



Promoting quality restorative practice for everyone



# Restorative justice works

## What is restorative justice?

Restorative justice gives victims the chance to meet or communicate with their offender to explain the real impact of the crime. It empowers victims by giving them a voice. It also holds offenders to account for what they have done and helps them take responsibility and make amends. During a restorative justice process, the offender and victim will often agree on certain actions that the offender can undertake to repair the harm they have caused. Restorative justice can take part at any point in the justice system and can be initiated by the victim or offender.

Restorative justice can take the form of a meeting between the victim and the offender. Alternatively, the victim and offender may communicate through letters, recorded interviews or videos or by communication through a facilitator. In preparation for a restorative process the facilitator will work with the victim and the offender to assess if they are suitable to take part, and talk them through what it will involve. Afterwards the facilitator will carry out follow-ups to ensure that all parties have got the most out of the process.

There are a number of ways in which participation in a restorative process encourages desistance. It can help to build personal responsibility and self-efficacy, and support the building of social bonds and attachments. Depending on the offender, restorative justice might instigate the desistance process or provide additional motivation for those who have already chosen or begun to desist.

## Good quality restorative justice: why standards matter

Standards make restorative justice an effective intervention. Bringing those who have been harmed into contact with those who have harmed them must be done safely. Ensuring that restorative justice is done well is crucial to protecting victims and offenders alike. What restorative practitioners do is important and requires specialist knowledge, skills and training. Poorly done restorative justice will not show the same benefits in terms of reducing reoffending and victim satisfaction as restorative justice that is done well.

The field of restorative justice is growing, both in terms of practitioner numbers and as a practice area in its own right. This means standards are becoming more important, to maintain the integrity of the profession and the work that it does whilst preserving the freedom to innovate and vary practice according to local needs. For local innovation and variation to work, the standards the services must meet are essential.

Standards ensure that restorative justice is a safe and beneficial process. The public, particularly victims, need to know that a restorative process will be carried out safely and professionally by the people with the right skills and experience. It is therefore essential that there are robust standards for the restorative justice field and that mechanisms are in place to make sure that those standards are adhered to.

## About the Restorative Justice Council

The RJC is the independent third sector membership body for the field of restorative practice. We provide a national voice advocating the widespread use of all forms of restorative practice, including restorative justice, and raise public awareness and confidence in restorative processes. The RJC sets and champions standards for the restorative justice field, provides quality assurance, and supports organisations in the field to build their capacity and accessibility. The aim of the RJC is to enable safe, high quality restorative practice to develop and thrive.

# Restorative justice: the evidence

## Restorative justice works

The government funded a £7 million, seven-year research programme into restorative justice in 2001. The independent evaluation, published by the Ministry of Justice, found that in a randomised control trial of the use of restorative justice with adult offenders:

- Restorative justice reduces the frequency of reoffending by 14%.
- 80% of offenders who take part in a restorative justice conference think it will lessen their likelihood of re-offending.

- 90% of victims who take part in a restorative justice conference receive an apology from the offender in their case, compared with only 19% of those who just go through the conventional justice system.
- 85% of victims who take part in a restorative justice conference are satisfied with the process.

This is supported by further evidence, including:

- A 2013 Campbell Collaboration systematic review of the evidence on restorative justice, which concluded that restorative justice both reduces reoffending and improves victim satisfaction.
- Research conducted in New Zealand, which found that offenders who had been through restorative justice committed 23% fewer offences over the following 12 months than comparable offenders who had not.

## Restorative justice saves money

- The government research cited above found that for every £1 spent on restorative justice conferences, on average £8 was saved by reducing reoffending over a two year period. (In one test site the ratio was £1:£14.)
- Modelling conducted by the RJC and Victim Support in 2010 found that using restorative justice in 70,000 cases would have provided cashable cost savings to criminal justice agencies of £185 million over two years.

- Analysis by Matrix Evidence found that diverting young adult offenders from community orders to pre-court restorative justice would give a lifetime saving to society of almost £7,050 per offender.
- Compared to alternatives, for each pound spent on Surrey's Youth Restorative Intervention, a pre-court disposal for young offenders, there is a potential return of nearly £3 to the public sector.

## The public supports restorative justice

In March 2015, the RJC commissioned Ipsos MORI to conduct research on restorative justice. A nationally representative sample of 1,782 adults was interviewed throughout England and Wales as part of the Ipsos MORI Omnibus. The results showed that:

- 77% of the public think that victims should have a right to meet their offender. The figure for victims of crime was higher, at 83%.
- 69% of the public think that offenders need to see the real impact of their crimes and face their victims.



## Case study: Kelvin's story

Kelvin's criminal record started early. When he was young, he moved in with his abusive grandmother who got him and his little brother arrested for breaking a light-bulb when he was just 13.

At 14 he moved out of his grandmother's house and started moving around a lot, living with his mother and her abusive, alcoholic, drug-addicted partner. He was thrown out of their house and began squatting, with no money to live on. He stole from shops in order to eat. Social services intervened, moving him to a bedsit on his own. This bedsit was in a block with drug addicts, alcoholics and people who had recently left prison. Kelvin started throwing parties every day.

It was there that Kelvin got introduced to cocaine. He quickly became addicted. A friend introduced him to burglary to fund his habit. Kelvin admits that he enjoyed it: it was exciting and an adrenaline rush. He also admits that never thought about the victims, the people who had worked hard to pay for the things he stole. Finally, he and a friend got very high on cocaine and burgled a shop. Kelvin was caught and arrested.

This proved to be a real turning point for him. He realised that he had distanced himself from everyone apart from his small group of criminal friends, and that he was on a self-destructive path which would lead to death or a long prison sentence. While on bail, Kelvin was moved to Southend to do community work. He began to think about the victims of his crimes, and how they must have felt. He made a list of everywhere that he could remember burgling.

In prison, Kelvin worked to turn his life around. He took classes to get the qualifications he had missed. He took part in a programme called JETS to teach him about the impact of his actions on the world around him. His probation worker told him about restorative justice; how he could write letters to his victims and even go on day release to meet them. He wrote them letters, but decided not to meet them until the end of his sentence.

After his release his probation worker mentioned restorative justice again, and reassured him that it would be a safe, controlled environment where nobody would shout at him. Kelvin was terrified, but determined to go through with it, rather than running away and hiding. He wanted to prove to himself that he could do it.

The meetings were initially very scary but over the course of each meeting Kelvin opened up and calmed down. He was pleased that he was able take a weight of worry off the shoulders of his victims. He could help them stop worrying that he would target them again, and reassure them that he had not deliberately chosen them in the first place.

In Kelvin's words: "Going to prison, that's just running away and getting away from it all. But to actually go into a room and sit down knowing that they're going to walk through that door in a few minutes and want to know why you stole from them – that's scary for me. Every time, it kind of broke me, but it made me as well."

Kelvin is now a full-time dad to his young daughter. He wants to work with young people to try and stop them from getting into a life of addiction and crime – he wants to give something back to his community.



## Case study: Ed and Rumbie's story

Ed and Rumbie were very excited to move in together. Ed had just been promoted, and Rumbie had a new job. It was their first proper home together, and they were happy to make the space their own. They were making plans for their future, unpacking and settling in.

However, a fortnight into living in their new flat, Ed came home one day to find a brick had been thrown through the window onto the kitchen floor – they had been burgled. Items such as their iPads and hard drive had been taken, and all their drawers had been rifled through.

Rumbie hadn't been sure about the area the flat was in, and Ed felt incredibly guilty that he had persuaded her to move there. The material possessions they had lost were replaceable; the real impact was the flat stopped feeling like home. They no longer felt that they could leave their things out, and started putting everything away before they left the flat. It stopped being a personal space, and Ed stopped being able to sleep properly. He could no longer take their privacy for granted.

The burglar was quickly caught through traces of DNA on the brick. He was a prolific offender, already known to the police. Ed and Rumbie were visited by a police officer and someone from the charity Only Connect. The burglar – Fabian – wanted to meet them for a restorative justice conference.

Ed and Rumbie looked up restorative justice online and watched some films about what the process would involve. Having watched the films, they felt like taking part was the right thing to do, and that it was their duty to do it.

Ed and Rumbie were prepared for the conference, told where and when it would happen and what it would involve. They trusted the facilitators and the organisers, and knew that they were safe. They were still a bit nervous about what the day would involve. They went to Pentonville prison, to the chapel where the meeting was taking place. They got to take control of the lay-out of the room, and then the burglar was brought in.

Fabian was well spoken and well dressed, which took Ed and Rumbie aback. Fabian read out a letter that he had prepared, talking about how he'd been taking drugs near their house and that when he'd run out, he'd seen their quiet secluded road. He understood that they probably hated him.

In turn, they told Fabian how they had been affected by the crime, and suggested that he moved flat – the flat was associated with his old life. Rumbie asked him, 'If someone asks me what this guy is like, what should I tell them?' Fabian was lost for words – the question challenged him, and he couldn't answer.

The meeting had a great effect for Ed and Rumbie. They felt a lot safer in their home and neighbourhood. They felt empowered, like the meeting had given them emotional closure. It made them less worried that they had been targeted, and closed that chapter of their lives for them.

Importantly, they felt that the personal impact of the crime was lessened. Beforehand, they had been thinking that it was a pre-meditated burglary, that he could have been watching or following them. They learned that it was just a spur of the moment decision.

# Restorative justice can take place

## Out of court disposal

The police can use restorative justice as part of a conditional caution or community resolution.

## Court

Under the Crime and Courts Act 2013, magistrates and judges can defer sentencing for restorative justice to take place.

## Prison sentence

Restorative justice take place while an offender is in custody or while they are on probation after release.

PCCs have been given £23m to fund victim-initiated restorative justice, making restorative justice available at the time that is right for the victim.

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## Agencies across the justice system play a part

### Police

The police can deliver restorative justice as part of an out of court disposal or as a way to deal informally with low-level crime and disorder.

### Presentence restorative justice

10 Crown Courts took part in a year-long pathfinder programme to explore how best to implement presentence restorative justice. This programme was managed by the not-for-profit organisations Restorative Solutions and Victim Support.

### Prisons

Prisons and other custodial establishments can either deliver restorative justice themselves or create a 'supportive environment' to enable external agencies to work with offenders while they are in custody.

### Probation services

Community Rehabilitation Companies and National Probation Service currently deliver restorative justice interventions to reduce reoffending among offenders on probation or sentence or on parole after a custodial sentence.

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**Community sentence**  
The Offender Rehabilitation Act 2014 specifies that a Rehabilitation Activity Requirement can include restorative justice.

**After sentence**  
There is no time limit on how long after a crime or sentence restorative justice can occur.

£2.5m has been allocated to the YJB to build restorative justice capability in YOTs. Restorative justice can be used at any time within the youth justice process, including as part of an out of court disposal, pre-sentence, as part of a Youth Rehabilitation Order or in custody. It can also form part of a referral order.

## part in delivering restorative justice

**Services**  
Rehabilitation and the probation service can deliver restorative justice as an intervention to reduce re-offending as part of a sentence or suspended sentence during or after a custodial sentence.

**Youth offending teams**  
Many youth offending teams use restorative justice as an intervention with young offenders, while referral orders are based on restorative principles.

**Police and crime commissioners**  
Police and crime commissioners are responsible for making restorative justice available to victims in their area. They are either developing this capacity within statutory agencies locally or commissioning an external provider to deliver it.

**Third sector providers**  
Statutory provision is boosted by independent providers which are either commissioned to deliver services or are funded through independent sources of income and work alongside statutory providers.

# Delivering high quality restorative justice

Wherever restorative justice is used, it must be delivered to a high standard. To help achieve this, the RJC, working with the Ministry of Justice, developed a quality mark for organisations delivering restorative justice – the Restorative Service Quality Mark.

The RSQM reassures victims and offenders alike that they will receive a good level of service and protection against bad or unsafe practice. It also supports the development of an effective market in restorative justice provision by enabling commissioners to identify high quality service providers. The flexibility of the RSQM means that organisations throughout the criminal justice system have been awarded it. Independent restorative justice providers, youth offending teams, police forces, a prison and a secure training centre are among those who have achieved or are working towards the award.

## RSQM holders

### Greater Manchester Police, Tameside Division

“The RSQM has ensured that our restorative justice services are of the exceptional national standard that victims of crime deserve.”

### Police and Crime Commissioner for Cheshire

“The RSQM shows the public that our policies and processes have been tested, and assures them that they will receive a high quality service.”

### HMP Leeds

“The RSQM is our way of showing people, both inside and out of the prison, that the service we’re providing is safe. Taking part in restorative justice is challenging, certainly, but it can have a hugely positive effect on people’s lives and we’re very proud to offer it.”

### Gateshead Youth Offending Team

“Without standards we would not have been able to undertake regular audits and reviews of our service, and we would have been unable to benchmark our work from a baseline of ‘good enough’ to what we believe is now ‘very good practice’.”

### London Community Rehabilitation Company

“We feel we have renewed legitimacy with our service users and are reassured that we’re on the right track. An important factor is that the award has bolstered the confidence of our facilitators when approaching ‘harmers’ and ‘the harmed’. It’s empowered us.”



# Restorative justice internationally

Restorative justice is a mainstream intervention in a number of justice systems across Europe and the rest of the world. They demonstrate how embedding restorative justice into the criminal justice system can work for both victims and offenders, and offer an insight into how we could change and improve our own justice system.

## Restorative justice in the youth justice system

One of the countries that has made restorative justice central to their approach to dealing with young offenders is Northern Ireland. The system in Northern Ireland has embedded restorative justice at every stage of the criminal justice process: from a diversionary measure at arrest, a diversionary option for prosecutors, a sentencing option and a rehabilitative measure that can form part of a community or custodial sentence. The majority of young offenders are dealt with by diversionary restorative justice with the stated aim of keeping young people out of prison. Indeed, the courts receive only a minority of the total youth justice caseload.

In the first instance, the police are meant to divert young offenders to restorative interventions. If cases are referred to the Public Prosecution Service, these can be referred back to the police for a restorative caution or referred for a diversionary youth conference. When cases are tried in court in Northern Ireland, the option remains for a restorative solution. This is effective - in 2006, the combined reoffending rate for youth conferencing was 37.7%, compared to 52.1% for community sentences and 70.7% for custodial sentences.

The Belgian juvenile justice system also has restorative justice embedded as a process. It is a welfare-oriented system, which aims for education and protection of young offenders. Reforms in 2006 significantly expanded the extent to which restorative justice was used in the system, in line with the aim of improving the welfare of juvenile offenders. This new legal approach made the implementation of restorative justice programmes for young offenders mandatory in every judicial district in the country.

Studies on how conferencing effects recidivism in Belgium have yet to be published. However, surveys of victim satisfaction are very positive, and the rates of offenders fulfilling the commitments they made in conferences are high.

Belgium has a system which ensures that restorative justice is available at all stages of the criminal justice process, and for all sorts of crimes, no matter how severe. It is well established by law, universally available and well-funded by federal and regional governments. Belgium illustrates how a centralised buy-in and promotion of restorative justice can create the impetus and legal footing for its development regionally throughout a country.

New Zealand has embedded restorative practices in their justice system for young offenders to great success. A lot of work there is based on family group conferences, which are restorative justice conferences that incorporate the family of the young person as well as their broader support network. Diversionary conferencing is the default option for young offenders, which has reduced the use of court for young people significantly. Around half of family group conferences do not result in court proceedings.

## Restorative justice in prisons and rehabilitation

The justice system in New Zealand heavily promotes the use of restorative justice. The Maori population and history of the country make restorative justice a particularly important indigenous intervention, which in part explains the country's reliance on restorative justice and consequently its success. Following a series of pilots, the Ministry of Justice there incorporated restorative justice into its first full codification of sentencing law in 2002.

Presentence conferencing in District Courts is the most common restorative justice process operating in New Zealand. Research conducted on offenders who had been through restorative justice in New Zealand, conducted from 2008-11, found that they committed 23% fewer offences than comparable offenders over the following 12 months, and had a 12% lower reoffending rate. 1,569 restorative justice conferences took place in New Zealand during the 2011-12 financial year, and it was estimated that these would lead to 1,100 fewer offences being committed.

The Belgian system also promotes increased use of restorative justice within the adult justice system. In 2000, following positive research into the use of restorative justice in prisons, the decision was made by the federal government that all prisons should have a restorative justice oriented detention system. In order to guide this process, restorative justice advisers were appointed to every prison to work with management to guide prison policy. As a result, a restorative approach has started to be used more widely for serving prisoners and more frequently for serious and violent crimes. Either party can initiate restorative justice but – due to the changes to prisons and the information available to offenders – most frequently restorative justice is initiated by the offender rather than the victim.

Restorative justice has been mainstream practice in the Australian youth justice system since 2001, and has been extended for use with adult offenders. Its uptake has been so high that restorative justice conferencing is very near to being a mainstream criminal justice intervention. It is used to augment the criminal justice system, rather than replacing it. Conferencing is available for adults in four out of eight jurisdictions, and post-sentence victim offender mediation is available in six. Restorative justice is carried out to high standards. National guidelines were developed by the National Justice CEOs Group, and endorsed by the Standing Council on Law and Justice. The guidelines promote consistency in the use of restorative justice in criminal matters across Australia and provide guidance on outcomes, program evaluations and training.

Research from Australia suggests that restorative justice has positive impacts for both victims and offenders. Increasingly, research shows that restorative justice may be effective for prolific offenders, serious offenders and more effective post- rather than presentence. Evaluations have found that victims and offenders think that diversionary restorative conferencing was fairer than court proceedings, and that reoffending was significantly lower for offenders who had a conference following a violent offence compared to those who were processed through the courts. The challenge the Australian justice system is currently tackling is making restorative justice as widespread for adults as it is for young offenders. The evidence collected from Australia supports this extension – victim satisfaction is higher and reoffending is lower where restorative justice has been used. Evidence in Australia even supports the use of restorative justice for the most serious offences.

“Restorative justice was the right way for us to help Jack see what he'd done and to steer him in a better direction. We feel that it had a big impact on him, which wouldn't have happened any other way.”

**Viv, a victim who went through restorative justice**

# Restorative justice: further reading

The results of the research referred to on page 3 are contained in four reports. The data cited here is from the last two, which are:

- Shapland, J., et al. (2007) Restorative justice: the views of victims and offenders. The third report from the evaluation of three schemes. Ministry of Justice Research Series, London: Ministry of Justice.
- Shapland, J. et al. (2008) Restorative Justice: Does Restorative Justice affect reconviction. The fourth report from the evaluation of three schemes. Ministry of Justice Research Series, London: Ministry of Justice.

Other studies include:

- Strang, H., Sherman, L.W., Mayo-Wilson, E., Woods, D. and Ariel, B. (2013) Restorative Justice Conferencing (RJC) Using Face-to-Face Meetings of Offenders and Victims: Effects on Offender Recidivism and Victim Satisfaction. A Systematic Review, Oslo: The Campbell Collaboration.
- Sherman, L. and Strang, H. (2007) Restorative justice: the evidence, London: The Smith Institute.
- Mackie, A., Cattell, J., Reeder, N. and Webb, S. (2014) Youth Restorative Intervention Evaluation: Final report, London: GtD.
- Matrix Evidence and Barrow Cadbury Trust (2009) Economic analysis of interventions for young adult offenders, London: Matrix Evidence.

Comparative evidence comes from analyses of the justice systems and reoffending rates of the other countries discussed. This includes:

- New Zealand Ministry of Justice (2011) New Zealand Reoffending Analysis of RJ Cases In 2008-9.
- Dunkel, F., Horsfield, P. and Parosanu, A. (2015) Research and Selection of the Most Effective Juvenile Restorative Justice Practices in Europe: Snapshots from 28 EU Member States.
- IARS (2010) European Best Practices of Restorative Justice in the Criminal Procedure. Conference Publication.
- Joudo Larsen, J. (2014) Restorative justice in the Australian criminal justice system

“As a psychologist, I recognise the importance of applying evidence based approaches to reduce offending behaviour. Restorative approaches provide a cost effective, impactful and ethical method to achieving this goal both in custody and through the gate.”

**Ariane Eaton, Senior Forensic Psychologist – NOMS Young People’s Estate Central Team**



Promoting quality restorative practice for everyone

“It’s the biggest thing I’ve done. I had more feelings and emotions in an hour than I’ve felt in 6 week long interventions; I’ve never felt like that before. I don’t cry and I can hold my emotions back but not in the conference.” **An offender who took part in a restorative justice conference.**

For more information, email [enquiries@restorativejustice.org.uk](mailto:enquiries@restorativejustice.org.uk), visit [www.restorativejustice.org.uk](http://www.restorativejustice.org.uk) or call us on 020 7831 5700.