatible with this research was a constructivist epistemology because the researcher looked at gaining an understanding of the topic through interacting with practitioners to hear their values, practices and experiences of working within the restorative justice field. In terms of this research a relativist approach to ontology can be applied because reality is seen to be socially constructed and is different for different people and there are several factors that inform the topic such as religion, culture, age, location that all have an impact upon the social construction of an individual's reality. The research design that was applied to this research was a mixed methods approach in which a triangulation of various methods was used to gain an insight into the topic. Document analysis and semi-structured interviewing made up the triangulation of methods that were used to collect data. The data collected was analysed using a form of thematic analysis.

The main location for the study was Belfast, Northern Ireland. The research setting where the interviewing took place was in the office buildings of both Community Restorative Justice Ireland and Alternatives Northern Ireland to make participants feel more comfortable as they were in an environment they knew. The population of this study was community-based restorative

justice agency practitioners within the area of Belfast. Targeted sampling was used to gain participants from specific organisations and the researcher chose to focus on two well established restorative justice case studies that carry out community-based restorative justice practices in Belfast. These were Northern Ireland Alternatives and Community Restorative Justice Ireland. The identity of the researcher and ethical issues were both considered before carrying out any research such as protecting the researcher and participants from harm, confidentiality, anonymity and sensitivity of topic.

The subsequent chapter is the discussion and it leads directly on from this chapter. This chapter seeks to discuss the data collected from eight semi-structured interviews that were conducted back in April and June of 2016. In particular, it will discuss the five themes that were identified from the analysis of those interviews. This chapter will discuss the analysis of a case study provided by Community Restorative Justice Ireland. The analysis of the case study will then be compared to the analysis of the semi-structured interviews to see if the five themes found previously also holds weight here. The chapter then goes on to compare the five identified themes to that of the literature discussed in chapter two to see if there are any significant similarities and/or differences.

4. Data and Discussion

The aim of this thesis was to explore the efforts of community-based restorative justice agencies in responding to 'cultures of violence' in local communities in Northern Ireland. Leading on from the previous chapter; this chapter intends to discuss the data collected from eight semi-structured interviews that were conducted in both April and June of 2016. In particular, it will discuss five themes that were identified from the analysis of those interviews. The five themes that were found to recur across several of the interviews during the coding process were: beyond offending, legitimacy, principles and practice, stakeholders and transition.

Additionally, this chapter looks at whether there is connection between the five themes found during the interviews and the three research objectives of this project which are; to explore the rationale for the emergence of community-based restorative justice in Northern Ireland, to capture the perspectives of community restorative justice practitioners on the methods used to challenge 'cultures of violence' and to identify and interpret principles of good practice in the use of community-based restorative justice in Northern Ireland with respect to tackling 'cultures of violence' and promoting key restorative principles.

In addition, this chapter will discuss the analysis of a case study provided by Community Restorative Justice Ireland. The case study demonstrates the use of community-based restorative justice in dealing with the aftermath of an offence in which it acknowledges the impact the offence had upon various parties involved such as the community and the use of partnership working whereby restorative justice practitioners work closely with the local police. The analysis of the case study will then be compared to the analysis of the semi-structured interviews to see if the five themes found previously also hold weight here. Finally, the chapter

looks to compare the five identified themes to that of the literature discussed in chapter 2 to see if there are any significant similarities and/or differences.

4.1 Beyond offending

The first theme that was identified from the analysis of the interviews was beyond offending. This theme was seen in all but two of the interviews carried out. After talking to both practitioners and police it was clear to see that there was a collective idea forming about the issues surrounding a culture of violence in Northern Ireland. This idea seemed to go beyond just discussing the criminality and offending connected with the violence and made similar suggestions in that the root of the violence must be looked at in order to challenge this existing culture. This theme incorporates factors such as; education, health, employment, gender, class and poverty. Collectively, respondents suggested that the impact these factors have on individuals and the community should be taken into consideration when discussing the culture of violence that exists in Northern Ireland. Moreover, the impact these factors have on the methods used by restorative practitioners to challenge this culture of violence. For example, respondent 001 stated that:

> "*Restorative justice doesn't just focus on crime it also focuses on other factors such as   education, poverty and health which help in beating the spiral of criminal behaviour.*"

Sullivan and Tifft (as cited in Eriksson, 2012, p.187) argue that "if restorative justice is to be achieved, efforts cannot be confined to conventionally defined acts of harm and injustice. Rather, it is necessary to address the social structural conditions that reproduce harm, inequality and violence." Respondent 003 discussed how community-based restorative justice has allowed the community to engage in the justice process by letting them have their say on

how things should be handled and has given the community back a sense of power, that was once taken by paramilitary groups, over where they are living and the lives they are leading by helping to tackle urban issues such as housing, crime, drug and alcohol related issues. This suggests that community-based restorative justice practitioners use a bottom up approach when dealing with issues such as a culture of violence in which the roots of such issues are looked and dealt with at a community level. Eriksson (2012, p. 185) argues that a culture of violence can be challenged through the use of grassroots bottom up restorative justice initiatives that look at addressing the factors that are maintaining a culture of violence such as disadvantage or marginalisation that many young people often face.

Respondent 002 discussed the marginalised role that violence plays in the western world and expresses the perception that urban issues and capitalism are often associated with the concept of violence. Moreover, respondent 001 discussed how young people are increasingly turning the use of violence because it's a part of their culture. Respondent 007 believes that community-based restorative justice can be used to address cultures of violence because it addresses the bigger picture. Similarly, respondent 004 discussed this and states that community-based restorative justice can be used to challenge cultures of violence because:

> "*It seeks to find a balance between the root of the problems and a form of punishment rather than just the use of strict punishment which we know does not always work and often leads to a re-offending cycle. However, I do feel that there is a lack of funding for restorative projects at the moment and this could hinder us in tackling these sorts of issues.*"

Following on from this, respondent 002 suggested that restorative justice could be used to challenge cultures of violence with the right money, resources and education placed in the right areas and for the right people.

From my analysis of both the literature on the topic and a few of the interviews it is clear to see that there are several issues that surround the funding of restorative justice projects in Northern Ireland that could hinder their attempts to challenge cultures of violence. For example, there is a shortness of term when it comes to funding in Northern Ireland. Additionally, it can take a long time to complete the funding applications and because of this a full-time member of staff may be required. This in itself may bring about issues such as it may be difficult to hire someone for the role as there is a lack of job security as money has to be found to pay that staff member and some restorative justice agencies may not have those funds which could lead to them having to replace a restorative justice practitioner in order to fund this other job role. There can also be confusion when it comes to which body a restorative justice agency should apply to for funding as bodies such as the Belfast City Council may be responsible for a multitude of different things and may pass responsibility on to different agencies such as a housing agency. However, despite this confusion if funding is gained from the correct body there is the potential for specialised pieces of work to take place. Moreover, any funding acquired from government bodies may be attached to certain political agendas and because of the political upheaval in Northern Ireland it may be difficult for some restorative justice agencies to gain funding because of differing interests.

The views on beyond offending that respondents held can also be seen within literature on the topic. For instance, this theme can be linked to literature on Conflict Theory and its ideas on the causes of crime. Zembroski (2011, p.249) states that "conflict theory is primarily concerned with the concept of power and has its roots in rebellion, class conflict, and the philosophy of

Marxism." Conflict theory focuses on the dynamics of a variety of factors such as gender, race and class. This perspective takes the view that crime is caused because of inequality that is felt in the aftermath of societal conflicts. For example, Steenkamp (2005, p.260) argues that this inequality leads to a number of factors such as deprivation, poverty that can provide conditions that make violence and crime more common.

The notion of class is referred to in literature on cultures of violence and offending. For example, Byrne and Jarman (2011, p.435) argue that "The paramilitary ceasefires of 1994 effectively brought an end to the armed conflict, but they did not signal an end to tension and hostility. Instead, the peace process witnessed the emergence of a persistent cycle of disorder and violence which often occurred at the boundaries (or interfaces) of segregated working class residential communities." In addition, Monaghan (2008, p.83) states that in many working-class communities in Northern Ireland informal systems of justice emerged in which paramilitary groups tried to offer residents "instant redress and retributive justice."

However, it can be said that these informal systems of justice did not work and as Monaghan (2008, p.92) states many "working-class communities felt increasingly repressed by what they perceived as violent control exercised by paramilitaries, particularly in loyalist areas where in ceasefire circumstances, they have diversified further into drugs, racketeering, and extortion. There has therefore been a muted community reaction, through fear of reprisal, to the brutalisation of their young men."

Furthermore, Crawford (1999, p.35) argues that "Criminal victimization is predominantly intra-class as well as intra-racial, and that it disproportionately affects those already most socially disadvantaged." This suggests that the culture of violence surrounding paramilitary violence that exists in Northern Ireland is considered a working-class issue and affects those that are

most socially disadvantaged and that therefore help needs to be put in place for those who live in those areas in order to attempt challenge this culture of violence.

In terms of addressing a culture of violence and going beyond just offending, a number of community-based restorative justice agencies in Northern Ireland run a variety of schemes that look at addressing issues in socially disadvantaged communities. Many of these schemes focus on housing, young people, drug misuse and anti-social behaviour that affects individuals living within working class communities in Northern Ireland. For example, two restorative justice agencies, Community Restorative Justice Ireland and Northern Ireland Alternatives, support a partnership project called MACS that attempts to address anti-social behaviour, family issues and substance misuse in order to make a difference to the quality of people's lives (Community Restorative Justice Ireland C, 2016).

 In addition, Alternatives B (2016) argues that the project "helps to create safer and more cohesive communities. The project is already committed to rebuilding and strengthening a positive sense of well-being, harmony and community confidence. It provides an example of a community- inspired and community- led model, which provides a non-violent alternative to conflict in communities that retain a deep legacy and culture of systemic violence." The project also looked at decreasing the fear that is associated with anti-social behaviour and sought to increase community mediation (Community Restorative Justice Ireland C, 2016). Furthermore, Alternatives states that "MACS integrates the themes of community cohesion and community transformation in a powerful approach that addresses issues of interface violence, community murals, crime and anti-social behaviour, neighbourhood disputes, racism, and the fragmented relationships between community and statutory agencies and victims of crime and anti-social behaviour".

Moreover, Community Restorative Justice Ireland B (2016) runs a Family & Youth Restorative Intervention Programme. "The Purpose of the project is 'Early Intervention' at a young age for those who find themselves on the periphery of anti-community and other negative behaviour. The aim of this project is to work closely with them and their families in order to deter any behaviour that may lead to a lifetime of challenging behaviour. There are strong family intervention and support aspects to this project, allowing us to develop intervention strategies to the young person/families need." In addition, Community Restorative Justice Ireland works closely with schools in order to reintegrate young offenders into education and identify the underpinning causes of the offending (Community Restorative Justice Ireland A, 2016).

The analysis of the case study (see appendix F), that was described in subchapter 3.3 & 3.4 of the methodology, can also be connected to this theme. Although, this case study does not necessarily focus on a culture of violence it is still important to consider because it can be used to demonstrate how other factors may have caused offending. In terms of my analysis of this case study I have tried to focus on the bigger picture and go beyond just what is written in the text of the case study. For example, if we look at lines 23-25 of the text which state "explaining that this was an accident. They had lit the fire for heat (winter time) and an oil tank had caught fire." This to me suggests that potentially the young people who set the fire did not have anywhere to go or anything else to do which caused them to hang out in the certain area which eventually led to them to light a fire and to unintentionally cause trouble.

4.2 Legitimacy

The second theme that emerged from the interviews was legitimacy. In seven out of the eight interviews that were carried out, legitimacy or lack of legitimacy was hinted at. Crawford (1999, p.74) argues that "the history of policing and crime control, its nature and shape, largely has been constrained by and moulded around a quest for legitimacy." The data collected showed that this theme focused upon the questioning of legitimacy in terms of the conflict, cultural precedent and the policing of local communities that has been carried out by both the state police forces and paramilitary groups. This theme also focused on how community-based restorative justice practices have been used as bridge between state police forces and paramilitary groups and the how the use of partnership working may help to improve upon the legitimacy of criminal justice practices used by a variety of bodies such as government bodies, the police and community-based restorative justice agencies in Northern Ireland.

There is a lot of literature surrounding the concept of legitimacy with regards to the Northern Ireland context. In particular, it focuses on the conflict and how there seemed to be a legitimacy deficit felt in many communities across Northern Ireland. Beetham (as cited in Crawford, 1999, p. 75) defines legitimacy deficit as an "absence of shared beliefs or a discrepancy between rules and supporting beliefs." Legitimacy is often questioned when in the nature of government there is an undermining of public authority (Crawford, 1999, p. 75). Coulter and Mullin (2011, p.100) argue that "the legitimacy of Northern Ireland as an entity has been a contentious issue since its inception in 1921, resulting in outbreaks of conflict referred to as 'the Troubles'." Nevertheless, it was found that in the interviews with practitioners and the police, legitimacy was discussed almost exclusively in terms of policing the community and the how restorative justice practices coincide with this notion. For instance, respondent 001 discussed how:

"Due to the conflict, many communities in Northern Ireland were left under-policed" (Respondent 001).

Crawford (1999, p. 75) "The crisis of legitimacy in criminal justice has been the most clearly reflected in a crisis of confidence among the public in policing." Marijan and Guzina (2014, p.52) argue that historically, in what were predominantly described as the catholic communities in Northern Ireland, a very negative view of community policing was shared in which there was a severe lack of trust in the police. They go on to describe the reason for this distrust between the community and the police, as being that the then Royal Ulster Constabulary was overwhelmingly Protestant which led to big disagreements in opinion about social life and order and that in some cases it led to the unfair treatment of those within the catholic communities. This suggests that there was a lack of legitimacy in the policing of those community areas. Payne et al (2010, p.17) argue that this "legitimacy deficit in state policing had led to the parallel evolution of violent paramilitary systems of punishment attacks and banishments."

Furthermore, some argue that this legitimacy deficit is felt within certain communities because of a traditionalization of policing. Bell (1997, p.145) argues that "to attempt to make a set of activities appear to be identical to or thoroughly consistent with older cultural precedents can be called traditionalization. As a powerful tool of legitimation, traditionalization may be a near-perfect repetition of activities from an earlier period, the adaptation of such activities in a new setting, or even the creation of practices that simply evoke links with the past." This suggests that in Northern Ireland a certain pattern of policing tends to take place in order to deal with the past tensions created by the conflict.

Community-based restorative justice agencies were seen to emerge as an alternative to the informal systems of justice and policing that were being carried out by paramilitaries in local communities. For example, respondent 002 believes that:

"A lack of legitimacy in community policing left an open door for community-based restorative justice practices to flourish" (Respondent 002).

Respondent 008 also discussed how legitimacy could be improved through partnership working between the police and restorative justice agencies. Their reasoning behind this was that restorative justice plays a big role in community resolution and often helps in areas that are missed by the police and that the use of partnership working between police and community-based restorative justice agencies may allow for more bases to be covered, more issues to be addressed and helps the police to change, adapt and become more fluid in their ways of dealing with community policing matters. This suggests a possible link between the theme of legitimacy and the first theme of beyond offending because it hints at looking beyond just an offence. Respondent 006 describes the impact restorative justice has had on the community in terms of overcoming the legitimacy deficit of policing in certain communities:

> *"I think restorative justice is especially important. As a consequence of the troubles many communities didn't feel like they had a voice and I think the use of an open-door policy has enabled the community to feel more active and engaged" (Respondent 006).*

However, it can be argued that the legitimacy of policing in Northern Ireland has improved in recent years. This is mainly due to a number of policing reforms that have taken place, in which significant changes to policing in Northern Ireland have been made. An example of this is the

changing of the name of the police force from the Royal Ulster Constabulary to the Police Service of Northern Ireland. This change was a radical move in which names, symbols and procedures of the Royal Ulster Constabulary were changed in order to make the force more inclusive. In particular, this was in the hope that it would be made more appropriate and acceptable for members of the nationalist and catholic communities to join the police force (Chapman, 2012, p.5).

These changes were a direct attempt to shift the legitimacy deficit that was being felt by certain communities but this also set a basis for a working relationship between the police and community-based restorative projects working in those communities. Crawford (1999, p.64) argues that the shift in policing that saw the start of partnership working between the police and community-based schemes was based on the fact that there was an assumption that there were failures within the criminal justice system and that there was an ever-increasing crime rate that was getting out of control and something new and dynamic was needed to be introduced in order to gain control over it again. For instance, Chapman (2012, p.5) describes how "the priority was clearly to gain credibility as a legitimate police service among local communities especially those in nationalist areas. This resulted in a genuine eagerness to engage with local people through community policing. Relationships and cooperation between community restorative justice projects and the police were actively strengthened."

In addition, the concept of improving legitimacy can also be seen in the analysis of the case study (see appendix F) from line 34 to 38. Community Restorative Justice Ireland wrote "homes would have been searched and the community impact could have been very negative, as no matter what the Police were searching for, it would cause disruption to families and neighbours." This suggests that in this situation, the use of community-based restorative justice practices enabled a positive impact on the community rather than a negative disruption that could have

been caused if the police had entered the community. Therefore, the use of partnership working between the Police and Community Restorative Justice Ireland improved the community's confidence in the police and thus improved legitimacy.

Furthermore, the Northern Ireland Policing Board (2016, p.3) argues that "legitimacy, trust and confidence in policing needs to be earned and can only be achieved by delivering a service defined by accountability; courtesy, fairness and respect and collaborative decision making on a daily basis. These behaviours are what Policing with the Community is all about". They go further to say that the use partnership and engagement work with the community and other partner agencies such as community-based restorative justice agencies could help to improve the community's levels of confidence and satisfaction in policing and could make the above factors more achievable.

However, partnership working between the police and restorative justice agencies can also been seen negatively in terms of legitimacy. The police are seen as key partners in the restorative justice process with them referring some cases that require mediation on to community-based restorative justice agencies. Crawford (1999 p.128) argues that this gives police considerable power over the restorative justice process as they act as an initial filter of cases and therefore impose their own ideas on how the mediation could take place thus impacting negatively upon the legitimacy of the process, although there is no guarantee that this power is actually used.

It can be argued that the legitimacy of community-based restorative justice projects themselves has also been questioned. Eriksson (2012, p.189) argues that "Restorative justice projects in Republican and loyalist areas in Northern Ireland have arguably been subjected to more oversight, inspection and debate than any other justice organisation in the jurisdiction, the only

exception being the police". She goes further to say that "community-based restorative justice projects have had to fight for their legitimacy every step of the way, both in the eyes of the community and of the state." This stems from the perception that many of these agencies were designed and run by individuals that openly admit their past involvement in paramilitary activity.

For instance, recently the Government in Northern Ireland has wanted to crack down on the paramilitary activity and control that is continuing to be felt in many communities by again offering a pot of money to individuals involved with paramilitary organisations to help them to move away from violence and become re-integrated into society. However, many individuals believe that attempts to engage with paramilitary organisations in 2016 made by the Government and Police have instead appeared to legitimise the organisations and undermine the rule of law. This is because there is a concern that these organisations are seen to be a community representative by day and then take on a paramilitary badge or label by night and are seen to hold a lot of power within certain communities. For example, in loyalist communities there is a concern that this paramilitary behaviour involves the recruitment and coercion of young people not necessarily for conflict purposes but for criminal activity such as selling drugs and that the police are unable to do anything because they do not hold the power within these communities (UDA: The Proceeds of Peace, BBC Spotlight, 2016). This suggests that has an impact upon the questioning of the legitimacy of restorative justice agencies because of their past connection with paramilitary organisation and activity.

Furthermore, there are concerns that the government and police sometimes work too closely with paramilitary organisations. For example, in some communities it is felt that joint policing is carried out by both the police and paramilitary organisations because there is a perceived

strength of paramilitary organisations is a perceived weakness within the police force felt within those communities (UDA: The Proceeds of Peace, BBC Spotlight, 2016). Therefore, this damages public confidence in the policing and justice system. However, although the PSNI do not deny that they have a relationship with paramilitary organisations they do argue that they have distanced themselves enough from these groups that they can carry out their job as police. For instance, in an interview with BBC spotlight, the Chief Constable of the PSNI Hamilton (2016) stated that "I don't want to do anything to legitimise paramilitary groups but there also needs to be a pragmatism around how and when police engage with community representatives who may still have some sort of paramilitary trappings associated to them or are believed to be so but let me be clear we will never be so close to these people that we can't do our job."

4.3 Principles and Practice

This theme directly links to the third objective of this research; to identify and interpret principles of good practice in the use of community-based restorative justice in Northern Ireland with respect to tackling 'cultures of violence' and promoting key restorative principles. The following list shows how this theme manifests itself in a multitude of concepts; listening, understanding, communication, trust, relationship, experience, expertise, acknowledgement, acceptance, interaction, empathy and engagement. These concepts were mentioned a total of twenty-three times throughout the interview process which makes it the second most frequent theme to have occurred during the interview process.

Literature on principles and practice describes the fundamental building blocks of restorative justice. For example, Roche (2003) describes four fundamental ideals that should be taken into consideration when carrying out restorative practice. These ideals are: personalism, participation, reparation and reintegration. Personalism revolves around the idea that crime is a violation against the people rather than a violation of the law. The second fundamental idea,

participation, is based upon the expectation that all stakeholders involved must participate on a voluntary basis. The concept of reparation stems from the idea that restorative practice should attempt to repair harm that has been caused. Finally, reintegration refers to holding offenders accountable for their actions but in a supported manner so that they can be reintegrated into society. These four ideals were also hinted at during the interviews. For instance, respondent 005 stated:

> *"the most effective type of restorative justice practice is mediation because the act of getting people face to face, communicating and listening to one and another has amazing benefits and enables people to learn, grow and recognise the impact of their behaviour or attitude can have upon other people's lives"* (Respondent 005).

This suggests that, getting stakeholders together for mediation on a voluntarily level to discuss the crime that has taken place helps to repair harm and enables the possible reintegration of the offender into the community. Additionally, this is reinforced by the UK Restorative Justice Council (2016) who describe a code of practice that should underpin every session of restorative justice to make sure there are no negative effects. This code is made up of six core principles that all practitioners should hold: restoration, voluntarism, neutrality, safety, accessibility and respect. The primary aim of restorative practice is to address and repair harm and is otherwise known as restoration. This principle promotes healing for the victim, offender, and community. The principle of voluntarism is about participation. In particular, this refers to stakeholders making an informed voluntary choice about whether to participate in a restorative justice process. The principle of neutrality is that restorative practices must be fair and unbiased towards all parties involved. The fourth principle is safety which looks at ensuring the safety of all parties involved by allowing the creation of a safe space, where all of those involved can express their feelings and views about harm that has been caused. Accessibility is the fifth principle and looks to make sure that restorative practices are available to those who have a

stake in, or have been affected by, conflict and harm. The final principle is respect; this relies on the idea that restorative practices are respectful to the dignity of all parties involved and those affected by the harm caused (Restorative Justice Council, 2016).

When asked what the most effective type of restorative justice practice is, respondents gave similar responses. For instance, respondent 002 replied with:

> *"Victim- offender mediation. The most effective practice is just to get everyone round a table and get them interacting and understanding one and another" (Respondent 002).*

These responses are in line with restorative justice literature which emphasises the importance of the face-to-face meetings in encouraging understanding and empathy. Staub (2003, p.8) argues that "the engagement with each of parties in conflict is crucial for non-violent social change. Just being heard can be of great importance to people who feel aggrieved and are trying to bring about change." Moreover, respondent 001 believed that there are many types of restorative practice that are effective and any practice that has the ability to teach young people to understand and share the feelings of another will be an effective use of resources and time. However, they stressed that the effectiveness of restorative practice would have to be judged on individual case basis because the type of restorative practice used depends solely on what an individual case needs.

Respondents also discussed how restorative practice helps to engage individuals with their community through the use of expertise and experience and restorative principles and practice rely heavily on feelings, empathy, acceptance, acknowledgement and understanding of all parties involved including the restorative justice practitioner. For example, respondent 002 stated:

"People are human and we need to listen, understand and acknowledge others and restorative justice allows for this to happen" (Respondent 002).

Respondent 008 described how restorative practice helps young people to engage with the community which they have often been excluded from and it can give them a sense of ownership. This suggests a possible link between this theme and the theme of stakeholders.

4.4 Stakeholders

The concept of 'stakeholders' is mentioned frequently within various aspects of the literature on this topic and was the most prominent theme to have emerged from interviews with it being mentioned a total of twenty-seven times. Ashworth (2002, p.578) offers a possible explanation for the popularity of this theme in that he states that the "voices of stakeholders should be the loudest" during restorative justice practices. By this, Ashworth means that the restorative justice process relies on the involvement of stakeholders in order to deal with the aftermath of an offence and its' future ramifications.

From the interviews, it was clear to see that practitioners and police believed there to be two stakeholders groups that community-based restorative justice practices should involve or be made available to. The groups identified were youth and the community. This is not to say that youth are not a part of the community, only that a division should be made between the groups in practice to ensure that both groups receive the appropriate services and receive equal priorities in the services provided by the community-based restorative justice agencies. For example, Alternatives A (2016) showcases a range of services, such as regular contact meetings, that Northern Ireland Alternatives provide young people under the model of "Intensive Youth Support" which the community in general wouldn't directly benefit from. Therefore, in this

context the term youth describes individuals primarily between the ages of 10 and 18 that are predominantly male. Whereas, the community describes individuals that do not fit the term youth and are therefore presumably over the age of 18 and that live/work within the areas in which restorative justice practices take place.

The first stakeholder group that respondents believed restorative justice practices have an impact upon was the community. For example, respondent 006 discussed how restorative practice has a big impact upon:

> *The community. I think this is especially important as during the troubles many communities didn't feel like they had a voice and I think the use of an open-door policy has enabled the community to feel more active and engaged (Respondent 006).*

The community is also mentioned in several aspects of literature on this topic such as literature on policy, policing and restorative practice. For example, Crawford (1999, p.44) states that "across diverse fields of public and social policy, appeals to 'community' have become commonplace." In the field of criminal justice appeals to the community are well documented because of an interest in community policing (Crawford, 1999, p.45). Literature on stakeholders within restorative justice practice themselves, mentions the community as a key stakeholder group along with victims and offenders. However, there are disagreements amongst scholars on how the community should be defined and what their involvement in restorative practice should be. For instance, Ashworth (2002, p.582) argues that a community may be defined by geographical location or by a number of attachments such as gender, class, age, sexuality, race and ethnicity.

In terms of the Northern Ireland context, the concept of 'community' is closely connected to the conflict that occurred in Northern Ireland and is embedded in a complex historical relationship

between Britain and Ireland (Coulter and Mullin, 2011, p.100). Manktelow (2007, p.32) maintains that Northern Irish society is characterized by segregation and violence between two communities. Hayward (2006, p.261) argues that during the conflict these two 'communities' were heavily divided in Northern Ireland and that these were underpinned by their positions on nationality. One 'community' identified itself as Irish and the other as British. Coulter and Mullin (2011, p.100) go further and state that one community was broadly protestant with allegiance to Britain and the other community held an allegiance to the idea of an all-Ireland state and was broadly seen as Catholic.

The UK Restorative Justice Council (2016) argues that there are a number ways in which restorative justice practices can impact upon the community. Firstly, it enables the parties involved to understand the impact of their behaviour on others. Crawford (1999 p.54) suggests that the community can be used as an agent of control through ceremonies of shame and reintegration within the mediation process. This helps for an offender to realise the wider impact of their behaviour and allows for interaction between an offender and the community to take place in the hope that the offender will change their behaviour and can one day be reintegrated into that community.

In addition, restorative practice can contribute to lowering levels of crime and disorder and can be used to create stable, strong, positive community environments. For example, respondent 003 describes how:

> *"Restorative justice has played huge role in the transformation of Northern Ireland. It has helped to tackle urban issues, lowered levels of crime and anti-social behaviour and has allowed for the community to engage and have their say on how things should be handled. It has given the community back a sense of power over where they are living and the lives they are leading"* *(Respondent 003).*

Pranis (as cited in Zehr, 2002, p.16) furthers this by stating that "community involvement in a case can provide a forum to work from while strengthening the community itself." This allows for both victims and offenders to become integrated into the community rather than isolating them. Furthermore, when disputes and disagreements emerge within communities, restorative practice allows the communities themselves to take on an active role in resolving them to ensure that they are dealt with positively and constructively (Restorative Justice Council, 2016). Garland (as cited in Ashworth, 2002, p.582) believes that if sentencing powers are delegated to the community, more effective changes will be made to an offender's behaviour.

The second stakeholder group that respondents believed restorative justice practices have an impact upon is youth. For instance, respondent 001 stated that:

> "I believe that restorative justice practices have a big impact upon youth audiences. A lot of young people tend to get involved with low level crime and don't realise the impact of their behaviour. Restorative justice practices aim to get young people thinking more consciously about the consequences of their actions. It changes their perceptions about crime and responsibility" (Respondent 001).

Some respondents believed that restorative justice allows for both the community and youth stakeholders groups to interact and engage with each other. For example, respondent 008 states that:

> "I think restorative justice has a big impact upon young people because it allows for them to interact and engage with the community which they have often been excluded from and it can give them a sense of ownership" (Respondent 008).

In much of the literature on stakeholders and restorative practice, youth is not mentioned directly as being a stakeholder group although they may be seen as a victim or offender. However, youth is seen to be discussed within literature on cultures of violence that exist within Northern Ireland. In particular, the literature focuses on young men and paramilitary violence. For

example, Harland (2011, p.415) argues that young men in inner city Belfast are heavily influenced by a fear of paramilitary violence and that a combination of needing to be tough and feeling marginalized, disenfranchised, alienated, powerless and excluded from the community often leads to violent behaviour.

There is a prolonged fear of violence that exists in Northern Ireland that manifests itself in a number of ways. For example, a fear of sectarian violence and a threat of paramilitary influence leaves young males feeling vulnerable, suspicious of others and with an inability to venture outside of their own community (Harland, 2011, p.415). Despite these threats, young men rarely report their experiences through fear of being shamed. They believe that vulnerability is a sign of weakness and that by withholding these experiences it is believed that they are being tough and expressing what it means to be a man (Harland, 2011, p.415). In addition, Harland (2011, p.417) argues that "this often led to them resorting to violence to sort out issues that separated them from their internal world of feelings and emotions often to the extent that they appeared "unemotional" and intimidating to others."

As interview respondent 001 stated:

> *"A lot of young people tend to get involved with low level crime and don't realise the impact of their behaviour. Restorative justice practices aim to get young people thinking more consciously about the consequences of their actions. It changes their perceptions about crime and responsibility"* (Respondent 001).

Therefore, many young people often become excluded from the community because they do not realise the negative impact their behaviour is having and because of this notion many restorative justice practices have now put in place in Northern Ireland to support young people before, during and after offending. These practices allow for young people to interact and

engage with the community and helps young people to thinking more consciously about the consequences of their actions. It changes their perceptions about crime and responsibility. For example, the community-based restorative justice agency Northern Ireland Alternatives uses an intensive youth support model. Alternatives A (2016) describes how this model is used

> *"to meet the needs of young offenders and to provide mechanisms to encourage them to make positive change. Participants are usually aged between 10-18 and are predominantly male. The programme addresses the needs of victim, offender and the community, as well as offering a non-violent approach to addressing anti-social behaviour and punishment violence."*

In addition, Community Restorative Justice Ireland runs restorative programmes that focus on helping young people. For instance, their Wrap Around Youth Support project aims to provide one-to one restorative support and mentoring to at risk teenagers who are "facing difficulties in their personal lives, experiencing bullying within the school or getting into trouble in their community and require a little help, support and guidance" (Community Restorative Justice Ireland D). Young people who are not engaging in education, training or are in the care system will often be targeted for this scheme. This scheme looks to deal with a range of issues such as drug and substance misuse, offending behaviours, physical health and mental health issues that may be affecting the young people.

Furthermore, the analysis of the case study provided by Community Restorative Justice Ireland can be used to illustrate how community-based restorative justice can be used in engaging with both young people and the community. The case study (see appendix F) states that "All those involved have been offered support that is, shopkeepers, families, perpetrators and the Community. Restorative conferences have been arranged for the future with the young people

and the shopkeepers. RJ sessions between the Community and some of the families have taken place." The support and restorative conferences have been arranged between both stakeholder groups of young people and the community in order to deal with the harm caused by the offence and to stop any future harm from occurring.

4.5 Transition

The concept of transition is widely covered in the literature surrounding the topic of restorative justice albeit often in different contexts. For instance, a lot of the literature focuses on the placement of restorative justice practices in relation to the concept of transitional justice. The concept of transition was also discussed by both restorative justice practitioners and police during interviews in relation to violence, community policing and restorative justice practices.

Transition in relation to this research refers to the period of transformation that Northern Ireland faced in the aftermath of the conflict. In other words, the transformation from conflict to peace. A transitional society can be defined as a society with an illegitimate past such as one that has experienced grave crimes against humanity or war and looks to move away from this and transition towards a more peaceful forward looking future (Villa-Vicencio as cited in Sullivan and Tifft, 2006, p.390).

The transition that some societies see from war to peace allows for the creation of transitional justice (Uprimny and Saffron, 2006, p.2). Transitional justice is an old problem that questions whether society should forget its illegitimate past in favour of reconciliation or whether action should instead be taken in the form of punishment (Uprimny and Saffron, 2006, p.2). Bell (2009, p. 20) argues that the field of transitional justice is legitimated by using a multitude of mechanisms such as restorative justice processes.

Brewer et al (2016, p.74-75) argues that transitional justice is an interdisciplinary field that focuses on the management of the transitional change from conflict to peace and the processing of transition-related crimes. Villa-Vicencio (as cited in Sullivan and Tifft, 2006, p.389) argues that "a priority in transitional societies is for former enemies to learn to live together on the basis of respect for human rights and common decency. The acid test of restorative justice within such contexts is whether it can succeed where retribution has failed." In terms of the interviews, respondent 001 discussed how restorative justice uses:

> *"peace-seeking mechanisms" and "a bottom up approach as an alternative" to retributive justice (Respondent 001).*

This is done to help deal with the tensions caused by the conflict and transition and to help former enemies, learn to live together. Respondent 006 touched on this idea and discussed how the use of an:

> *"open door policy has enabled the community to feel active and more engaged" (Respondent 006).*

Uprimny and Saffron (2006, p.6) argue that in Northern Ireland's transition from conflict to peace, crime anti-social behaviour started to become a problem in many communities and at the time there was severe lack of community policing. As a response to this lack of policing, paramilitary groups took it upon themselves to exercise social control over delinquency in their communities by applying swift punitive justice. Uprimny and Saffron (2006, p.6) argue that restorative justice has worked to replace punitive justice carried out by paramilitaries and offers a non-violent alternative to crime and punishment.

Respondent 003 suggests that restorative justice works in a transitional context:

> *"because it seeks to find a balance between the root of the problems and a form of punishment rather than just the use of strict punishment which we know doesn't always work and often leads to a re-offending cycle" (Respondent 003).*

In addition, Uprimny and Saffron (2006, p.6) state that restorative works as an important complement of transitional justice that "helps to impede the emergence of new germs of violence that could endanger the success of the transitional process." As well as the literature, respondents also discussed the concept of violence. For example, respondent 007 argued that:

> *"Violence is a problem area for crime with ever changing advances and hostility with things such as knife crime, gun crime and domestic violence are becoming more prominent features of daily life and this problem exists in many countries not just Northern Ireland" (Respondent 007).*

Along with the role that violence and restorative justice play in a transitional society, the literature also discusses the role that policing plays. For instance, Monaghan (2008, p.92) argues that:

> *"In transitional circumstances where a new policing service and criminal justice system were promised, recorded crime was increasing, and the raison d'être for paramilitary groups during a time of 'peace' was questioned, an alternative to punitive sanctions emerged in the form of restorative justice program in both loyalist and republican areas."*

In terms of the role that policing plays in the transitional context, many respondents believed that changes need to be made for policing to become more effective within certain communities. For example, respondent 008 states that:

"the changing nature of crime in this transitional period has led for a need for the traditional justice system and the police to adapt and become more fluid and I think that the more partnership working with restorative justice agencies that takes place the more bases we are able to cover and address" (Respondent 008).

Byrne and Jarman (2011, p.434) discuss how changes have started to be made and that a policing reform was undertaken as part of the transition from conflict to peace, that looked at ensuring "that the police were regarded as a legitimate and acceptable organization to all

sections of the community and that a reformed police organization would be structured to meet the needs of a society at peace rather than one at war." For example, the police force in Northern Ireland underwent a change in which the Royal Ulster Constabulary became The Police Service of Northern Ireland.

To conclude, this chapter set out to discuss the data collected from interviews with practitioners. This chapter looked at achieving research objective two and began to explore research objective three. The chapter was divided into five sub-chapters that were based on themes determined from both an inductive and deductive approach to thematic analysis, this approach meant that some of the themes were pre-decided based on the literature that the researcher had read upon the topic and the remaining themes emerged from the data itself. The five themes selected were beyond offending, legitimacy, principles and practice, stakeholders and transition.

The first sub-chapter was on the theme of beyond offending. This theme was seen in all but two of the interviews carried out. After talking to both practitioners and police it was clear to see that there was a collective idea forming about the issues surrounding a culture of violence in Northern Ireland. This idea seemed to go beyond just discussing the criminality and offending connected with the violence and made similar suggestions in that the root of the violence must be looked at in order to challenge this existing culture. This theme incorporated factors such as; education, health, employment, gender, class and poverty. For instance, a culture of violence can be challenged through the use of a bottoms up approach to restorative justice practice that looks at addressing the factors that are maintaining a culture of violence such as poverty that many young people in Belfast face. It was found that respondents believed these factors should be taken into consideration when discussing the culture of violence that exists in Northern Ireland and the methods used by restorative practitioners to challenge this culture of violence.

The second sub-chapter was on the theme legitimacy. In seven out of the eight interviews that were carried out, legitimacy or lack of legitimacy was hinted at. A quest for legitimacy shapes the history of policing in Northern Ireland. The data collected showed that this theme focused upon the questioning of legitimacy in terms of the conflict, cultural precedent and the policing of local communities that has been carried out by both the state police forces and paramilitary groups. This theme also focused on how community-based restorative justice practices have been used as bridge between state police forces and paramilitary groups and the how the use of partnership working may help to improve upon the legitimacy of criminal justice practices used by a variety of bodies such as government bodies, the police and community-based restorative justice agencies in Northern Ireland.

The third sub-chapter was on theme of principles and practice. As well as achieving research objective two this theme also hints at the third objective of my research; to identify and interpret principles of good practice in the use of community-based restorative justice in Northern Ireland with respect to tackling 'cultures of violence' and promoting key restorative principles. The following list shows how this theme manifests itself in a multitude of concepts; listening, understanding, communication, trust, relationship, experience, expertise, acknowledgement, acceptance, interaction, empathy and engagement.

Stakeholders was the theme for the fourth subchapter. This theme mentioned frequently within various aspects of the literature on this topic and was the most prominent theme to have emerged from interviews with it being mentioned a total of twenty-seven times. The popularity of this theme based upon the premise that restorative justice process relies on the involvement of stakeholders in order to deal with the aftermath of an offence and its' future ramifications. From the interviews, it was clear to see that practitioners and police believed there to be two stakeholders groups that community-based restorative justice practices should involve or be

made available to. The first stakeholder group that respondents believed restorative justice practices have an impact upon was the community. The second stakeholder group that respondents believed restorative justice practices have an impact upon is youth. It was found that these two stakeholder groups benefit enormously from restorative justice practices and is why most agencies focus their agendas on fulfilling the needs of these two stakeholders.

The final sub-chapter is the theme of transition which is widely covered in the literature surrounding the topic of restorative justice albeit often in different contexts. Transition in relation to this research refers to the period of transformation that Northern Ireland faced in the aftermath of the conflict. In other words, the transformation from conflict to peace. It was found that a lot of the literature focuses on the placement of restorative justice practices in relation to the concept of transitional justice. It was also found that the concept of transition was discussed by both restorative justice practitioners and police during interviews in relation to violence, community policing and restorative justice practices.

The subsequent chapter is the reflection and seeks to reflect and build upon the data and discussion chapter. This chapter looks to achieve research objective three by to identifying and interpreting principles of good community-based restorative justice practice most of which were outlined in chapter four. This chapter looks towards the future and makes suggestions on the next steps that can be taken with respect to tackling 'cultures of violence' and promoting key restorative principles in Northern Ireland.

5. <u>Reflection</u>

This chapter is a reflection and interpretation of the data collected in chapter four. This chapter aims to achieve objective three, to identify and interpret principles of good practice in the use of community-based restorative justice in Northern Ireland with respect to tackling 'cultures of violence' and promoting key restorative principles.

Discussions made in sub-chapter 4.3 principles and practice must be drawn upon in order to identify and interpret principles of good practice in the use of community-based restorative justice in Northern Ireland with respect to tackling 'cultures of violence'. Discussions around the effectiveness of restorative practice in subchapter 4.3 highlighted that the effectiveness of practice should be judged on an individual case basis because the type of restorative practice that would be used depends solely on what an individual case needs. However, respondents did state that they believe the most effective type of restorative justice practice to be mediation. For example, respondent 005 stated that:

> *"the most effective type of restorative justice practice is mediation because the act of getting people face to face, communicating and listening to one and another has amazing benefits and enables people to learn, grow and recognise the impact of their behaviour or attitude can have upon other people's lives"* *(Respondent 005).*

Therefore in regards to what can be considered good practice in the use of community-based restorative justice with respect to tackling 'cultures of violence' in Northern Ireland, it is clear to see from respondents that although the effectiveness of restorative practice should be judged on individual case basis because the type of restorative practice used depends solely on what an individual case needs, mediation could be the starting point as it is applicable to a vast number of situations and allows for all parties involved to come together to discuss the aftermath

of event, in which each party is given the chance to talk, listen and understand in the hope that reconciliation can take place or suggestions can be made for the future. Key parts of the mediation process rely heavily on empathy, acceptance, acknowledgement and understanding of all parties involved including the restorative justice practitioner. So, it is key that the right practitioner is paired up with the right case This process ultimately helps to rebuild trust and allows for possible reintegration.

Furthermore, when discussing the community-based restorative justice practices used to challenge cultures of violence such as punishment violence, several respondents said that the use of mediation had been an effective starting point because it allowed for the community particularly the families of those accused of a crime to directly engage with paramilitary groups to stop the punishment violence from occurring and instead to find a more peaceful means of dealing with the aftermath of an offence such as community service.

Having conducted this study on a relatively small time scale there wasn't a vast amount of time for data collection and if more time had been allocated observations of restorative practices may have been able to take place which would have assisted in the researcher in enhancing and extending the discussions of practice. Moreover, due to the small nature of this research project the researcher was unable to gain access to multiple case studies from the restorative justice agencies which could have helped to enhance the discussions of practice. However, the case study provided by Community Restorative Justice Ireland can be used to illustrate how community-based restorative justice practice often involves mediation. The case study (see appendix F) states that "All those involved have been offered support that is, shopkeepers, families, perpetrators and the Community. Restorative conferences have been arranged for the future with the young people and the shopkeepers. RJ sessions between the Community and some of the families have taken place." In this case mediation was arranged for all parties

involved in order to deal with the harm caused by the offence and to stop any future harm from occurring.

The researcher's interpretation of the key restorative principles, that community-based restorative justice agencies use in Northern Ireland, follows those outlined by the UK Restorative Justice Council (2016), who describe a code of practice that is made up of six core principles that all practitioners should hold and should ideally underpin every session of restorative justice to make sure there are no negative effects felt by the stakeholders. This code is: restoration, voluntarism, neutrality, safety, accessibility and respect. I also think that Roche (2003) subscribes to four restorative justice ideals that are fundamental in carrying out the practice of restorative justice. These ideals are: personalism, participation, reparation and reintegration. Personalism revolves around the idea that crime is a violation against the people rather than a violation of the law. The second fundamental idea, participation, is based upon the expectation that all stakeholders involved must participate on a voluntary basis. The concept of reparation stems from the idea that restorative practice should attempt to repair harm that has been caused. Finally, reintegration refers to holding offenders accountable for their actions but in a supported manner so that they can be reintegrated into society.

A key notion that the researcher found from the interviews was that, one of the main the principles of good practice, especially when it comes to challenging cultures of violence, is that restorative justice is flexible in its approach and allows for individuals to look beyond the offence to the causes of criminal behaviour such as a lack of education or poverty and that these in particular are a key step in dealing with cultures of violence in Northern Ireland because many of the issues that cause cultures of violence in local communities in Northern Ireland are deep-rooted issues of race, religion, age, gender and class. It is a combination of this approach to restorative justice practices and partnership working with local authorities, police and

community members that will allow for good legitimate & effective restorative practice to take place.

To conclude, this chapter states the researcher's personal reflection on what can be considered as the principles of good practice in using community-based restorative justice practices in Northern Ireland in respect to tackling 'cultures of violence' and promoting key restorative principles. It is the researcher's belief that the key principles of good practice involve the use of mediation to look beyond the offence and establish the root causes of the offence such as poverty, class or gender and that partnership working should be used to improve the legitimacy of the process.

The subsequent chapter is the conclusion. This chapter brings the thesis together by looking at the aims and objectives that the research wished to achieve, what has been learnt, the pitfalls of this work, the benefits of this research and any future research that could be carried out.

6. <u>Conclusion</u>

To conclude, the aim of this thesis was to explore the efforts of community-based restorative justice agencies in responding to 'cultures of violence' in local communities in Northern Ireland. This research topic has become more compelling for researchers in recent years. This topic is important to research because attending to cultures of violence goes beyond the Northern Ireland context and is just as relevant to other jurisdictions such as the USA. Cultures of violence include wider issues than just paramilitary punishment violence and antisocial behaviour and today the concept is often associated with rioting, gun crime and terrorism.

There were three research objectives that this research looked to achieve. Research objective one was to explore the rationale behind the emergence of community-based restorative justice in Northern Ireland. Research objective two was to capture the perspectives of community restorative justice practitioners on the methods used to challenge 'cultures of violence'. The third and final research objective was to identify and interpret principles of good practice in the use of community-based restorative justice in Northern Ireland with respect to tackling 'cultures of violence' and promoting key restorative principles.

In achieving research objective one a review of the literature on the topic of community-based restorative justice agencies in responding to 'cultures of violence' in local communities in Northern Ireland was carried out. To achieve research objective one, the background of restorative justice was first looked at in which it was defined in terms of theory, principles, stakeholders and practice.

Then the history behind 'cultures of violence' that exist Northern Ireland was looked at. It was found that in Belfast, cultures of violence predominantly focus on violent behaviour such as

rioting and paramilitary punishment violence which is a punitive form of community justice, that can entail the shooting or beating of a perceived offender and that these emerged in the transition from conflict to peace in Northern Ireland. It was found that Community-based restorative justice emerged in the mid-90's in many loyalist and nationalist communities during what was known as the 'peace-process' in Northern Ireland. Community-based restorative justice schemes emerged to provide an alternative to the brutal punishments inflicted on mainly young people by paramilitaries in local communities (Chapman, 2012, p.1).

A more empirical approach was taken in terms of achieving research objective two. This objective was first noted in terms of the methodology whereby it was found that the transformative paradigm was most applicable to this research because it offers suggestions for the ways in which inequality and injustice in society could be addressed. The epistemological position that is most compatible with this research was a constructivist epistemology because the researcher looked at gaining an understanding of the topic through interacting with practitioners to hear their values, practices and experiences of working within the restorative justice field. In terms of this research a relativist approach to ontology can be applied because reality is seen to be socially constructed and is different for different people and there are several factors that inform the topic such as religion, culture, age, location that all have an impact upon the social construction of an individual's reality. The research design that was applied to this research was a mixed methods approach in which a triangulation of various methods was used to gain an insight into the topic. Document analysis and semi-structured interviewing made up the triangulation of methods that were used to collect data. The data collected was analysed using a form of thematic analysis.

The main location for the study was Belfast, Northern Ireland. The research setting where the interviewing took place was in the office buildings of both Community Restorative Justice Ireland and Alternatives Northern Ireland to make participants feel more comfortable as they were in an environment they knew. The population of this study was community-based restorative justice agency practitioners within the area of Belfast. Targeted sampling was used to gain participants from specific organisations and the researcher chose to focus on two well established restorative justice case studies that carry out community-based restorative justice practices in Belfast. These were Northern Ireland Alternatives and Community Restorative Justice Ireland. The identity of the researcher and ethical issues were both considered before carrying out any research such as protecting the researcher and participants from harm, confidentiality, anonymity and sensitivity of topic.

The above describes how the researcher went about achieving research objective two. The data and discussion section then discussed the outcome of research objective two. The outcome was five themes that in combination are the perspectives of community restorative justice practitioners on the methods used to challenge 'cultures of violence'. Both an inductive and deductive approach to thematic analysis was used, this approach meant that some of the themes were pre-decided based on the literature that the researcher had read upon the topic and the remaining themes emerged from the data itself. The five themes selected were beyond offending, legitimacy, principles and practice, stakeholders and transition.

The first theme that was identified from the analysis of the interviews was beyond offending. This theme was seen in all but two of the interviews carried out. After talking to both practitioners and police it was clear to see that there was a collective idea forming about the issues surrounding a culture of violence in Northern Ireland. This idea seemed to go beyond just discussing the criminality and offending connected with the violence and made similar

suggestions in that the root of the violence must be looked at in order to challenge the existing culture. This theme incorporates factors such as; education, health, employment, gender, class and poverty. For instance, Eriksson (2012, p. 185) argues that a culture of violence can be challenged through the use of grassroots bottom up restorative justice initiatives that look at addressing the factors that are maintaining a culture of violence such as disadvantage or marginalisation that many young people often face. Collectively, respondents suggested that the impact these factors have on individuals and the community should be taken into consideration when discussing the culture of violence that exists in Northern Ireland. Moreover, the impact these factors have on the methods used by restorative practitioners to challenge this culture of violence.

The second theme that emerged from the interviews was legitimacy. In seven out of the eight interviews that were carried out, legitimacy or lack of legitimacy was hinted at. Crawford (1999, p.74) argues that "the history of policing and crime control, its nature and shape, largely has been constrained by and moulded around a quest for legitimacy." The data collected showed that this theme focused upon the questioning of legitimacy in terms of the conflict, cultural precedent and the policing of local communities that has been carried out by both the state police forces and paramilitary groups. This theme also focused on how community-based restorative justice practices have been used as bridge between state police forces and paramilitary groups and the how the use of partnership working may help to improve upon the legitimacy of criminal justice practices used by a variety of bodies such as government bodies, the police and community-based restorative justice agencies in Northern Ireland.

The third theme that was found was principles and practice. As well as achieving research objective two this theme also hinted at the third objective of this research; to identify and interpret principles of good practice in the use of community-based restorative justice in

Northern Ireland with respect to tackling 'cultures of violence' and promoting key restorative principles. The following list shows how this theme manifests itself in a multitude of concepts; listening, understanding, communication, trust, relationship, experience, expertise, acknowledgement, acceptance, interaction, empathy and engagement.

The fourth theme was 'stakeholders' which was mentioned frequently within various aspects of the literature on this topic and was the most prominent theme to have emerged from interviews with it being mentioned a total of twenty-seven times. Ashworth (2002, p.578) offers a possible explanation for the popularity of this theme in that he states that the "voices of stakeholders should be the loudest" during restorative justice practices. By this, Ashworth means that the restorative justice process relies on the involvement of stakeholders in order to deal with the aftermath of an offence and its' future ramifications. From the interviews, it was clear to see that practitioners and police believed there to be two stakeholders groups that community-based restorative justice practices should involve or be made available to. The first stakeholder group that respondents believed restorative justice practices have an impact upon was the community. The second stakeholder group that respondents believed restorative justice practices have an impact upon is youth. It was found that these two stakeholder groups benefit enormously from restorative justice practices and was why most agencies focus their agendas on fulfilling the needs of these two stakeholders.

The final theme that was covered was the concept of transition which is widely covered in the literature surrounding the topic of restorative justice albeit often in different contexts. For instance, a lot of the literature focuses on the placement of restorative justice practices in relation to the concept of transitional justice. The concept of transition was also discussed by both restorative justice practitioners and police during interviews in relation to violence, community policing and restorative justice practices.

Therefore, in achieving research objective two it was found that in terms of challenging cultures of violence in Northern Ireland practitioners look at beyond the offence and look to establish the root of the problem. Moreover, practitioners look to work in partnership with local police in order to stay legitimate and they look at carrying out mediations between stakeholders that incorporate the following factors; listening, understanding, communication, trust, relationship, experience, expertise, acknowledgement, acceptance, interaction, empathy and engagement. Practitioners focus on two stakeholder groups (Youth and the Community) in relation to dealing with cultures of violence because they are most likely to benefit from their practices and finally practitioners look at using peace-seeking mechanisms and a bottom up approach to justice as an alternative to retributive justice to help deal with the tensions caused by the conflict and the following period of transition in order to create peace within communities.

In achieving research objective three, to identify and interpret principles of good practice in the use of community-based restorative justice in Northern Ireland with respect to tackling 'cultures of violence' and promoting key restorative principles, the researcher looked to reflect on the five themes discussed in the data and discussion chapter especially in regards to subchapter three principles and practice. It was found that the most effective type of restorative justice practice was mediation. Practitioners emphasised the importance of the face-to-face meetings in encouraging understanding and empathy. Staub (2003, p.8) argues that "the engagement with each of parties in conflict is crucial for non-violent social change. Just being heard can be of great importance to people who feel aggrieved and are trying to bring about change." However, the effectiveness of restorative practice would have to be judged on individual case basis because the type of restorative practice used depends solely on what an individual case needs.

In regards to restorative practice itself, it helps to engage individuals with their community through the use of expertise and experience. Restorative principles and practice rely heavily on feelings, empathy, acceptance, acknowledgement and understanding of all parties involved including the restorative justice practitioner. In terms of good practice, I think it is important to point out Roches' (2003) four fundamental ideals. These ideals are: personalism, participation, reparation and reintegration. Personalism revolves around the idea that crime is a violation against the people rather than a violation of the law. The second fundamental idea, participation, is based upon the expectation that all stakeholders involved must participate on a voluntary basis. The concept of reparation stems from the idea that restorative practice should attempt to repair harm that has been caused. Finally, reintegration refers to holding offenders accountable for their actions but in a supported manner so that they can be reintegrated into society. Additionally, I think that the UK Restorative Justice Council (2016) describes a code of practice that should underpin every session of restorative justice to make sure there are no negative effects. This code is made up of six core principles that all practitioners should hold: restoration, voluntarism, neutrality, safety, accessibility and respect.

An implication of this study was that it was conducted on a relatively small time scale which meant there wasn't a vast amount of time for data collection and if more time had been allocated observations of restorative practices may have been able to take place which would have added to the richness of data collected. Moreover, only a handful of interviews were conducted because the location was unknown to the researcher access to participants was gained through a gatekeeper which meant that there was a limited number of participants and it was limited to a certain area of Northern Ireland (Belfast). Furthermore, there was a limitation to sampling method used (target sampling). For instance, it can be argued that the researcher was subjective and biased in choosing the subjects of this study. However, because of the nature of

this research project it was necessary to gain the sample through this sampling method and it would not have been appropriate to use a random sampling method because the researcher wanted to gauge the perceptions of community-based restorative justice practitioners on whether restorative justice has the potential to challenge cultures of violence and in order to do that specific well established set of case studies were needed which is why Community Restorative Justice Ireland and Northern Ireland Alternatives were chosen.

There are certainly lessons to be drawn from the findings of this thesis firstly in that community based-restorative justice can be used to tackle 'cultures of violence' but won't necessarily eradicate the problem. Restorative justice processes need to continue to be legitimately managed through government accreditation schemes and through partnership working with the police and other bodies to ensure more areas are being covered that go beyond just criminality and start to look at the root causes of crimes such as drug addiction, lack of education, poverty and housing issues. Bottom up restorative justice practices should be placed at a community level especially in working class areas where there may be a fear or stigma attached to getting help. Restorative justice agencies should focus on educating and working with the younger generation particularly young males as they are the most susceptible to the dangers associated with cultures of violence such as rioting, anti-social behaviour and punishment violence. The most effective restorative practice is mediation because it allows for participation, reparation, listening, understanding and reintegration. However, there are strict codes that practitioners should follow when carrying out a restorative session to ensure safety and effectiveness. For example, participation must be on a voluntary basis.

This research could be furthered by extending firstly the range of participants from just practitioners and police to members of the community that have been involved in the use of community-based restorative justice practices in dealing with cultures of violence. Secondly,

the research could be furthered by extending the outlook of the study to other contexts. For example, a study could look at how restorative justice practices that are used in relation to tackling the cultures of violence that exist in Northern Ireland could be applied to other contexts in which other cultures of violence exist such as gun crime in America or knife crime in England. It would also be interesting to do a comparison study that looks at other transitional contexts such as South Africa and Canada and compare the ways in which restorative justice can be used in tackling cultures of violence that have emerged in the aftermath of transition. Furthermore, an investigation could be conducted into in whether cultures of violence could be challenged in different ways depending on the type of restorative practice used. For example, looking at whether there would varying effects on the culture of violence if police led restorative justice practice took place compared to if community-based restorative justice practice took place.

Appendix

- Appendix A: Paramilitary mural

- The Irish Times. (2013) *Use of Martin Luther King Quote on UVF Mural 'Perverse'.* Available at: http://www.irishtimes.com/news/politics/use-of-martin-luther-king-quote-on-uvf-mural-perverse-1.1537304(Accessed 25 May 2016).

- Appendix B: Set of interview questions

1. Tell me about your connection/ work with restorative justice

2. Tell me about the role that you feel restorative justice plays in Northern Ireland

3. Which audience/s do you believe restorative justice practices have an impact on?

4. What types of restorative justice practice do you believe to be the most effective?

5. Do you think cultures of violence still exist within Northern Ireland?

6. Do you think restorative justice could be used in respect to tackling cultures of violence?

- Appendix C: Informed consent form

This study is being conducted as part of a Master's degree at the University of Gloucestershire.

Whom to Contact about this study:
Researcher: Rebecca Jenks
Email:
Supervisory team: Dr Jonathan Hobson, Dr Brian Payne and Dr Kenny Lynch
Department: The School of Natural and Social Sciences, University of Gloucestershire.

Purpose of this research study:
The purpose of this research study is to explore the efforts of community-based restorative justice agencies in responding to 'cultures of violence' in local communities in Northern Ireland

Possible risks and discomforts of participation:
Your participation in this study will not place you under direct risk. If at any point during the interview process you begin to feel uncomfortable in any way, you are free to change or end the conversation.

Research procedures:
As a participant in this study you are agreeing to take part in an interview which will be tape recorded and a transcript produced.

Voluntary nature of project:
Your participation is completely voluntary and you can withdraw from the research at any point.

Confidentiality of records:
Any information collected from this study will remain confidential. All records obtained will be stored digitally on an encrypted drive on a secure computer in a locked office. Access to records attributed to this study will only be available to the researcher and the three University supervisors. If information from this study is published, you will not be identified by name and all possible measures will be used to hide your identity. Data collected from your participation will be stored in a secure area for a minimum of five years and will then be destroyed.

If you have any questions:
Should you require answers to any questions regarding your participation in this research study I can easily be contacted by email at

Signature for consent:
I have been informed that my participation in this research study is voluntary and
I am free to withdraw my consent for participation in this study at any time. I consent to being interviewed by University of Gloucestershire student Rebecca Jenks and consent to the tape recording of the interview and the storage and use of data in relation to my participation. The above-named researcher has answered all my questions and I give my consent for their participation in this study.

Participant's Name: _____ Date_____

Participant's Signature: _____ Date: _____

Researcher's Signature: _____ Date: _____

- Appendix D: Debrief form

UNIVERSITY OF GLOUCESTERSHIRE

Community Based Restorative Justice: Challenging 'Cultures of Violence' in Local Communities

Thank you for taking part in this research. The purpose of this research was to explore the efforts of community-based restorative justice agencies in responding to 'cultures of violence' in local communities in Northern Ireland.

The researcher aimed to explore the rationale for the emergence of community-based restorative justice in Northern Ireland and to capture the perspectives of community-based restorative justice practitioner's on whether restorative methods could be used to challenge 'cultures of violence'. Through doing this they hoped to identify and interpret principles of good restorative practice.

If you have any further questions regarding the research or no longer wish to be part of the research and want to withdraw your data do not hesitate to contact the researcher on the email address provided and quote your participant number that was given to you prior to taking part in the research.

Email:

Once again, thank you for kindly taking part.

- Appendix E: Interview Transcript 001

I: Tell me about your work with restorative justice.

P: I began working in this field around 1996 [P] I was asked to be involved in some research being carried out [P] that was seeking to investigate whether restorative justice could be used as an peace seeking mechanism

I: Could you tell me about the role that you feel restorative justice plays in Northern Ireland

P: Due to the conflict many communities in Northern Ireland were left under-policed which led to many individuals feeling uncertain and unsafe in certain areas where they were living [P] Those individuals felt that they had become targets of criminal activity and that the police were unable to help them which led to many of them turning to the use of other forms of policing such as the use of punishment violence. [P] I think that restorative justice in Northern Ireland plays an extremely important role in providing a new bottom up approach as an alternative to this.

I: Which audiences do you believe restorative justice practices have an impact on?

P: I believe that restorative justice practices have a big impact upon youth audiences.

I: Okay [P] so why do you think restorative justice practices impact upon a youth audience?

P: A lot of young people tend to get involved with low level crime and don't realise the impact of their behaviour. Restorative justice practices aim to get young people thinking more consciously about the consequences of their actions. [P] It changes their perceptions about crime and responsibility.

I: What types of restorative justice practice do you believe to be the most effective?

P: I think that there are many types of restorative practice that are effective [P] but it depends solely on the individual case to determine whether it will be effective or not. [P] Restorative practice relies heavily on feelings and empathy and any practice that has the ability to teach young people to understand and share the feelings of another will be effective use of resources and time.

I: So [P] you believe that restorative practice must be tailored to the individuals involved?

P: Yes [P] I believe that in order for restorative practice to be effective it must move away from traditional justice and the practice must be tailored to the individuals and not the crime that has been committed. [P] This

also means that certain practioners will handle certain cases because a relationship, rapport and trust need to be established in which there is an understanding on both sides.

I: Following up on that do you believe that there is a timescale for these practices?

P: No I do not believe that there is a timescale for these practices because of the different nature of each case and the different individuals involved there will be different timescales. [P] I do think that these practices do work more effectively if conducted on a daily basis so that normality can ensue.

I: Do you think that there are any restorative justice practices that don't necessarily work well?

P: Not so much practices that don't work well [P] but I think that there needs to be more of a political understanding of the effectiveness of restorative justice that isn't just a statistic.

I: Do you think cultures of violence still exist in Northern Ireland?

P: Yes

I: Why do you think this?

P: Violence has been a central part of Northern Irelands' history and today exists in many forms such as hate crime or anti-social behaviour. Violence itself is a central feature of society that is reinforced by media and political bodies. [P] I think that young people are ever increasingly turning to the use violence because it is such a heavy part of their culture nowadays.

I: Do you think that restorative justice could be used in respect to tackling cultures of violence?

P: Yes definitely.

I: Okay [P] so why restorative justice?

P: Because restorative justice doesn't just focus on crime it also focuses on other factors such as education, poverty and health which help in beating the spiral of criminal behaviour. [P] It helps people to accept, acknowledge and understand things that they previously did not. It also helps to engage individuals with their community through the use of expertise, experience and partnership working.

Comment [R9]: Link with literature

Comment [R10]: Routine use.

Comment [R11]: Legitimacy

Comment [R12]: Identity

Comment [R13]: Reinforced by the murals. Although this is changing.

Comment [R14]: Practice and principles of RJ.

- Appendix F: Case study
- Community Restorative Justice Ireland (2016)

CASE STUDY POLEGLASS SHOPS

The following case took place in the Colin area, a block of shops was set on fire and totally destroyed resulting in 37 local jobs being lost. The landlords the NIHE, estimated the damage at half a million pounds. The Community was incensed.

Comment [R1]: Impact on employment?

CRJI made an appeal in the local press for those involved to come forward. We also appealed for calm. We supported the shopkeepers with practical help and support.

Comment [R2]: Voluntary participation
Comment [R3]: Rational thought

The following evening a grandmother made contact with a CRJI Practitioner and said that her granddaughter had been involved in the burning of the shops along with three other young people whom she named. CRJI explained that we would make contact with PSNI and outlined the process that would take place. We advised that the young people seek legal advice with a view to handing themselves in to the police next day. WE visited each family that night so that everyone was aware of what was taking place. CRJI made contact with the Chief Inspector and together we worked out what was needed to ensure that confidence in the legal system was maintained and also that the Community could see that this was the way to deal with such issues. CRJI ensured that no evidence was destroyed, clothed washed or phones destroyed etc, and we asked that the Police would not search houses in the area. A huge amount of trust was required by all involved and many phone calls were made into the small hours between Police and CRJI; also other CRJI staff went into the Community and outlined what was taking place. The young people's names were now being spoken of freely in the area and local people were organizing pickets at their homes.

Comment [R4]: Youth
Comment [R5]: Legitimacy
Comment [R6]: Voluntary participation
Comment [R7]: Partnership working
Comment [R8]: Swift rough visible justice

The following morning CRJI staff picked up the young people and accompanied them to the PSNI Station, again explaining the process as had been agreed with the Police, ensuring no surprises for anyone. All the young people made full and frank confessions, explaining that this was an accident. They had lit the fire for heat (winter time) and an oil tank had caught fire. They also had sent, through CRJI, sincere apologies to the shopkeepers.

Comment [R9]: Process

So what was the outcome?

- If we take the Community first, the perpetrators where made accountable.
- No homes were searched.
- No homes were picketed.

Comment [R10]: Accountability

The shopkeepers appealed publicly to let the legal system take its course (as had been agreed with CRJI) and those from within our Community who would want to impose their own form of rough justice, were left isolated.

Confidence in the PSNI was maintained.

From the Policing perspective, huge resources were saved, as at least four homes would have been searched and the community impact could have been very negative, as no matter what the Police were searching for, it would cause disruption to families and neighbours. Evidence that may have been destroyed was preserved and handed in. The trial would be fairly straight forward as all are pleading guilty.

Overview.

All those involved have been offered support that is, shopkeepers, families, perpetrators and the Community. Restorative conferences have been arranged for the future with the young people and the shopkeepers. RJ sessions between the Community and some of the families have taken place. The partnership working between the Community and the Police using Restorative Justice as a bridge, was an excellent piece of *"Justice being done and being seen to be done".*

Comment [R11]: Legitimacy

Comment [R12]: Partnership working

Comment [R13]: Future

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