



Restorative Justice (Community Resolution)

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What is Restorative Justice?

Marshall (1999) defines restorative justice as:

“... a process whereby all parties with a stake in a particular offence come together to resolve collectively how to deal with the aftermath of the offence and its implications for the future”.

RJ has been prevalent within various social systems for centuries, it has only started to receive attention within the wider criminal justice system in the past thirty years (**Sullivan & Tifft 2006**).

The 5 Key Principles of the Restorative Mind-set*

1. An appreciation of individual perspectives.
2. Promoting mutual understanding through making explicit the link between behaviour, thought and feeling.
3. A focus on impact and not blame.
4. Identifying underlying need.
5. Accountability and responsibility for self and others.

*adopted from **Belinda Hopkins**, 'Just Care'

Why RJ at Arbury Court?

- During 2017, patients brought to the attention of staff via the patients council that they disliked the level of aggression/violence being committed against staff and peers. Staff also agreed with these views.
- The Senior Team wanted to address this, so formed a '**safer place to be and work**' initiative. This brought together members of staff from across the Hospital and professionals with expertise to review present practice and consider ways forward. The Police Liaison was part of this working group, and brought statistics about call-outs and types of incidents. It was within this forum that Restorative Justice or Community Resolution was proposed.

The Benefits?

- **Take accountability** – opportunity to take accountability for the incident and meet face-to-face with the victim and community in order to repair the harm done
- **Undergo personal transformation** – opportunity to address and heal the underlying issues that contributed to their behaviour
- **Reintegrate (when appropriate/safe)** – through taking accountability, making amends, and addressing contributing factors, individuals are welcomed into the community again
- **Victim Satisfaction** – gaining understanding, repairing emotional harm, a sense of empowerment, control of the process
- **Creation of community capital** - To increase confidence in the system, with a responsibility for delivering a response to anti-social behaviour.
- **Reduction of repeated incidents**

Implementation. *The story so far.*

- 4 Practitioners with Supervisory Framework trained to deliver Restorative Justice Conferencing via REMEDI organisation
- SMT Awareness training
- Development of the Community Resolution Framework which will provide direction and thresholds for the use of RJ principles.
- Community Resolution Protocol (local policy)
- Collaborative working to create Restorative Community
- Qualitative research currently undertaken with RJ practitioners, staff and patients who have received/not accepted RJ

- Ongoing....

Awareness training for staff on the wards and train the trainer

Aim: Restorative Service Quality Mark with Restorative Justice Council

UPTAKE TO DATE

- 17 cases referred (March 2018 – present)
- 7 of these cases involved patient and staff interventions
- 10 of these cases involved patient only interventions (involving multiple patients)
- Of the 17 cases: 8 declined, 3 engaged, 1 current referral, 2 already resolved, 2 ongoing, 1 accepted.
- Reasons for decline

The challenges

- Mental instability, concern of further harm when already experienced trauma
- Limited awareness and understanding - affecting referral, engagement and ultimately implementation
- Access to staff to train
- Achieving cultural change

We are not alone

- Broadmoor, South London & Maudsley, Sussex Partnership Foundation deliver RJ
- West London NHS trust have carried out some preliminary thematic analysis with RJ practitioners and have found that staff are uncertain of the introduction of RJ, there has been ‘focus on other agendas’, overridden by other procedures, professional fear of mentioning harm (credit to James Tapp, Red Teaming Restorative Justice into the organisation, 2019).



Views of our RJ practitioners

- **RJ practitioner 1** - “From the experience I have had with RJ, it has enhanced my skills to not blame or pass judgment but to understand the needs of those who are involved. Implementing RJ with both staff and patients at Arbury Court has had its challenges but I believe that further awareness and training will help further embed the principles of RJ within the organisation”.
- **RJ practitioner 2** - RJ in this setting allows patients and staff to solve any issues in a controlled environment with staff members they know and trust. However, the patients we work with are very unwell and often have no memory or no control over their actions therefore this makes it difficult for the victim to gain the answer they need to help them move on from the incident. This is the main area of difficulty I have found when facilitating these sessions however I do think it is beneficial for both victim and perpetrators to take part in RJ.

Views of our RJ practitioners

- **RJ practitioner 3** - Patients are accepting of this intervention as they already have a trusting relationship with practitioners within our setting (practitioners being familiar to them). Patients appear positive and cooperative during the initial engagement stage upon realising that they are given a platform to participate, express their feelings in an way that suit them. Although this intervention is in its infancy at Arbury Court, there has not been any re-referrals for the same incidents which could indicate short term success.
- Patient engagement, cooperation and understanding of this intervention is dependent mainly on the state of their mental health and this often takes time to stabilise thereby prolonging the intervention. There has been incidences where it would not be possible to engage with one part due to unstable mental state. I strongly feel that there is a risk that, the longer it takes before the matter is resolved, the less importance /seriousness the matter is given by parties especially the perpetrator

Questions



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