



## RECONCILED?

The author, Marian Liebmann, asks whether Restorative Justice can be an effective response to crime.

Would you like to sit down with someone who burgled your house, or smashed up your car, and find out why they did it? Restorative Justice is a process which enables victims of crime to do just that. It's not everyone's cup of tea, but research has shown that it can be hugely beneficial both for victims as well as offenders.

Matthew, aged 16, was walking back from a party in the early hours of the morning with a few friends. It was the first time he had drunk alcohol and he also took regular medication. This combination made him impulsive and muddled his judgement. During their journey home they came across a milkman on his rounds.

The group surrounded the float and started shouting at the milkman. Eventually, a crate of milk was smashed. Police arrived and arrested Matthew, who had led events. As this was his first ever offence, a Final Warning was considered appropriate. The police officer at the Youth Offending Team arranged a conference to take place with the agreement of the victim and the offender. At the conference Matthew indicated that he was ashamed and sorry for what he had done and listened as the milkman explained the economics of milk delivery and that he had had to pay for the lost milk. Matthew had already offered to pay for the lost milk, and had brought £20 compensation along with him. As discussions continued, all animosity was dispelled and the conference ended with the milkman offering Matthew a part-time job.

Not all such meetings end in job offers, but they usually end with greater understanding on both sides. Victims of crime learn about the offender and get to put a face to the crime, ask questions (that only the offender can answer) tell the offender how they have been affected by the crimes, receive an apology (if that is what they want) and occasionally get things such as damage to property put right.

Offenders have the opportunity to take responsibility for what they have done (not the same thing as taking punishment), learn about the effect of their crime, apologise and sometimes put things right. For instance, one young person who sprayed graffiti on the walls of an elderly person's home painted a picture to hang in the reception area, where it was appreciated by residents.

According to the restorative Justice Consortium, a national UK charity which promotes Restorative Justice, these are the hall-marks of a restorative approach:

- @ Victim support and healing is a priority.
- @ Offenders take responsibility for what they have done.
- @ There is dialogue to achieve understanding.
- @ There is an attempt to put right the harm done.
- @ Offenders look at how to avoid future offending.
- @ The community helps to reintegrate both victim and offender.

Restorative Justice is an overarching philosophy about putting the harm right, involving victims, offenders and the community. There are several restorative processes which are being used in the UK and Europe: victim-offender mediation, restorative conferencing, family group conferencing, youth offender panels and victim-offender groups. These processes come from all over the world, based on traditional Aboriginal and Maori ways of resolving harm within communities.

The first use of victim-offender mediation in the UK took place in 1983 in Sheffield. Since then there have been many schemes for adult offenders and their victims, although only a few of these remain. Restorative Justice received a big boost in 1998 and 1999 with the introduction of youth justice legislation which enabled a restorative approach, and many Youth Offending Teams do great work in this area. There is now also an increasing interest in Restorative Justice work within the prison system.

Most of the work undertaken in this area is with young offenders who have committed minor crimes. But there are also many accounts of work done with serious crimes, involving young people and adults.

There is even a victim Offender Dialogue scheme on Death Row in Texas. Victims of robbery, aggravated burglary and murder of family members have taken part in such dialogues in the UK. They have found it an important process in helping them to close a traumatic chapter in their lives.

Questions are often asked about new approaches, primarily, do they work? Most of the research on Restorative Justice is very positive, with high rates of victim and offender satisfaction, most agreements to put things right are honoured, and (mostly) a lower rate of re-offending for offenders who have taken part. Victims of crime report fewer symptoms of Post Traumatic Stress Disorder. A new report collating world-wide evidence is available from the Smith Institute, and a report on a large UK project with adult offenders is awaited from the Ministry of Justice.

Although there have been thriving Restorative Justice programmes in Somerset and Devon, there has been little available in Bristol and its surrounds until recent times - apart from the sterling work of Bristol mediation, on very limited resources.

But recently there has been a sudden surge of interest, with the introduction of restorative approaches for the police, for South Bristol and Somerset schools, for Ashfeld Young Offender Institution, for staff of children's homes and for community groups on housing estates. The Chard and Ilminster Community Justice Panel diverts cases of anti-social behaviour and minor crime from the courts. There is also a new restorative Justice in Prisons Project at HMP Bristol. All these were celebrated at two recent big conferences in Bristol and Taunton.

Restorative Justice changes the way we handle crime and conflict - it is a revolutionary philosophy, that I believe can help to reduce harm in almost any situation.

*Marian Liebmann was the Director of Mediation UK, and since 1998 has been working freelance as a consultant and trainer in Restorative Justice. The increase in Restorative Justice activity prompted her to write 'Restorative Justice: How it Works', which provides an overview of all the work going on in the UK (and abroad). It took her six years to write and to gather the 200 case studies in it.*

**'Restorative Justice: How It Works' is published (2007) by Jessica Kingsley Publishers, price £28, see [www.jkp.com](http://www.jkp.com).**

**Sherman, L.W. and Strang, H (2007) Restorative Justice: The evidence, London: Smith Institute, see [www.smith-institute.org.uk/publications.htm](http://www.smith-institute.org.uk/publications.htm).**

**Restorative Justice Consortium (for England & Wales) see [www.restorativejustice.org.uk](http://www.restorativejustice.org.uk).**