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EUROPEAN
FORUM FOR
RESTORATIVE
JUSTICE



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Restorative Justice policy in England and Wales: reflections on the All-Party Parliamentary Group for Restorative Justice

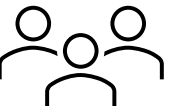
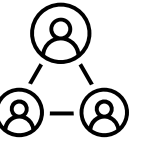
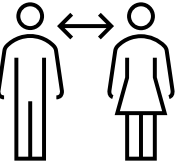
**Policy Matters in
Restorative Justice**

Mapping a Field in its Process of Growth and Innovation

*Dr Jonathan Hobson - jhobson@glos.ac.uk
Benjamin Fisk – benfisk@connect.glos.ac.uk*

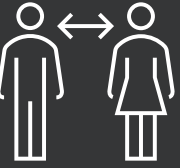
What we will cover

- 1. Context for the RJ-APPG**
- 2. The APPG's key recommendations**
- 3. The importance of evidencing success**

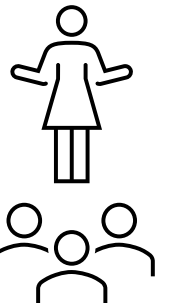
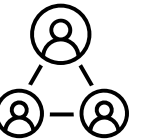
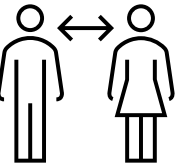


1. Context for the APPG

- Ministry of Justice action plans, 2012 and 2016-2018. Clear and ambitious: that all '**victims have equal access to RJ at all stages, irrespective of their location, the age of the offender or offence**' (Ministry of Justice, 2017: 2).
- **Until 2016 funding 'earmarked'** to PCCs. Although now removed, PCCs remain one of the largest funders of adult RJ.
- **VCOP** (non-statutory Victims Code of Practice of Crime in England and Wales) provides a right for all victims and offenders of all ages to receive **information about restorative justice** - between 5-8% remember this offer



- All 150(ish) YOTs in England and Wales are doing RJ, with various degrees of resource and success – it is a key part of the **inspection criteria** and new **Key Performance Indicators**.
- A growing amount of RJ in **schools; mental health settings; housing; social work; and community conflict management**.
- NI and Scotland have their own processes – **more centralised** than England and Wales
- Post-Brexit but still Member State of the **Council of Europe** and party to both the 2018 Recommendation and the 2021 Venice Declaration.

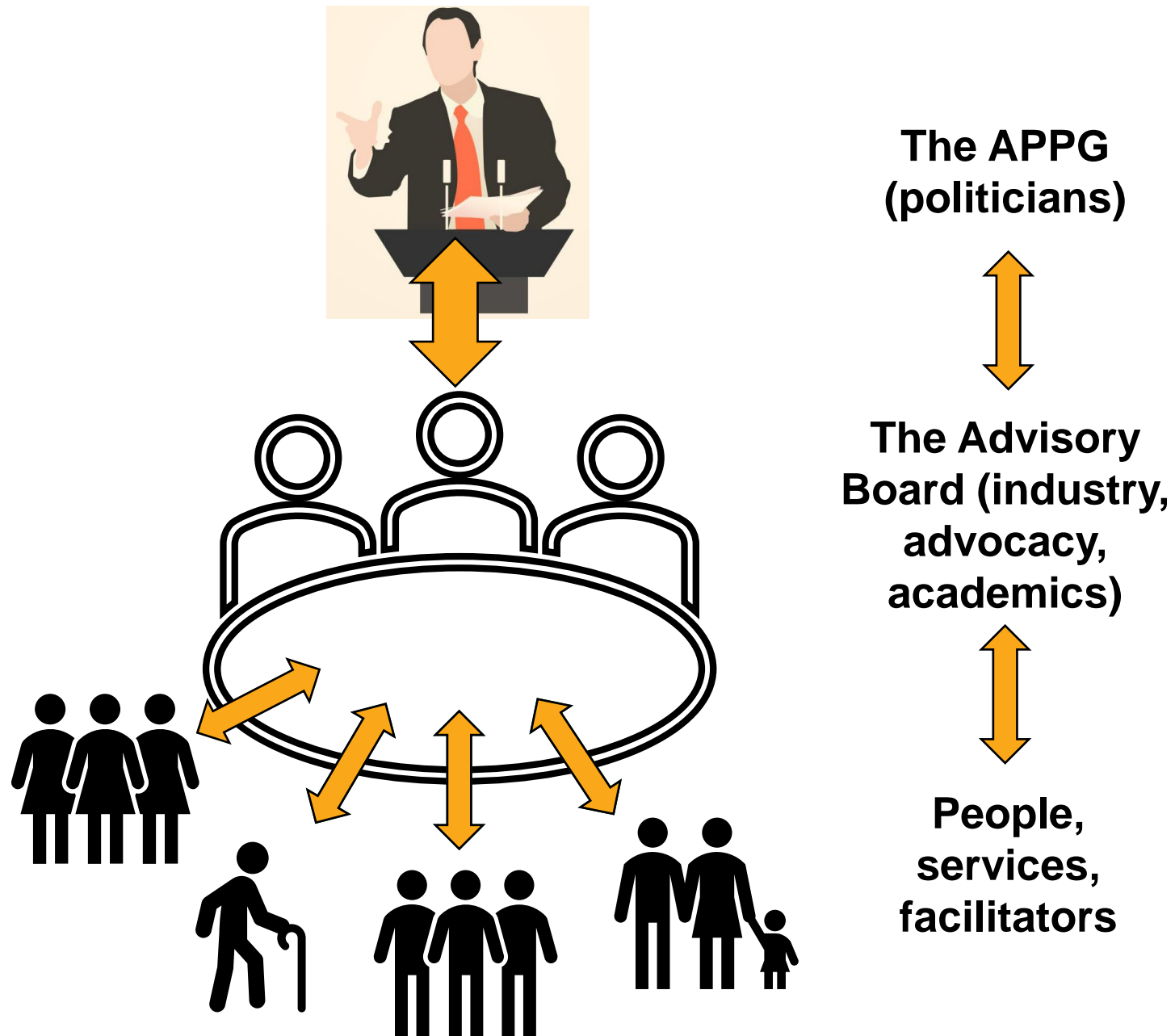


All-Party Parliamentary Group on Restorative Justice



appg | All Party Parliamentary Group on
Restorative Justice

- ✓ To examine the use of restorative justice principles within the UK justice system and beyond
 - ✓ To raise the profile of restorative justice principles within Parliament
 - ✓ To provide opportunities for policy discussion and consultation



The All-Party Parliamentary Group for Restorative Justice

2. The APPG recommendations



Phase 1:

- 57 written submissions & 10 oral evidence sessions with 28 stakeholders, including academics, service providers and persons with lived experience
- See: <https://rjappg.co.uk/inquiryreport/>

Phase 2:

- detailed examination 4 key issues to emerge from the initial report
- See: <https://rjappg.co.uk/briefing-papers/>

APPG Phase 1



All Party Parliamentary Group on
Restorative Justice



**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



1. **Registration of commissioned services.** *Police and Crime Commissioners and other relevant bodies should make it a mandatory requirement for all commissioned services to be registered and to ensure integrity of practice, that restorative processes are only facilitated by practitioners who are registered, regardless of whether they are paid or unpaid. This registration process should be managed by the Restorative Justice Council, who should be given sufficient funding to support this task.*

Shift to professionalization – service and practitioner registration (largely through the Restorative Justice Council)

Standardisation Vs ‘the magic’?

What about cost?

2. **Standardise the sharing of information.** *The Ministry of Justice, in consultation with partners, should produce a national information sharing template which can be adopted by all providers and their partners.*
3. **Improving quality through effective monitoring and evaluation.** *Further investigation should be undertaken by the Ministry of Justice, in consultation with partners, to develop guidance for gathering and using data to monitor and evaluate restorative justice.*

The need for **continuous & standardized data** for decision making.

Currently a range of **different reporting formats** depending on commissioning body (including MoJ)
(See Fisk, 2023)

4. **Publication of a new Action Plan.** *The Ministry of Justice and Home Office should publish a new joint national action plan for restorative justice and practices. This should include internal actions for criminal justice settings and providers, such as embedding restorative principles into HR policies and processes, awareness raising, training involving people with lived experience in the design and delivery; and ensuring adherence to the Public Sector Equality Duty.*
5. **Reviewing ring-fenced funding for restorative justice practices.** *The Home Office should review minimum ring-fenced funding for restorative justice services to ensure greater consistency in accessibility across different PCC areas. This funding should also be sufficient to cover adequate training, awareness raising, volunteer management and outreach work. There should also be minimum contract terms to provide greater consistency and stability for providers to develop and nurture partnership arrangements (subject to robust accountability mechanisms).*

Formalized political and financial support for service provision

Ending the ‘**postcode lottery**’

6. **Explore automatic rights for victims through the Victim's Law.** *The new Victims' Law should include a specific right for victims to be referred to and access restorative justice services.*
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.*

Removing **procedural barriers**

Not just a right to information, but a **right to referral**

Clear advice that RJ can be used across **all crime types where suitable** (clear, competently undertaken, expert informed, dynamic risk assessments)

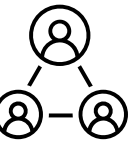
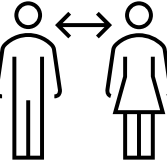
8. **More and better communications.** *A new national action plan should include a specific communications plan to raise awareness amongst the public of restorative justice and practice. This plan should be co-produced by communications experts, who have a good understanding of how to frame issues, along with restorative professionals and people with lived experience.*
9. **Government minister with specific responsibility for restorative justice.** *A government minister with responsibility for restorative justice and practices should be appointed, or this responsibility should be incorporated into a Minister of State's role or Undersecretary of State. This should initially be focused on the Ministry of Justice, though with potential for cross departmental working where it may be applicable in future.*

Becoming a more embedded part of central government policy



More in the forthcoming paper:

Marder, I., Banwell-Moore, R. Hobson, J., Payne, B (2023?)
New Ideas , Enduring Cultural Barriers? An Analysis of
Recommendations from the All-Party Parliamentary Group
on Restorative Justice in England and Wales, Criminology
& Criminal Justice



APPG Phase 2: workstreams



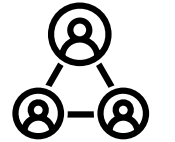
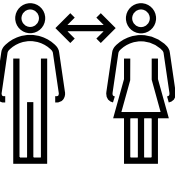
1. Raising practitioner standards within the criminal justice sector
2. Opening up universal access to restorative justice in the criminal justice sector
3. Implementing restorative practices in education, health and social care
4. The commissioning, collection, and dissemination of evidence-based research & the benefits of a national reporting framework

Workstream 4: The commissioning, collection, and dissemination of evidence-based research in Restorative Justice and Restorative Practice & the benefits of a national reporting framework

1. To expand and support the use of regional, multi-stakeholder/multi-agency groups that can facilitate the sharing and dissemination of research and evidence-based practice.
2. To design, develop, and embed a National Reporting Framework(s) for restorative services.
3. To embed evidencing of success across processes of commissioning and reporting.

3. The importance of evidencing success

The OECD Evaluation Criteria



How we do it...

Process

Participation / retention

Fidelity

Costs

Outcome

Impact on user

impact on system

Money saved

Rummens, A., Hardyns, W., Vander Laenen, F., & Pauwels, L. (2016). **Criteria for the evaluation of crime prevention practices : QUALIPREV short manual** : commissioned by European Crime Prevention Network. Gent: Institute for International Research on Criminal Policy – UGent.



West Midlands Police/OPCC

- Domestic abuse perpetrators in custody (2023-2025) – evaluation beginning
- West Midlands Restorative Justice Services (2022-2023) – report writing up

Metropolitan Police

- Metropolitan police RJ: Hobson, Jonathan, Ash, Daniel P and Twyman-Ghoshal, Anamika (2022) Metropolitan Police Service restorative justice policy consultation report.

Project evaluations:

- RJ in a women's prison: Rees, Ella and Hobson, Jonathan (2021) **Restorative Practice in the Criminal Justice System: Examining a Restorative Reasoning Programme in a Women's Prison.** Laws, 10 (4). Art 95.
- Hobson, J, Lynch, K, Payne, B and Ellis, E (2021) **Are police-led social crime prevention initiatives effective? A process and outcome evaluation of a UK youth intervention.** International Criminal Justice Review, 31 (3). pp.325-346.
- Payne, B, Hobson, J and Lynch, K (2021) **'We just want to be treated with respect!': Using restorative approaches and the dramatic arts to build positive relationships between the police and young people.** Youth Justice, 21 (3). pp. 255-274.

...But 'success' is a subjective concept



We do not all define and measure these in the same way.

Definitions vary **between** levels.

- Sectors
- Commissioners
- Services
- Managers
- Facilitators
- Volunteers
- Service users

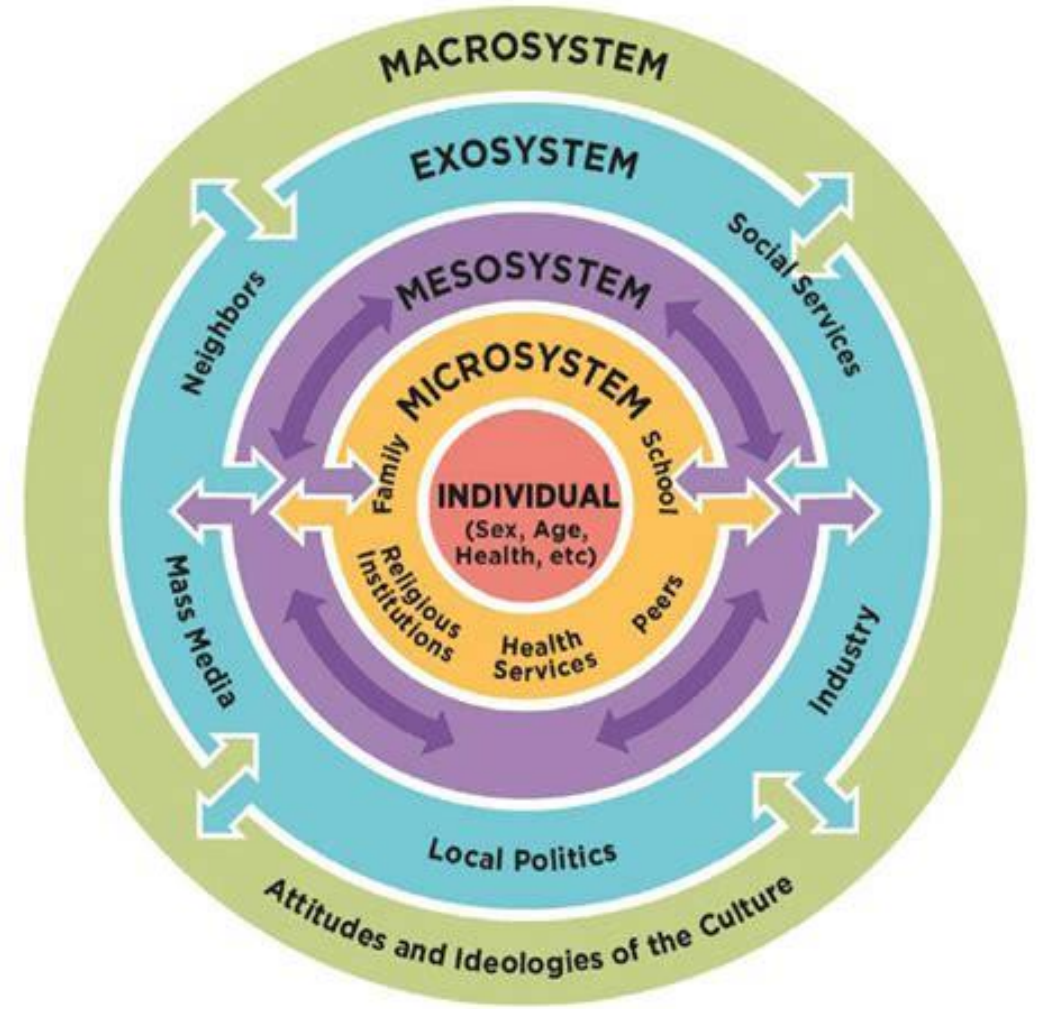


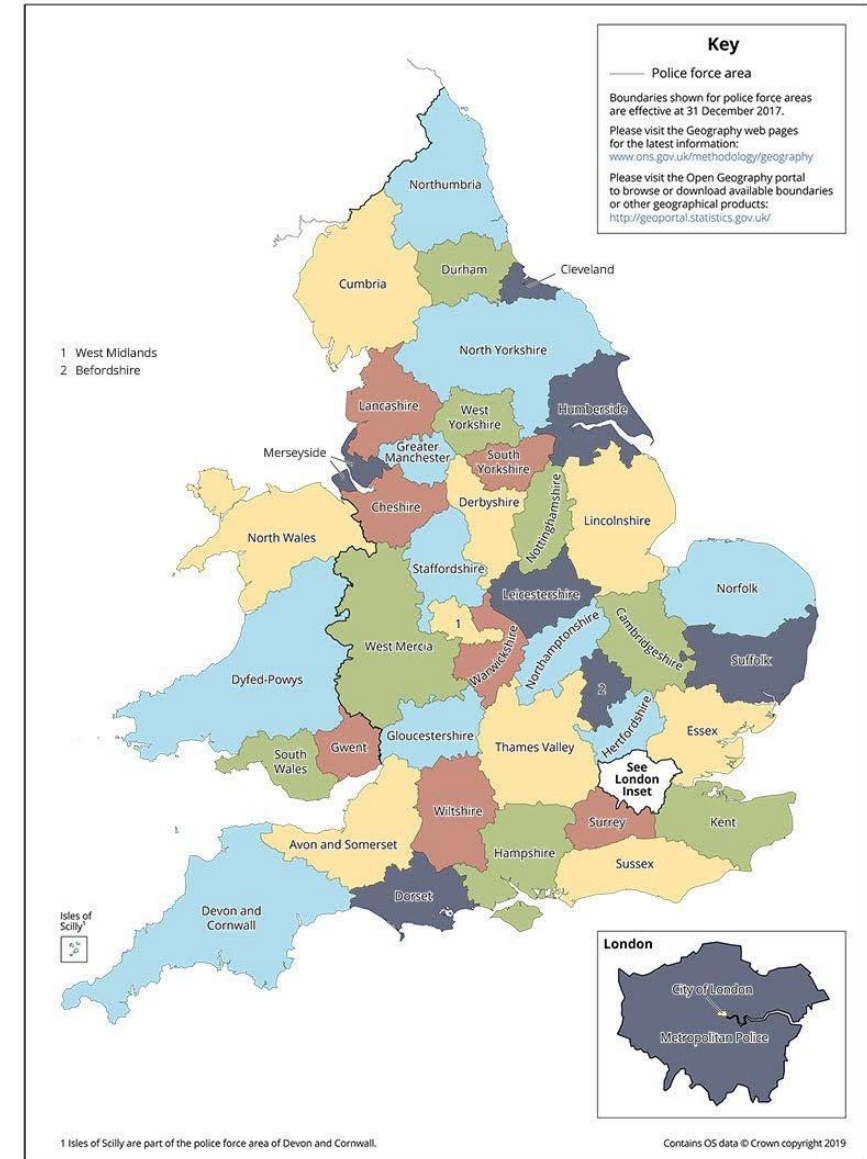
Image source: Bronfenbrenner (1979) interpreted by Green et al. (2020)

Definitions vary **within** levels.

Analysis of 6 reporting templates for Offices of Police and Crime Commissioner.

(Fisk, 2023)

England and Wales: Police force areas, 2017



How do we rectify this?



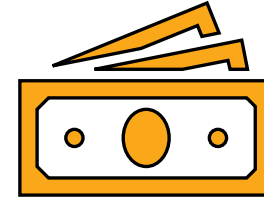
1. Standardisation of terminology - **Definitions agreed** (!) for recording, monitoring, and evaluation;
2. Build monitoring and evaluation into **service design**.
3. Standardisation of **data collection processes** and **methodology**.
4. Visibility for **policy**, **practice**, and **public awareness** – Promoting success, publicly available data sets, and National Repositories of Case Studies.
5. Losing **the magic** for professionalisation? Can we monitor and evaluate 'restoratively'?



**Different
data for
different
audiences
(different
ideologies?)**



High level data



Organisational and
process data

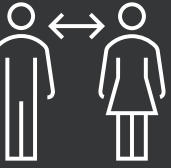


Individual data



Thank you!

Dr Jonathan Hobson - jhobson@glos.ac.uk
Benjamin Fisk – benfisk@connect.co.uk



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