

# Making Restorative Justice happen for hate crime **in your police area**

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*November 2019*

Why me?

Victims for Restorative Justice

This is one of two papers written following our project: ***“Access to Justice: Delivering Restorative Justice for hate crime.”*** It is a guide which explains how police areas can increase the use of Restorative Justice for hate crime.

We have also produced ***“Making Restorative Justice happen for hate crime across the country”*** - aimed at national policy makers including the Home Office, Ministry of Justice and Crown Prosecution Service.

**Why me?** is the only national charity fighting for victims of crime to have access to Restorative Justice. We raise the profile of Restorative Justice by working with people affected by crime, who tell their stories and lobby to change hearts and minds.

**Why me?** runs a national service for anyone affected by crime who cannot get access to Restorative Justice in their area. The victim’s wishes, safety and wellbeing come first in our service.

The logo consists of the words "Why me?" written in a dark teal, cursive script. A horizontal line is drawn underneath the text, starting from the left and ending under the question mark.

Victims for Restorative Justice

## About this paper

We believe that victims of hate crime should be given the option of Restorative Justice. This paper helps organisations who want to make that happen. It is aimed at Restorative Justice providers, police staff, victim and witness staff, and those in senior leadership positions - including Police and Crime Commissioners.

This paper is about organisational change, and how to ensure that using Restorative Justice for hate crime is embedded throughout a police area. We hope that our findings can support police forces across the country to make this a reality.

## Background

Why me? is funded by the Barrow Cadbury Trust to explore the use of Restorative Justice for crime types which have seen a spike in reporting. We chose to focus on hate crime.

**Victims of hate crime are not receiving justice.** The facts below illustrate this:

- **Hate crime is on the rise.** There were over 103,000 hate crimes recorded by the police in 2018/19, a 10% increase from the previous year.<sup>1</sup> More than double that amount are estimated to go unreported.<sup>2</sup>
- **Hate crime victims more often feel traumatized by the incident,** with 92% of hate crime victims emotionally affected compared to 81% of victims of crime generally.<sup>3</sup>
- **Hate crime victims are not getting the support they need.** They are less happy with police handling of the incident, with only 52% of victims of hate crime satisfied compared to 73% of victims of crime generally.<sup>4</sup>
- **Prosecutions for hate crime are decreasing.** In 2017/18 the number of prosecutions for hate crime decreased, despite a 17% increase in the number of hate crime offences compared to the previous year.<sup>5</sup>
- **Repeat victimisation** is more common for hate crime than other crimes. Many hate crime victims have been targeted before.<sup>6</sup>

Something needs to be done to better support victims of hate crime. Restorative Justice can be part of that solution.

Using Restorative Justice for hate crime remains an under-developed practice.<sup>7</sup> Professor Mark Walters' book highlights these key benefits of it:<sup>8</sup>

- It empowers victims by **giving them a platform** to explain the pain caused by hate.
- It helps them to **regain power** by being able to tell their story.
- The potential assurances from offenders can **lessen victims' feelings of self-blame and fear of continued reparation.**
- The conversation can encourage **empathy and understanding in people who commit hate crime,** which can make those affected feel satisfied that they have helped to **combat ignorance.**

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<sup>1</sup> Home Office, "Hate Crime, England and Wales, 2018/19". Online. Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/839172/hate-crime-1819-hosb2419.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/839172/hate-crime-1819-hosb2419.pdf)

<sup>2</sup> University of Huddersfield (2016), "170,000 hate crimes go unreported in the UK each year, according to new research." ScienceDaily. Online. Available at: <https://www.sciencedaily.com/releases/2016/10/161020092232.htm>

<sup>3</sup> Levin, B. (1999), "Hate Crimes: Worse by Definition." Journal of Contemporary Criminal Justice. Volume 15, Issue 1, Page 6–21.

<sup>4</sup> Hannah Corcoran, Deborah Lader and Kevin Smith (2015) "Hate Crime, England and Wales, 2014/15". Home Office. Online. Available at: <https://www.bl.uk/collection-items/hate-crime-england-and-wales-201415>

<sup>5</sup> Grahame Allen and Yago Zayed (2019), "Hate Crime Statistics". House of Commons Library, briefing paper 08537. Online. Available at: <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-8537>

<sup>6</sup> Inspectorate of Constabulary and Fire & Rescue Services (2018), "Understanding the difference: the initial police response to hate crime." Online. Available at: <https://www.justiceinspectors.gov.uk/hmicfrs/wp-content/uploads/understanding-the-difference-the-initial-police-response-to-hate-crime.pdf>

<sup>7</sup> Theo Gavrielides (2012), "Contextualizing Restorative Justice for Hate Crime." Journal of Interpersonal Violence. Volume 27, Issue 18, Pages 3624-3643.

<sup>8</sup> Mark Walters (2014), "Hate Crime and Restorative Justice." Clarendon Studies in Criminology.

Something needs to be done to better support victims of hate crime. Restorative Justice can be part of that solution.

Following a bidding process we agreed to work with Lancashire, Cambridgeshire and Avon & Somerset's Restorative Justice services to help them increase their use of Restorative Justice for hate crime. A member of Why me? staff travelled to these areas regularly to meet with relevant stakeholders. These included the following:

- Representatives from the Restorative Justice service (either police run or externally commissioned services).
- Police staff who lead on hate crime.
- Staff from victim and witness services.
- Representatives of community organisations.
- Staff from the office of the Police and Crime Commissioner (PCC).

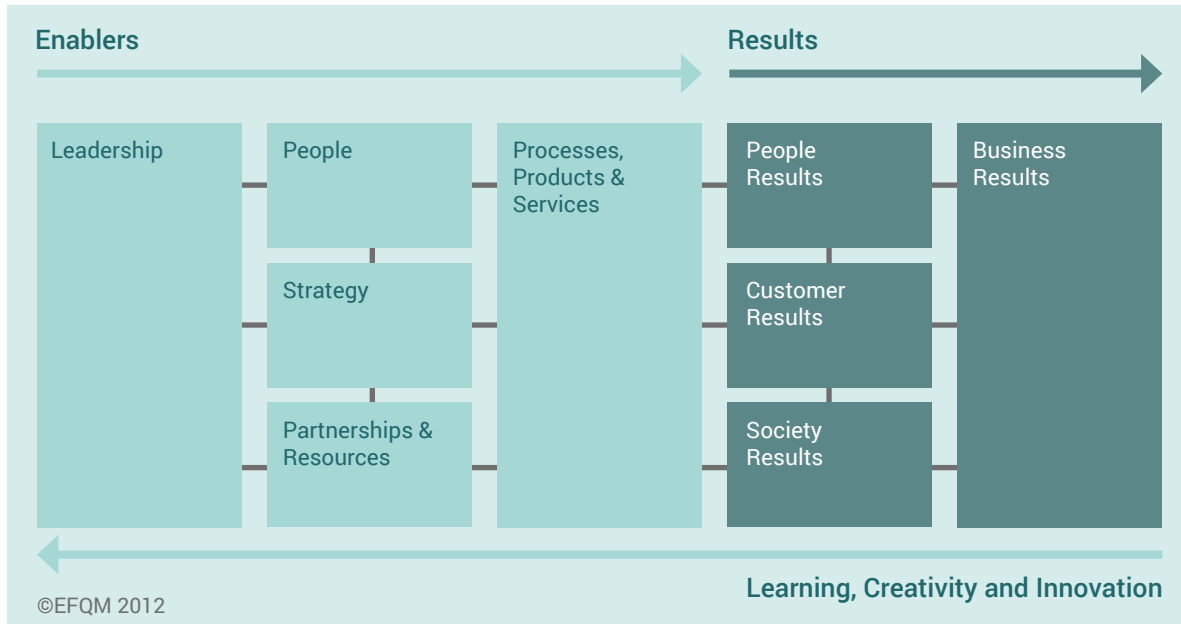
After concluding this work we held a national conference about our findings, bringing together 55 delegates including PCC staff, experts on restorative practice, community groups affected by hate crime, Restorative Justice facilitators, and staff from 12 different police forces. The feedback from these delegates are integrated into our findings.

In addition to this project, we received further funding from City Bridge Trust and BSBT to develop work on Restorative Justice for hate crime in London. Some of our findings from these projects have also contributed to this paper.

# Findings

We came across a number of barriers preventing people affected by hate crime from being informed about Restorative Justice.

These barriers are explored below, under the headings of the EFQM model<sup>9</sup>, which is a framework that local areas can use to inform change.



To apply it to this subject matter, we are slightly adjusting the above model. We will consider “community partnerships” rather than “partnerships and resources”, “processes” rather than “processes, products and services,” and “policy and strategy” rather than “strategy”. We are also considering “results” as one category called “monitoring”.

We used the simplified model to test our observations in the three police areas. Our conclusion is that the use of Restorative Justice for hate crime needs to be consistently promoted through leadership, staff, processes, strategies and community partnerships in order for those affected to be reliably given this option.

## Leadership

Leaders are essential to driving the case for Restorative Justice being used for hate crime. Using Restorative Justice for hate crime is not common practice in most police areas, so a strong and consistent message is needed to change staff’s mindset. When leaders, such as senior police officers, the heads of victim services and the PCC, champion Restorative Justice for hate crime, front line staff are incentivised and resourced to make sustainable change.

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Promoting Restorative Justice in different ways for different audiences can also help. For example, the potential for Restorative Justice to reduce repeated offending for hate crime may be the most appealing aspect of it for the police, while community groups may be most interested in how Restorative Justice can support the people affected by hate crime.

Sue Mountstevens, the Avon & Somerset PCC, is consistent in her support for Restorative Justice being an option in hate crime cases. This meant that her staff were involved in our project from the outset. For example, her communications team published an article about Restorative Justice and hate crime, and senior staff in her office were able to help us find solutions when parts of the process weren't working effectively. Having PCC staff around the table from the outset also helped to signal the importance of the project to other partners.

We met PCC Mountstevens at the end of the project to explain our findings, and suggest how she could increase the number of referrals to Restorative Justice for hate crime going forward. Her involvement will help to keep this objective a priority in Avon & Somerset.

## People

It is often a police officer who first makes contact with a victim of hate crime, followed by a victim support officer where required.

Some police officers see Restorative Justice only as a disposal method. This can prevent them from discussing restorative options for anything other than minor crimes. Their high workloads also put pressure on them to clear cases quickly, meaning that clear referral routes to Restorative Justice are important to encourage the option to be considered.

Victim support staff can also be selective about when they raise the option of Restorative Justice. There is a tendency to only raise Restorative Justice when they think the person is likely to accept it, rather than letting the victim make that decision for themselves. Banwell-Moore's research on barriers to victims' participation in Restorative Justice found that victim staff considered "whether the victim engaged with them; whether they were upset or angry; and whether or not they expressed pro-social motives or displayed altruistic tendencies" when deciding whether to raise Restorative Justice.<sup>10</sup>

Many victim support staff never give victims of hate the option to consider Restorative Justice. One delegate at our conference used to work for Victim Support for serious offences in London. She confirmed that Restorative Justice was not a subject which they were told to ask about while she was there. This is likely to be because of the misconception that Restorative Justice is only appropriate for minor crimes.

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## Policy and Strategy

In 2017 the National Police Chief's Council published a national strategy paper for charging and out of court disposals in England and Wales<sup>11</sup>. It sets out two options for adult out of court disposals: community resolutions and conditional cautions. Community resolutions for hate crime can be

<sup>10</sup> Rebecca Banwell-Moore (2018), "The 'ideal restorative justice victim': how professionals prevent victims from making an informed decision." Online. Available at <https://why-me.org/2018/the-ideal-restorative-justice-victim-how-professionals-prevent-victims-from-making-an-informed-decision/>

<sup>11</sup> Sara Glen (2017) "Charging and out of court disposals: A national strategy." National Police Chiefs' Council. Online. Available at: <https://www.npcc.police.uk/Publication/Charging%20and%20Out%20of%20Court%20Disposals%20A%20National%20Strategy.pdf>

authorized internally, but conditional cautions for hate crime need authorization from the Crown Prosecution Service (CPS), which is only given in exceptional circumstances, or if the force has a special agreement with the regional CPS. We found that confusion exists across different police forces on this issue, with some staff believing that no out of court disposal can be used for hate crime, or concerningly, that Restorative Justice cannot be used for hate crime in any circumstance. This is not the case.

We recommend that police forces issue clear guidance on how to deploy Restorative Justice for hate crime in out of court disposals, and that their hate crime strategy clearly states this position. Codifying the way that Restorative Justice can be used in a hate crime strategy can support staff and show them what opportunities they have to deploy Restorative Justice.

These strategies can also emphasise that Restorative Justice is suitable for hate crime cases which go through the court system, and advise staff on how to approach post-sentence Restorative Justice.

## Community Partnerships

Where police have built strong relationships with community groups in their area, they are better able to understand how to approach Restorative Justice for hate crimes involving that community. This can also foster greater understanding of Restorative Justice among community groups, encouraging victim-led referrals.

Throughout our project, we spoke to hundreds of individuals from groups affected by hate crime about their feelings on Restorative Justice. Some of them welcomed the idea of going through a restorative process for hate crime, while others said that they would not choose this option. But everyone agreed that the people affected should be able to make a decision about Restorative Justice for themselves, reinforcing the point that victims should be empowered to make this choice.

The conversations we had with community groups offer some useful considerations for restorative providers. These considerations are explained below.

*Disclaimer: These findings are the product of conversations we had with people who belong to specific minority groups in the areas we worked in. Their feedback is informative, but not necessarily representative. We were not able to speak to representatives from every minority group that can be affected by hate crime. This feedback should be viewed as something to consider when conducting Restorative Justice for victims of hate crime, not as advice which will apply in each individual case. Specialist organisations working with different communities affected by hate crime are a good source of information for police and Restorative Justice practitioners.*

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Protected Characteristic	Considerations
All hate crime	<ul style="list-style-type: none"> <li>- In the preparation stage, the facilitator should ascertain whether prejudiced comments are likely to be made in the meeting. If so, it should only go ahead if the person affected appreciates that these views may be expressed.</li> <li>- Some people affected by hate crime don't understand what hate crime is, so this needs to be explained to them.</li> <li>- Some within minority communities don't trust the police. If contact is initiated from elsewhere, it can make it more likely that they will engage with Restorative Justice.</li> </ul>
Sexuality	<ul style="list-style-type: none"> <li>- The facilitator needs to be aware of the appropriate terminology to use for different sexualities.</li> <li>- Older LGBT+ people can be less trusting of the police due to previous criminalization of their sexuality.</li> <li>- The process needs to be sensitive to the fact that the person affected may not be 'out' to everyone.</li> </ul>
Gender Identity	<ul style="list-style-type: none"> <li>- The facilitator and the person affected by the incident should have a conversation beforehand about which pronouns they want them to use.</li> <li>- The facilitator should agree in advance how to approach situations where the offender commits a perceived micro-aggression, such as "dead-naming" (using someone's birth-name when this has since changed) or "misgendering". Some trans and non-binary people would want the facilitator to call out these behaviours, while others would prefer to do it themselves or not address it at all.</li> </ul>
Race	<p>General points</p> <ul style="list-style-type: none"> <li>- A Restorative Justice service should seek to have grassroots engagement with Black Asian and Minority Ethnic (BAME) communities.</li> <li>- Racial diversity within Restorative Justice services is important.</li> </ul> <p>Black communities:</p> <ul style="list-style-type: none"> <li>- As well as hate crime committed by people from other ethnicities, facilitators should be aware of potential conflict within the black community. There can be tensions between black communities with heritage from different countries, and the facilitator should be aware of the dynamics of that conflict. This is more likely to be a problem in areas with a high and diverse black population.</li> </ul> <p>Eastern European:</p> <ul style="list-style-type: none"> <li>- Many Eastern European people are targeted for not speaking English. An interpreter should be provided if needed, and the facilitator should be aware of the heightened sensitivity around language.</li> </ul> <p>Roma/Gypsy/Traveller</p> <ul style="list-style-type: none"> <li>- Anti-Roma hate crime can be more prevalent among other minority communities, who may interact with Roma people more because of similar work, housing, and other shared circumstances. It can be helpful to consider whether a facilitator who is from neither minority background will be most effective at being seen as neutral.</li> <li>- There can be high levels of illiteracy in these communities, meaning that Restorative Justice services need to be innovative in how they deliver information.</li> <li>- Facilitators and interpreters need to understand the specific community they are dealing with, and not make common mistakes (such as thinking Roma people must be Romanian).</li> </ul>

<p><b>Religion</b></p>	<p>General points:</p> <ul style="list-style-type: none"> <li>- It can be helpful to use wider faith communities to promote Restorative Justice. Themes of forgiveness which can arise in Restorative Justice are also common in religion, and can help to encourage people affected by hate crime to engage with the process.</li> </ul> <p>Muslim community</p> <ul style="list-style-type: none"> <li>- Muslim communities can be wary both of the police and of any agency which they are not familiar with. Initiating contact through a mosque can be a good way to engender trust.</li> </ul> <p>Hindu community</p> <ul style="list-style-type: none"> <li>- Tensions can exist between Indian Hindu and Pakistani Muslim communities. It is important for facilitators to understand the context of these potential conflicts and prejudices. The representatives of the Hindu group we spoke to voiced a feeling that hate against them is not taken as seriously as hate against Muslims, and facilitators should be sensitive to this perception (whether or not it is true).</li> </ul> <p>Jewish community</p> <ul style="list-style-type: none"> <li>- Facilitators should be mindful that offenders sometimes don't appreciate that a slur they have used is a racial slur. It was suggested that this is more often the case with anti-semitic hate crimes than other hate crimes.</li> </ul>
<p><b>Disability</b></p>	<p>General Points:</p> <ul style="list-style-type: none"> <li>- "Mate Crime" is a type of hate crime committed against disabled people by someone who has befriended them. This is common, and facilitators should be mindful of the complexity of these relationships.</li> <li>- The facilitator needs to gain a good understanding of how a person's disability affects them beforehand, and shouldn't make assumptions about them.</li> <li>- Accessibility is very important. The facilitator should ask the people affected about what accessibility requirements they have in advance, and be prepared to facilitate adjustments such as braille, wheelchair ramps, guide dogs, and easy-read text.</li> </ul> <p>Physical Disability:</p> <ul style="list-style-type: none"> <li>- People with physical disabilities often welcome the chance to "educate" people about their disability, as their disability will affect them in their own unique way.</li> </ul> <p>Learning Difficulties:</p> <ul style="list-style-type: none"> <li>- People with learning difficulties often place high trust in police and authority.</li> <li>- Carers are often protective, so may be hesitant to want the person they are caring for to go through Restorative Justice. But this shouldn't in itself prevent someone who wants to go through Restorative Justice from doing so.</li> <li>- Facilitators need to make case by case judgements on how involved carers should be in the process. In many cases, it would benefit everyone to have the carer in the Restorative Justice conference. They can be a source of support, and are often able to articulate aspects of the impact of the crime which others might not be able to explain. However, carers can be affected by the incident themselves, and it's important that they don't portray their own views and feelings as if they are the disabled person's.</li> <li>- Providers need to assess if someone has capacity to make decisions about Restorative Justice, in consultation with their carer.</li> </ul> <p>Mental Health:</p> <ul style="list-style-type: none"> <li>- Capacity can be complicated for people with mental health problems. Facilitators need to be mindful that capacity can swing back and forth, and they will need to know what symptoms to look out for which may mean the process needs to be paused or discontinued.</li> </ul>

- People with mental health problems are often vulnerable, even if they do have capacity. Facilitators need to accept their choices while also having the relevant support available, and monitoring their wellbeing as they go through the process.
- Facilitators should ask people who suffer from mental health problems about their needs, and what the signs are that their condition may be worsening. People with mental health problems are often experts in their own care.

## Other adjustments

The use of proxy victims where appropriate can be a positive adjustment to the restorative process for hate crime. This can be arranged when the person affected does not want to take part themselves, but would like another person to step in on their behalf. This would usually be someone from the same background as them, such as a community representative. The proxy speaks to the person affected by the crime directly to learn their views and feelings, and represents them in a restorative meeting.

Many people who we spoke to were positive about this idea. Some people who didn't think that they would have the time or emotional resilience to go through Restorative Justice, said they would get comfort from knowing that someone who had experienced similar discrimination was making their case for them.

Using proxies for a restorative process in hate crime cases is common practice in some police forces. It can be a useful tool when using restorative approaches as part of a conditional caution (subject to CPS approval). Securing victims' consent and preparing them properly is not always possible in the time available, so having a proxy who can relay their feelings can allow a restorative process to go ahead where it would not otherwise have happened. However, the benefit for the direct victim of crime is sometimes not as significant in such cases. It is also important for restorative services to consider the welfare of the person acting as the proxy.

Training representatives from community groups to deliver Restorative Justice themselves can also be helpful, especially for addressing conflicts occurring outside the criminal justice system.

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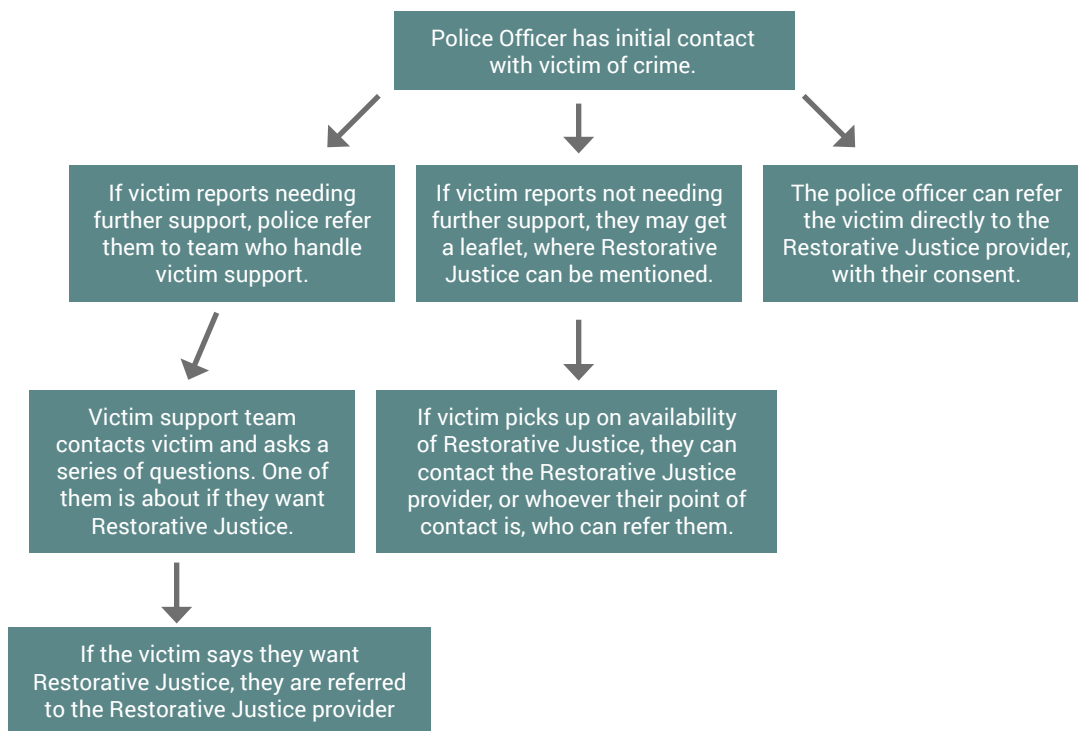
Cambridgeshire benefits from a well developed voluntary and community sector, who were willing to share views about hate crime and Restorative Justice. We organised a meeting in Cambridgeshire with staff from the Restorative Justice team, the head of victim services, and members of community groups who had spoken to Why me? about Restorative Justice.

Bringing these groups around the table with the police allowed them to explain their views about using a restorative process for hate crime, and encouraged them to flag up this opportunity to their communities.

## Process

The process of how and when people are offered Restorative Justice greatly affects rates of engagement.

We found the following common practice:

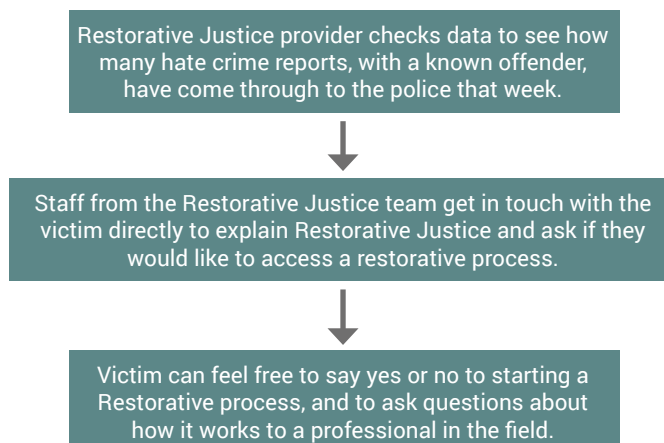


This process has the following limitations:

1. The police officer in charge of the case may not have an understanding of Restorative Justice, or know how to refer cases to it.
2. The person reporting the crime may tell police officers that they don't need extra support, when they would have been interested in the option of Restorative Justice if it had been explained to them.
3. The leaflet sent to people who said that they don't need further support may not prominently mention Restorative Justice.
4. The victim support team have many questions which they need to ask people accessing their service. Restorative Justice is often far down the list, and asked as a "yes or no" question without a significant explanation of what it entails.
5. Many staff in victim support teams will not ask about Restorative Justice unless they think that the person they're speaking to is likely to want it.

We have suggested a different process which uses data and proactive contact from the Restorative Justice providers to give people a more informed choice.

The much simpler process is described below:



This helps people affected by hate crime make an informed choice about Restorative Justice because:

- The conversation is not just a yes or no question in a list.
- The victim will speak to someone who understands restorative approaches.
- The restorative team can decide when is the best time to make contact with the person affected, based on when they are likely to engage.

However, the following barriers made it difficult for this simpler process to be implemented in the areas where we worked:

- Restorative Justice providers can't always access the data which they need.
- Restorative Justice providers don't always have the authority to contact victims of crime directly without a referral.
- Restorative Justice providers don't necessarily have the resources to proactively contact victims of hate crime in this way.

Some of these barriers can be unlocked by senior leadership action, and we strongly encourage this whenever possible. If not, we found other possible improvements to the process which are more achievable for many forces. For example, if a restorative provider cannot contact a victim directly, they may be able to contact the victim support team in charge of that person's case to suggest that Restorative Justice is discussed.

Many delegates at our conference explained their own attempts to get around the problem of police and victim staff having a limited understanding of Restorative Justice. Many attendees emphasised that it is much easier to explain Restorative Justice to someone face to face, and that this encourages the most referrals. It can also ensure that the restorative process is as sensitive as possible to the needs of that particular person. Another delegate discussed a study into Restorative Justice in Canberra where there was a very high percentage of victims who agreed to take part. One reason for this was that they were sent a letter inviting them to engage in a Restorative Justice process, not directly asking for their consent, but asking what time would be convenient instead.<sup>12</sup> This direct approach can encourage people affected by hate crime to find out more about the opportunity available to them. Forces who consider how they can frame information to best encourage people to find out more about Restorative Justice see the best results, and have the highest number of people engaged.<sup>13</sup>

It's also important for Restorative Justice to be raised multiple times throughout a victim's journey. Ideally, a police force would have an understanding of restorative processes integrated throughout the system, meaning that the same victim would be offered Restorative Justice first by a police officer, then by victim services and then by witness services if the case goes to court. Someone's view of Restorative Justice may develop as their case progresses, and it is important to give them as much opportunity to engage with the process as possible, as long as these interactions are initiated sensitively, with the victim's unique needs and preferences in mind.

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<sup>12</sup> Strang et al (2006), "Victim Evaluations of Face-to-Face Restorative Justice Conferences: A Quasi-Experimental Analysis." *Journal of Social Issues*. Volume 62, Number 2, Pages 281-306

<sup>13</sup> Ministry of Justice (2019) "Restorative Justice statistics at PCC level from the new MOJ performance framework for 2018/19". Online. Available at: [https://www.whatdotheyknow.com/request/restorative\\_justice\\_statistics\\_a#incoming-1405636](https://www.whatdotheyknow.com/request/restorative_justice_statistics_a#incoming-1405636)

## Monitoring

Leaders who have a good understanding of the data on Restorative Justice and hate crime, have the tools to find out where problems exist and how to solve them. Access to this data will often require information sharing agreements, so ensuring that these are in place at an early stage is important.

If the data shows, for example, that there have been 1,000 victims of hate crime with a known offender in a month, and only 5 of them have been referred for Restorative Justice, then that represents just a 0.5% referral rate. If all people affected by hate crime with a known offender were really being offered Restorative Justice, then such an overwhelmingly negative response to something which we know many victims benefit from appears unlikely. This data would suggest that there is a problem somewhere in the process, resulting in many people never being given an informed choice about Restorative Justice in the first place.

Using data allows different parts of the process to be “dip sampled”. For example, if there is a low referral rate to Restorative Justice from the victim support service, then picking individual cases coming through to victim support to examine further can highlight missed opportunities, and help to show staff who are low referrers where they could be raising Restorative Justice. The Cleveland PCC holds a quarterly monitoring and evaluation meeting where the Restorative Justice referral rates are reported to him for a review. This practice shows which teams are referring to the Restorative Justice provider, and which require an intervention to improve performance.

Finding out when people are most likely to engage with Restorative Justice can also help providers understand when is the best time to raise the opportunity. People affected by hate crime may have specific preferences about this, so it is helpful to be able to break down this data down by crime type if possible.

The Restorative Justice team in Lancashire was able to provide all of the data required to show how many incidents of hate crime had been reported, how many were prosecuted, and how many were referred for Restorative Justice. This gave them an immediate picture of how well the process was performing, and which areas might need to improve for more victims of hate to be informed about Restorative Justice.

## Conclusions and Recommendations

Everyone affected by hate crime should be empowered to make their own decisions about accessing a restorative process. This applies to victims of hate crime just as much as anyone else.

The steps below will help make Restorative Justice happen for hate crime:

Section	Recommendation	✓/✗
Leadership	Are senior figures in the police, victims services and the office of the Police and Crime Commissioner proactively promoting the use of Restorative Justice for hate crime?	
People	Are front line police and victim staff aware that Restorative Justice can be used for hate crime?	
People	Do front line police and victim staff appreciate that Restorative Justice is a tool which can be used for both minor and serious crimes, whether or not a case goes to court?	
Policy and Strategy	Is there a clear police force policy on the use of Restorative Justice for hate crime?	
Policy and Strategy	Is Restorative Justice a part of the police force's hate crime strategy?	
Community Partnerships	Is the Restorative Justice service aware of the guidelines in this paper about how to make the Restorative Justice service accessible to victims from different communities?	
Community Partnerships	Is the Restorative Justice provider able to use proxies, such as a community leader, for Restorative Justice where appropriate?	
Community Partnerships	Do community groups understand what Restorative Justice is, and how to refer people to it?	
Community Partnerships	Does the Restorative Justice provider have a working relationship with community groups in the area?	
Process	Is the Restorative Justice service proactively asking people affected by hate crime if they are interested in Restorative Justice, rather than waiting for referrals?	
Process	Do victim support staff ask about Restorative Justice when they contact people after a crime? Is this near the top of the list of questions for victims of hate crime?	
Process	Is information about Restorative Justice sent to victims of hate crime who said that they don't require further support?	
Process	Are people being asked about Restorative Justice consistently throughout their journey through the criminal justice system, including after a case has been through court?	

<b>Monitoring</b>	Is data being used to test how many victims of hate crime with a known offender are being referred for Restorative Justice, and where these referrals are coming from?	
<b>Monitoring</b>	Are parts of the process being tested via “dip sampling” to demonstrate where groups could be referring more for Restorative Justice?	
<b>Monitoring</b>	Is data being used to learn when to time the offer of Restorative Justice in hate crime cases?	

Ensuring that people affected by hate crime receive access to Restorative Justice requires much more than a statement of intent. It requires a change in behaviour and mindset throughout an organisation.

If all parts of the system are pointing in the same direction, then the number of referrals to Restorative Justice for hate crime victims will increase. That is why it is so important to continue to test every aspect of the process, take down barriers, and give people an informed choice.

These recommendations can help police areas to build a holistic system which will allow people affected by hate crime to have access to Restorative Justice in a safe and supported way, which is appropriate to their individual needs.

Why me? intends to work with policy makers to support the implementation of these recommendations. Please email [info@why-me.org](mailto:info@why-me.org) to get in touch.