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# The Unexpected Benefits of Barriers to RJ in Prisons

European Forum for Restorative Justice Conference 2024: Tallinn, Estonia

Benjamin M. Fisk



UNIVERSITY OF  
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# Who are we?



- Benjamin Fisk (University of Gloucestershire)
  - FGC Coordinator (Leeds City Council) & International Educator
  - Evidencing Success of RJ (Fisk, 2023)
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- Phil Cawley (Liverpool John Moores University)
- Restorative Justice (Lancashire Constabulary)
- RJ & Sexual Violence (Cawley et al., 2023; Gavin et al., 2023)

# How did this work come about?

- Restorative Justice Council 1<sup>st</sup> Northern Ireland conference (2023).
- Different life experiences, interests, and paths to RP/RJ
- Shared research passion to promote RJ and support practice.
- Research finding overlaps

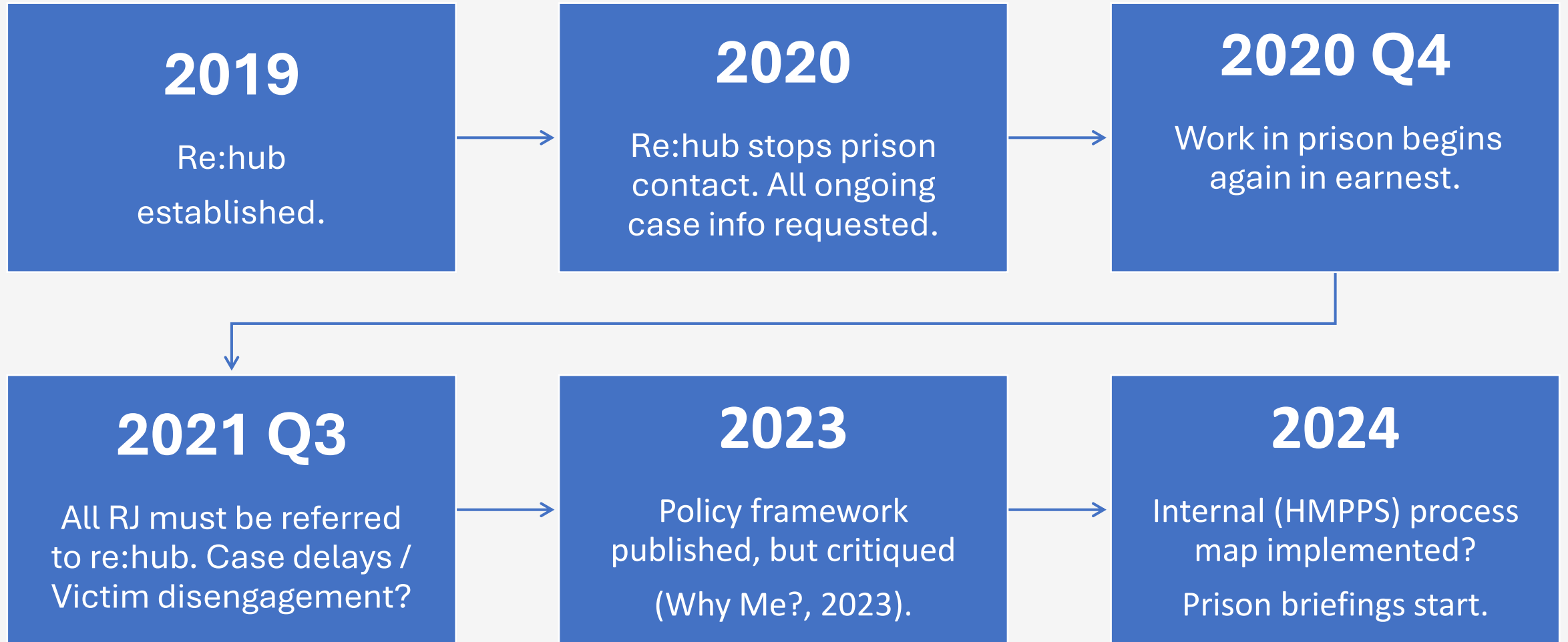
# What is re:hub?

Her/His Majesty's Prison and Probation Service (HMPPS) established the Restorative Practice Hub (re:hub) in 2019 to assure the quality, integrity, and safety of restorative practice.

Key role: *'to ensure the needs of victims are primary and that the repair of harm is central to any activity taking place across HMPPS'*

In 2022, *'mainstream cases'* involving offences such as burglary, robbery, theft, and assault could be worked without re:hub. All sensitive and complex cases must still be referred.

# Timeline of development



# What did we do?

## *Ben*

- 23 semi-structured interviews
- Restorative practitioners
- Exploring success in restorative work
- Thematic analysis

## *Phil*

- 10 semi-structured interviews
- Restorative practitioners
- Exploring experience of Re:hub
- Thematic analysis

# What did we find?

- ✓ Multi-agency meetings (POMS/SPO/Psych) with collaborative risk assessment process
- ✓ Access to prisons easier - Re:hub can act as 'back door' for RJ if communication issues with prisons occur
- ✓ Better preparation within prisons
- ✓ Increased RJ promotion by prisons
- ✓ Concerns about disengagement, but no evidence of victim withdrawal.



# What did we find?

- Re:hub involvement a 'post-code lottery'.
- Re:hub identified as 'another gatekeeper' and a 'barrier to success'.
- Lack of literature for stakeholders to understand re:hub.
- Processes unclear. Concerns about how RJ is offered, poor communications and delays at multiple stages, concern about potential for revictimization.
- Decisions made on eligibility prior to RJ practitioner involvement – feelings of risk aversion / undue influence on prisoners?

# What did we find?

- RJ practitioners felt demoralized, undermined professionally, and advanced skills / training ignored.
- Some practitioners are actively avoiding engagement with re:hub.
- Feeling that focus is on 'harmer' at expense of 'harmed person' and other stakeholders.
- Interfaces ineffectively w/ secure mental health settings - Twin track.

# How does all this align with restorative values?

- Unclear if re:hub are restorative and act in that way - being 'done to' – are processes truly 'voluntary' and 'fair'.
- Navigating institutionalisation – top-down body without sector support or involvement.
- Savvy practitioners working within legislation whilst subverting 'power' and dominant discourses to address harm.

# Unexpected benefits

- Redirecting resources within community services to address 'medium' level cases.
- Use of complaints processes to encourage engagement between re:hub and community RJ service.
- Community services empowered to collaborate more (e.g regional support groups).

# What needs to happen next?

1. Greater transparency, engagement, and collaboration with stakeholders.
2. Raise awareness of re:hub and their role (this has recently begun).
3. Process maps to include timescales.
4. Service level agreements (e.g data sharing) to encourage understanding & cooperation.
5. Proactive use of RJ service data to understand impact and encourage scrutiny of processes.

# Thank you!

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# References:

Cawley, P. A., Kewley, S., Burke, L., & Wager, N. (2023). Restorative justice for sexual violence offences in England and Wales: The challenges ahead. *Journal of Victimology and Victim Justice*, 6(2), 208–216.  
<https://doi.org/10.1177/25166069231178573>

Fisk, B. M. (2023). What Are Restorative Justice Services Recording? Qualitative Analysis of Six Restorative Justice Reporting Templates for Offices of the Police and Crime Commissioner in England. *Laws*, 12, 2-28.  
<https://doi.org/10.3390/laws12020028>

Gavin, P., Kite, C., Porter, C., McCartan, K., & Cawley, P. (2024). Restorative justice in cases of sexual violence: current and future directions in the UK. *Contemporary Justice Review*, 1–18.  
<https://doi.org/10.1080/10282580.2024.2330375>

Why Me? (2023). *Re:hub launches new Restorative Justice policy framework*. Available online: <https://why-me.org/2023/hmpps-launches-new-restorative-justice-policy-framework/>