

16th IIRP World Conference



Michael Kearns

Restorative Pathways Out of Violence and gang Culture.

‘What works, what doesn’t, how and why.’

What works?

- Where a programme has been positively evidenced by at least two evaluations which show statistically significantly different outcomes for participants against a comparable group of non participants.
- - **What doesn't work** – where a programme has at least two evaluations comparing participants against a group of non participants which demonstrate ineffectiveness.

What's promising

- **What's promising** – where a programme has been positively evidenced by at least one evaluation which shows statistically significantly different outcomes for participants against a comparable group of non-participants.
- **What's unknown** – any programme not classified in the three previous categories.
- (Utting and Vennard,2000)

Effective Restorative Practice

- The reality might be seeking those interventions that are most likely to result in the prevention of unacceptable or offending behaviour.
- Our knowledge of what is understood to be effective is never static but always developing in the light of new evidence.

The Restorative Journey

- “The restorative journey begins with discrete practice and develops into a way of being”
- (Terry O’Connell, 2006)
- The fundamental unifying hypothesis of restorative practices is disarmingly simple: that human beings are happier, more cooperative and productive, and more likely to make positive changes in their behaviour when those in positions of authority do things with them, rather than *to* them or *for* them. This hypothesis maintains that the punitive and authoritarian *to* mode and the permissive and paternalistic *for* mode are not as effective as the restorative, participatory, engaging with mode.
- (Wachtel T, 2004)

Defining restorative Justice

- Despite many definitions of Restorative Justice and practice it may be looked upon as,
- “..an ethos with practical goals, among which is to restore harm by including affected parties in a [direct or indirect] encounter and a process of understanding through voluntary and honest dialogue”
- (Gavrielides, 2007:139)

McCold - Braithwaite

(2000) (1996)

- The principles underlying this ethos are victim reparation, offender responsibility and their communities of care.
- Outcomes can be;
- **Victim satisfaction** – reduction of fear of further harm,
- **Positive engagement** - with the young person taking responsibility for actions and the consequences.
- **Creation/strengthening of community capital.**

Fully Restorative Justice



My Practice Experience

- Often had a focus on victim/offender only.
- In early days, too rigid.
- Prescriptive.
- Held on to too much power in role. (Police Officer, Teacher, etc)
- Lack of belief that people are capable of making their own choices and decisions.

Changes required

- Believing that people are capable of making their own choices and decisions.
- That they possess their own strengths and potential to resolve their own difficult life situations.
- That they increase their strength and contribution to society by doing so.

Relationships begin at the earliest of life stages
and continue to develop

- As an adult it is easy to miss the complex interactions between young children.
- The same can be true with young people.

When things go wrong:

- Look for harm caused to people and relationships
- Examine wrongdoing and the obligations it creates
- Involve those harmed, those responsible, with community members in an effort to put things right

Feel good factor

- “ the word ‘community’ feels good; whatever the word community may mean, it is good ‘to have a community’, to be ‘in a community’, The company or society can be bad, but not the ‘community’. ‘Community’, we feel is always a good thing, because of the meaning the word conveys...’community is nowadays another name for “paradise lost”, but one to which we dearly hope to return, and so we feverishly seek the roads that may bring us there.
- (Bauman, Z. (2001: 1-3) *Community: Seeking Safety in an Insecure World*. Cambridge UK)

Do we mean what we say?

- We always speak about the rehabilitation aspect of offending behaviour. This means really working **with** victims, offenders and their communities rather than just talking about it.
- Using the power of football, Charlton Athletic Community Trust (CACT) works in partnership with local communities to empower individuals to improve their lives and their environment. CACT's ground breaking programmes are delivered through a regular presence in schools and working in localities with disadvantaged or socially excluded groups in society, through crime reduction initiatives and community based football and sports coaching sessions.

The murder of a teenage boy stabbed to death in the street is 'about as bad as it gets', a senior south London detective said today.

- He was dead in less than five minutes - the eighth teenager to be murdered in London this year, six of whom have been fatally stabbed.

-

'It's among the very worst I've investigated in 25 years, the sheer brutality against a defenceless schoolboy.'

A web page set up in memory of the boy said the teenager enjoyed playing football.

Preventing Further Incidents

- **Fast Forward Programme**

Jurgen Habermas

German Sociologist, Philosopher, Pragmatist.

The 'lifeworld' is the informal and unmarketised domains of social life: family and home, community, social networks etc.

In which communicative action takes place creating consensus and cohesion.

Most daily problem solving takes place in the lifeworld. Restorative justice aims to restore the repair of harm to the lifeworld.

Community restorative justice is an integral part of the lifeworld.



Fast Forward in Action

Achieving our full leadership potential

- Dialogue begins



- Activity based approach to build relationships



- Interest grows and enhanced learning opportunities begin.



- Interpersonal skills develop.



- Sharing stories about what has been learnt about leadership and groups.
- How can this be developed?



- Concentrating on working together.



- “What have we learned about leadership and communities?”



- Chris Powell
- Manger of Charlton Athletic Football team.
 - An inspirational and true leader.



- Cascade what we have learnt about leadership, teamwork, our self esteem and school image to our feeder primary schools.





Building community capacity.

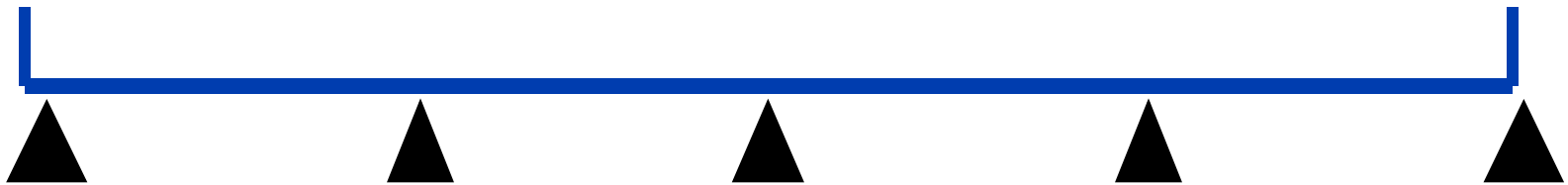
Restoring our reputation.

Achieving our full potential for leadership

Restorative Practice/ Victim needs

Informal

Formal



Information.
What happened?

Answers to their
questions. Real
information from
the offender

Telling the truth and
their experience of
how their views of the
world were upset

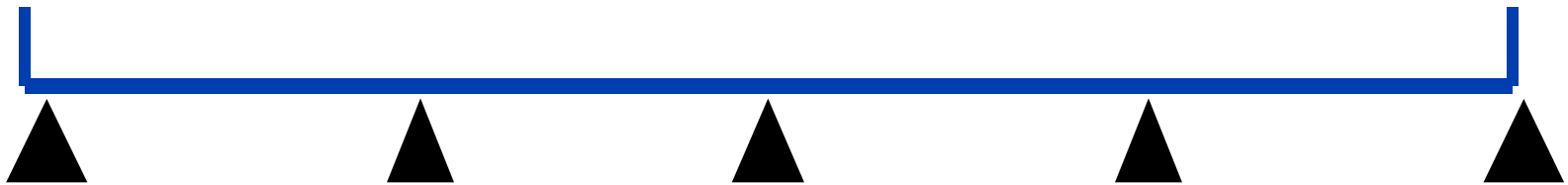
Empowerment
and regain of
control of life

Restitution and
vindication
Closure

Restorative Practice Community Needs

Informal

Formal



Attention to
community concern
about the crime

Opportunity to
build sense of
community and
mutual
accountability

Opportunities to take
on obligations for
victim and offender

Foster conditions
that promote
healthy
communities

Repair the aggregate
effect of crime and limit
future threat to society

Restorative Practice/Challenge Map

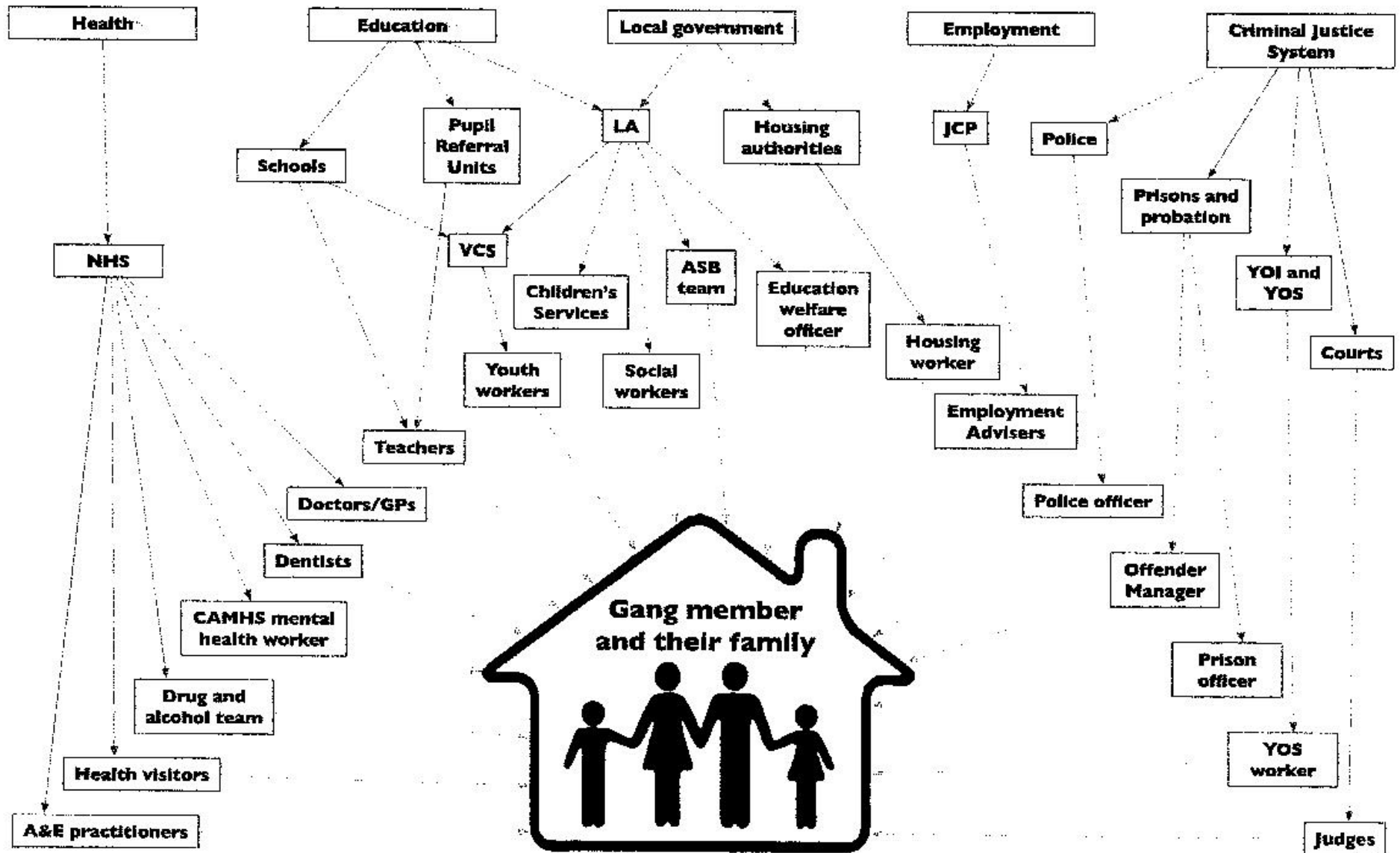
O'Connell/Chaseling - 2010

Engage

Review



Figure 1 – Range of agencies involved with a typical gang member and their family



ASB = Anti-social behaviour
 CAMHS = Child and Adolescent Mental Health Services
 JCP = Jobcentre Plus

LA = Local authority
 NHS = National Health Service
 VCS = Voluntary and community sector

YOI = Youth Offending Institution
 YOS = Youth Offending Service

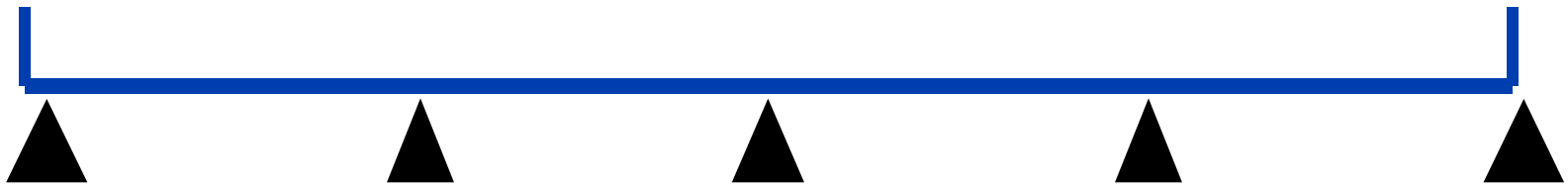
Identifying “Support Squad” players

- Family.
- Extended family.
- Family friends-neighbours.
- Peers.
- Significant others: - employers, teachers, coaches, mentors, community policing staff.
- Others-youth/social workers, programme providers, or people chosen for their special skills.

Restorative Practice Offender Needs

Informal

Formal



Accountability that addresses harm caused

Victim's questions encourage empathy and responsibility

Experience of personal transformations

Healing of harms. Treatment.

Increase personal competence

Re-integration to the community

- The types of programmes delivered by CACT fit under five key aims;
-
- Reducing crime with particular focus on serious youth violence
- Bringing communities together
- Raising educational achievement
- Creating pathways to employment
- Building healthier lifestyles

Outcomes

- In September 2013, Metropolitan Police Service statistical information in Royal Greenwich Borough shows the following:
- In the past 3 years there has been a 52.5% reduction in serious youth violence and a 37.9% reduction in knife crime. When compared to year on year statistics a similar downward trend is evident. This has been particularly reassuring to The Rob Knox & Jimmy Mizen Foundations and the partnership work we deliver tackling violent crime.

ACPO Minimum Standards for RJ

- It is essential that that for a disposal to be considered restorative it must have the following key elements:
- 1) The offender must take responsibility.
- 2) Involvement of the victim, community or other affected party.
- 3) A structured process that establishes what has occurred and what the impact has been.
- 4) An outcome that seeks to put right the harm that has been caused or an outcome that makes other reparation that may not be directly related to the original case.

What does RJ look like?

- Level 1:
- Instant on street disposal by Police Officer or PCSO.

- Level 2:
- Restorative conference arranged for incident that could not be instantly resolved. A neighbourhood panel.

- Level 3:
- Post sentence RJ conference for more complex case.

Will it happen?

- "The Big Society... offers the potential to completely recast the relationship between people and the state: citizens empowered; individual opportunity extended; communities coming together to make lives better.
- "We will end the era of top-down government by giving new powers to local councils, communities, neighbourhoods and individuals"
- **The New Coalition Government (2010)**

Nils Christie

- Warns of the dangers, “when the specialists get sufficient power to claim that they have acquired special gifts, mostly through education, that they can only be handled by the certified craftsman.”
- The ‘system’ is based upon money and power directed and coordinated through the economy and the state.

Home Secretary

- Teresa May said: "One of the big problems for the victims of antisocial behaviour is that they feel powerless. Somebody does something to them or their property and they feel they don't get reparation, or feel they are not part of the process.
- We want to ensure that they have a choice. It will mean saying to the victim: here's a list of options, what do you want to do? They may choose to go down the restorative route, and that they want someone to say sorry."

Conclusion

- “Such macro-community interference, although currently in vogue, is inconsistent to the essence of restorative justice”
- McCold,P,2010
- We promote “family values” but do not value families in our response to crime. We have not recognised that that an extended family community- of- care is the single most important social institution for the regulation of misbehaviour.

The end

- The potential for informal social control diminishes each time justice professionals or symbolic community take control
- michael@cicuk.eu