Introduction

Restorative justice, or a restorative approach, is a philosophy that is thousands of years old and has only been incorporated within Western systems of justice and education for the last three to four decades. Its three main principles are: repairing harm caused to people and relationships when things go wrong; enabling and supporting those accountable to fulfil their obligations to those harmed by their actions; and encouraging participation in the restorative process.

There is a continuum of restorative interventions that are now commonly used, ranging from short restorative discussions through mini-conferences to resolve less serious issues to large conferences designed to resolve serious incidents. Conferences – whatever their size – are always run by an appropriately-trained facilitator who, whilst remaining impartial, asks questions including:

- What happened?
- What were you thinking/feeling at the time?
- What have you thought about since?
- Who was affected by what happened? How were they affected?
- What needs to happen next to put things right?
- What support do you need to make this happen?

In brief, a restorative intervention:

- Intends to heal any harm caused by an incident
- Enables those affected to define a way forward – rather than having a third party decide what should happen
- Provides those who have caused harm the opportunity to:
  - explain their point of view
  - face up to and take responsibility for what they have done
  - make amends in order that they can be reintegrated into their community
- Provides those who have been harmed with the opportunity to:
  - express how they have been affected
  - seek what they need to repair the harm.

Throughout this report you will see restorative work referred to as both restorative justice and restorative approaches; in the education field restorative approaches is a more common phrase as the use of the word justice tends to have too much connection for both young people and parents/carers with the formal justice system.
1. **PURPOSE OF THE REPORT**

   This report outlines the current scope of restorative work with children and young people in the borough.

2. **POLICY CONTEXT**

   2.1 The government’s Behaviour and Attendance Strategy includes aims about reducing behavioural problems (both serious and low-level) and reducing exclusions. Restorative justice forms a key part of the Youth Justice Board’s corporate plan (2008-11) and is featured in the Youth Crime Action Plan (July 2008). Restorative work has clear links with each of the five Every Child Matters outcomes. Lewisham is involved in two national pilots involving restorative justice: restorative youth disposals and ‘triage’ which provides youth offending officers to work within police custody suites.

   2.2 Locally, the Children and Young People’s Plan includes actions around restorative approaches under Staying Safe outcome; our new Anti-Bullying Policy also encourages trained staff to use restorative approaches to resolve incidents of bullying where appropriate. The Youth Justice Plan outlines the use of restorative approaches to prevent offending, increase public confidence in youth justice and improve victim satisfaction.

3. **BACKGROUND**

   **Youth Offending Service**

   3.1 All YOS staff are trained to deliver restorative justice, including the RVAP, and thirteen YOS staff have had more specialist training in restorative approaches. The management team have received in-depth training in restorative staff management and routinely use the approach to manage conflict and staff performance issues.

   3.2 The Youth Offending Service’s (YOS) Restorative Approaches Group (RAG) has representation from across the team and its work has included the development of a Restorative Victim Awareness Programme (RVAP) as a core intervention for all young people, launched in September 2006. The programme ensures that work is always undertaken with young people restoratively in an effort to increase victim empathy.

   3.3 Working restoratively benefits young people that offend, as it gives them an opportunity to understand the impact of their offending behaviour on the people they harm, a chance to take real responsibility for their actions, to repair any harm they have caused and ultimately assist them in moving away from offending.

   **New Cross Gate Community Project (New Deal for Communities area)**

   3.4 The Restorative Justice in the Community project is a multi-agency project that seeks to establish a ‘restorative justice neighbourhood’ in the New Cross Gate NDC area. As far as we are aware, it is the first project of its kind in England. Relevant workers, from both the statutory and voluntary sectors, who have a stake or remit around crime and community safety are being trained in restorative justice and helped to deploy them with the long-term aim
of reducing crime and anti-social behaviour (ASB). The project started working in April 2008 and funding is available until March 2010.

3.5 A Restorative Approaches Development Officer has been appointed to the project to support the use of restorative approaches within the NDC area. The project is jointly funded by the NDC and the local authority.

3.6 Victims of all low-level crimes, who either live in the NDC area or are a victim of crime within the area (up to a level of around Actual Bodily Harm (ABH)), nuisances, ASB, and disputes, are offered the opportunity to pursue a restorative solution to an incident, rather than a conventional criminal justice outcome (or no outcome at all).

3.7 A restorative justice neighbourhood will mean that criminal and anti-social behaviour will be challenged, not accepted, by the individuals and the community that suffers it, and will mean that victims and the community as a whole are empowered and at the heart of the process.

3.8 There are links between the NDC project and a wider police initiative, Restorative Approaches in Neighbourhoods (RAiN), which is operating in New Cross, Telegraph Hill, Brockley and Evelyn wards. Safer Neighbourhood Teams have been trained in the use of restorative justice approaches for use with anti-social behaviour and low level crime eg. vandalism.

Schools

3.9 We have been working with schools to introduce and embed restorative approaches since November 2002. We began by training staff from schools involved in the Behaviour Improvement Programme and then opened training and support to any interested school across the borough. To date, staff from 40 schools (30 primary, nine secondary and one special) have received training in restorative approaches. Schools are encouraged to take this on as a whole-organisation cultural change; they therefore need to be ready and have the resources in place in order to take restorative work forward meaningfully.

3.10 Over time we have developed a range of training and support that ranges from whole staff training to one to one support. It includes awareness-raising, use of restorative language, developing restorative policy and strategy, mini-conference facilitation (just involving young people), classroom conferencing and conference facilitation for serious incidents (involving staff, parents/carers as well as police officers and members of the local community when appropriate). We have also produced two sets of guidance for schools (2004 and 2007), which are used internationally.

3.11 Since 2004 we have had a Restorative Approaches Development Officer who works with schools three days per week to introduce and embed this way of working. The Behaviour inclusion Co-ordinator oversees this work and also works strategically with schools.

3.12 Since the beginning of the project strong links have existed with Lewisham Action on Mediation Project (LAMP). Many of the schools using a restorative approach go on to train peer mediators within their schools, who are trained by LAMP.
Governance

3.13 A working group was set up in 2003 to oversee restorative work, initially in schools, and then more widely. This group has had representation from the police, education, crime reduction services, NDC, Victim Support and LAMP. The amount of restorative work going on across the borough has grown significantly since 2003 and as a consequence the governance arrangements are about to change (see current situation for further details).

4. CURRENT SITUATION

Youth Offending Service

4.1 The YOS continues to use the Restorative Victim Awareness Programme, an 11-session programme for all young people known to the YOS. The programme provides a structured intervention to increase victim awareness and clear pathway routes to restorative interventions such as letters of apology or a restorative conference.

4.2 The YOS uses an established manual that provides clear guidance procedures in working with victims and restorative justice. The manual includes how to work with young victims and vulnerable victims and is underpinned by the code of practice for victims of crime.

4.3 In 2006-07 we extended the programme by providing training to residential children’s homes, a youth club and the anti-social behaviour team using public service agreement and Youth Justice Board prevention funding. This work is now being taken forward with the appointment of a Restorative Approaches Development Officer who has responsibility to further develop our community-based restorative approaches work.

4.4 The YOS is currently one of two pilots chosen by the London Criminal Justice Board for the Triage Diversion Scheme. The goal is to reduce the number of young people who appear in court. There is a Diversion Worker based in the police custody suite working alongside police officers to divert young people out of the youth justice system. The Diversion Workers are trained in Restorative Approaches and seek to ensure that all victims are offered a restorative process where appropriate.

4.5 The YOS are working with young people in order for them to use restorative practice to resolve conflict between themselves, for example through the LEAP programme for those at risk of gang involvement, and a new peer mediation course for first time entrants to the Youth Justice System. This work is funded through the Working Neighbourhoods Fund.

New Cross Gate Community Project (New Deal for Communities area)

4.6 159 people across ten different agencies have been trained in restorative approaches by an external training provider Restorative Solutions. Of these 159 people; 92 are trained at Level 1, giving them an introduction to the restorative approach and allowing them to identify cases for intervention, and 47 are trained at Level 2, enabling them to facilitate restorative meetings. The training has received excellent feedback from participants.
4.7 A further round of Level 1 and 2 training is scheduled for October; this is predominantly filled with residents from the local New Cross Gate community.

4.8 Embedding the restorative approach within service delivery across different agencies a challenge. Organisational cultural change of this kind takes time and is slow to develop; it is widely accepted that it can take an organisation between three and five years to adapt to this way of working. The project is working hard with organisations to begin this process of change. Consultancy, top up skills practice and networking sessions are offered on a regular basis to all trained individuals to help them develop restorative practice in their organisations.

**Schools**

4.9 Training and support at all levels continues to be offered regularly; the majority of this is offered in-house, although we continue to use Margaret Thorsborne, an internationally-recognised Australian trainer, to deliver training for those staff wishing to facilitate conferences at the most serious end of the spectrum.

4.10 Staff from the local authority and leading schools are often asked to deliver both keynote speeches and workshops at local, national and international conferences, and we are often visited by education staff from the UK and overseas. Currently we are seen as one of the areas leading on this work in schools in the country.

4.11 LAMP has recently conducted a survey with schools to ask how mediation training could be adapted to reach a wider audience within schools. There has been a good response and we await the results with interest.

4.12 There are strong links with the Social and Emotional Aspects of Learning curriculum being delivered in many of our primary schools and an increasing number of secondary schools; this curriculum encourages the development of empathy, social skills, motivation, self awareness and managing feelings, all of which are clearly related to how children and young people conduct their relationships with others, and how they resolve problems when they arise.

**Governance**

4.13 A Restorative Approaches Steering Group has been set up as a strategic group to oversee the growing amount of restorative work happening in the borough and ensure it is connected to other initiatives taking place. This group has met once and is a mixture of Tier 2 and 3 officers from Children’s Services, Community Safety and the voluntary sector; it will meet quarterly. The Steering Group will report to the Children and Young People’s Partnership Board and the Lewisham Safeguarding Board.

4.14 The structure underneath the Steering Group will consist of an Operational Group for each of these areas: Education, Crime Reduction and Community. These groups will develop, monitor and evaluate the work plans for each area, ensuring communication happens between the three areas, and will report to the Steering Group.
5. IMPACT

Youth Offending Service

5.1 The numbers of victims engaged in restorative justice processes by the YOS has increased. 26.1% of all cases resulted in a restorative process and 95.5% of all victims who participated expressed satisfaction towards the service that had been provided to them.

5.2 The RVAP programme has resulted in improved assessment so that young people are engaging in relevant restorative interventions including direct restorative meetings.

New Cross Gate Community Project (New Deal for Communities area)

5.3 So far, trained individuals have evidenced the following number of conferences:

Police: 29  
Schools: 70  
ASBAT: 6 restorative Acceptable Behaviour Contracts  
Housing: 3 restorative meetings for anti-social behaviour  
Total: 108

5.4 In addition to these evidenced meetings; there is anecdotal evidence of a change in the way that trained agencies deliver their services. For example:

- The Anti Social Behaviour Action Team are delivering their Acceptable Behaviour Contracts using restorative techniques in order to explore with the harmer the impact they have had on the person or people they have harmed.
- Housing officers are using the restorative enquiry technique when taking a complaint from residents. When the restorative approach is used instead of their previous investigation techniques, they are noticing improved outcomes.

Schools

5.5 Schools using restorative approaches report that:

- They are able to reduce their fixed term exclusion rate by using a restorative approach when things go wrong
- Fewer children are sent out of the classroom during lessons
- Fewer incidents happen at break times (particularly primary schools where trained peer mediators are in place)
- Conflict is resolved more meaningfully and agreements made are honoured by young people in a lasting way because they are fully involved in agreeing their terms
- There is a positive impact on the relationship between the school and those parents/carers or members of the wider community involved in conferences
- Young people who have done wrong find the process harder than being excluded, but more effective
- Those on the receiving end feel empowered by the process
- Relationships within the school community are calmer and more emotionally healthy.
6. FUTURE PLANS AND POSSIBILITIES

6.1 Work in partnership with Youth Offending Institutions to develop the use of restorative approaches within custody settings.

6.2 The YOS will be delivering training to the Youth Court Magistrates in October 2008 on restorative justice and victim awareness. The aim of the workshop, which will be facilitated by the Victim Liaison Officer and the Restorative Approaches Development Officer for schools, is to increase understanding of programmes in operation, processes and principles.

6.3 Use the NDC area as a pilot to begin embedding restorative practices into policies for service delivery around Anti-Social Behaviour, incorporating services such as the Anti-Social behaviour Action Team, Housing and Wardens Team (Lewisham homes have already started this process).

6.4 Develop training further within the NDC area that better reflects the needs of individual agencies. The project will aim to devise a modular training programme, to suit the multi-agency context and needs of Lewisham borough. It is hoped that this model will be a cornerstone of good practice that can be rolled out to other boroughs with funds attracted to support the project’s plans around sustainability.

6.5 Work with a local drama group to develop a series of workshops for schools around the use of restorative approaches that could later be developed for the community.

6.6 Train staff in Residential Care Settings in the use of restorative approaches (two days are currently booked at Aisling to begin this process).

6.7 Develop a pilot within a youth club using restorative approaches to resolve issues between young people at the club and any that arise between young people and members of the wider community (work has started to identify a pilot youth club).

6.8 Develop the use of Family Group Conferences through schools and Social Care and Health to work with families as a form of restorative intervention when significant problems are first identified, and ensure support is seamless.

6.9 Attract further funding to increase staffing to support work in schools as it continues to grow and in other areas within the authority as these develop.

7. EQUALITIES IMPLICATIONS

Young people who have had significant harm done to them, or who have caused significant harm to others, are often part of vulnerable groups at increased risk of social exclusion. Restorative approaches attempt to decrease this vulnerability by empowering those harmed to have an equal voice in the process and holding those causing harm accountable whilst supporting them to remain engaged with the community.

8. LEGAL IMPLICATIONS

There are no specific implications arising from the report.
9. **FINANCIAL IMPLICATIONS**

There are no specific implications arising from the report.

10. **ENVIRONMENTAL IMPLICATIONS**

There are no specific implications arising from the report.