



UNIVERSITY OF
GLOUCESTERSHIRE

This is a presentation of the following published document, © 2022 The Authors. All rights reserved. and is licensed under All Rights Reserved license:

Hobson, Jonathan ORCID: 0000-0001-8081-6699, Ash, Daniel P ORCID: 0000-0002-7486-2127, Twyman-Ghoshal, Anamika ORCID: 0000-0003-4076-6687 and Banwell-Moore, Rebecca (2022) Designing Restorative Justice for policing: lessons from the professionals. In: European Society of Criminology Conference 2022, 21-24 September, 2022, Malaga.

EPrint URI: <https://eprints.glos.ac.uk/id/eprint/11602>

Disclaimer

The University of Gloucestershire has obtained warranties from all depositors as to their title in the material deposited and as to their right to deposit such material.

The University of Gloucestershire makes no representation or warranties of commercial utility, title, or fitness for a particular purpose or any other warranty, express or implied in respect of any material deposited.

The University of Gloucestershire makes no representation that the use of the materials will not infringe any patent, copyright, trademark or other property or proprietary rights.

The University of Gloucestershire accepts no liability for any infringement of intellectual property rights in any material deposited but will remove such material from public view pending investigation in the event of an allegation of any such infringement.

PLEASE SCROLL DOWN FOR TEXT.

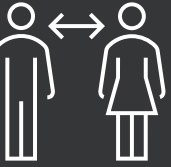
Designing Restorative Justice for policing (the MPS): lessons from (or for?) the professionals

Associate Professor Jonathan Hobson
jhobson@glos.ac.uk



UNIVERSITY OF
GLOUCESTERSHIRE

SCHOOL
OF NATURAL
& SOCIAL
SCIENCES



The Project team

Dr Jon Hobson, Project Lead

Dr Daniel Ash, Senior Lecturer in Criminology

Dr Anamika Twyman-Ghoshal, Senior Lecturer in Criminology

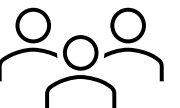
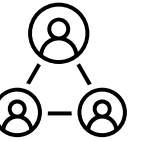
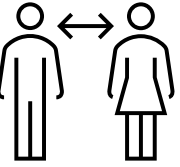
Dr Rebecca Banwell-Moore, Research Fellow

The support team:

Ben Fisk, PhD researcher, University of Gloucestershire

Inger Brit Lowater, PhD. researcher, University of Gloucestershire

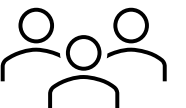
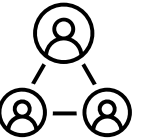
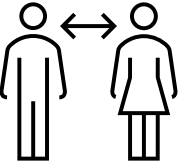
Jill Palmer, PhD researcher, University of Huddersfield



Today

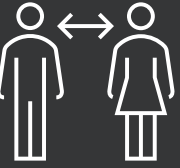


1. Restorative Justice and Policing
2. This project
3. Delivery considerations (for the MPS)
4. Where next...?



1. Restorative Justice and Policing

- **Academic knowledge base for the use of RJ in policing**
- **UK policy landscape - renewed focus on integration of RJ in the CJS, other statutory services, and beyond**
- **Empirical evidence of effective policing practice across the UK**



Shapland et al (2017)

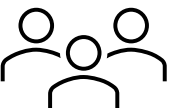
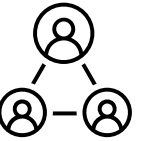
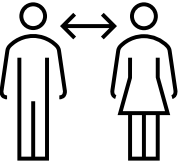
- Delivery structures and processes; service awareness; cultural barriers
- The need for resources and sufficient time
- Data sharing agreements
- The need for evaluation

Marder (2020)

- Justice agencies dilute restorative justice in ways that mirror their goals and priorities
- Necessary to recognise the states role on RJ services and service development

Clamp and O'Mahoney (2021)

- Widespread use of RJ across police forces, inc. growth of dedicated team
- Rise in for-profit providers
- Need for organisational (shared) goals
- The need for evaluation





Restorative Justice APPG Inquiry into Restorative Practices in 2021/2022

1. Registration of commissioned services

2. Standardise the sharing of information

3. Improving quality through effective monitoring and evaluation

4. Publication of a new Action Plan

5. Reviewing ring-fenced funding for RJ practices

6. Explore automatic rights for victims through the Victim's Law

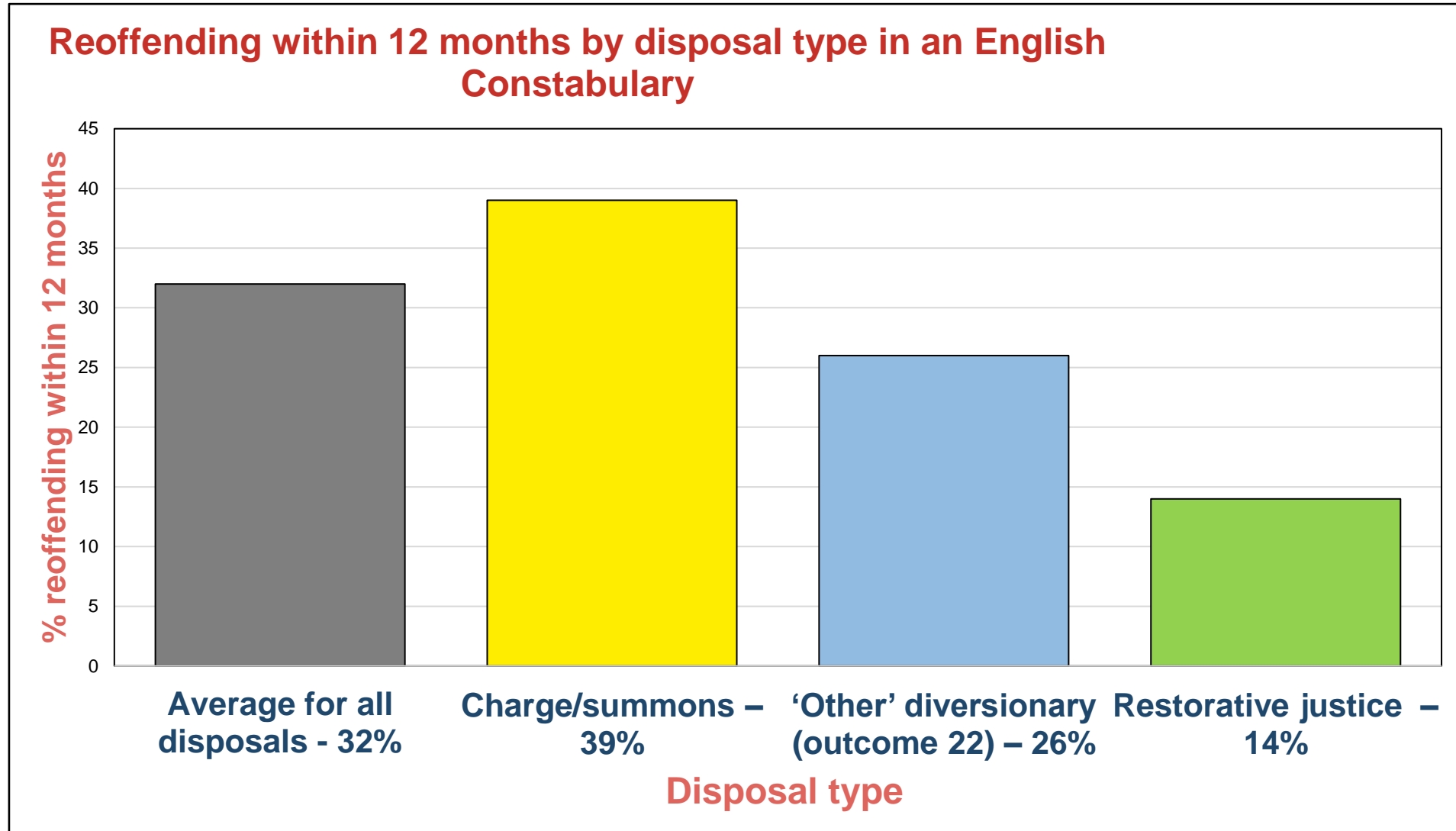
7. End to blanket bans

8. More and better communications.

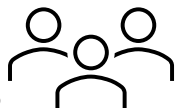
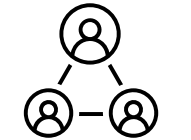
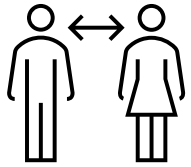
9. Government Minister with specific responsibility for RJ



- Working group revising the definitions of RJ & RP
- Feed into how forces employ these interventions
- Use of 'Outcome 22' (Out of Court Disposals - OoCDs)

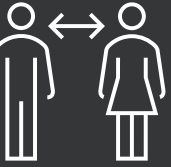


- 36 months of police data up to early 2022 from an English Police Force
- Reoffending = offender committing a crime having committed another crime within the last 365 days



2. The project

- **Commissioned by MPS in late 2021**
- **Provide data and evidence for the redevelopment and deployment of RJ policy and practice**
- **Focus on VAWG and YV**
- **Three elements to the work....**



Policy Development Consultation

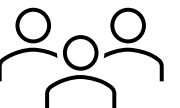
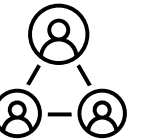
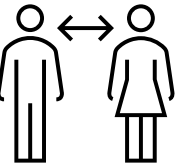
- Engage with a range of key and experienced stakeholders
- Report detailing opportunities and challenges for redeveloping RJ services

Rapid Evidence Assessment

- Focusing existing quality research in VAWG and YV
- Report for each, detailing 'benefits', 'challenges' and 'delivery considerations'

Films on key aspects of MPS RJ development

- Series of 5 films for internal and/or external audiences
- We will see some as part of this presentation



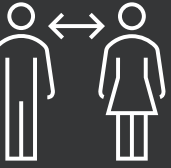
Key challenges for the MPS



- **Dedicated, but small RJ team in a force of 33,000 front-line officers**
- **Institutional inertia**
- **Complex sub-contacted services (and relationship) with MOPAC**

4. Delivery considerations

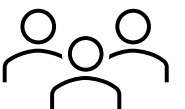
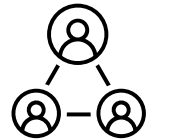
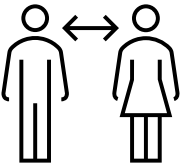
- i. The importance of workable definitions AND applications of RJ;
- ii. Benefits of different models of provision;
- iii. Approaches for effectively integrating RJ into policy and practice;
- iv. Developing organizational 'restorative culture';
- v. Dealing with serious and complex cases;
- vi. Measuring and evaluating successes.



ii. Different models of provision

<i>Model</i>	<i>Benefit</i>	<i>Challenges</i>
Internal <i>‘integrated’</i>	<p>More control</p> <p>Data sharing</p> <p>Utilise existing relationships</p>	<p>Reflect org. practice</p> <p>Absorbed by other work</p> <p>Neutrality of offer?</p>
External <i>‘contracted’</i>	<p>External expertise</p> <p>‘core business’</p> <p>Additional accountability</p>	<p>Data sharing agreements</p> <p>Retendering is costly</p> <p>Professional standards</p>
Mixed <i>‘split service’</i>	<p>What is in-house, what is contracted?</p>	<p>Needs effective and open channels of dialogue</p>

Data sharing (Shapland et al, 2017) ; Rise of for-profit providers (Clamp, O’Mahoney, 2019) ; top-down and bottom-up services (Hobson et al, 2022)



Tiered RJ decision making model for internal RJ services

As used by:
Restorative Gloucestershire,
Gloucestershire Constabulary

(cf. **Clamp and O'Mahoney, 2012**)

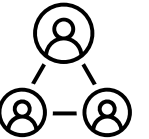
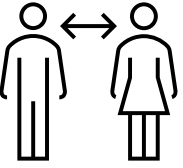
RJ Intervention type decision	Suitability considerations / criteria
<p>RJ LEVEL 1</p> <p>Usually safe to facilitate an RJ intervention. Can be facilitated by RJ trained police officers or PCSOs. If unsure, please contact RJ SGT</p>	<ul style="list-style-type: none"> • No public interest factors • No reason to make a referral to or need for support from other agencies • No vulnerability with any of the parties involved, consider victims needs and wishes • Summary or either way offences • Swift and completion within 3 months • Harmer must accept responsibility
<p>RJ LEVEL 2</p> <p>Often suitable although not always straight forward, requires consideration. Refer into Restorative Gloucestershire. In all cases seek guidance and supervision from Restorative Gloucestershire</p>	<ul style="list-style-type: none"> • Serious crimes by definition but minor in the individual circumstances (see Hate Crime Eligibility below) • Crime that is local priority e.g., theft • Serious acquisitive crime • Consider risk of reoccurrence • Consider offending history • Dealt with slow time • Where there may be vulnerabilities / additional needs • Summary, either way and indictable offences
<p>RJ LEVEL 3</p> <p>Can be suitable, there are risks that would need to be carefully managed. Always refer into Restorative Gloucestershire. Seek advice from Restorative Gloucestershire team. All referrals of this nature require ratification by the RG Manager</p>	<ul style="list-style-type: none"> • Domestic Abuse • Hate Crime or Incident • Sex offences / Harmful Sexual Behaviour • A crime where formal sanction offers more appropriate support or intervention to either party e.g., vulnerable harmer • A crime where formal sanction is essential to ensure that proper record is made of behaviour that is of 'significant risk' • Post sentence intervention

iii. Approaches for effectively integrating RJ into policy and practice



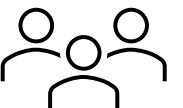
Policy:

- Embed policy throughout the organisation ([Clamp and O'Mahoney, 2021](#))
- The benefit for strong (and stable) governance structures ([Marder, 2020](#))
- Remember data sharing! ([Shapand, 2017](#))



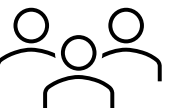
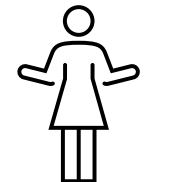
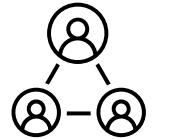
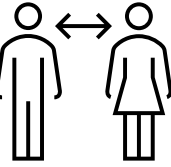
Practice:

- New two-tier OoCD framework gives significant potential to apply RJ move widely as a disposal type. MPS is not, but other forces are, currently using 'Outcome 22' for RJ disposals, which provides:
 - the potential for a significant increase in 'resolved' incidents
 - an easy way to record and monitor those processes undertaken by officers



iv. Dealing with serious and complex cases

- Push in academic and service provider discourse for RJ in VAWG / serious complex cases - like all cases, this requires comprehensive dynamic and well-informed Risk assessment.
- This Risk Assessment is more complex, especially when dealing with VAWG – and deal with SV and DV differently (cf. Keenan, 2022)
- The need for expert input to training / practice/ co-operative working (CF. Monckton-Smith, 2020)



The Homicide Timeline, Professor Jane Monckton- Smith (2020)

HOMICIDE TIMELINE

Pre-relationship history

Criminal record or allegations from former partners of control, domestic abuse or stalking. Victims often aware but do not always believe reports.

1

Early relationship

Relationship sped up with early declarations of love, possessiveness and jealousy.

2

Relationship

Relationship dominated by coercive control, usually with some of the high risk markers.

3

Trigger/s

An event occurs which threatens the control of the perpetrator. Usually separation or its potential. May be a physical or mental illness or financial problems.

4

Escalation

An increase in frequency or severity of control tactics, like suicide threats, begging, violence and stalking. Attempts to reinstate control.

5

Change in thinking

Feelings of revenge, injustice or humiliation may drive a decision to resolve issues, through either moving on, revenge, or potentially homicide.

6

Planning

May include buying weapons, seeking opportunities to get victim alone, stalking and threats.

7

Homicide

May involve extreme violence, suicide, suspicious death, missing person, multiple victims (including children).

8



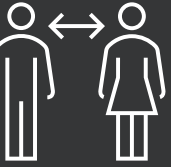
Recommendation 7: End to blanket bans.

PCCs should remove any blanket bans on funding restorative justice for certain offence types, instead they should ensure that there are specialist staff trained for serious and complex cases available to assess the risks associated with a particular type of offence or additional need. This should be underpinned by a robust organisational (or ideally a national) policy that provides referring agencies and potential service users with a clear explanation as to why a case cannot be progressed



4. So where next?

- RJ had a mixed reception at the MPS?
- The 2-tier framework of OoCD is being introduced to further RJ OoCD
- The APPC guidance is being revised (but by how much?)
- Consultation a on new victims bill (that doesn't mention RJ)
- We are reviewing another large UK force's RJ policies, practice, and outcomes...



Thank you

