Restorative Justice (RJ) in Dorset – Neighborhood Justice Panels (NJPs)

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Restorative Justice (RJ) in Dorset – Neighborhood Justice Panels (NJP)

Executive Summary:

NJP’s in England are local justice initiative made accessible to the public via the police and through probation recommendations in court. They provide an out of court option that is both flexible and cost-effective due to voluntary support. NJPs in Dorset which began in 2011 are currently only available for low level crimes and civil disputes where offender guilt has been offered and victims including their representatives consent to the incident being discussed. NJP meetings are not a replacement, but an addition to HM Court & Tribunals Service. They are designed to encourage offenders to explain and reflect upon their behaviour. They must be willing to show genuine remorse and to face the victim and the harm they have caused to them and those close to them. For victims, there is the opportunity to expand upon the harm impacts, including emotions that they have experienced and to seek closure on the incident in an informal and private setting. These affected parties require a structured and supportive environment. Facilitators are tasked with providing this and to develop a better understanding with the aim of leading to closure and a consensually agreed solution(s). The agreement resulting from this process matters and can be formalised into an offenders’ sentence. They may later be enforced via a court order, where non-compliance with the NJP agreement occurs.

This report summarises data gathered from 21 interviews lasting on average 45 minutes. It explains the how’s and why’s of NJP processes, impacts and the reasons for the high satisfaction and positive engagement rate which has been reported in Dorset following exit survey results collected between 2013-15. Interview data is rarely captured because it can be time consuming, logistically challenging to access and costly. However, such data, albeit indicative and subjective, can reveal important detail regarding the meaning of NJP processes, how they are functioning and why this is so including long term impacts directly from participant perceptions and experiences. The sample gathered was holistic in nature and was designed to cover a diverse range of perspectives and inputs feeding into Dorset’s NJP meetings. As such, they revealed in-depth thoughts from participants who were directly and indirectly affected by NJP incidents in the short (1 month) and long term (months to over year) afterwards. Affected parties interviewed included 12 victims and offenders who representation was evenly split. Some of these affected parties represented other perspectives beyond victims and offenders such as parents/guardians who had been indirectly impacted by an NJP meeting. Beyond this, 8 facilitators and 1 coordinator were interviewed to close the holistic loop. The research aims were to:

1) Understand what expectations matter most to the involved parties.
2) Understand how and why RJ via NJP is applied by considering the extent of satisfaction with the process.
3) Inform NJP best practice by exploring the long term impacts of NJP agreements.

Mapping RJ initiatives nationally in England can be a challenge due to their diversity and the difficulties in ensuring all stakeholders respond. An even greater challenge is to gather qualitative perceptions from participants of RJ initiatives which often feature private and emotionally sensitive issues. Research aim 3 is particularly

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1 This project has been kindly supported by a grant from the Office of the Dorset Police and Crime Commissioner Fund and Bournemouth University Dorset Partnerships Fund.

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pertinent because little is known in the prevailing literature regarding the long term impact of restorative justice initiatives in England. By discussing and sharing such data, it is hoped that more research will be encouraged and future NJP practices will be more informed as well other RJ initiatives as they expand across England.

The shared similar and repeated facilitator perceptions have been summarised under four separate discussion areas as follows: (research prompts in red)

A) Information gathering/explanation:

- Adequate information on NJP meeting? (research prompts: relevant guidance, clear and consistent explanation, effective application)

1) All 8 facilitators discussed the importance of preparation where the participants’ version of events could be ascertained beyond the summary notes provided.

2) All facilitators noted that internal supporters such a family, friends, partners mattered. Furthermore, various external health and psychological agencies could help significantly in the development of empathy between offenders and victims.

3) Protecting the emotional well-being of participants’ (both victim and offender) mattered for all 8 facilitators.

B) Facilitator/mediator qualities:

- Qualities/competencies for NJP meetings? (research prompts: participant respect, fair/balanced process, open/clear communication, harm recognition and understanding, effective time/space management)

2) All 8 facilitators agreed empathy was very important as well as being a respectful listener, non-judgemental and an effective/clear communicator. However, for 2 facilitators, tolerance/patience with disengaged participants was described as a significant challenge, but overall the process was considered to be worthwhile for those involved.

2) Confidence and experience gained from conducting meetings matters for all 8 facilitators.

C) Remorse (genuine apologies):

- Impact of apology on participants (verbal/non-verbal)?

- Genuine remorse means? (*note: no research prompts used)

1) For all 8 facilitators it was noted that apologies are a usual and important part of the process. They are encouraged, but crucially apologies do not always happen.

2) In particular, all 8 facilitators collectively discussed the importance of encouraging both meeting and often post-meeting informal engagement and interactions.

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2 These 5 research prompts were adapted directly from Restorative Justice Council. (2011) Best Practice Guidance for Restorative Practice. Restorative Justice Council: London, at p. 13 where core restorative practice regarding communication process is listed at point 2.

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D) Guidance and training needs:

- Extent of satisfaction with guidance/training?

1) For all 8 facilitators, the support from the NJP (police) coordinator mattered not just in terms of management, but for championing the NJP cause. This extended to actions such as helping/assisting in meeting preparation, contacting participants and general encouragement of facilitators in their role.

2) Future expansion and integration matters for all 8 facilitators and in particular there was significant curiosity expressed as to what the long term impacts of NJP meeting on participants’ future lives could be.

3) On NJP development specifics, all 8 facilitators were in favour of more serious crime being considered by NJPs.

4) On integration, only 1 facilitator was partially aware of Magistrates Court enforcement of NJP solution agreements via their reports based upon recent legislative changes in 2013/14.

5) All 8 facilitators acknowledged the potential limitations of NJP agreements, which were perceived as reliant upon respecting participants’ autonomy and building a consensual agreement.

Improvements:

- Changes/improvements for future best practice? (research prompts: comparison to other forms such as police diversion and court resolution via sentencing and whether more positive or negative, NJP solutions considered at court later on)

1) All 8 facilitators wanted to see a more frequent case load.

2) For all 8 facilitators, more information beyond summary notes regarding participants’ backgrounds was viewed as helpful.

The shared similar and repeated victim and offender (including representatives) perceptions have been summarised under four separate discussion areas as follows: (research prompts in red)

A) Information gathering/explanation:

- Adequate information on NJP meeting? (research prompts: relevant guidance, clear and consistent explanation, effective application)

1) For 9 participants, there was adequate information provided by the facilitator regarding the purpose and achievement objectives of the NJP meeting. These participants also shared a common morality based upon learning lessons by confronting wrongs and putting them right in order to attain closure.

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2) For 3 participants, it was felt that information regarding the NJP meeting provided by the facilitator could be improved in two ways. First, guidance on what to expect regarding the meeting could have been made clearer. Second, understanding participants’ fully via their past experiences and navigating through the often complex plethora of subjective emotions attached to them was considered important.

B) Facilitator/mediator qualities:

- Qualities/competencies for NJP meetings? (research prompts: participant respect, fair/balanced process, open/clear communication, harm recognition and understanding, effective time/space management)

1) On a positive note, 9 participants similarly reflected upon a fair and balanced meeting, which provided them with an adequate opportunity to explain how the incident affected them.

2) On a negative note, 3 participants similarly reflected upon a perceived imbalance in their NJP meeting, which focussed too far either towards the victim or offender perspective and their respective supporters.

C) Remorse (genuine apologies):

- Impact of apology on participants (verbal/non-verbal)?
- Genuine remorse means? (*note: no research prompts used)

1) All 12 participants reported that an apology mattered and was part of their NJP meeting. However, whilst 9 participants felt the apology process was genuinely meant, 3 participants did not feel this was the case.

2) For these 9 participants, a genuine apology commonly included the following elements: 1) empathy focussed explanations in the speakers’ own terms which recognised and addressed all of the harm caused, and 2) expressions from the speaker that were spontaneous, rather than rehearsed using open body language.

3) For the 3 participants who did not feel they had received a genuine apology, the offender explanations provided did not appear to them to be authentic. These participants commonly experienced a high supporter influence against them, which in their view had caused an imbalance to their NJP meeting discussions.

D) Guidance and training needs:

- Extent of NJP meeting comfort, satisfaction and support? (research prompts: appropriate delivery – voice, tone and pace, awareness of health and social care issues and understanding of other representatives’ support)

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3 These 5 research prompts were adapted directly from Restorative Justice Council. (2011) Best Practice Guidance for Restorative Practice. Restorative Justice Council: London, at p. 13 where core restorative practice regarding communication process is listed at point 2.

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1) On NJP meeting comfort, a slight shift to more comfortable, was noted after the meeting. The slight shift in participant responses was from 8 comfortable and 4 uncomfortable before the meeting to 9 comfortable and 3 uncomfortable after the meeting. For those participants who felt comfortable, the facilitators’ preparations for their NJP meeting had helped.

2) For those participants who felt uncomfortable, the facilitators’ preparations for their NJP meeting had not fully alleviated all the practical inconveniences to them.

3) On NJP meeting satisfaction, a slight shift to more satisfied, was noted in the long term (2 months + after NJP meeting). The slight shift in participant responses was from 8 satisfied and 4 dissatisfied in the short term (1 month after NJP meeting) to 9 satisfied and 3 dissatisfied in the long term.

4) For those participants who felt satisfied in the short term, effective and detailed preparation and mediation from the facilitator had resulted in an organised, balanced NJP meeting.

5) In the long term, the successful application of a resolution agreed upon mattered. These resolutions typically included: 1) financial remuneration, 2) letters of apology, and 3) voluntary offender remedial actions i.e.) rectifying physical damage done where appropriate.

6) For those participants who felt dissatisfied in the short term, the preparation and mediation provided by the facilitator was not effective and lacked detailed preparation resulting in an NJP meeting that felt disorganised and imbalanced. Later on in the long term, this dissatisfaction continued where participants perceived they had received only a limited reassurance from the facilitator regarding any resolution progress as agreed.

7) On NJP meeting support, the overview of responses indicated that 9 participants felt supported during the process, whilst 3 participants felt unsupported. For those participants who felt supported, long term health and social care support structures mattered, in particular internal support structures. Internal support structures included family, friends and partners. External support structures included the facilitator, the police and outside agencies dealing with complex recognised physical/mental health issues.

8) For those participants who felt unsupported, whilst internal support structures had helped them, external support structures had unfortunately in their view provided only limited help.

Improvements:

- Changes/improvements for future best practice? (research prompts: comparison to other forms such as police diversion and court resolution via sentencing and whether more positive or negative, NJP solutions considered at court later on)
1) In terms of future best practice, 9 participants positively and 3 participants negatively compared their NJP meeting to other forms of resolution such as Dorset Police Service and HM Courts & Tribunals Service.

2) Only 2 participants spontaneously showed some awareness of court enforcement of an NJP resolution via its’ inclusion within a later court order. All 12 participants after being made fully aware of this, felt the possibility of enforcing NJP resolutions via a court order was important and should be applied where necessary in order to counteract any offender non-compliance.

3) For those 3 participants (all victims) who made negative comparisons, avoiding court and a formal sentence limited offender accountability and the extent to which they could be punished. Furthermore, referrals to NJP meetings based upon the appropriate level of offence seriousness could benefit from further consideration of positive and in particular negative offence elements (repeated, similar offending).

Conclusions & Recommendations:

1) The data gathered indicates that an informed and prepared facilitator who regularly engages with participants matters to those volunteering for the role. Increasing NJP meeting caseloads to gain application experience can be beneficial into the future.

2) The long term impact of NJP solutions which have been consensually agreed with participants (victims/offenders and their supporters) of NJP meetings in Dorset is largely positive. However, the enforceability of NJP solutions via later court orders could be better recognised by participants, particularly victims. This in turn can help to increase public trust in and satisfaction with the NJP solutions provided.

3) Expanding a qualitative interview analysis to more NJP participants across Dorset as provision expands is beneficial. It can help us to better understand the complex mediation processes involved including importantly the long term residual impact, as little data has been gathered nationally. This knowledge can in turn benefit the future provision of NJP services in Dorset and help to inform training programmes for facilitators. Should the Dorset NJP model be applied in other English counties, this report provides some valuable indicative data to help guide future best practice.

4) As a successful and expanding form of local community engagement and resolution, NJP data from participants in Dorset in 2013-16 has repeatedly indicated positive impact via high satisfaction rates. It is important that as NJPs expand that the positive long term impact upon participants is gathered and monitored. NJPs run by trained volunteers provide helpful support to key players, most notably the police, probation and the courts in the task of law enforcement. The findings of this report provide a detailed and rare insight into their work load and this is turn helps to gain the trust and support of these key players in the perpetual fight against crime and civil disorder.
Peer Review:

This report has been kindly peer reviewed by two leading academic experts in Restorative Justice in England and Scotland. Their review comments are available for open access below alongside their contact details.

England:

In reviewing, it was interesting to see how far this evaluation coincided with findings on effectiveness, satisfaction and other measures in our own RJ tests. Your findings on the views of both victims and offenders very much reflected ours. I'm also glad to see that this evaluation reported on the great importance of proper preparation by the facilitators. I would also agree with Dr Lowenstein’s remarks about increasing referrals and in expanding the availability of the programme. I would add that it would be very good to see the programme extended to more serious crimes, and as an addition to normal Criminal Justice processing as well as instead of it. Relevant to this evaluation is the Campbell Systematic Review of RJ face-to-face conferencing, which can be found online at: http://www.crim.cam.ac.uk/people/academic_research/heather_strang/rj_strang_review.pdf

Dr. Heather Strang
Director, Police Executive Programme
Director of Research, Jerry Lee Centre for Experimental Criminology
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Scotland:

“At a time when restorative justice practices are patchy and relatively underdeveloped in Scotland it is very useful to learn as much as one can of experiences elsewhere, and in this respect the Dorset account is helpful. What can be taken from it are practical questions around the role of the police, the training and experience of facilitators, an appropriate investment in pre-conference preparation and the delivery of outcome agreements (albeit that little was said in the paper about this). As we know, restorative practices are an approach that is potentially helpful in a wide range of contexts and circumstances. In terms of criminal justice, while volunteer facilitators working on low level crimes 'fit' with initiatives to devolve some responsibility for this to community and neighbourhood, the ambition should be to offer competent services to victims of more serious crime prosecuted by the criminal justice system.”

Professor Mary Munro,
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Introduction:

RJ mediatory interventions appear to operate as an umbrella term. They can vary globally and can include a mix of processes and participants:

“1. Indirect dialogue;
2. Facilitated dialogue between victims and offenders;
3. Facilitated dialogue between victims, offenders, supporters and government officials;
4. Facilitated dialogue between victims, offenders, supporters, government officials and community members;
5. Directed dialogue between victims, offenders and other parties;
6. Arbitrated dialogue between victims, offenders and other parties.”

NJPs appear to primarily connect offenders with their victims via apology letters or mediation meetings. Within meetings, the facilitator will try to encourage offender, victim and supporter dialogue in order to find a consensual agreement. This appears to be most aligned to RJ processes 2, 3 and 4, but could arguably apply to all 6 processes which are noted above.

NJPs as a form of RJ intervention have expanded across the UK over the last 15-20 years. They were introduced into the New Zealand Courts System through a desire to better engage with the Maori community in the 1980’s. They were later integrated with juvenile and adult court decision making with agreement outcomes considered between voluntary participants of NJPs. In the UK, there has been support for RJ interventions with initiatives developed and offered by Thames Valley Police since the mid-1990s. Today, RJ interventions have become established in a number of jurisdictions and their influence on sentencing outcomes has increased as trust and understanding of best practices has been developed. In England, the expansion of RJ interventions since the late 1990’s led to the establishment of the Restorative Justice Council, London in order to support, guide and promote RJ solutions in England. To further integrate RJ solutions into the criminal justice system the law has encouraged their flexible use by criminal/civil justice partners. The list of organisations can include 16 providers, where contact and response to mapping surveys has occurred: National Probation Service, Community Rehabilitation Company, Prison, Police, Police & Crime Commissioner, Young Offenders Institution, Youth Offending Team (most frequent provider), Secure Training Centre, Secure Children’s Home, Local Authority, Voluntary & Community Sector, Neighbourhood Justice Panel, Other, Private Company, Criminal Justice Board and Multi-Agency Partnerships who can all operate around the caseloads of Magistrates’ Courts. RJ solutions can be applied pre-sentence when dealing

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8 Meadows, L. Kinsella, R. Ellingworth, D. Wong, K, Senior, P. (2014). Mapping Restorative Provision in England & Wales: National Report, Sheffield Hallam University: Sheffield at p. 19 have provided data which notes 0 NJPs in Dorset. This perhaps demonstrates some of the significant challenges as researchers try to accurately map RJ provision as it develops across England and Wales. In this report, accurate data gathering was reliant on the responses to an electronic survey which was
with a guilty plea or post-sentence via a rehabilitation activity requirement (RAR) under section 15(7)(b) of the Offender Rehabilitation Act (2014). Under section 44 of the Crime and Courts Act (2013), judges in the Crown Court and Magistrates’ Court have the power to defer a non-custodial sentence. This is whilst potential RJ interventions take place, with guidance from a probation officer in court as to its appropriateness. Where a RJ report has been accepted by the court, the RJ agreement solutions can form part of the offenders’ formal sentence. This ensures that what has been consensually accepted by all participants can then be fully integrated into court orders, which are enforceable upon breach by the judiciary of England and Wales.\

NJPs primarily attempt to resolve via agreement the physical and emotional harm impacts of low level local crimes and anti-social behaviours. They currently operate as a consensual out of court option. In other words, they are offered to victims as an alternative form of resolution from a Magistrates’ Court summary sentencing hearing. The offender remit is usually adults (18+), but they can deal with anti-social behaviour cases where no crime has occurred that involve juvenile offenders (16+). NJPs provide a valuable opportunity, whereby the emotional impact on participants can be discussed in a more informal and private setting with the goal of a positive resolution being agreed upon. Emotional impacts can vary and picking apart the meaning of these emotions can be very complicated. For example, one can consider the meaning of remorse as an emotion which has been the subject of extensive philosophical debate for some time. There appear to be associated emotions with remorse, which are open to subjective interpretations and experiences beyond the objective normative labels that can be identified within empirical data. We can try to conceptually distinguish the arguably associated emotions of remorse such as shame, guilt and regret. We can then contrast their differences in order to clarify the characteristics of genuine remorse: subjective acceptance of moral wrong, harm caused, blameworthiness leading to a desire to apologise and/or repair the harm caused. However if the characteristics of remorse can ever be agreed upon, this still may often not match the complexity of the emotional harm impacts discussed and experienced by NJP participants in reality.

NJP processes are initiated by a police officer or a local council officer (NJP coordinator) who considers appropriate low level crimes or incidents, which pass the Association of Chief Police Officers (ACPO) minimum standards and have involved participant liaison to gain informed consent. Emotional harm impacts within NJP’s are likely to form from a diverse range of participant experiences, which can influence the level of satisfaction and engagement reported. For example, the involved parties include a consenting harmed person and guilt accepting wrongdoer, who are often brought together with their own supporters in attendance (family members, partner or friends). The diverse mix of participants and involvement of supporters can add significant emotional impacts to the process.

emailed to various criminal/civil justice system partners. It also focussed on RJC accredited schemes nationally, which omits some RJ schemes that are in the process of accreditation such as in Dorset, where the scheme is not RJC accredited as yet, but the facilitator training is. The ultimate aim for the Dorset NJP scheme is to pass the RJC Quality Mark (RJQM), which one achieved will allow them to join the national list. The RJ provision mapping report is available online at: http://restorativejustice.org.uk/sites/default/files/resources/files/Mapping%20restorative%20provision%20in%20England%20and%20Wales%20-%20National%20report.pdf [accessed May 2015]


* The Office of the Dorset Police & Crime Commissioner is open to the Dorset NJP Scheme being expanded into low level crime committed by juvenile offenders (10-17), which the Safer Schools Team currently deal with.


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management complexity to NJP meetings. Preparation includes initial contact with the involved parties with a suitable safe and neutral venue (for example, a police station, probation office, local community centre or even a prison) agreed upon. The NJP meeting is guided by a script, which considers either acknowledged or unacknowledged harm (appendix d). NJP agreements are likely to have a significant emotional impact as they can lead to the following rehabilitative outcomes: written/verbal apology or explanation, neighbourhood empathy, problem solving services attendance, educational interventions, non-repetition of behaviour agreements. These outcomes, similar to formal sentences are likely to be aligned to the sentencing aims/purposes under section 142, Criminal Justice Act (2003), in particular the reduction of re-offending by deterrence and rehabilitation.

RJ practice development in England:

The rehabilitative/reformative RJ principles of offender harm acceptance and the reaching of a facilitated offender and victim consensus matter. The Restorative Justice Council (RJC) established as a charity organisation, has long sought a national standard and recognised accreditation of RJ skills since 2004. RJ practice issues such as limited access, awareness, capacity and evaluative evidence have been identified as important to overcome. In 2010, RJ government policy led to the RJC being commissioned to guide best practice and ensure an inclusive and flexible toolkit approach. This approach includes guidance on risk assessment, effective engagement/interaction (body language), technology (video-links), atmosphere (informality) and the development of long term understanding (empathy). Furthermore, the current RJ facilitator (3 day) training provides valuable transferable communication skills to those who are interested in the criminal justice system, with even the opportunity for a Diploma in Restorative Justice.

Positive victim satisfaction rates of 85% and a significant reduction of 14% in re-offending rates have been reported for RJ interventions across the UK since 2004. There are hints of what effective restoration may mean and what best practice in approach could be, i.e.) informal tea and biscuits leading to unplanned positive RJ participant interactions and improved understandings. In Dorset, from the facilitator perspective, guidance on how best to approach NJP meetings is available, (appendix d). Where there is acknowledged harm more emphasis can be placed on the offender causing harm, rather than the victim who is affected by it in criminal dispute resolutions. For civil disputes the responsibility for harm may be interchangeable as it may be caused by both the offender and victim. Where there is unacknowledged harm, facilitators will attempt to identify the extent of individual responsibility and acceptance of harm, but only ‘if possible’ and if not this step can be skipped. The step by step guidance in Dorset supports information gathering and

preparation on expectations, before a discussion occurs regarding the impacts from all the participants’ (including supporters) perspectives.

In England, there appears to be much more that may be learnt from qualitative, perhaps even comparative inquiries (surveys, court files, observations, interviews) regarding different RJ intervention models. How NJP meetings are being approached and subjectively experienced by participants may explain what impact may mean. If available and relevant, impact can be measured by being comparatively aligned to offence-specific re-conviction rates (within one year) of offenders referred to a community resolution RJ programme.\(^{21}\) If such quantitative data is used to indicate a programmes’ success or failure, to increase perspectives, further qualitative data may be gathered to indicate the perceptions aligned to that trend. In gathering such data, perceptions may vary between different offence categories, offender typologies and court referral structures. For example, on the latter point in New Zealand, court intervention may occur there, where victims do not want to participate. Further, court intervention may occur there, where an offender fails to comply with the RJ agreement and enforcement is deemed necessary. The reasons why this is so matter and may suggest the limits of voluntary participation in a society where RJ solutions are well established and integrated into the legal system and culture. In England, RJ options have only recently been formally integrated via statute into sentencing practices via court orders. The inclusion and enforcement of RJ agreements here are based on judicial discretion with very little known as to how judges will choose to embed them into sentencing practice via their future court orders. The key court procedure RJ initiative questions that require a yes from the judiciary are recommended to be:

1) **Does the offence involve a victim or witness who has been harmed?**
2) **Does the offence involve a consenting risk assessed victim/witness, especially in domestic violence, hate crime or sexual harm cases?**
3) **Is there RJ initiative provision in the court area?**
4) **Does the offender accept their guilt and consent to an RJ initiative?**
5) **Does the victim consent to an RJ initiative?**\(^{22}\)

Beyond these questions, suitability, engagement and satisfaction levels may well depend on the content and the extent to which past RJ reports are made available to members of the judiciary with the highest case load, who sit in the Magistrates’ Courts. Furthermore, whether any deferment of sentence for an RJ initiative to take place is completed in a timely manner within typically 6 to 8 weeks is another important practical consideration.

Previous qualitative studies on NJPs in England have identified that beyond initially high satisfaction rates, there is a lack of data on the long term effectiveness of these panels via participant (offender, victim, facilitator,) satisfaction levels afterwards.\(^{23}\) Previous NJP research using questionnaire surveys have tried to re-dress this gap and noted relatively low response rates. In Sheffield, for example, this was noted particularly from offenders, who perhaps should have been more keen to reflect upon their experiences after a RJ

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intervention. The latest evaluation of RJ across 15 NJP test areas only reported upon eight in-depth face to face interviews in a sample of ten offender and victim panel users (one over the telephone). However, despite the indicative limitations of this small sample some important conclusions emerged. The in-depth interview approach as a follow-up method to measure long term impact was considered important as it provided the opportunity to consider the diversity of views and experiences of NJP panel members. It was also concluded that ‘sharing learning between NJP areas and beyond about effective processes, systems and documentation’ helped to save both time and money.

Importantly beyond NJP areas in England, there is extensive and valuable data on RJ best practices available from other jurisdictions. For example, in Northern Ireland, the youth conference service, have already successfully integrated RJ practices into their youth justice system since 2009. Importantly, the implications of RJ expansion in the rest of the UK were considered. In particular, the negative implications were noted due the increased size and complexity (30 times larger) of England & Wales youth justice services, made larger still if we include adult offenders (18+). However, the positive implications of RJ expansion are also noted with findings of high victim satisfaction and constructive offender engagement in Northern Ireland.

Further afield there are important comparative RJ evaluation lessons to be learnt from the Commonwealth, such as in New Zealand. In particular, where the Wanganui community managed RJ programme evaluation positively concluded that effective best practice focussed on voluntary participation and representation as well as well-informed courts and participants whose emotional and physical wellbeing were fully protected. This appears to align similarly with best practice principles supported by the Restorative Justice Council, London. Comparing differences, in Wanganui the roles of the coordinator and facilitator were usually performed by the same person, unlike the separated roles/involvement of coordinator and facilitator within the Dorset NJP scheme. The seriousness of crimes (grievous bodily harm, burglary) that the Wanganui programme dealt with is higher than in Dorset. Starting from low level crime (low violence, young age 17-25 and limited previous conviction history) which is similar to the current focus of NJP’s across Dorset, the Wanganui schemes’ scope was later broadened to ¼ violent offences and ½ property offences. In particular, 19% of offenders admitted to prior minor assault offences and 22% were referred from a serious violent offence with family and sexual violence cases causing some significant voluntary participation refusals. This Wanganui data hints at the limits of voluntary participation, particularly by victims, that Dorset NJP’s perhaps may encounter if their offence remit is expanded to higher seriousness crimes in the future.

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Gathering RJ provision data centrally, from across England in order to try to measure success is not deemed appropriate, due to the high administrative burden. However, RJ provision data at a local level is deemed appropriate as the EU Victim’s Directive is applied in 2015, perhaps leading to Victim’s Law reform. The Government’s action plan for restorative justice in England up to 2018 sets out three key future actions in order to better embed RJ within the criminal justice system (CJS). First, equal access is sought for RJ victims across all stages of the CJS. This includes pre and post sentencing stages and applies to both youth and adult offenders. Second, a shared awareness and understanding of RJ across the CJS is sought. This is to be achieved by establishing terminological clarity and by the identification of best practice. Third, maintaining the quality of RJ provision through trained facilitators across the CJS is sought. This entails the provision of clearer RJ guidance, the raising of standards via a RJ Experts Group and the use of grant contracts that include progress reports to be completed by March 2016.

**NJP practice development in Dorset:**

Restorative Justice Initiatives whether pre or post sentencing can be suitable for any offence and sentence type from community to custodial sentences. However, the focus may vary across counties and RJ service providers. The Dorset NJP scheme, which began in 2011 in Bridport has been to involve the local community in the consensual resolution of admitted (guilt accepted) low level crime. This can also include anti-social criminal behaviours as well as civil matters such as minor housing and neighbourhood disputes. It is not normally suitable for domestic violence, hate crime or sexual offending cases. The RJ projects in Dorset as of Jan 2015 include:

- Neighbourhood Justice Panels in West Dorset, such as Bridport, Dorchester and Sherborne and expanding to Weymouth and Portland, with a new NJP being set up in Poole.
- Access gap to RJ between conviction and sentence (pre-sentence) that fosters a victim centric culture, particularly in adult work.
- Post-conviction RJ application in Dorset prisons.

Prior survey data has been gathered regarding the extent of satisfaction (very satisfied to very dissatisfied) of NJP participants in Dorset. The survey was constructed internally, the data gathered and filed to the best ability of 1 West Dorset Neighbourhood Justice Panel coordinator. The coordinator role in Dorset is crucial, working with the Office of the Dorset Police & Crime Commissioner and the independent NJP facilitators who are...

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volunteers from the local public. The role encompasses: 1) the identification of genuinely remorseful cases that may be resolvable via an NJP; 2) Liaison with police and later on courts as appropriate; 3) Ensuring NJP facilitators receive Restorative Justice Council approved training, guidance and support through regular meetings. The past police experience of the Dorset NJP coordinator is helpful to achieving and maintaining case referrals and ensuring continued police trust and support for the scheme. If the management role also included a facilitator role, there would be resource management implications to consider. For example, the case load for a coordinator/facilitator would need to factor in the additional management expectations carefully.

Facilitators in Dorset complete meetings via a script (appendix d) and may voluntarily produce a short report afterwards for the coordinator. Beyond this data gathering, the current coordinator, based at Bridport, has helpfully gathered survey data between 07/01/13 to 12/02/15. This period encompassed approximately 110 NJP participants. The survey sample consisted of 90 participants completing post-panel questionnaires from a total of 29 NJP’s. A small number of participants had either declined or forgotten to complete the survey with some choosing not to answer specific questions. The survey was voluntary and conducted at the NJP venue only, shortly afterwards when perceptions, perhaps also emotions would be pertinent. At the conclusion of each NJP, facilitators would normally hand out the survey and request that participants answer as many questions as they wished to answer (appendix e). Participants included the victim, offender, supporter and observer. This did not include other facilitators who may observe an NJP for training and quality assurance purposes. Results were gathered collectively rather than from a specific participant perspective. The results in summary indicated that:

- 85% of all participants were either ‘very satisfied’ or ‘satisfied’ (64% and 24% respectfully) with how their case was handled.
- 82% felt they ‘had the opportunity to express their opinions and feelings’.
- 88% said found it ‘very helpful’ or ‘somewhat helpful’ to meet the other party in a panel setting - (73% and 15% respectfully).
- 98% said they would recommend RJ (NJP) to others.

The survey data gathered suggests that participants overwhelmingly found the NJP process to be very satisfactory, helpful and would recommend the process they had just experienced to others. The NJP process involves significant preparation time and planning from volunteer facilitators. These facilitators normally meet and engage with the participants in advance of the panel meeting in order to ensure its’ smooth running and effectiveness. Facilitators are trained over 3 days in accordance with the accredited Restorative Justice Council training syllabus and have subsequent student-centred 1 day refresher training sessions. Building on this survey data, how NJP processes are being applied and why high satisfaction levels (%) are being reported could be further qualitatively investigated from the perspective of NJP participants.

Methodology:

Identifying what is most suitable for an NJP evaluation of process is important. First, one may wish to define what qualitative and quantitative research strategies may mean. Quantitative methodology appears to be deductive (testing theory) positivist and objective,
whilst qualitative methodology appears to be inductive (generating theory) and subjective.\(^{38}\)

Second, assumptions can easily be made when comparing research strategies and upon application to a research task the suitability of a methodology can become more complex. It would appear that there is no right or wrong research strategy, albeit beyond recognising the pros and cons and doing one’s best to explain and understand them. Whatever the research strategy, researchers are arguably trying to advance human understanding with research tasks attempting to overcome reliability, validity as well as significant sampling and measurement challenges. For example, gathering quantitative data on the biological trends from NJP processes in Dorset where the sample is small (25 maximum) such as age, gender or ethnicity may be interesting to note. However, they cannot be expected to yield detailed information regarding perceptions of NJP processes and participant experiences regarding satisfaction and harm impact. The limitations of a small sample where quantitative data analysis is applied, can justify why a qualitative analysis of perceptions, which can inform NJP processes could be considered suitable and should be adopted as the primary mode of analysis.\(^{39}\)

The prevailing literature review suggests that it is important to better understand the post-NJP knowledge gap regarding participant impacts in the longer term. It can do so via in-depth qualitative interviews with NJP participant perceptions gathered regarding processes (satisfaction and engagement) and impacts at one point in time. Alternatively, it can be gathered at multiple times over years, although it is harder to keep the same interviewer or track of interviewees (measuring impact) via qualitative longitudinal analysis of NJP development over time. Questions should to be clearly and consistently defined and explained so that participants understand and can make an informed reply. They should also avoid open ended and overlapping questions.\(^ {40}\) Questions can be shaped from a literature review with some questions adapted from recent sample suggested questionnaires.\(^ {41}\)

The disadvantages are that such research projects involving qualitative interviews can be labour intensive, costly and suffer from access difficulties.\(^ {42}\) Qualitative interview studies tend to contain only a small sample. Analysis of the normative responses from such a sample can suffer from subjective researcher skills reliance and bias. The normative data presented is likely to be indicative only with only cautious conclusions being possible to substantiate.

The advantages are that qualitative data can provide detailed data regarding shared perceptions of NJP processes and impacts from a variety of participant perspectives. In particular, when interviewee responses are independently tested by an academic, (what is meant? how is it done? why do it this way?) this can help to explain why there may be high satisfaction rates (97%) beyond the statistics.\(^ {43}\) It can identify best practices in approach and processes which are helpful to NJP training developments. It can also define long term impacts that help reform future RJ project management decisions in Dorset and beyond.

Where funding is available, access to the indicative sample can also be supported by the funder, i.e.) the Office of Dorset Police and Crime Commissioner and Dorset Police.

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\(^{39}\) Kleining, Gerhard. & Witt, Harald. (2001). *Discovery as basic methodology of Qualitative and Quantitative Research*. Forum: Qualitative Social Research, 2 (1) at p. 6.


Having an NJP coordinator who is both supportive of NJP process evaluation and knowledgeable regarding NJP management issues in Dorset can be very important. Academics are required to demonstrate research impact and reach out to their local and global community. NJP evaluation is a positive way one can foster productive working relationships that lead to trust, support and most importantly more data that can help to inform future best practice.

**Ethical considerations:**

Appropriate assessment of ethical issues must be made by reference to appropriate ethics procedures, usually at an institution-level. In this case, it would be Bournemouth University’s Research Ethics Code of Practice.\(^{44}\) An application to any research ethics committee can take time to do, may result in further revisions as required and should be factored into the research design. All participants and the interviewer would need to show informed consent, which can be achieved by sending questionnaires to participants beforehand. At interview, the purpose of the research should be explained with interviewees and the interviewer asked to sign an interview consent form and confidentiality agreement (appendix a). Qualitative interview data which identifies only shared and repeated perceptions helps to ensure that interviewee anonymity is fully safeguarded. Interviews can be voice recorded with interviewee consent and then transcribed word for word ensuring accuracy. Funding sources are important not only for travel and transcription costs, but also for access to the proposed sample. Participant’s (including the interviewer) travel expenses and refreshments can be provided for and if this is the case, this supports long interviewee slots and interviewer interview days. Having a convenient location is also important for those volunteers travelling to be interviewed as well as the interviewer. Once data has been gathered, it must be kept confidential and safe by the interviewer in compliance with the Data Protection Act (1998).

**Measurement:**

Qualitative interviewing must safeguard against three potential measurement problems. Firstly, there is the potential problem of ambiguity in the language used for the questions and how they were consistently explained to each interviewee (McNamara, 1999). To address this, participants should be interviewed by the same person and should receive the same research prompts after their spontaneous responses are given. This helps to ensure that clear and consistent guidance is being given.\(^{45}\)

Secondly, there is a risk that the interviewees could refuse permission to record such personal aspects of their life. Trust is of key importance in arranging access to any sample. If participants are in regular contact with the NJP coordinator or staff at the Office of the Dorset Police & Crime Commissioner this task can be helpfully supported. At interview, in order to safeguard against any technological failure to record the data, written notes can also be taken. Telephone interviews are another option for the interviewees’ convenience. However, in taking written notes during interviews that are face to face or via telephone,

\(^{44}\) Bournemouth University. (2015). Research Ethics Code of Practice, available online at: [https://www.bournemouth.ac.uk/researchethics](https://www.bournemouth.ac.uk/researchethics) [accessed Jan 2015]

there can be the potentially negative impact of interviewees seeing that everything is still being recorded despite the recorder being turned off. 46

Thirdly, the idiomatic transcription of the recorded interviews of all NJP participants requires significant time and funding. Whether it is completed internally or externally, both are likely to require funding agreements to be in place. Those who transcribe should be experienced in handling high volumes of complex narrative data. Transcribing errors such as mishearing, fatigue and carelessness are all potential risks that need to be contended with and safeguarded against through patient and diligent work.47

Sample and Analysis:

This research qualitatively evaluates why a high satisfaction and engagement rate has been reported in Dorset, via involved parties: 8 victims, possibly victim representatives, 8 offenders possibly offender representatives and 9 facilitators. Two interviewer guides have been developed, one designed for the facilitators (appendix b) and one designed for victims, offenders and/or their representatives (appendix c). Interviewee versions of these guides have been produced, which merely omit the research prompts in order to test spontaneous responses. The interviewer should carefully consider participant privacy and anonymity when gathering equality and diversity data. Interviewee participant type (facilitator, offender, victim,) age, sex, illness/disability and ethnicity, where recorded, can only be used to briefly define the overall sample characteristics.

As qualitative researchers will know, there is no standard method for analysing the complex semantics produced by ad verbatim interviews. Instead there is a close relationship of trust and mutual respect between the interviewer and interviewees which enables reliable data to be gathered. Ultimately it is the interviewers own skills of analysis which are extensively relied upon:

“The quality of the analysis rests upon his or her craftsmanship, knowledge of the research topic, sensitivity for the medium he or she is working with – language – and mastery of analytical tools available for analysing the meanings expressed in language.” 48

The interviewer’s skills of analysis of common meanings expressed in language are tested when analysing participant perceptions. The repetition of similar perceptions by many participants can be indicative only of a common and shared understanding amongst those who have participated in NJP meetings. Testing and re-testing meanings may take time within interviews, but this is considered crucial to enhance the accuracy of the data gathered.

The raw data, once transcribed can be analysed in three stages. First, common meanings can be identified and condensed to reduce the ad verbatim data volume. Occasionally, where a common meaning has been expressed particularly clearly, the raw ad verbatim data can be used to form the basis of example quotations direct from the participants.

Second, the level of analysis can turn to ad hoc meaning generation, which by its own flexible nature allows the interviewer to adopt a multiple analysis of all the approaches discussed above in order to understand the deeper data semantics. This approach

recognizes that any interpretation of meaning and language requires recognition of the particular academic perspective being used. In this case, for the interviewer it would be socio-legal, which incorporates subjective interpretations of what high to low, comfortable to uncomfortable, satisfied to unsatisfied, supported to unsupported and positive to negative may or may not mean. This in turn is interpreted for and later by a validating readership of NJP participants, the criminal justice (socio-legal) research community, legal practitioners and judges, police services and the general public. The ad hoc meaning generation approach can be summarized in the following way:

“There is a free interplay of techniques during the analysis. The researcher may read the interviews through and get an overall impression, then go back to specific passages, perhaps make some quantifications like counting statements indicating different attitudes to a phenomenon, make deeper interpretations of specific statements, cast parts of the interview into a narrative, work out metaphors to capture the material, attempt a visualization of the findings in flow diagrams or charts. Such tactics of meaning generation may, for interviews lacking an overall sense at the first reading, bring out connections and structures significant to the research project.”49

Third, the interviewer’s analysis of the data gathered will inevitably suffer from subjective bias. This reduces the objective validity of the research results examined. However, this could also be justified as an alternative way that can help us to develop an in-depth understanding of the inter-personal relationships and cues at play in NJP meetings.50

(Keval, 1996: 236)

“Though increasing the reliability of the interview findings is desirable in order to counteract haphazard researcher subjectivity, a strong emphasis on reliability may counteract creative innovations and variability.”

The analysis of the raw data through these three stages will form a multiple analytical approach. The transcribed interviews by the interviewer, where participant numbers allow, are expected to produce data that reflects the common meanings amongst the participants from their various perspectives. It will also produce direct word for word quotations that help to give a flavour of the exact meaning. Such quotes can be provided directly to the readership to consider further for themselves.

Results:

What follows are the in-depth shared perceptions from NJP participants in Dorset (coordinator, facilitators, offenders and victims including their supporters). Where a high proportion of shared perceptions have been discussed this has been placed in bold for the readers’ particular attention.

Coordinator:

The current NJP coordinator who manages the day to day running of NJPs across West Dorset was interviewed in September 2015 via a short interview guide (see appendix F). The following responses were provided and have been summarised below:


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1. **What qualities/experiences do you feel an NJP coordinator requires?**

Prior experience of police culture helps to provide a detailed understanding of police processes and the support structures. On the latter, for example, understanding the police computer system (NICHE) and the victim support bureau is helpful. On the former, for example, understanding police crime recording and what is or is not a recorded crime. An NJP coordinator should be confident with both offenders and victims which includes excellent inter-personal skills and an open mind.

2. **Do you have any suggestions which you feel can help to improve NJP guidance and training provision into the future?**

The selection of facilitators is assessed via interview criterion (appendix G) and could be improved. First, on logistics which is non-scoring, facilitator availability for meetings is an important aspect that could be scored. Second, the interviewees approach to mediation example scenarios could be measured on a scale from gentle to firm participant prompt usage.

The impact of low numbers and infrequent NJP referrals can cause facilitators to become de-skilled. The lack of mediation experience where skills are applied can be overcome by extra facilitator top-up training where this occurs.

3. **Could the NJP referral and/or participant information gathering process be improved? If so, how?**

The scope of NJP referrals can be widened and clarified. Currently, there are brief police community resolutions (PCRs) and in-depth restorative justice interventions (RJIs). There is ambiguity as to which approach may be suitable for a referral. PCRs are short, basic and conducted by police officers in the community. They can close a crime down very quickly after detection. RJIs offer a more comprehensive resolution path where offender remorse and victim harm is fully discussed. NJP meetings as an RJI are conducted by volunteer facilitators helpfully reducing the work load of police officers. NJPs have in the past reported very high victim and offender satisfaction rates in Dorset.

4. **Do you have any thoughts in relation to future NJP expansion? For example, to perhaps more serious criminal/civil contexts?**

The focus on criminal contexts is welcome with civil contexts due to their protracted nature offering more of a challenge. In terms of future NJP expansion, the process is victim driven and this lends itself into further expansion within Dorset into post-sentencing. Indeed, Sussex RJIs are currently applying post-sentencing opportunities for NJPs widely for all recorded offences with community or custodial sentences. If evidence from Sussex and other counties suggests high victim and offender
satisfaction rates, then a gradual and similar approach in Dorset could be of benefit for participants.

5. Do you have any thoughts in relation to future NJP integration into court processes? For example, the utilisation of NJP agreement reports to better inform the court where binding court orders are possible?

Integration into court processes is important as NJPs expand into the future across counties and regions. Court room actors are likely to have important court process perceptions to share regarding this transition. For example, in Somerset, at the pre-sentence stage, NJP agreements are considered and court proceedings may be suspended whilst various RJIs, including NJPs, are applied. However, this may well present time and cost implications for the English Judiciary and HMCTS, which may impact wider court processes (listing) and have sentencing implications. As the integration of NJP agreements are subject to judicial discretion, their inclusion within court orders and their impact upon sentence lengths remains currently unclear. For example, on the latter, if a Magistrate or District Judge in the Magistrates’ Court chose to mitigate a sentence due to an NJP agreement which demonstrated genuine offender remorse would this then impact future legal representation advice? A defence lawyer may encourage more NJP usage at the pre-sentence stage, where it favoured his or her client’s interests by reducing the sentence length. Judicial trust and faith in NJP agreements and other RJIs remains unclear. Post-sentence, the extent to which RJIs impact parole board decision making as a form of mitigation could be further understood in terms of clarity and consistency.

Further discussion points:

1) If NJP schemes are not fully funded and supported this can cause instability in the short to long term.

2) Evidence based development can increase engagement with and support for NJP schemes into the future. Re-affirming by data, how and why participant engagement and satisfaction levels are high is important.

3) The facilitators competencies checklist offers a skills standard, but should be updated via regular facilitator feedback on application within NJP meetings over time.

Facilitators:

Data gathering regarding the NJP process commenced in March 2015 from facilitators (see Appendix B). The NJP case load remains specific and focussed upon guilt accepted low level crimes and anti-social behaviours, which were consensually referred to mediation involving adults (18+). Whether the harm was acknowledged or not, volunteer trained facilitators were tasked with discussing harm impacts via scripted discussions leading
to an apology or agreement. The flexible resolutions could include voluntary actions or explanations which prompted participant self-reflection and empathy for others. The script prompted process whether considering acknowledged or unacknowledged harm can be summarised as follows:

1) Incident/offence – What happened, how it made you feel? Offender and victim view?
2) Views of Supporters – Such as parents, guardians, friends etc.
3) Views of Offender and Victims mediated to find positive outcomes and ways forward.
4) Reintegration and Refreshments.

Sample characteristics were gathered to merely help define the interview group overall. The interview group consisted of 8 facilitators whose age was mainly (87.5%) middle to mature age (45-84). The gender balance was evenly split with 50% males and 50% females. Only 25% of facilitators noted any equality related characteristics such as health and or disability. On ethnicity, 75% were White British and 25% British Mixed. This compares to Dorset population diversity statistics which indicate a greater proportion of older people (65+) and a higher proportion of women to men than the national average. There is a higher number than the average proportion nationally who report limitations to their day to day activities as a result of health and or disability. In the 2011 census, 4.5% of Dorset’s population recognised themselves as coming from a non-White British (BME) background compared to the national proportion of 19.5%.51

From the enclosed literature review and consultations with contacts within the Office of the Dorset Police and Crime Commissioner, research questions and research prompts were developed. No research prompt was mentioned by the interviewer unless spontaneously discussed by interviewees. All facilitators interviewed, confidently led their discussions with expansion as they deemed appropriate. This meant that research prompts (in red below and included with the answers overview detailed in Appendix B) were largely not needed and were nearly always spontaneously covered and expanded upon. The shared similar and repeated facilitator perceptions can be summarised under four separate discussion areas as follows:

A) Information gathering/explanation:

- Adequate information on NJP meeting? (research prompts: relevant guidance, clear and consistent explanation, effective application)

All 8 facilitators discussed the importance of preparation where the participants’ version of events could be ascertained beyond the summary notes provided. This included pre-meeting phone calls/home visits with participants/supporters and setting reasonable expectations. As one facilitator explained, open emotional discussions were anticipated:

“So I go through as much detail about what’s going to happen as possible and I tell them about the procedure, what’s actually going to happen in the course of the conference. I’ll be sat in a circle, everybody will get a chance to speak and talk about their emotions and how it’s affected and that everyone is going to have an opportunity to speak and it’s very important that they don’t talk over and interrupt anyone else. It’s a learning experience for everyone that’s going to be there and it’s not helped by people getting excited and


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interrupting other people even if they don’t agree with what they’re saying. One of the other important things is we’re not there to judge. We’re there to learn. It’s almost like you’re setting the ground rules in terms of the information you think is the most relevant. It’s setting the ground rules in the context of how things are going to actually run.”

All facilitators noted that supporters such a family, friends and various agencies could help significantly in the development of empathy between offenders and victims. Open emotional discussions regarding harm impact and later apologies offered were frequent with supporters of both victims and offenders offering valuable advice on the wider impact. Supporters offering their perceptions whether positive or negative showed engagement with the process, which in turn could often bring out in the discussions the wider impacts, particularly on offenders, as one facilitator concluded:

“There’s the obvious one that they make people feel more comfortable, but very often in the more difficult cases, where there has been some resistance from the offender, the supporter has been the one who has made them realise the effect on other people. The supporter, say the mother or father of the offender is often for the first time explaining how they feel about what has happened. For a young person to see their mother or father break down in tears because of what they’ve done, it is this that really brings it home to them. The offender begins to realise this is something that has affected people deeply and people close to them also. That is often the turning point in the conference. On the other side, supporters can be so helpful again showing the wider impact of what has happened showing that it’s not just about this one person that you did this one thing to but as a result other people in the community are now frightened or look behind them or have had to support their friends and family because of what’s happened. So I think the supporters are very, very valuable. I’ve done some without supporters and they’ve been fine but I think with supporters they’ve been so much more powerful.”

Protecting the emotional well-being of participants’ (both victim and offender) matters for all 8 facilitators. It is therefore important to have harm and blame clear from the outset or the mediation can descend into debates rather than solutions. Civil disputes were unanimously considered to be more protracted and could involve more ingrained emotions and feelings amongst the participants, which were complex and interchangeable. As one facilitator helpfully explained:

“When you get neighbourhood disputes you’re often dealing with the outer onion layer and what’s been going on for a number of years. The people at the time who happened to be labelled victim and offender, if you actually visited that 6 months earlier you might have reversed the roles.”

For 3 facilitators, acts of redemption offered can mean more than any remorseful words offered by offenders to victims. Court diversion which explores harm/remorse impacts can help particularly for young offenders aged 12-17. However, for 2 facilitators, non-progression factors were noted at the preparation stage which could include a lack of consent, disengagement based on time and availability constraints, or a strong formal court resolution preference.

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B) Facilitator/mediator qualities:

- **Qualities/competencies for NJP meetings?** (research prompts: participant respect, fair/balanced process, open/clear communication, harm recognition and understanding, effective time/space management)\(^{52}\)

  **On a positive note, all 8 facilitators agreed empathy was very important as well as being a respectful listener, non-judgemental and an effective/clear communicator.** This involved listening, calmly organising progress and detachment of personal feelings/emotions. Having a measured voice, varied tone and adopting a steady pace helped. As one facilitator aptly summarised:

  “Apart from the preparation the actual qualities, I would say calmness, fairness, clarity and a certain level of authority. To keep things in order, not being a judge or anything like that, a chance for everybody to say his or her piece.”

**Confidence and experience gained from conducting meetings matters for all 8 facilitators.** The meeting content aided by the script tended to be very thorough and lasted about an hour. Promoting understanding was a challenge with emotional variation based upon different participant values/motivations and life choices. There was unanimous agreement that encouragement of the subjective harm explanation often with strong emotions attached, such as victim anger, which needed to be avoided to reduce participant antagonism. A rehabilitative, utilitarian mind set was also unanimously suggested as constructive, long term and positive solutions were sought. Independence matters for all facilitators both from their own and from the participants’ perspective. All 8 facilitators felt that they should be viewed externally by the public as ordinary and unofficial people from the local community. This was important because it encouraged public and NJP participant trust in the mediation process, one facilitator stated:

  “Being completely independent is really important for the way we’re viewed. I was trying to say this to our coordinator, who has been in the police that people referred to us, may think we are police people and that we are not independent. We therefore have to explain carefully to parties that we are local community volunteers. I think the community background is so important and the fact that we are people from the community. We are just there as equals rather than people who are in charge. I think that’s really important and there’s not that finger wagging feel about it, it’s about trying to help rather than tell off.”

  **On a negative note, for 2 facilitators, tolerance/patience with disengaged participants was described as a significant challenge, but overall the process was considered to be worthwhile for those involved.** Furthermore, the challenge of civil disputes was noted where long term and often ingrained negative emotions could abound, i.e.) self-centeredness predicated on my land, my mess, my business, was a shared example provided. There are limits in controlling NJP meetings not just based on the capacity/suitability of a venue, but the management of large groups of supporters.

\(^{52}\) These 5 research prompts were adapted directly from Restorative Justice Council. (2011) Best Practice Guidance for Restorative Practice. Restorative Justice Council: London, at p. 13 where core restorative practice regarding communication process is listed at point 2.
Furthermore, limitations of voluntary participation are linked to offence seriousness, i.e. death by dangerous driving was an example given. For 2 facilitators, it was felt that having a determined, persistent and firm resolve with participants could promote better engagement where the consent of participant was wavering. For 2 facilitators, having a good sense of humour and a curiosity for participants’ lives was helpful. It was felt that this would be enhanced where follow up meetings as appropriate were applied. However, on pursuing follow up meetings the increased resource implications were noted:

“Sometimes you do need more time and follow up meetings. It’s something that as volunteers we’ve got the time to devote to that but if these things were run by the police they would be really pushed to do the follow up stuff that we do.”

C) Remorse (genuine apologies):

- Impact of apology on participants (verbal/non-verbal)?
- Genuine remorse means? (*note: no research prompts used)

For all 8 facilitators it was noted that apologies are a usual and important part of the process. They are encouraged, but crucially apologies do not always happen. Flexibility in facilitating apologies matters and as one facilitator concluded:

“I don’t think an apology will always necessarily achieve anything, in some especially neighbourhood dispute cases neither parties may think they have done anything wrong and may think it is a humiliation to have to apologise.”

It was unanimously felt by all facilitators that genuine apologies could promote mutual participant understanding, respect and acceptance. Genuine remorse/apology/regret stages were collectively considered by the 8 facilitators to be: 1) physical and emotional harm discussion (verbal) leading to 2) sharing emotions/feelings and then 3) remorse expression via emotions (anger, guilt, shame) and body language (non-verbal) and 4) solution offers made, i.e.) public apology, financial recompense and most emotional of all, if possible, the fixing of any damage by the offender themselves.

In particular, all 8 facilitators collectively discussed the importance of encouraging both meeting and often post-meeting informal engagement and interactions. For those parties who stayed behind after their meeting was over in order to engage in further informal conversation perhaps over tea and biscuits, genuine remorse perceptions appeared to be enhanced. As one facilitator noted regarding genuine remorse cues:

“First genuine remorse comes from what they actually say. Second it comes from their body language and how they express themselves. Third it comes from their written agreement and by their satisfaction with the process there and then and in the months to come. Really I think again their understanding of how the victim feels matters most. This can be demonstrated at the meeting, but even more so in informal discussions afterwards over tea and biscuits.”

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For 2 facilitators, negative supporter emotions (body language) and behaviours could hinder apologies sometimes. To tackle such negative behaviour, it was felt a sensitive, but direct approach which questioned the reasons behind the lack of engagement could help to move the mediation forward.

D) Guidance and training needs:

- Extent of satisfaction with guidance/training?

For all 8 facilitators, the support from the NJP (police) coordinator mattered not just in terms of management, but for championing the NJP cause. This extended to actions such as helping/assisting in meeting preparation, contacting participants and general encouragement of facilitators in their role. As one facilitator succinctly summarised:

“The whole thing would fall flat without someone in his (NJP coordinator) position, there has to be somebody to link it altogether. To actually sell this to the police because if they’re not constantly reminded that we’re there and we can help them, things just go back to the way it was before the neighbourhood justice panel team was created.”

There were 4 facilitators who were very satisfied with guidance and training. For the remaining 4 facilitators satisfied with their training more opportunities were sought:

“Although I am satisfied with the training I received, I wouldn’t mind having some more if it came along. Opportunities for funded NVQ’s or any supporting qualification offered would be something I would welcome.”

Future expansion and integration matters for all 8 facilitators and in particular there was significant curiosity expressed as to what the long term impacts of NJP meeting on participants’ future lives could be. As one facilitator concluded on the important challenge of follow up:

“What you would like to know is the consequence of this because you sit in a meeting for an hour or so and you have this discussion and you reach a goal and a conclusion. However, you don’t really know whether these goals and conclusions have been applied and accepted by the parties say two months later and that’s actually quite hard to gather and then feedback to us.”

On NJP development specifics, all 8 facilitators were in favour of more serious crime being considered by NJPs. They also were unanimously in favour of more regular communications with the police, probation, youth offending service and courts facilitated via meetings and publications (videos, websites, social media).

On integration, only 1 facilitator was partially aware of Magistrates Court enforcement of NJP solution agreements via their reports. This facilitator went on to explain that detailed reports were rarely completed to be available for the court. Awareness of later court enforcement of NJP solutions is deemed important for facilitators as it is crucial to integrating RJ solutions with the work load of the Magistrates’ Court as stipulated under section 44 of the Crime & Courts Act (2013). Once made fully aware of this legislation

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by the interviewer, all felt that NJP processes were faster and more in-depth than the courts. It was unanimously felt that recording their meetings in reports could offer very valuable insights regarding the remorse of offenders and feelings of victims should the dispute later be referred to court. For 2 facilitators, the level of detail in reports would need to be balanced with the time implications to produce them and would need to have informed consent of participants.

All 8 facilitators acknowledged the potential limitations of NJP agreements, which were perceived as reliant upon respecting participants’ autonomy and building a consensual agreement. It was important that in promoting participant engagement court enforcement remained as the last resort. As raised by the interviewer, but discussed further by the facilitators, court enforcement was important. This was in order to ensure: 1) offender obligations under NJP agreements made could be enforced where later made part of a binding court order, and 2) detailed and valuable victim impact information captured from any NJP meetings could be included via a report in future Magistrates Court sentencing deliberations. For 3 facilitators, expansion into youth offenders 12-17 was sought in order to engage with the whole community, not just adults (18+). For 2 facilitators, expansion into more serious offences could include domestic violence, provided a risk assessment of all of the participants’ safety was carefully applied and informed consent was provided.

Improvements:

- Changes/improvements for future best practice? (research prompts: comparison to other forms such as police diversion and court resolution via sentencing and whether more positive or negative, NJP solutions considered at court later on)

All 8 facilitators wanted to see a more frequent case load. As one facilitator concluded:

“No I think the process works fine except that we don’t get enough cases. We were warned regarding this, which is why we’ve lost a few of the facilitators as they just weren’t being used often enough. I hope the scheme will develop in the county and then maybe the volume of the cases will step up”

It was felt that NJP training could be enhanced via more frequent shadowing to build confidence and experience levels albeit this was reliant on a more frequent case load as one facilitator noted:

“We have few cases, so it’s a very long time between one and the next one. I think there does need to be more support and discussion on case examples, so we are not losing the plot completely.”

For all 8 facilitators, more information beyond summary notes regarding participants’ backgrounds was viewed as helpful. Furthermore, facilitator reports where completed could help to track progress, particularly for protracted/long term neighbourhood disputes. Extending practical training scenarios where learning was promoted by doing, i.e.) involved staged role play was unanimously viewed as a particularly useful aspect of training.

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For 2 facilitators, it was felt that sometimes it could be a challenge and would not always be appropriate to apply satisfaction surveys shortly after an NJP meeting. They suggested that gaining a better understanding of the long term impact of NJP agreements could help, i.e.) follow up surveys/interviews with participants or informal follow-up in the local community. As one facilitator expressed:

“It is very difficult in a room that still contains the victim, offender and facilitator to immediately after an emotional hour of discussion to then fill in a survey in a thoughtful and meaningful way. You need space to think about what has just been discussed and one’s thoughts and satisfaction levels may well change in the weeks or months after the meeting.”

For those victim & offender participants who may wish to provide their reflections in the longer term (2 years or more later), much can be learnt regarding what closure feelings and emotions mean. If there are any changes in closure feelings and emotions, it is important to understand how and why this is so over time.

Victim & Offender (V&O) Participants (including representatives):

Data gathering from victims and offenders regarding the NJP process commenced from October 2015 to March 2016 via email responses and telephone interviews. Interview guides (see Appendix C) were emailed to participants who after reading through were predominantly telephone interviewed with a few emailed responses. The participants interviewed included slightly more than half victims than offenders and slightly less than half were victim or offender representatives. As a victims’ or offenders’ representative such persons would act as their supporter in the NJP meeting and would also have consented to the mediation process. They were typically a family member such as a parent, guardian, close friend or social welfare/service representative.

Sample characteristics were gathered to merely help define the interview group overall. The interview group consisted of 12 participants evenly split between victims and offenders, including representatives. On the personal information gathered from the sample, 66% were in the age bracket of 45-84 years old, whilst the remaining 34% were in the age bracket of 16-44 years old. The gender balance was unevenly split with 75% males and 25% females. Only 25% of facilitators noted any equality related characteristics such as health and or disability. On ethnicity, 83% identified themselves as White British and 17% as British Mixed. This compares to Dorset population diversity statistics which indicate a greater proportion of older people (65+) and a higher proportion of women to men than the national average. There is a higher number than the average proportion nationally who report limitations to their day to day activities as a result of health and or disability. In the 2011 census, 4.5% of Dorset’s population recognised themselves as coming from a non-White British (BME) background compared to the national proportion of 19.5%.

From the enclosed literature review and consultations with contacts within the Office of the Dorset Police and Crime Commissioner, research questions and research prompts were developed. No research prompt was mentioned by the interviewer unless spontaneously discussed by interviewees. All facilitators interviewed, confidently led their discussions with expansion as they deemed appropriate. This meant that research prompts (in red below and included with the answers overview detailed in Appendix C) were largely not needed and were nearly always spontaneously covered and expanded upon. The shared


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similar and repeated victim and offender (including representatives) perceptions can be summarised under four separate discussion areas as follows:

A) Information gathering/explanation:

- Adequate information on NJP meeting?  (research prompts: relevant guidance, clear and consistent explanation, effective application)

For 9 participants, there was adequate information provided by the facilitator regarding the purpose and achievement objectives of the NJP meeting. These participants shared a clear understanding of the mediation process and the key competencies of what was going to be required. For the latter, this meant there were pro-active and preparation meetings where expectations were discussed in detail and positive reassurance was provided. As one participant explained:

“Absolutely yes, before we even attended we had pro-actively gathered knowledge beforehand by reading up on the restorative process. We read the Dorset Guide that was available, so we knew, you know, what was going to be required.”

These participants also shared a common morality based upon learning lessons by confronting wrongs and putting them right in order to attain closure. In this vein, they displayed a coherent subjective understanding of what was morally right and wrong based upon their own life experiences. Key to the common morality was an empathy for and a belief in the development of empathy in others. As one participant summarised:

“Justice matters. If someone does something wrong, no matter how big or small they need to realise that and face the consequences. A part of me wanted to give him justice for what he had done because it wasn’t just me affected, it was others too.”

For 3 participants, it was felt that information regarding the NJP meeting provided by the facilitator could be improved in two ways. First, guidance on what to expect regarding the meeting could have been made clearer. This entailed gaining a shared understanding of what the restorative process aimed to achieve beforehand and ensuring that within meetings communication between all parties, including representatives, remained balanced. As one participant explained:

“I didn’t agree with the focus at my meeting. I wanted to engage a bit more, but I felt the parents and social worker who were representatives took over the meeting, speaking for him rather than with him.”

Second, understanding participants’ fully via their past experiences and navigating through the often complex plethora of subjective emotions attached to them was considered important. These participants similarly noted that any past experiences could be highly influential. They could impact NJP meeting discussions, particularly during potentially confrontational situations, where emotive matters were likely to be uncovered. The seriousness of the criminal and civil disputes which NJP meeting referrals in Dorset typically consider, are low in terms of offender culpability and offence harm when sentencing.
guidance designed for the English Judiciary is applied. However, this does not necessarily equate with the level of seriousness that a participant whether a victim or an offender may themselves apply. As one participant warned:

“Everyone is different. Some people are more vulnerable than others, such that any confrontation depending on their background can become daunting. This may particularly be the case if you’ve been a previous victim of crime or your family have been placed in a serious situation where you might have been confronted or attacked by someone.”

These subjective perceptions of seriousness from these participants’ matter. As a form of information, they can be different between victims and offenders, both factually and emotionally. It would appear that gathering and fully understanding this information is relevant to the successful set up and later handling of NJP meetings.

B) Facilitator/mediator qualities:

- Qualities/competencies for NJP meetings? (research prompts: participant respect, fair/balanced process, open/clear communication, harm recognition and understanding, effective time/space management)

On a positive note, 9 participants similarly reflected upon a fair and balanced meeting, which provided them with an adequate opportunity to explain how the incident affected them. It was commonly deemed important, that beyond physical harm this explanation exchange included psychological harm from the incident including any associated emotions. These participants repeatedly noted facilitator professional qualities which included gaining trust and taking time to provide support. As one participant summarised:

“Obviously, a very calm and ordered approach. I suppose the timbre of the voice for the initial phone calls to introduce themselves, being very professional and later on always being there to provide support to me so that I felt reassured.”

The appropriateness of the venue mattered. It was deemed important to provide enough time, space and privacy in order to ensure that participants felt calm. This included the availability of adequate car parking, toilet facilities and meeting refreshments.

For these participants, a resolution which was fully discussed and agreed by all present, importantly then required successful application to ensure closure. As one participant summarised:

“They didn’t make him reimburse everyone, but he was persuaded that this was important to do. He didn’t complain or give any trouble, which really helped.”

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55 These 5 research prompts were adapted directly from Restorative Justice Council. (2011) Best Practice Guidance for Restorative Practice. Restorative Justice Council: London, at p. 13 where core restorative practice regarding communication process is listed at point 2.
On a negative note, 3 participants similarly reflected upon a perceived imbalance in their NJP meeting, which focussed too far either towards the victim or offender perspective and their respective supporters. For these participants, facilitators had not provided an adequate opportunity for all participants to explain how the incident had affected them. It was felt important that facilitators provided equal time to both the victim and offender perspectives primarily, with less emphasis on and influence from their supporters. It was also felt important that facilitators focussed more on future resolutions, in order to support the consensual agreement. As one participant explained:

“I can only go on the actual meeting you know, but we felt he was old enough not to need his parents there. We felt we had to sit there for 85% of that afternoon, listening to the parents speaking about their son and how they had tried their best to raise him up, after which the son piped up with a very brief apology. It felt like he was just saying whatever his parents wanted to hear. There needed to be more focus on him and us and what was going to happen in the future to resolve things.”

C) Remorse (genuine apologies):

- Impact of apology on participants (verbal/non-verbal)?
- Genuine remorse means? (*note: no research prompts used)

All 12 participants reported that an apology mattered and was part of their NJP meeting. However, whilst 9 participants felt the apology process was genuinely meant, 3 participants did not feel this was the case. For these 9 participants, a genuine apology commonly included the following elements: 1) empathy focussed explanations in the speakers’ own terms which recognised and addressed all of the harm caused, and 2) expressions from the speaker that were spontaneous, rather than rehearsed using open body language. This included an upright posture, un-crossed arm position and consistent eye contact. As one participant described:

“I felt it was good to hear such a personalised apology. For him, without any prompting to look at me face to face and say I am sorry for my behaviour and for the distress and damage caused was important. It was not just him who was upset. His parents’ shame was also conveyed very clearly to me.”

For the 3 participants who did not feel they had received a genuine apology, the offender explanations provided did not appear to them to be authentic. In their NJP meeting, they felt that they had lacked an empathy focussed explanation. It was felt that the speaker was not speaking in their own terms. They also felt that the speaker did not recognise and address all of the harm caused. Further, the expressions provided by the speaker did not appear to them to be spontaneous, rather they appeared to be rehearsed. The body language displayed appeared to them to be closed and somewhat defensive. This included a slouched posture, a crossed arm position and inconsistent eye contact. These participants commonly experienced a high supporter influence against them, which in their view had caused an imbalance to their NJP meeting discussions. As one participant described:
“It just felt so scripted you know it really did. It certainly didn’t feel like it was coming from his own mouth and they were not his words alone, but rather his parents. He barely looked at us, but rather the floor, crossing his arms which indicated to us that he didn’t want to be there and was not really listening to us.”

D) Guidance and training needs:

- Extent of NJP meeting comfort, satisfaction and support? (research prompts: appropriate delivery – voice, tone and pace, awareness of health and social care issues and understanding of other representatives’ support)

On NJP meeting comfort, a slight shift to more comfortable, was noted after the meeting. The slight shift in participant responses was from 8 comfortable and 4 uncomfortable before the meeting to 9 comfortable and 3 uncomfortable after the meeting. For those participants who felt comfortable, the facilitators’ preparations for their NJP meeting had helped. Specifically, preparations which included facilitators imparting knowledge and awareness regarding the venue, facilities and the NJP meeting process details mattered. As one participant explained regarding the impact of such practical logistical details:

“I had been told in plenty of time where and when it was going to take place. I think it is a very important issue that the facilitator initially explains how the room is laid out including the usage of space inside and the availability of space outside the building. Having plenty of space outside the building can alleviate the sense of immediate confrontation or angst as you can escape and don’t have to physically stand close to the other person. Inside, sitting in an oval circle with space between the chairs was helpful.”

For those participants who felt uncomfortable, the facilitators’ preparations for their NJP meeting had not fully alleviated all the practical inconveniences to them. Specifically, this included facilitators imparting limited knowledge and awareness of the venue, facilities and the NJP meeting process details. As one participant explained regarding the impact of such practical logistical details:

“I wouldn’t say uncomfortable is the right phrase to use. I mean we felt let down. We had to cover our business in our absence which cost us money. We turned up with little knowledge of what would happen and during the meeting we progressively felt that we were there simply to just get him off a caution or whatever it was he was facing.”

On NJP meeting satisfaction, a slight shift to more satisfied, was noted in the long term (2 months + after NJP meeting). The slight shift in participant responses was from 8 satisfied and 4 dissatisfied in the short term (1 month after NJP meeting) to 9 satisfied and 3 dissatisfied in the long term. For those participants who felt satisfied in the short term, effective and detailed preparation and mediation from the facilitator had resulted in an organised, balanced NJP meeting. As one participant summarised:

“I was very satisfied that the meeting had flowed smoothly, that the facilitator has opened the meeting well, that both sides were given equal opportunity to talk and that the facilitator then summed up everything and brought it to a successful end.”

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In the long term, the successful application of a resolution agreed upon mattered. These resolutions typically included: 1) financial remuneration, 2) letters of apology, and 3) voluntary offender remedial actions i.e.) rectifying physical damage done where appropriate. Positive on-going interactions from the facilitator after the NJP meeting on resolution progress to both the victim and the offender mattered as a form of formal reassurance and to complete full participant closure.

For those participants who felt dissatisfied in the short term, the preparation and mediation provided by the facilitator was not effective and lacked detailed preparation resulting in an NJP meeting that felt disorganised and imbalanced. In particular, these participants commonly felt that the NJP meeting appeared disorganised and imbalanced because of a facilitator focus extending more towards either the victim or the offender primarily. These participants also noted in their meetings that supporter influence from either a victim or offender had contributed to this sense of imbalance. Beyond this, the facilitator’s selection of relevant information regarding participant background mattered to these participants. Specifically, relevant discussions included facilitators carefully considering: 1) directly relatable facts to the incident being discussed, and 2) effectively mapping any ethical limitations such as confidentiality and privacy and ensuring agreement beforehand. The latter appeared to relate to subjective participant perceptions regarding the boundaries of an individuals’ private and family life including relationship status, family/guardianship background and physical/mental health information. Later on in the long term, this dissatisfaction continued where participants perceived they had received only a limited reassurance from the facilitator regarding any resolution progress as agreed.

On NJP meeting support, the overview of responses indicated that 9 participants felt supported during the process, whilst 3 participants felt unsupported. For those participants who felt supported, long term health and social care support structures mattered, in particular internal support structures. Internal support structures included family, friends and partners. External support structures included the facilitator, the police and outside agencies dealing with complex recognised physical/mental health issues. On the positive impact of internal support structures as one participant explained:

“Yes I think generally we had a lot of support from our extended family because we are a very tight knit family. Having family members who he was very close to, who explained the impact and continued their support really helped him. He was very lucky to have that.”

Beyond support structures, specific recognition of relevant on-going long term issues meant understanding health, safety and welfare issues mattered. This included physical and mental illness, alcohol and drug dependency, anger management and youth immaturity.

For those participants who felt unsupported, whilst internal support structures had helped them, external support structures had unfortunately in their view provided only limited help. This meant that complex recognised physical/mental health issues remained untreated and in turn this had hampered any resolution progress as agreed.
Improvements:

- Changes/improvements for future best practice? (research prompts: comparison to other forms such as police diversion and court resolution via sentencing and whether more positive or negative, NJP solutions considered at court later on)

In terms of future best practice, 9 participants positively and 3 participants negatively compared their NJP meeting to other forms of resolution such as Dorset Police Service and HM Courts & Tribunals Service. Only 2 participants spontaneously showed some awareness of court enforcement of an NJP resolution via its’ inclusion within a later court order. All 12 participants after being made fully aware of this, felt the possibility of enforcing NJP resolutions via a court order was important and should be applied where necessary in order to counteract any offender non-compliance. For those 9 participants who made positive comparisons, the NJP meeting fully matched their expectations of mediation discussions leading to a consensual agreement. In particular, the in-depth discussion of harm impacts and the opportunity to experience genuine remorse helped to provide emotional closure as an important part of the application of any specific resolutions agreed upon. For these participants, the positive impact for the offender in avoiding court and a formal sentence was commonly noted. As one participant concluded:

“I’d say positive because the alternative was that he would end up with a criminal record which would impact the rest of his life, such as going for a job. It gave our son the opportunity to demonstrate he was sorry for his actions and understand the impact from those who were affected.”

For those 3 participants who made negative comparisons, avoiding court and a formal sentence limited offender accountability and the extent to which they could be punished. Specifically, these participants’ commonly felt supporters’ influence on the NJP meeting had unfortunately been counter-productive to achieving offender accountability. Furthermore, referrals to NJP meetings based upon the appropriate level of offence seriousness could benefit from further consideration of positive and negative offence elements. In terms of incident seriousness, the selection for referral to either an NJP meeting or Court hearing appeared to be contingent upon the extent to which aggravating (suited for Court hearing) and mitigating factors (suited for NJP meeting) were present. For example, theft which is triable either way can be aggravated by high value goods stolen, the presence of repeated, similar previous convictions and a high level of planning to evade detection over time. It can be mitigated by low value goods stolen, a first offence record and the offenders’ immaturity due to young age. Theft can be complicated further by drug and alcohol addiction, which requires intervention and importantly the offenders’ compliance in their treatment. As one participant concluded upon the offence referral process to an NJP meeting:

“I think the process could work, but unfortunately for someone of 18 years old, the crime to be referred needs to be picked better. I don’t think it was a crime that suited the process because of his age and immaturity. This was systematically done over a long period of time so that to me changed the whole thing in terms of seriousness. I also don’t think it was helpful for the parents to be there.”

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Conclusions & Recommendations:

Summary:

1) The data gathered indicates that an informed and prepared facilitator who regularly engages with participants matters to those volunteering for the role. Increasing NJP meeting caseloads to gain application experience can be beneficial into the future.

2) The long term impact of NJP solutions which have been consensually agreed with participants (victims/offenders and their supporters) of NJP meetings in Dorset is largely positive. However, the enforceability of NJP solutions via later court orders could be better recognised by participants, particularly victims. This in turn can help to increase public trust in and satisfaction with the NJP solutions provided.

3) Expanding a qualitative interview analysis to more NJP participants across Dorset as provision expands is beneficial. It can help us to better understand the complex mediation processes involved including importantly the long term residual impact, as little data has been gathered nationally. This knowledge can in turn benefit the future provision of NJP services in Dorset and help to inform training programmes for facilitators. Should the Dorset NJP model be applied in other English counties, this report provides some valuable indicative data to help guide future best practice.

4) As a successful and expanding form of local community engagement and resolution, NJP data from participants in Dorset in 2013-16 has repeatedly indicated positive impact via high satisfaction rates. It is important that as NJPs expand that the positive long term impact upon participants is gathered and monitored. NJPs run by trained volunteers provide helpful support to key players, most notably the police, probation and the courts in the task of law enforcement. The findings of this report provide a detailed and rare insight into their workload and this is turn helps to gain the trust and support of these key players in the perpetual fight against crime and civil disorder.

Further analysis:

What can be learnt beyond the indicative data which has detailed shared perceptions from participants who have been directly involved in NJP processes? First, expanding a qualitative interview analysis to more NJP participants across England can help us to better understand the processes involved and the full long term impacts. This knowledge can in turn benefit the future provision of NJP services and help to inform training programmes for facilitators. Re-integrative engagement can lead to complex emotions that through participant interactions by the end of the NJP meeting represent a ‘common rhythm and synchronization among participants.’ In acknowledging harm or not via the NJP scripts (see appendix D), this research data helps to reveal the extent of alignment between theoretical discussions in academia and mediation practices in NJP initiatives across England. For example, we can consider Jonathan Haidt’s theoretical exposition of universal moral foundations via the experiences and reflections of NJP meeting

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participants. Haidt attempts to relate moral foundations (a), characteristic emotions (b) and punishment outcomes (c). In understanding the impact of moral emotions his theory, would it appears, relate harm discussions in NJP meetings (a) to compassion, empathy (b) and this in turn would result in compassion for victims with harm discussions as the main determinant of punishment, (c) which for NJPs would manifest in the NJP mediation process leading to the agreement.\textsuperscript{57} In this sense, the qualitative analysis of the how’s and why’s of NJP mediation processes for acknowledged or unacknowledged harm can provide valuable data, which test theoretical discussions and may lead to further refinement. Understanding complex micro-level factors via perceptions gathering can play a part in informing macro-level structures such as the Restorative Justice Council (RJC) who formulate NJP principles and are attempting to guide best practice for various RJ initiatives across England.\textsuperscript{58} This report is an attempt to overcome the challenges whilst acknowledging the indicative limitations of qualitative data gathering. It is an attempt to better understand and improve by the new knowledge, NJP practices in Dorset. The data gathering model upon which this report is based can be repeated across England and this expansion in new knowledge can help to assist the RJC in their task of ensuring better clarity and consistency in RJ initiatives, guidance and script developments across England into the future. Where NJP processes are formalised into structured guidance and support for coordinators/facilitators, they can be made accessible to the public. The result of more new knowledge available to the RJC and shared with the public via social media regarding RJ intervention outcomes and the extent of engagement and satisfaction may prompt further public discussions that importantly represent the ‘collective morality of society’.\textsuperscript{59}

Second, as a potentially expanding form of local community engagement and resolution, NJPs in Dorset appear to be persistently providing positive impact to participants and the local community via high satisfaction rates. In the attempt to find out how and why this is so, it is important that future NJP developments are informed by and integrated with any changes to the Civil and Criminal Justice Systems. These changes are likely to be predicated on efficiency savings to key players, most notably the police, probation and the courts, who will remain significantly resource limited up to and likely beyond 2020. The Conservative Government’s drive towards greater efficiency and productivity via integration suggests more RJ innovations are to follow, which deliver on local community collaboration and provide greater devolution of problem solving to local people. The continuing success of NJP satisfaction levels in Dorset is helped by volunteer facilitators whose important work needs to be properly understood, respected, trusted and promoted. In a time of fiscal constraint, effective problem-solving and dispute resolution can be achieved with limited money, but not it appears with limited time or effort in order to improve the satisfaction and engagement of those within local communities. Time and effort is needed for the complex emotional processes of moral rehabilitation and reintegration to take place and for the long term impact for offenders and victims to be fully realised. Whilst the victim may forgive, but does not forget, the offender ‘has to pay back before s/he can trade up to a restored social position as a citizen of good character’.\textsuperscript{60} For victims of crime in particular, who take the time and effort to engage with and understand offenders as they seek to pay back there appears to be significant comfort and peace of mind to be gained.\textsuperscript{61} The potential future legacy of Dorset’s NJPs as they currently expand

\textsuperscript{60} McNeill, F. (2012) Four forms of ‘offender’ rehabilitation: Towards an interdisciplinary perspective. Legal and Criminological Psychology 17(1) pp. 18-36 at p. 32.
into Poole in 2016 is a positive one. RJ initiatives in Dorset hopefully can be routinely offered before trial, victims’ wishes hopefully can be placed first and for those offenders who have been incarcerated, they hopefully can have the opportunity to pay back via RJ initiatives in prison.\(^{62}\) It is hoped that Dorset’s NJPs will continue to play their part in promoting pro-active dialogue between offenders and affected victims. In so doing, NJP participants can feel that they have properly acknowledged the harm, isolation and rejection that their crime/civil dispute has caused them and fully resolved it.

References:


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**Legislation:**


Crime and Courts Act (2013)

Offender Rehabilitation Act (2014)
Appendix A: (Research Prompts in red and hidden from interviewees. They were only posed where NOT spontaneously discussed by the interviewee)

Evaluating Restorative Justice (RJ) in Dorset – Neighbourhood Justice Panels (NJP)

Introduction:

A NJP is a face to face conference in which offenders of low-level crime and/or perpetrators of anti-social behaviours meet to recognise the harm they have caused and make meaningful amends for their actions. A suitable crime or incident is checked and must pass the Association of Chief Police Officers’ (ACPO) minimum standards by a police officer or a local council officer. A panel meeting is then arranged by a co-ordinator, following contact of both the victim and the perpetrator to ensure they understand the process. The panel meeting is facilitated by an independent RJ trained volunteer (often with a ‘co-facilitator’) to engage the offender and victim in the conflict to be part of the solution. This leads to the delivery of an outcome agreement that meets the needs of the victim(s) and the wider community involved. NJPs can also be used in civil matters such as housing and neighbourhood disputes.


Your participation:

This research will gather your perceptions regarding NJPs in Dorset. It gives you a valuable opportunity to reflect upon and to share your experiences in order to expand our understanding of NJP practices. Through in-depth interviews this research seeks to:

1) Understand what expectations and outcomes matter most to involved parties.

2) Understand how and why RJ via NJP is applied by considering the extent of satisfaction and engagement with the process.

3) Inform NJP best practice by understanding the long term impact of NJP agreements in terms of effective guidance and support.

The last research aim in particular is needed to fill the current gap in knowledge in the prevailing literature. By discussing and sharing such data, it is hoped that more research will be encouraged and future NJP practices will become more informed.
Interview Consent Form and Confidentiality Agreement

The Interviewee

1. I hereby agree to be interviewed by Dr Max Lowenstein for the purpose of this evaluation of Neighbourhood Justice Panels in Dorset.

2. The purpose and nature of the interview have been explained to me.

3. I grant the interviewer (Dr Max Lowenstein) permission to document through audio recording and transcription our interview.

4. The content of the interview may be read, quoted or cited from and disseminated for educational and scholarly purposes only, whilst confidentiality and anonymity remain assured.

Signature of interviewee………………………………………………Date………………………....

Name of interviewee……………………………………………………………………………...

The Interviewer

1. I have explained the research project to the interviewee above and believe that the consent given is informed.

2. Confidentiality and anonymity of the participant and his/her views are assured at all times.

Signature of interviewer………………………………………………Date………………………....
Appendix B: (Research Prompts in red and hidden from interviewees. They were only posed where NOT spontaneously discussed by the interviewee)

Personal information:

1.) NJP participant type?
   - Facilitator
   - Offender
   - Victim

2.) Age
   - Under 16
   - 16-24
   - 25-44
   - 45-64
   - 65-84
   - 85+

3.) Sex
   - Male
   - Female
   - Transgender

4.) Do you have a long-standing illness or disability?
   - Yes and it severely limits my everyday life
   - Yes, in general it does not limit my everyday life
   - No

5.) How would you describe your ethnicity? Please state

Please bear in mind the research focus in the answers that you give to the questions posed below. Research prompts will be provided after you have responded to each question initially. This is in order to help you elaborate further on your perceptions if you wish to.

Please do ask the interviewer for any clarification that you require regarding the questions which follow:

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Facilitator questionnaire

A)
1. Do you feel that as a facilitator you provided the participants with adequate information* about what would happen during the RJ meeting?

   Yes ☐ 8  No ☐  Unable to remember ☐

   *Relevant guidance
   *Clear and consistent explanation
   *Effective application

2. Do you feel it was explained to the participants (offender, victim and supporters) what the restorative process aimed to achieve?

   Yes ☐ 7  No ☐ 1  Unable to remember ☐

3. Why did you choose to volunteer as an NJP facilitator?

B)
4. What qualities/competencies* matter most to you to demonstrate and help you ensure that the NJP meetings go well?

   *participant treatment based on individual autonomy, dignity and respect
   *fair and balanced process that is free from discrimination and oppression
   *open exchange of views encouraged
   *recognition of harm caused and a desire to participate/change
   *effective management of time and space needed to make decisions63

5. How well do you feel you have fulfilled these qualities/competencies?

Very High       High       Moderate       Low       Very Low

1                 2                    3                4                 5

2                6

6. Do you feel you have always acted fairly during the NJP meetings?

Yes ☐ 8 No ☐

Please will you elaborate?


7. Do you feel as facilitators you always provide participants with an opportunity to explain how the incident affected them?

Yes ☐ 8 No ☐

Please will you elaborate?


8. Did you feel as facilitators you always try to resolve the issues that the incident had caused?

Yes ☐ 4 No ☐ To some extent ☐ 4

Please will you elaborate – what did you feel were the issues for the participants? Were any other agencies, organisations involved during your NJP meetings?


9. Are apologies usually part of the process?

Yes ☐ 8 No ☐

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a) Please will you elaborate – if apologies (verbal and non-verbal) take place what impact/changes have you observed in the participants?


b) If yes, did you feel the apologies were genuine?


c) If no, do you feel the offenders/other parties should have apologised?

Yes ☐ No ☐

D)

10. How satisfied are you with the support/guidance/supervision you receive as an NJP facilitator?

<table>
<thead>
<tr>
<th>Very Satisfied</th>
<th>Satisfied</th>
<th>Neither Satisfied/Nor Dissatisfied</th>
<th>Dissatisfied</th>
<th>Very Dissatisfied</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
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</table>

Please will you elaborate?


11. How satisfied are you with the training you receive as an NJP facilitator?

<table>
<thead>
<tr>
<th>Very Satisfied</th>
<th>Satisfied</th>
<th>Neither Satisfied/Dissatisfied</th>
<th>Very Dissatisfied</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>4</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Please will you elaborate?
12. Are there any changes/improvements that you would like to suggest for the process?

Yes ☐ 6  No ☐ 2

Please will you elaborate?

13. If relevant, how do your NJP meeting experiences compare with other forms* of criminal justice resolution you have encountered, such as the courts and police service?

Positively | Mildly Positively | Neutrally | Mildly Negatively | Negatively
---|---|---|---|---
1 | 2 | 3 | 4 | 5

5 | 2 | 1

*Specify other forms and whether more positive or negative

*NJP solutions considered at court later on

Thank you for your valuable perceptions and time, it is much appreciated.
Appendix C: (Research Prompts in red and hidden from interviewees. They were only posed where NOT spontaneously discussed by the interviewee)

Personal information:

1.) NJP participant type?
   - Facilitator
   - Offender/Offender’s representative* - delete as appropriate
   - Victim/Victim’s representative* - delete as appropriate

2.) Age
   - Under 16
   - 16-24
   - 25-44
   - 45-64
   - 65-84
   - 85+

3.) Sex
   - Male
   - Female
   - Transgender

4.) Do you have a long-standing illness or disability?
   - Yes and it severely limits my everyday life
   - Yes, in general it does not limit my everyday life
   - No

5.) How would you describe your ethnicity? Please state

Please bear in mind the research focus in the answers that you give to the questions posed below. Please do ask the interviewer for any clarification:

Dr Max Lowenstein (2017)
* = research prompts only to be given, if they are not spontaneously provided by interviewee

**Victim/Victim’s representative/Offender/Offender’s representative questionnaire**

**A)**

1. Do you feel that the facilitator provided you with adequate information* about what would happen during the RJ meeting?
   - Yes ☐ 9
   - No ☐ 3
   - Unable to remember ☐

   *Relevant guidance

   *Clear and consistent explanation

   *Effective application

2. Were you told what the restorative process aimed to achieve?
   - Yes ☐ 9
   - No ☐ 3
   - Unable to remember ☐

3. Why did you agree to attend the NJP meeting?

   [Blank]

**B)**

4. What qualities/competencies* matter most to you when involved within the NJP meetings?

   [Blank]

   *Participant treatment based on individual autonomy, dignity and respect

   *Fair and balanced process that is free from discrimination and oppression

   *Open exchange of views encouraged

   *Recognition of harm caused and a desire to participate/change
5. How well were these qualities/competencies fulfilled?

<table>
<thead>
<tr>
<th></th>
<th>Very High</th>
<th>High</th>
<th>Moderate</th>
<th>Low</th>
<th>Very Low</th>
</tr>
</thead>
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<td>3</td>
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<td>8</td>
<td>3</td>
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6. Did you feel the facilitator acted fairly during the NJP meeting?
   Yes ☐ 9  No ☐ 3

Please will you elaborate?

7. Did the facilitator provide you with an opportunity to explain how the incident affected you?
   Yes ☐ 9  No ☐ 3

Please will you elaborate?

8. Did you feel that the facilitator tried to resolve the issues that the incident had caused?
   Yes ☐ 9  No ☐ 3  To some extent ☐

Please will you elaborate – what did you feel were the issues for you? Were any other agencies, organisations involved during your NJP meetings?

---


Dr Max Lowenstein (2017)
C)

9. Was an apology part of the process?
   Yes □ 12  No □

   a) If yes, how did it feel to hear/make the apology?

   b) If yes, did you feel the apology was genuine/Did you mean the apology when you gave it? No. 3

   c) If no, do you feel the offender/other party should have apologised?
   Yes □ No □

D)

10. How comfortable did you feel directly before the meeting?
   V. Comfortable  Comfortable  Neither Comfortable/ Uncomfortable  V. Uncomfortable
       Nor Uncomfortable
       1  2  3  4  5
       3  5  4

11. How comfortable did you feel directly after the meeting?
   V. Comfortable  Comfortable  Neither Comfortable/ Uncomfortable  V. Uncomfortable
       Nor Uncomfortable
       1  2  3  4  5
       3  6  3

12. In the short term (1 month after NJP meetings) how satisfied were you with the NJP meeting process?
   Very Satisfied  Satisfied  Neither Satisfied/ Nor Dissatisfied  Dissatisfied  Very Dissatisfied
       1  2  3  4  5
       3  5  1  3

Dr Max Lowenstein (2017)
13. In the long term (2 months plus after NJP meetings) how **satisfied** were you with the NJP meeting process?

<table>
<thead>
<tr>
<th>Very Satisfied</th>
<th>Satisfied</th>
<th>Neither Satisfied/Nor Dissatisfied</th>
<th>Dissatisfied</th>
<th>Very Dissatisfied</th>
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<td>3</td>
<td>6</td>
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</table>

14. How **supported** did you feel during the process?

<table>
<thead>
<tr>
<th>V. Supported</th>
<th>Supported</th>
<th>Neither Supported/Nor Unsupported</th>
<th>Unsupported</th>
<th>V. Unsupported</th>
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*Appropriate delivery and pace

*Degree of reassurance via voice and tone

*Recognition of relevant health, safety and welfare issues i.e.) vulnerable persons, illness, alcohol or drug dependency

*Impact of family/friend/partner support

15. If relevant, how do your NJP meeting experiences compare with **other forms** of criminal justice resolution you have encountered, such as the courts and police service?

<table>
<thead>
<tr>
<th>Positively</th>
<th>Mildly Positively</th>
<th>Neutrally</th>
<th>Mildly Negatively</th>
<th>Negatively</th>
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</table>

*Specify other forms and whether more positive or negative

*NJP solutions considered at court later on

Thank you for your valuable perceptions and time, it is much appreciated.

Dr Max Lowenstein (2017)
Appendix D:

Ensure good preparation of all participants

Step 1
Welcome & introduction

Welcome. As you know my name is ................ and I have been asked to facilitate this meeting. (Issue a reminder re: housekeeping, mobile phones, toilets, fire exits etc.)

I would like to thank each and every one of you for taking the time to be here today and participate constructively. (Introduce ground rules, FACE if appropriate.)

The purpose of this meeting is to explore not only what has happened, but also who has been affected by this incident/infraction.

We are here to discuss (describe the incident briefly) and (name wrongdoer(s)) have admitted their part. It is important to stress that this is not a re-investigation of the incident, but a forum to provide everyone with the opportunity not just to talk about what happened but also, how it made them feel.

We are not here to judge anyone's character, but to look at how unacceptable behaviour has affected everyone involved.

Everyone will have the opportunity to talk.

Step 2
Wrongdoer(s)

(Wrongdoer - where group, share by asking alternate questions).
I would like to take you back to the day of the incident:
What happened from your point of view?
Then what happened?
Can you tell me what you were thinking at the time?
What were your thoughts travelling to this meeting today?
Who has been affected by what you did?
In what way?

Step 3
Invite the views of others present (victims, parents, guardians etc.)

(Either) Tell me what happened from your point of view? OR How were you informed with what had happened?
What were your thoughts at that time?
What were your thoughts when travelling here today?
How has all of this affected you and others?
*Can you tell me what has been the hardest/worst thing for you about the whole incident?
*(optional question - can be impactful when used appropriately).

Step 4
Go back to wrongdoer(s)

You have all just heard about how people in this room, and others have been affected by your actions.
Is there anything that you / any of you (alternative wording for group) want to say at this time? (Pause, if wrongdoer apologises to you as facilitator deflect to those involved).
Do you see how others have been affected by your behaviour?
What do you think you need to do now to resolve this?
Step 5  Return to victims, parents, guardians, others
  What would you like to see come out of this meeting?
  *(What has (name of wrongdoer) done to rebuild your trust since the incident.
  *(Optional to parents / guardians).

Step 6  Return to wrongdoer(s)
  What do you think about what has been said here today?
  Your actions are responsible for everyone else being here today.
  What are you going to do now to put things right?
  (Summarise any agreement made and provide an opportunity to include this in
  a signed agreement, but remember that this is their meeting, not yours and as a
  facilitator you should not influence the outcome in anyway).

Step 7  Give all participants opportunity to express positive outcomes
  What do you think about what has happened here today?
  Has this meeting been different to what you were expecting?
  *(Optional question)
  *(In what way?

Step 8  Final invitations to speak/ask all
  Before I close this meeting, is there anything else that anyone wants to say or ask?

Step 9  Closing the meeting
  Could I take this opportunity to thank each and every one of you for taking the time and for
  your commitment to be here. I hope that by spending this time together, and what happens
  from here will help you all move on. Thank you for placing your trust in me to facilitate your
  meeting.

Step 10  Reintegration & refreshments
  Draw up agreements and completion of evaluation forms.
  This is a vital time to allow participants to freely talk among themselves.
Ensure good preparation of all participants

Welcome & Introduction

Welcome. As you know my name is ........................ and I have been asked to facilitate this meeting. (Issue a reminder re: house keeping, mobile phones, toilets, fire exits etc.).

I would like to thank each and every one of you for taking the time to be here today and participate constructively. (Introduce ground rules, FACE if appropriate).

The purpose of this meeting is to explore not only what has happened, but also who has been affected by this incident/event.

We are here to discuss (describe the incident briefly) and everyone here has been invited as they have a part to play.

It is important to stress that this is not a re-investigation of the incident, but a forum to provide everyone with the opportunity not just to talk about what happened but also, how it made them feel.

We are not here to judge anyone’s character, but to look at how this whole situation has affected everyone involved.

Step 2
Start with impartial overview (police, housing officer etc.)

(When not present skip straight to step 3).

Can you please provide a brief overview of what has been happening from your perspective?

What are you hoping to achieve from this meeting today?

How has all of this impacted on you in your role?

Step 3

Invite the views of others involved

(Start where possible with those most affected and invite everyone in turn to answer every question).

Please can you tell me what has been happening from your point of view?

What were your thoughts then?

What were your thoughts when travelling here today?

How has all of this affected you and others?

Can you tell me what has been the hardest/worse thing for you about the whole incident?

(Optional question - can be impactive when used appropriately).

Step 4

To whole group

We have just heard a little bit about how people in this room, and others have been affected by what has been happening.

Is there anything anybody wants to say at this time? (Please allow everyone time to speak – if silence, move on).

Do you see the harm that has been caused to all of you?

Do you think that something needs to be done to repair the harm done?

(This is a critical bridging moment, when really stuck, an option is to ask everyone).

You all appear upset by what has been happening, is doing nothing an option?

What are you all going to do individually and collectively to move on from this?
Step 5 Everyone the way forward
What would you like to see come out of this meeting?
(Explain that time has been given to talk about the past in order to make sure that
this meeting is not just another talking shop. We now need to focus on solutions not
problems and a way forward.
You may wish to record ideas on a flip-chart or clarify suggestions made).

Step 6 Return to wrongdoers if identified (otherwise address the whole group)
(This needs to be very clearly identified through the meeting, that a particular
individual carries this burden of responsibility AND admits to doing so. This is not a
judgement for you to make as a neutral facilitator, if unsure skip to step 7).
What do you think about what has been said here today?
You have admitted to sharing some responsibility for what has been happening.
What are you practically going to do now to put things right?
(Summarise any agreement made and provide an opportunity to include this in
a signed agreement, but remember that this is their meeting, not yours and as a
facilitator you should not influence the outcome in anyway).

Step 7 Give all participants opportunity to express positive outcomes
What do you think about what has happened here today?
Has this meeting been different to what you were expecting? (Optional question)
In what way?
What is practically going to happen outside of this room now, that is going to make a
difference to you all.
(Agreement may be recorded on suitable forms but remember this is a decision of the
participants, not the facilitator).

Step 8 Final invitations to speak/ask all
Before I close this meeting, is there anything else that anyone wants to say or ask?

Step 9 Closing the meeting
Could I take this opportunity to thank each and everyone of you for taking the time and
commitment to be here, coming together as people that care. I hope that by spending this
time together, and what happens from here will help you all move on. Thank you for placing
your trust in me to facilitate your meeting.

Step 10 Reintegration & refreshments
Draw up agreements and completion of evaluation forms.
This is a vital time to allow participants to freely talk among themselves.
Appendix E:

**Neighbourhood Justice Panel Participant Survey – Research Results – Feb 2013- Feb 2015**

On (date) ..........xx.............you took part in a Neighbourhood Justice Panel at (venue)...........xx............................................

This related to - (brief detail of incident)...xx..........................

..........................................................................................................................

Data Required for Equality Legislation - (circle where shown)

1. **Gender**
   - Male
   - Female

2. **Age** ..........................................................

3. Which of the following best describes you?

   - **White**
   - British
   - Irish
   - White Other

   - **Black/Black British**
   - African
   - Caribbean
   - Black Other

   - **Chinese**
   - Chinese
   - Any Other

   - **Asian/Asian British**
   - Indian
   - Pakistani
   - Bangladeshi
   - Other Asian Background

   - **Mixed**
   - White & Black Caribbean
   - White & Black African
   - White & Asian
   - Other mixed

*Please circle one statement for each question*

4. How satisfied were you with how the Community Justice Panel handled this case?

   - Very satisfied
   - Satisfied
   - Dissatisfied
   - Very dissatisfied

   58  22  4  0

5. Do you believe you had the opportunity to express your opinions and feelings?

   - Yes, enough opportunity
   - No, not enough opportunity
   - Not Applicable

   76  6  1

6. Was it helpful for you to meet the other party in a panel setting?

Dr Max Lowenstein (2017)
Very helpful   Somewhat helpful   Not at all helpful
65             16             2

7. If an agreement was reached how satisfied were you with it?
Very satisfied   Satisfied   Dissatisfied   Very dissatisfied
49             30             2             0

8. Would you recommend Neighbourhood Justice Panels to others?
Yes            No
89             1

9. Please write any other comments or suggestions here

Name in Capitals .................................................................

Forms to be collected by the Facilitator and sent to the NJP Coordinator.
Appendix F:

NJP Coordinator Interview Questions: *(please feel free to expand upon your responses)*

1. What qualities/experiences do you feel an NJP coordinator requires?

2. Do you have any suggestions which you feel can help to improve NJP guidance and training provision into the future?

3. Could the NJP referral and/or participant information gathering process be improved? If so, how?

4. Do you have any thoughts in relation to future NJP expansion? For example, to perhaps more serious criminal/civil contexts?

5. Do you have any thoughts in relation to future NJP integration into court processes? For example, the utilisation of NJP agreement reports to better inform the court where binding court orders are possible?

Further discussion points:

Dr Max Lowenstein (2017)
Appendix G:

WEST DORSET CJP (Dorchester)
Volunteer Facilitator Interviews – 2014

Candidates Name………………………………………………………………………………

1. EFFECTIVE COMMUNICATION       (Score ………)

Q. Why you would like to be a facilitator on the community justice panels?

Q. Tell us what benefits community justice panels bring to West Dorset?

Q. Tell us what disadvantages CJP brings to West Dorset?

2. COMMUNITY FOCUS          ( Score ………)

Q. CJP Panels can deal with strong emotions in a tense and nervous environment. What experience do you have in dealing with members of the public in these circumstances?

Dr Max Lowenstein (2017)
3. RESPECT FOR DIVERSITY  

(Q. Can you give an example of when you have had to deal with a diversity issue?)

4. TEAM WORKING  

(Q. The Community Justice Panels will involve working as a team. Tell us about your experience of team working?)

5. CONFIDENTIALITY  

(Q. What experience do you have in dealing with confidential material?)

6. PRACTICAL QUESTIONS  

(Q. Tell us about any experience you have of the criminal justice system?)
LOGISTICS - (non-scoring)

Q. Can you confirm that you are able to attend day time and evening meetings?

Q. Are you able to attend the proposed training dates on 28th, 29th & 30th January 2014 (probably in Winterborne Monkton).

Q. Do you have any questions?

Candidates Total Score :

Interview Panel Member ........................................
Date & Time ...........................................................

Notes and Observations:

(Scores: 1 = Very Poor; 2 = Poor; 3 = Average; 4 = Good 5 = Very Good)