Revisiting Restorative Justice: *Exploring Restorative Justice and its Practices in the Further Education Sector*

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by

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Read! In the Name of your Lord Who has created (all that exists). He has created man from a clot (a piece of thick coagulated blood). Read! And your Lord is the Most Generous. Who has taught (the writing) by the pen. He has taught man that which he knew not. **[Quran, 96: 1-5]**

ABSTRACT

Literature and research on restorative justice (RJ) highlight a lack of clarity and understanding of what RJ is, its role, and the outcome of the process. A plethora of available literature on RJ, and a pool of definitions, theories and values contribute to the misunderstanding of this perplexing and complex concept. In education, researchers have observed that institutions regularly deal with crime and conflicts, where students are victims and perpetrators of violence, anti-social behaviour and bullying. To create a safer environment and assist the perpetrator in reflecting on the impact of their behaviour, RJ practices are adopted in some institutions to better manage and deal with such issues. The research focus on RJ in the UK is predominantly in primary and secondary schools; however, research is limited and underdeveloped in the Further Education (FE) sector.

This research explored staff and students understanding and experiences of RJ practices and processes; and staff experiences of constraints, limitations, and opportunities for successful RJ policy implementation. An interpretivist exploratory case study design framework and mixed qualitative methods were adopted. This research found a consensus on how staff understood RJ, barriers to successful implementation, and factors that supported effective implementation in the FE sector. Findings indicate that RJ policy is interrupted or reversed due to mergers or changes in Senior Leadership Teams. Both top-down and bottom-up approaches to implementation are pivotal, and teaching staff feel that a surge of violence in the country has brought insecurity within the college community. In effect, teachers think that they are unskilled or ill-equipped to deal with or manage challenges. Further, a lack of regular training and professional development programmes on RJ impacts staff understanding and delivery of the concept. This study provides an insight into how RJ is understood, experienced and implemented in FE; thus, findings from this research will be relevant to FE institutions, their staff, and the Department for Education (*Df*E).

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My beloved *father*, I have finally fulfilled the promise I made to you before your early and unexpected departure from this world. I pray that we will get the opportunity to discuss my work, journey, and experience under a Date Palm Tree where rivers of milk and honey flow, if ***Allah*** wills.

DECLARATION

I certify that this thesis submitted here is, to the best of my knowledge, original and entirely my work and has not been submitted for a degree at this or any other University. In all cases, where it is relevant, material from the work of others has been acknowledged.

Sign: Abu Zaman

Date: 27 October 2021

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ABBREVIATIONS

AOC	*Association of Colleges*
ASB	*Anti Social Behaviour*
BSA	*British Sociological Association*
CBC	*Canadian Broadcasting Corporation*
DCSF	*The Department of Children, Schools and Families*
D*f*E	*Department of Education*
DfES	*Department of Education and Schools*
FE	*Further Education*
HMIC	*Her Majesty's Inspectorate of Constabulary*
IIRP	*International Institute of Restorative Practice*
MP	*Member of Parliament*
NAHT	*National Association of Head Teachers*
NASUWT	*National Association of Schoolmasters Union of Women Teachers*
NL	*North London*
Ofsted	*Office for Standards in Education*
PBDS	*Positive Behaviour – Embedding Restorative Practice, Initial Research and Draft Strategy 2018-2021*
PRU	*Pupil Referral Unit*
PCSO	*Police Community Support Officer*
QDAS	*Qualitative Data Analysis Software*
QGRJP	*Quick Guide to Restorative Justice Practice*
RA	*Restorative Approaches*
RISE	*Reintegrative Shaming Experiment*
RJ	*Restorative Justice*

RM	*Restorative Measures*
RP	*Restorative Practice*
SEBD	*Social, Emotional and Behavioural Difficulties*
SEN	*Special Educational Needs*
SEND	*Special Educational Needs and Disability*
SFJ	*Skills for Justice*
SL	*South London*
SLT	*Senior Leadership Team*
SMART	*Specific, Measurable, Achievable Realistic and Time-Constrained*
UCU	*University and College Union*
UN	*United Nations*
WM	*West Midlands*
YJB	*Youth Justice Board*

INTRODUCTION

In the 1970s, a new and productive system was sought to replace the conventional retributive criminal justice system. Proponents offered restorative justice (RJ) as that replacement. Retributive justice focuses on the criminal act, excludes the victims, and limits the offender's participation in the process. On the other hand, RJ focuses on restoring, or preventing, the harm caused by the act in the form of reparation, includes all parties in the process and provides an opportunity for the offender and the victim to restore their relationship. Thus, RJ focuses on the victim and the offender's needs centralising their relationship during the process, which are disregarded during the conventional approach. Originally RJ was to replace the criminal justice system; however, now it operates alongside the traditional system and is triggered only during the process. Literature and research have noted that there are many positives and negatives to the RJ concept. However, confusion and lack of understanding of RJ have made the concept problematic in theory and practice. For instance, Stockdale's (2015a) research identified that a disparity existed regarding the understanding of RJ amongst police staff, and a gap exists between theory and practice; thus, RJ values are '*lost in translation*' (2015: 230). Nonetheless, research identifying the effectiveness of RJ when dealing with crime and conflicts within the criminal justice system resulted in other organisations, such as education, being interested in the concept and its values.

Undoubtedly crime, conflicts, and other challenging behaviour exist in educational institutions. These can vary from mere disagreements to violence, drug-related violence, sexual assault, amongst other things. Occasionally conflicts from the outside are brought inside the institution. Inevitably, this means staff are required to intervene to resolve the matter; thus, a considerable amount of time and effort is invested. Campaigners are urging for better conflict resolutions in educational institutions and the government to support its implementation (see Weale, 2017). To make educational institutions safer, RJ is adopted to manage and deal with crime, conflicts, and other challenging behaviour.

Research on RJ in education predominantly focuses on primary and secondary schools, but such focus is limited in Further Education (FE) colleges. Thus, the utilisation of RJ in this sector merits further exploration and research focus. This study explored the understanding, experiences, and implementation of RJ behaviour policy in the FE sector. This research considered how staff and students understand RJ practices, staff experiences of RJ and its processes; and, opportunities, successes, constraints, and limitations in implementing an RJ

behaviour policy. To specify the FE sector in the education system, table 1 below compares the American education school years, which is more common internationally, with the English education school years. In table 1, the FE sector is highlighted in blue for clarity.

American System			English System	
School Phase	**School Year's Name**	**Age**	**School Phase**	**School Year's Name**
Middle School	6th Grade	**11-12**	Year 7	Secondary School
Middle School	7th Grade	**12-13**	Year 8	Secondary School
Middle School	8th Grade	**13-14**	Year 9	Secondary School
High School	9th Grade (Freshman Year)	**14-15**	Year 10	Secondary School
High School	10th Grade (Sophmore Year)	**15-16**	Year 11	Secondary School
High School	11th Grade (Junior Year)	**16-18**	**Year 12-13**	**FE college / Sixth Form**
High School	12th Grade (Senior Year)			

Table 1: School Years

Why a PhD?

The decision to commence a PhD sparked from completing the LLM Criminal Law and Criminal Justice dissertation, titled *'Revisiting Restorative Justice: Restorative Justice – A Progressive Movement'*. The dissertation for the LLM degree focused on RJ and the youth justice system. Achieving a distinction (72%) not only was an encouragement to pursue a PhD to enhance the skills developed at the postgraduate level, but it was also a challenge to test whether one was capable and worthy of a doctorate. Initially, the PhD research proposal was on researching RJ and its effectiveness in the youth justice system. However, continuing on this path was difficult, as there is a plethora of research available in this field, thus identifying a gap in knowledge or contributing to knowledge was near impossible.

As a Law teacher in a FE college, which no longer exists due to a merger, was undergoing an organisational restructuring process. As part of the restructure, staff were given a flow chart of the institution's structure, and on this document, at the top left corner, in a small rectangular box, had the phrase, *Restorative Justice*. Enquiring this led to the discovery that RJ is utilised in education to manage challenging behaviour. However, upon researching literature on RJ and education, there are many studies available in this field. So, again, identifying a gap in knowledge or contributing to knowledge was near impossible. That said, there was a 'light bulb' moment where it was uncovered that all the studies on RJ in the UK focused on primary and secondary schools, and nothing was available in the FE sector; this was when the direction of this study changed, and this research transpired.

Further, to understand how RJ practices are utilised in practice, particularly in education, the researcher underwent training and obtained a qualification in *Level 5 Restorative Approaches – Theory and Practice*. This course was a one-year programme, which involved: four days of taught classes focused on theory and practices; regular network and portfolio meetings, but trainees were required to attend three to complete the course; three documented case studies on delivering RJ practices, one of which was observed by a trained and accredited RJ facilitator; three essays, and finally, evidence of attempting to implement RJ practices in the workplace. A portfolio was submitted at the end of the course. The course was delivered by a London Borough, accredited by a London University and recognised by the RJ Council.

Restorative Justice vs Restorative Practice, Restorative Approaches and Restorative Measures

In some instances, RJ is referred to as *restorative practice* (RP), *restorative approaches* (RA), and *restorative measures* (RM) (Thorsborne and Blood, 2013). However, scholars argue that RJ is too narrow to utilise outside the criminal justice system (Song and Swearer, 2016), especially in schools. In addition, the appropriateness of the word '*justice*' is questioned (Masters, 2004). RJ's term 'justice' is argued to be very close to penal law (Christie, 2013: 15). However, Walgrave (2013) disagrees with Christie (2013) and argues that *justice* also means a moral good. In contrast, Braithwaite (2013) argues that justice is a holistic concept, which encapsulates: procedural justice, distributive justice, RJ, social justice and punitive justice. For Sumalla (2013), *justice* is an integral and essential part of RJ. However, Evans and Vaandering (2016) offer an alternative way of understanding '*justice*'. While justice in its conventional sense is understood as a mechanism for responding to crime, it also has roots in social justice which, '*honours the inherent of all. It is enacted through relationships…called social justice, is the condition of respect, dignity, and the protection of rights and opportunities for all, existing in relationships where no one is wronged*' (Evans and Vaandering, 2016: 7). To maintain consistency, this thesis will continue to use restorative justice (RJ), thus affiliating with the arguments offered by Walgrave (2013), Braithwaite (2013), Sumalla (2013), and Evans and Vaandering (2016).

Research Aim

This research adapted and modified Stockdale's (2015b) research aim and questions. Stockdale (2015b) explored RJ's formal and informal understanding and how it is defined by police staff in England and Wales, which captured experiences, understandings, frustrations, and

challenges faced by police officers and Police Community Support Officers (PCSO). This study adapted Stockdale's research within the FE sector.

This research's broad aim was to explore staff and students understanding of RJ and staff experiences of RJ practices and processes; and opportunities, successes, constraints and limitations when implementing an RJ behaviour policy. Resembling Stockdale's (2015b) study, this research also depicts the understandings, experiences, successes, constraints, and limitations FE institutions face when implementing restorative justice policy.

Research Questions

1. What are the organisational and individual understandings of restorative justice: how is 'restorative justice' defined and understood by staff and students in Further Education institutions?
2. What were the key opportunities with regards to successful restorative justice policy implementation in Further Education institutions?
3. What are the constraints and limitations when implementing restorative justice policy in Further Education institutions?

Methodology and Methods

An interpretivist exploratory case study design framework and mixed qualitative methods were adopted. The data collection process consisted of three stages. Stage 1 comprised 20 semi-structured interviews with staff members from a Pupil Referral Unit (PRU), a Special Sixth Form School and 5 FE colleges. Also, 60 FE colleges' behaviour policies were analysed. Stages 2 and 3 were both elements of an interpretivist exploratory case study of a FE college, Restorative College. Stage 2 explored staff and students initial understanding, experiences and implementation of RJ. Stage 3 involved re-interviewing participants from stage 2 later in the academic year to follow how their understanding, experiences and implementation had developed. The case study incorporated mixed qualitative methods, which included: analysis of documents and RJ cases, ten semi-structured interviews with staff members, three focus groups with students, and unstructured observation of a meeting and training concerning RJ practices. The purposive sampling technique was used to identify participants for semi-structured interviews and focus groups and the constant comparative method was utilised to analyse all data.

Contribution to Knowledge

This study contributed to knowledge by providing an insight into the understanding, experiences and implementation of RJ in the FE sector, which is underdeveloped in literature and research in the UK. This research considered how staff and students understood RJ practices and staff experiences of RJ practices and processes; and opportunities, successes, constraints and limitations when implementing an RJ behaviour policy. Further, this study identified that there is a lack of research on exclusion, behaviours, and other challenges faced by staff in the FE sector. Accordingly, the research identified a series of gaps in research as listed in the 'Future Research' section in the 'Summary and Conclusion' chapter. In addition, this thesis suggests a definition of RJ for FE colleges that emerged from the data corresponding to how this study's institutions and participants envisioned RJ practices. In part, this definition is offered because literature and research on RJ highlight a lack of clarity and understanding of what RJ is, its role, and the outcome of the process. Whilst adding to the ever-widening pool of definitions, theories, and values could be said to only further confuse the matter, the argument here, echoing a point frequently made in the literature, is that RJ is a perplexing, complex concept that can be interpreted and practised in numerous ways. Articulating a definition of RJ in the context of FE, it is hoped, may help to avoid some of the confusion witnessed in this study amongst those responsible for and/or participating in RJ processes.

Introduction to the Chapters

Chapter One reviews the literature on crime, conflicts and other challenging and problem behaviours in the education sector, thus providing an insight into why restorative justice (RJ) practices are adopted in the education sector. The chapter is divided into four sections: behaviour policy in education, behaviours in the education sector, practices and measures adopted to manage behaviours, and finally, behaviours in the FE sector. Behaviour policy in education explores the expectations of institutions in supporting behaviour management. Behaviours in the education sector section will delve into schools' challenges supported by research and literature. The practices and measures adopted to manage behaviours section introduce a range of strategies espoused to manage behaviour in institutions, setting the scene for the forthcoming chapters on RJ. Finally, the behaviours in the FE sector section considers some of the literature that focused on this sector's challenges regarding behaviours.

Chapter Two explores RJ's history, some of the definitions offered by prominent scholars and organisations in the field, and the discourse circumambient RJ's definition. This chapter then

progresses on scrutinising the values of RJ and the theories of RJ. Finally, once furnished with the foundations of RJ, models of RJ are discussed.

Chapter Three reviews some of the research on RJ practices in the criminal justice system. The rationale for this is that the concept was coined and utilised in the criminal justice system; therefore, it is crucial to explore studies in this field. Thus, research findings in the criminal justice system may be relevant, support or oppose research findings on RJ practices in schools and possibly this current research. After exploring research findings on RJ practices in the criminal justice system, the focus shifts to RJ practices in the education sector. This chapter then explores RJ and the discourse on punishment and language in education.

Chapter Four commences by sharing with the reader the research aims and questions. The chapter then shares the journey to finding participants, research sites, and the case study referred to as the 'Restorative College' (a pseudonym). Developing the ideal research methodology and the case study model is then discussed in detail. Next, Restorative College and the other research sites are introduced; the participants from these research sites will be presented at this stage because only semi-structured interviews were conducted to collect data (see figure 8). Next, the participants who were part of the case study model are introduced when the methods used to collect data are discussed. All participants' names in this thesis are pseudonyms. Later, the mixed qualitative methods used as part of this research is addressed. Then follows sampling; ethics; reliability, validity, reflexibility and positionality; data analysis strategy and the process.

Chapter Five focuses on some of the challenges that emerged from this research, which acknowledges the rationale of adopting an RJ policy. Further, explanations for employing an RJ behaviour policy from the Restorative College's perspective, particularly relying on its *'Positive Behaviour – Embedding Restorative Practice, Initial Research and Draft Strategy 2018-201'* (PBDS), is explored. The chapter then focuses on the structure, themes and constructs that emerged from examining the 60 behaviour policies and the Restorative College's behaviour policy, '*The Positive Behaviour Policy*'. Finally, exploring and investigating the aforementioned documents, this chapter draws inferences on how institutions understand and position RJ practices, supported by some of the participants' perspectives from this study.

Chapter Six focuses on staff and students' understanding of RJ from the interviews and focus groups conducted as part of this research. The chapter commences with discussing the Restorative College's document, *'Quick Guide to Restorative Justice Practice'*. This study suggests that the participants understanding of RJ practices is driven by the training they received and the documents and resources they have in their possession; thus, there is consensus between the institution and staff. Therefore, it is imperative to examine and explore this document to gain an insight into the Restorative College's foundational understanding of RJ practices. The chapter then explores staff and students understanding of RJ, drawn from interviews and focus groups conducted as part of this research. Finally, this chapter draws inferences on how staff and students understand and position RJ practices.

Chapter Seven focuses on the opportunities and success of implementing an RJ behaviour policy that emerged from staff interviews. This chapter consists of three sections. The first two sections are titled after key constructs that emerged from staff interviews, and the third consists of staff experiences. The sections are as follows: a top-down, bottom-up and whole-school approach; training, dedicated RJ staff and sharing good practice; and finally, other experiences and RJ impact on behaviour.

Chapter Eight examines the constraints and limitations of implementing an RJ behaviour policy, consisting of seven sections, reflecting the constructs that emerged from staff interviews. The first section of the chapter focuses on funding cuts and mergers impacting the implementation of an RJ policy in the FE sector, followed by staff turnover and consistency in RJ practices. The chapter then discusses challenges surrounding authority, hierarchical structure and power imbalance. Later, the focus is on culture change and time. Time is a commonly cited barrier by participants; thus, this section is split into three further subsections: implementation, practice, space, and bureaucracies of the RJ process. Next, the complexities surrounding the institutions and their environment are examined. Finally, issues that emerged from staff interviews regarding training will be scrutinised.

Finally, the sole purpose of the **Summary and Conclusion Chapter** is to amalgamate the findings from this research holistically. Therefore, the main findings are summarised according to the research questions. The following sections then follow: contribution to knowledge, recommendations, gaps, and future research.

CHAPTER ONE: *Challenges in Education*

> Troublesome (and troubled) behaviour is a feature of all schools and some of the behaviour is simply part of growing up, testing the boundaries of adult authority, as well as the changes associated with adolescence. **[Hayden, 2011: 73]**

Introduction

This chapter will review the literature on crime, conflicts and other challenging and problem behaviours in the education sector, thus providing an insight into why RJ practices are adopted in the education sector. This chapter's principal argument is that research and literature are finite on conflicts and other challenging and problem behaviours, staff experiences of such behaviours, how these challenges are managed and exclusions in the FE sector. Thus, the chapter is divided into four sections: behaviour policy in education, behaviours in the education sector, practices and measures adopted to manage behaviours, and finally, behaviours in the FE sector. Behaviour policy in education will explore the expectations of institutions in supporting behaviour management. Behaviours in the education sector section will then delve into schools' challenges supported by research and literature. The practices and measures adopted to manage behaviours section introduce a range of strategies espoused to manage behaviour in institutions, setting the scene for the forthcoming chapters on RJ. Finally, behaviours in the FE sector section will consider some of the literature that focused on this sector's challenges regarding behaviours.

Behaviour Policy in Education

In England, schools must have a behaviour policy that sets out students' behaviour expectations and the sanctions imposed for misbehaviour (Department of Education (D*f*E), 2016). Schools may only impose reasonable sanctions or penalties, and they are free to develop their policies and strategies for managing behaviour to meet the school's circumstances and needs. Schools possess this entitlement because the government believes they are best placed in recognising their students' needs. The Office for Standards in Education (Ofsted) and Spielman (2019) express that parents' involvement is crucial to support the behaviour policy.

In 2010 the D*f*E's White Paper, '*The Importance of Teaching*', expanded teachers' powers to deal with violence; these powers, to some extent, resemble police and other security agencies powers (Cremin and Bevington, 2017). Under the *Df*E*'s* White Paper (2010), some of these powers include more authority to discipline students, expand search powers, maintain discipline beyond the school gates, remove 24 hours' notice for detentions and provides more

explicit instructions on the use of force. Teachers have the power to discipline students for misbehaving outside of the school premises (D*f*E, 2016). The government produced a document advising schools on what should be included in the behaviour policy and developing effective strategies (see D*f*E, 2016). This document covers topics such as: designing the behaviour policy, discipline in schools, punishing poor behaviour, behaviour and sanctions and pupils' conduct outside school gates. The government provides guidance and requirements regarding exclusions (D*f*E, 2012).

Behaviours in the Education Sector

Schools are seen as having a primary and valuable socialising role and are at the forefront of being didactic in responding to social ills hoping to improve society (Hendrick, 2006; Martin et al., 2011a). Hence, during their reign from 1997 until 2010, Tony Blair and the New Labour administration focused and invested in education and tackling crime (Martin et al., 2011a). Tony Blair's speech 'Education, education, education…' (Martin et al., 2011a: 3) was the zeitgeist, which ensured a victory to govern the country (Deakin and Kupchik, 2012). New Labour faced a record number of exclusions at 135,000 from 1995 to 1996 (Smith, 1998: 6); thus, the Party prioritised policies addressing school exclusions. The Department of Education and Schools (DfES) (2002) initiated the *Behaviour Improvement Programme*, which later expanded into the *National Behaviour and Attendance Strategy*; the purpose of this strategy was to improve behaviour and attendance in schools that were considered to have educational and social problems (Millie and Moore, 2011). It is common for school spaces, or communities, to be volatile at times due to what Martin et al. (2011a) refer to as *problem behaviours*. These volatile situations, which can include crime and anti-social behaviour (ASB) (Millie and Moore, 2011), present themselves or can be exacerbated by the fact that many students are concentrated in a small space with limited adult supervision (ibid).

It is imperative that we consider what is meant and understood by challenging behaviours in schools. However, there is a lack of an agreed definition of challenging behaviours amongst educational establishments (Ofsted, 2005). Having definitional and linguistical barriers or issues is not new. It is commonly known that meanings are socially constructed, which differs from culture to culture, and is influenced by law, the economy and politics (Burke, 2014).

The challenges of definition and language used regarding behaviours in education manifested when the New Labour administration prioritised education to prevent crime. This agenda was

encapsulated in the Crime and Disorder Act (1998) and the 'Respect'[1] agenda (Martin et al., 2011a); thus, schools were seen as having a crime prevention role (Hayden, 2005). As a result, crime and ASB started to play a pivotal role in the education system (Martin et al., 2011a). While it is evident from research and literature that crime and other behaviours occur in schools (Rutter et al., 1979; Boxford, 2006; Hayden, 2009), Millie and Moore (2011) argue that the tide regarding the schools' aims and objectives shifted from teaching, learning, discipline and truancy control to crime control. As a result, a wide range of powers is available for institutions. These powers range from parenting orders for truancy under the Anti-Social Behaviour Act (2003) to policies that crossover between educational and criminal issues, such as Every Child Matters (2005) and Youth Matters (2005) initiatives (Millie and Moore, 2011).

Language is critical and individual acts within the school space may fall within the vicinity of crime or ASB (Hayden, 2010). Still, teachers and staff possess the prerogative to exercise discretion in interpreting behaviours as they see fit (ibid). The definition of ASB offered by the Crime and Disorder Act (1998) proved to be problematic (Martin et al. 2011), which states that an act '*…that caused or was likely to cause harassment, alarm or distress to one or more persons, not of the same household as the perpetrator*' (Crime and Disorder Act (1998), S.1 (1a)). Furthermore, Martin et al. argue that the ASB definition is subjective '*because it includes behaviour 'perceived' to be a threat rather than actual threatening behaviour*' (2011: 6). This loose definition of ASB suggests that it can lead to acts that previously were not within the ASB remit, may fall within its umbrella (Squires and Stephen, 2005; Millie, 2009; Millie and Moore, 2011). A typical example of an act falling within ASB is vandalism. The school and its properties become a direct victim; such actions can include graffiti differing from '*the occasional scribble on a desk thorough to more serious and malicious messages*' (Millie and Moore, 2011: 24). Violence in schools is a growing social problem (Debarbieux, 2006). However, the term '*violence*' itself causes issues as its definition differs from country to country and researcher to the researcher; further, there is the issue of whether to include psychological harm, alongside physical harm, within the term violence (Osler and Starkey, 2005; Waddington et al., 2006; Martin et al., 2011).

Not all challenging behaviours in schools fall within the 'crime' or 'ASB' umbrella; at times it can overlap or influence by other external factors such as: '*disaffection, special educational needs and testing the boundaries*' (Martin et al., 2011: 5); these are illustrated by Hayden

[1] Home Office, 2006.

(2010). Hayden provides us with a typology of some of the fundamental challenging behaviours in schools. *Naughtiness and disruption* refer to students talking out of turn and not responding to the teacher's instructions. *Testing the boundaries* is where students challenge adult authority. Students who fall within the remit of *special educational needs (SEN)*, such as impulsivity and attention problems, have shown to be challenging. When students demonstrate *distressed behaviour,* it is usually an indication that they are subject to abuse or neglect, family problems and mental health. *Disaffected behaviour* is where students demonstrate poor behaviour and disruptive behaviour. *Bullying* comprises of different traits of bullying such as cyber, psychological and physical. *Other forms of aggression* include fights, assaults, and gang or group-related aggression and violence—finally, criminal behaviour covers behaviours that break the criminal law.

As this chapter's opening quote suggests, schools expect general naughtiness and behaviour that test boundaries from students (Martin et al., 2011a). While SEN affects one in five children, not all SEN falls under the umbrella of *social, emotional and behavioural difficulties* (SEBD); however, students having trouble learning can cause problematic behaviour (ibid). Distressed behaviour can cause students to behave in a certain way, which falls within challenging or inappropriate behaviour, but it is usually a cry-out for help (ibid). Disaffected behaviour, where there is no affection for the school, is generally detected from non-attendance. It can arise from various reasons such as SEN, being bullied or students' relationship with teachers (ibid). Martin et al. (2011a) argue that bullying, aggressive and violent behaviour could be categorised as ASB and sometimes severe enough to fall within criminal law vicinity. However, research on crime inside the school premises is limited (Martin et al., 2011b). The Steer Committee (2009) reported that schools are generally orderly, but the low-level disruption concerns staff. There has been a shift in behaviour, mainly where technology, such as smartphones, is concerned. In addition, parents challenging the teacher's authority has left staff feeling vulnerable when dealing with behaviours (Steer, 2009; Martin et al., 2011b).

One of the earliest studies on crime in schools using the British Crime Survey, including a sub-sample of 11 – 15-year-olds, was conducted by Aye Maung (1995). It should be noted that victimisation surveys of young people began in the 1990s (Porteous, 2014). Undoubtedly, studies on crime and challenging school behaviours were carried out before 1995 (Willis, 1977; Corrigan, 1979); however, the literature review will commence with Aye Maung (1995) study

due to space. Aye Maung (1995) identified that a high proportion (46%) of offending amongst young people was inside the school. In addition, Aye Maung's (1995) study determined that theft of personal property (76%), assault (62%) and harassment (39%) were amongst the highest offences committed in schools. Gill and Hernshaw's (1997) research found that 57.6 per cent of schools, from 3986 schools, reported pupils being subject to violence. The violence took the form of physical abuse; some included weapons or other objects; 1.9 per cent of these schools reported theft with threats or actual violence.

In another study, staff from an inner London comprehensive school expressed that they were increasingly required to deal with conflicts. Tension from the streets was brought within the school vicinity; thus, considerable time was invested by teachers to deal with such incidents (Porteous, 1998). Name-calling in general, racist name-calling, threats with violence, assaults, sexual harassment, students carrying weapons, things taken off students, and drug-related offences are typical in a school setting (ibid). Such acts occur inside or outside the school's proximity (Porteous, 1998; Bottrell et al., 2010). Porteous (1998) observed that in the schools where his research was based, many students were victims of violence, anti-social behaviour, and bullying in school. In these schools '*…most young people at…school are at some time likely to be involved in some form of physical and verbal violence, as victims and/or perpetrators*' (Porteous, 1998: 135). For Porteous, his research '*provided quite graphic and convincing evidence of the high levels of anti-social behaviour and violence which children and young people experience*' (2014: 50). Boxford's (2006) research concurred with Porteous' findings above, which found that assault, vandalism, theft, robbery and break-ins were committed inside schools.

The Office for Standards in Education (Ofsted) (2005) provides an analysis of behaviour in educational institutions, including evidence from mainstream and special schools, Pupil Referral Units (PRU), secure training centres, and colleges. This report should provide further insights into behaviour challenges faced by staff in UK schools. The 2005 report exerts that among the schools inspected in 2003/04, the behaviour was good or better in 90 per cent of primary schools, 68 per cent of secondary schools and 80 per cent of special schools and PRUs (p.3). However, it was highlighted that the behaviour of boys remained a serious concern. Low-level disruptive behaviour is typical, which wears down staff and interrupts learning. Violent behaviour is rare in schools and only carried out by a minority of students. Drug abuse is a challenge amongst the more senior students in PRUs and colleges than schools. What is clear

is that in addition to SEN and SEBD, as seen above, students with challenging behaviour can further fall under SEND[2] or have social or personal issues at home. Schools with better behaviours are usually because of a strong sense of community and working closely with parents. In some schools, staff have requested that more training is required in behaviour management. Ofsted found that schools, PRUs and colleges evaluating their strategies on behaviour management was limited. Several schools' behaviour policies are complex, and there was a lack of consistency in following procedures amongst various college departments. Worryingly, Ofsted later reported that the senior leadership team (SLT) failed to identify and tackle disruptive behaviour in schools and support staff. Further, teachers accepted low-level disruption and inconsistently applied behaviour policies, undermining teachers' efforts (Ofsted, 2014). Another most recent publication from Ofsted and Spielman (2019) argues that misbehaviour is common and is a significant contribution to teacher stress; this is supported by the National Association of Schoolmasters Union of Women Teachers (NASUWT) (2019) and Ofsted (2019).

A survey of 14 to 15-year olds in a deprived provincial city of England provides further insight into schools' behaviours (Hayden, 2011). This study involved 1426 pupils from 14 mainstream state secondary schools in the city. It was found that 30.8 per cent of students were bullied either in or outside of the school. '*Students who have been bullied are more likely to worry about being bullied…*[and] *feel less safe in school*' (ibid: 98). In this study, a higher proportion of boys admitted to bullying someone compared to girls. Astonishingly, 19.3 per cent of students expressed carrying a weapon either in or out of school. Unsurprisingly, girls are less likely to report having a weapon compared to boys. Seventy-seven per cent of boys admitted to carrying a weapon compared to 23 per cent of girls; this is supported by news reports on the current surge of violence, carrying weapons and knife crime in the UK, which has percolated into schools (Coughlan, 2019). Although Hayden's (2011) study illustrates some alarming findings, it also shows that 80.8 per cent of students either felt safe or very safe in the classroom; 71.2 per cent felt safe in school but outside of the classroom; finally, 54.5 per cent felt safe when outside of school. According to Martin's et al. (2011b), the gravest offences reported in school were rape, attempted rape and sexual assault. However, these took place outside the school premises but within the proximity of the school. For the rape incident, the victim knew the perpetrator, who also attended that same school.

[2] Special, Educational Needs and Disability.

It has been observed that there is an increase in teachers being subject to some degree of physical violence (Neill, 2008). Still, limited evidence is available that illustrates violence against school staff (Millie and Moore, 2011). The National Association of Head Teachers (NAHT, 2000) defined violence as teachers being abused, threatened or assaulted by a student or a public member, which arises from their employment. NAHT's definition of violence encapsulates threatening behaviour from pupils, parents, and other public members; however, omitting violence between colleagues (Martin et al., 2011c). Consequently, Martin et al. offer an alternative definition of violence which was applied in their study:

> Any incident, in which a person is abused, threatened or assaulted in [the] circumstances relating to their work as a secondary school teacher that was perpetrated by pupils, colleagues or members of the public. **[2011: 125; 2012: 400]**

It is submitted that the above definition of violence is also restricted; the phrase 'secondary school teachers' limits itself to secondary school teachers and is not inclusive of primary and colleges in the FE sector or teachers in the generic sense.

Gill and Hernshaw's (1997) study found 21.6 per cent of schools reported staff members being subject to violence, which took the form of physical abuse, some included weapons or other objects. In a survey of 300 teachers, respondents expressed being verbally or physically assaulted (Wright and Keetley, 2003). The Teacher Support Network (2005) found that students physically assaulted 29 per cent of teachers. Twelve per cent of teachers reported that they were abused or attacked by parents (ibid). Later, The Teacher Support Network (2007) found that teachers claimed to have been physically assaulted by weapons that took the form of an object, furniture, equipment, knife or a gun. The Department of Children, Schools and Families (DCSF) published findings that highlighted 176 teachers were subject to violence in their students' hands (Health and Safety Executive, 2008). In another report based on 'On-Track' studies, which consists of 'at risk' students mainly from deprived areas, 29 per cent of the students expressed that they saw a teacher being attacked by a student from the school (Bhabra et al., 2006). Martin et al. (2008; 2011c; 2012) found that 73.4 per cent of teachers from their study experienced some form of violence, over 90 per cent stated that they experienced violence during their career as a teacher; amongst those 90 per cent, 79 per cent were subject to violence from students.

So far, we have looked at what takes place inside the school or in close proximity. However, it is essential to inquire into how students behave outside of school, directly or indirectly

impacting their behaviour or performance in educational institutions. For example, the Youth Justice Board (YJB) for England and Wales Youth Survey (MORI, 2003) reported that 26% of 11 - 16-year old admitted committing an offence in the last 12 months of the survey. Twenty-one per cent of the same category of students stated that they had been caught by the police at least once (ibid). Later, the Youth Justice Board (YJB) for England and Wales (MORI, 2010) reported that, in 2008, 23% of young people aged between 15-16 in mainstream education admitted to committing offences. Of those who offended, 33% admitted to stealing, suggesting a high theft rate in schools. Further, it was reported that 79% of the self-study report fell within ASB, which is expected due to definitional issues, as argued by Millie and Moore (2011) and Martin et al. (2011a). However, it should be noted that

> …the general pattern of youth crime that emerges from research for the YJB tells us relatively little about crime or ASB within, or related to, schools…information on offending within…schools…is difficult to come across in Britain. **[Millie and Moore, 2011: 24]**

Behavioural challenges in education are a global problem; in chapter 3, we will discuss international studies where RJ was implemented to support educational institutions with behavioural and other challenges, which indicates this phenomenon. Findings from the UK reverberate in the United States of America (USA). It is argued that large public schools are considered crime locations (Steinberg et al., 2019). Burdick-Will (2013) claims that many underperforming schools in the USA, particularly Chicago, deal with violence regularly. Burdick-Will argues,

> Violent crime is a serious issue in some of Chicago's public high schools. Many students are exposed to violent crime on a routine basis just by entering school grounds. Just a few high schools each year account for the large majority of violent crimes in the whole district. However, within any given school, violent crime rates appear to fluctuate dramatically year to year without any clear trend over time, either in specific schools or in the district as a whole. **[2013: 357]**

In the USA, schools have experienced violence which has resulted in fatalities; this led the state, schools and other agencies to prioritise school safety and ensure that the learning environment is propitious (Losinski et al., 2014). Such incidents include fatal shootings inside the school premises; for instance, in California, a teenager shot and killed several classmates in a High School (The Guardian, 2019). In addition, Neiman (2011) found that in schools, 11 per cent of Grades 9 to 12 students were involved in a physical fight, 6 per cent of adolescents carried a weapon, 4 per cent drunk alcohol, and 5 per cent used marijuana on school grounds (Neiman, 2011).

According to Espelage et al. (2013), teachers' experience of violence is also a concern in the USA. The American Psychological Association Task Force on Violence Directed Against Teachers (2011) research indicates that 80 per cent of teachers reported at least one victimisation. Ninety-four per cent reported being victimised and experiencing an offence in the hands of a student. Amongst these 94 per cent, nearly half of these victimisations included a parent or another as a perpetrator. In addition, teachers who expressed that they experienced a harassment offence was at 72.5 per cent, 50 per cent reported property offences, and 44 per cent physical attacks. To prevent student violence against teachers, Espelage et al. (2013) suggest, amongst other things, offering teachers a range of behaviour management theories and strategies.

Practices and Measures Adopted to Manage Behaviours

Charlie Taylor, the then government's former advisor on school behaviour, produced a checklist on behaviour management (Taylor, 2011). Teachers can use it to develop between five and ten essential actions to encourage good behaviour from students. Schools should have absolute clarity on behaviour standards, which staff, students, and parents understand. These rules, standards, sanctions and rewards should be displayed around the school and in classrooms. The checklist is not limited to students with poor behaviour; it includes staff performance and poor teaching. It is suggested that to manage behaviour, staff should praise students for good behaviour, celebrate their success, and praise model behaviour more than critiquing the wrong behaviour, and schools should have a system to follow through with all sanctions and rewards. Unfortunately, the government does not provide such explicit support and guidance for institutions in the FE sector. Instead, FE institutions seek help and advice from policies directed and focused at schools, which is problematic because FE institutions' demographics and needs differ from schools, thus employing such strategies may be seen as short-sighted.

The Department for Education (*Df*E) (2017b) provides a report on behaviour management practices from schools that have been rated as '*Outstanding*' by Ofsted. These practices will be discussed here to understand the guidance and expectations offered to schools. The report found that the schools' part of the sample did not use specific behaviour management strategies, nor were they using similar approaches in the same way. There was consensus amongst the senior leadership team (SLT) across the schools that strategies adopted had to be modified to meet the school's demographic and the local community. Schools reinforced positive

behaviour, modelled good behaviour for learning and communicated approaches for dealing with poor behaviour. It was found that there were ten critical themes amongst these schools' approaches to behaviour management. These themes are policy, structures, general behaviour practice, rewards and praise, sanctions, SEND, data, parent and other agencies, culture and ethos, and consistency. It was '*identified that all schools had clear policies written on behaviour expectations with detailed procedures to ensure this or respond to poor behaviour*' (p.9). The *structure* of the schools was changed, for instance, having a dedicated non-teaching pastoral team monitoring and supporting behaviour and assigning behaviour management responsibilities to SLT. Governors were involved, and students' timetable was changed, which incorporated extracurricular activities. The *general behaviour practice and approaches* included school and classroom rules, school motto or ethos statement, classroom seating allocation, tutor time, well planned and differentiated lesson plans, reinforcing whole-school behaviour policy and uniform.

*Df*E (2017b) found that positive praise and rewards encouraged good behaviour; that said, schools expressed a clear and coherent process for dealing with disruptive behaviour. Strategies employed to manage disruptive behaviour included: effective classroom practice, practices dealing with low-level behaviour, sanctions, de-escalation strategies, restorative practices, targeted intervention and exclusions. '*The needs of the pupils with SEND were considered within their whole-school approach for behaviour management. For others, usual behaviour management practices were adapted or refined for children with SEND*' (D*f*E, 2017: 45). For instance, acts that are seen as low-level behaviour in mainstream schools would be seen as a coping mechanism for a SEND student, and greater emphasis was given on rewards and praise with SEND students. Schools part of this research had a robust process of capturing data, which was used to monitor, address and manage behaviour. It was essential to involve parents and other agencies to support decisions and follow up at home; there is an understanding that students' home circumstances affected their school behaviour. Having a strong school ethos and culture was paramount, which includes valuing students, fostering positive learning behaviours, nurturing students, students taking responsibility for their behaviour, amongst other things. Finally, all the schools expressed that maintaining consistency in applying behaviour management strategies was essential.

The above research (D*f*E, 2017b) identified that few schools in this study underwent RJ training. Staff expressed that restorative practice was used to sort the issue out immediately so

stakeholders could move on quickly. There was evidence of students from a primary school trained in RJ to resolve playground disputes. Controversially, a secondary school demonstrated the usage of *isolation rooms* as both punitive and restorative, restorative in the sense that it allowed students to reflect on their actions (*Df*E, 2017b). However, the report did identify that a school saw '*Restorative practice and a person-centred approach are key tenets of the methods adopted…*' (ibid, p.49); and that '*On-going and regular staff training was often considered vital. This included internal and external training (e.g. restorative practice) to inform staff about the approach and how they were expected to manage behaviour*' (ibid, p.76-77).

The utilisation of isolation rooms, as mentioned above, has attracted attention from the media. Schools have the prerogative to place disruptive students for a period in isolation/seclusion rooms away from other students (D*f*E, 2016). Although there are no official statistics on the use of isolation rooms, BBC News reported that more than 200 students were assigned to these rooms for five days in English schools during 2017 (Sellgren, 2020). The Centre for Mental Health warned that students vulnerable to traumatic lives could have challenging behaviour and mental health exacerbated by being assigned to an isolation/seclusion room (ibid).

Exclusion is another strategy adopted by institutions to support managing extreme behaviours exhibited by students. Exclusions can be temporary or permanent (Tillson and Oxley, 2020). Under temporary exclusion, students are not allowed to attend school for a period, i.e., 1 to 5 days, a maximum of 45 days in an academic year; whereas permanent exclusion involves a student being permanently removed from the school (ibid). Exclusion has attracted much attention (Brodie, 1998; Berridge et al., 2001); some commentators have labelled this phenomenon a 'moral panic' (Blythe and Milner, 1993). Exclusion is the most severe sanction available to a school (Brodie, 1998; Berridge et al., 2001), and the government advises that it should only be used in extreme circumstances (D*f*E, 1994; 2012).

Exclusions are mainly utilised in secondary schools (Brodie, 1998) and result from offending (Berridge et al., 2001); although, McCluskey et al. (2008a; 2011) state that the main reason for exclusions in Scotland schools was behaviour related. Exclusions are sanctioned due to '*the culmination of a long build-up of tension*' (Brodie, 1998: 122); and for verbal abuse to the staff, violence to other pupils, disruption in the classroom, breaking school rules, low attendance, drugs, alcohol and substance abuse (Galloway et al., 1982; Ofsted, 1996; Hayden, 1997). There is evidence of excluded students disputing their exclusion. They argued that they were singled

out when several students were involved, bullied, instigated by others, and not listened to, and teachers blamed them for misbehaviour when they were genuinely asking for help (Bottrell et al., 2010).

According to D*f*E (2020), in the academic year 2018/19, there were 7,894 permanent exclusions across all state-funded primary, secondary and special schools, a decrease of 11 permanent exclusions compared to the previous academic year. Four hundred thirty-eight thousand two hundred sixty-five (438,265) fixed period exclusions were issued in the same academic year, compared to 410,800 in the last academic year. Persistent disruptive behaviour was the main reason for both types of exclusions. In 2018, The Guardian reported that

> …schools handing at least 20% of their pupils one or more fixed-period exclusion in 2016-17, the overwhelming proportion were academies, with one of them, the Outwood academy Ormesby in Middlesbrough, excluding 41%. Five were run by local authorities and six were free schools. **[Perraudin and McIntyre, 2018]**

The then shadow education secretary, Angela Rayner, expressed concerns about exclusion rates (Perraudin and McIntyre, 2018). Perraudin and McIntyre (2018) insinuate an ulterior motive to exclusions. They argue that schools are playing the system where they get rid of students who might perform poorly in their GSCEs, thus impacting the school's performance in league tables; this process is known as "off-rolling". In June 2018, an investigation by Ofsted found that more than 19,000 students who were in Year 10 had disappeared from the school's register just before GCSEs in Year 11 (Weale, 2018a).

Ample research and literature argue that long periods out of school, or permanent exclusion, makes a student vulnerable to offending, becoming a persistent offender, disconnected from school, making poor choices in life, which leads to criminality and into the criminal justice system (Home Office, 1995; Graham and Bowling, 1995; Ofsted, 1996; Hayden and Martin, 1998; Berridge et al., 2001; McAra and McVie, 2010). Students who are low achieving, disruptive, involved in bullying, truant and excluded from school are more likely to be involved in criminality (Graham, 1998; Armstrong, 2004; Bowey and McGlaughlin, 2006). Members of Parliament (MP) and peers investigating knife crime and school exclusions are pressing for school exclusion policy reform (Weale, 2019). It is argued that being excluded from schools can lead a young person to equip themselves with a knife, and fuelling knife crime, as they are not in school occupied by a full teaching timetable (Mccann and Kirk, 2018; Simpson et al., 2018; Weale, 2018a; Morrison, 2019). Experts claim that young people excluded from school are likely to be steered towards gang violence and county lines drug operations (Mccann and

Kirk, 2018). In areas where exclusions are high, crime rates amongst the young are also high; further, possession of a knife or offensive weapon by a young person increased by 65 per cent in the past four years (ibid). Opponents of the discourse linking exclusion to crime, particularly knife crime, have argued this link to be inconclusive (Ofsted and Spielman, 2020). According to Brooks and Tarling,

> It is a well-established fact that offenders known to the criminal justice system have low basic skills, experience difficulties in formal education, and as a result, are less likely to have obtained academic or vocational qualifications compared to their non-offending peers. **[2012: 185]**

Machin et al. (2012) report that students in education reduce the likelihood of being involved in crime. They found that a 1% increase in male students reduces male crime by 1.9%. Moreover, a 1% increase in male students attending post-compulsory education reduces male crime by 1.7%. Reducing female crime was found at a smaller scale of between 1.1% and 1.3%. Children who display ASB are likely to develop poor social functioning skills as adults and are at substantial risk of social exclusion (Scott et al., 2001). '*Exclusion from school as a possible precursor to exclusion from society remains a matter of public concern*' (Daniels and Cole, 2010: 115).

In the UK, 80% of young offenders were dropouts from school; this motivated schools to adopt RJ (Becroft and Thompson, 2006). However, it also found a rise in violence in UK schools, and staff showed dissatisfaction in how these instances were being dealt with (Houlston et al., 2009). Also, in the USA, the zero-tolerance policy is criticised as ineffective and overly used (Canadian Broadcasting Corporation (CBC), 2007; American Psychological Association Zero Tolerance Task Force, 2008; Evans & Vandeering, 2016). In addition, teachers and other staff found the zero-tolerance policy very restrictive and unbeneficial to students in improving the feeling of being safe or making the institution a safe place, nor did it impact students' behaviour; in effect, the policy denies education to students (Skiba & Peterson, 2000; McNeely et al., 2002; Gonzalez, 2012).

Schools adopt other measures to regulate violence, such as controlled access, use of student and staff photo identity cards and security cameras (Losinski et al., 2014). In the USA, under the zero-tolerance policy, students bringing firearms into school results in automatic 1-year expulsion (ibid); later, this policy was expanded to include: drugs, fights, weapons, swearing, truancy, insubordination, disrespect and dress code violations (Casella, 2003; Cornell, 2006; Cornell et al. 2011). The prerogative of how the policy is interpreted and implemented

remained under the control of individual states in America. Except for the 1-year automatic expulsion for bringing firearms to school. Any amendment to this clause results in funding cuts for failure to comply (Losinski et al., 2014). Research in the USA illustrates that students expelled from school are more likely to be in contact with the juvenile justice system (Skiba & Peterson, 2000; American Psychological Association Zero Tolerance Task Force, 2008; Fabelo et al., 2011).

As established, educational institutions face many challenges, which vary from mere mischief to criminal behaviour. It is understandable why schools are searching for innovative ways to deal with challenges. Schools in the UK are looking for a solution that promotes discipline, reduces violence, restores good relationships when conflict or harm is caused, improves attendance, and develops the school's ethos (McCluskey et al., 2008a; Hopkins, 2011). Further, the concept of responsibilisation developed in the criminal justice system (Garland, 1996; 2001) permeated the education sector, where punishment is replaced with reparation, where individuals take responsibility for their actions and make amends for the harm done (Martin et al., 2011a). RJ practices became alluring to schools, and policies, such as Every Child Matters (2003), Youth Matters (2005) and Care Matters (2006), made it influential as an appropriate response to challenging behaviours in schools (Hopkins, 2011). Hopkins (2011) elucidates that these policies prescribed RJ values such as inclusion, mutual respect, collaboration, joint problem solving, open communication, accountability and trust. RJ, a theory conceptualised within the criminal justice system, became appealing for schools due to the issues illustrated in this chapter. RJ continues to evolve in criminology and is now applied in different contexts, such as social work and education, nationally and internationally (ibid).

Behaviours in the Further Education Sector

This thesis argues that academic research and literature on behaviours and challenges and managing such challenges are finite in the UK's FE sector. Further, focus on exclusions in the FE sector is scarce; in fact, *'there is relatively little quantitative research into the causes of success or failure in this environment'* (Groot et al., 2017). Millie and Moore (2011) claim that challenging behaviours are starting to permeate the FE sector, supported by Deuchar and Ellis (2013), but this is not substantiated by evidence.

The FE sector is a complex and diverse environment, which came into existence in 1821 but was formally established in 1944 by the Education Act (Lobb, 2017). When the New Labour

won the election in 1997, its principal objective was to improve quality and raise standards in education, which meant that the FE sector was reformed; occasionally, some colleges or secondary schools that deliver Level 3 courses are referred to as a Sixth Form (Burnell, 2017). FE colleges admit students at compulsory school age (Attwood et al., 2004), the sector enrols permanently excluded students from schools, PRUs and Special Schools. PRUs[3], an alternative to mainstream schools, specialise in supporting students whose behaviour causes problems. Students who attend a PRU might have been excluded from a mainstream school for behavioural issues or experiencing behavioural difficulties, amongst other things. Special schools[4] support students with communication and interaction, cognition and learning, social, emotional and mental health, and sensory and physical needs. Some Special Schools further specialise in supporting students who are on the Autistic spectrum, visually impaired, or have speech, language and communication needs.

Further, both PRUs and Special Schools consist of students who fall within the SEBD, SEN and SEND umbrella. The number of students being enrolled in FE from these demographics is increasing. By law, FE colleges must provide students with educational needs and disabilities (Culhum, 2003; Pirrie et al., 2011; Solomon and Thomas, 2013).

Support and guidance from the government on behaviour management for institutions within the FE sector are scarce. Such advice, support, research, and literature focus are paramount as the FE industry is dynamic, demographically different, and diverse from the primary and secondary sectors. One of the earliest and amongst the few publications on behaviour management in FE was a manual by Mitchell (1998) and colleagues in Northern Ireland to support educators in Britain to develop a whole-college approach to managing behaviour. Mitchell et al. (1998) argued that an interactive methodology to manage behaviour should be adopted as a whole-college approach. The research took a firm stance against the '*us and them*' attitude when managing behaviour; and that top-down support and a bottom-up implementation and accountability are fundamental. Having a whole-college approach to improve behaviour meant that students were engaged in learning and better support for teachers and staff from the SLT.

[3] https://www.gov.uk/guidance/pupil-referral-units-converting-to-alternative-provision-academies#:~:text=Pupil%20referral%20units%20(%20PRUs%20)%20teach,for%20a%20mainstream%20school%20place.
[4] https://www.gov.uk/types-of-school.

A study conducted by the University and College Union (UCU) led by Parry and Taubman (2013) sheds some light on behaviours in the FE sector. The UCU study offers a structure for the behaviour policy for FE colleges to rely upon. The 2013 report expresses that the FE sector's funding changes raised student achievement, attendance, and retention concerns. Besides, behaviour management became pivotal since more students with behaviour challenges started to attend colleges, which is exacerbated by the fact that there is a lack of support on behaviour management in FE institutions (also see Millie and Moore, 2011; Deuchar and Ellis, 2013).

Parry and Taubman argue:

> The review of literature on behaviour management supported an initial hypothesis that there was little available material on policy around managing behaviour in FE colleges, despite a wealth of material on behaviour management in schools, alongside strong support from the government and media on this. Although colleges were recognised as being larger with a more diverse student body, some transferable material was nonetheless identified, as well as processes and procedures for policy development. **[2013: 3-4]**

The 2013 report deduces that staff lacked management support, and such support and approaches to behaviour management in colleges were inconsistent. It was identified that there is a gap in policy regarding behaviour management in FE; the sector must develop its strategies, even though support can be relied upon from other sectors.

One of the issues raised, which provides the foundation for policy development within FE, is that the student body in this sector is composed of adults, young people, students from SEBD, SEN, and SEND categories, and similar categories of students who attend PRUs and Special Schools. On recommendation from the Woolf Report (D*f*E, 2011), and supported by the 2012 coalition government, FE colleges started to enrol students from the age of 14-years old. This enrolment change led to an increasing number of young learners in FE, and it is seen as a strategy to avoid 14 to 16-year-olds from exclusion (Mancab et al., 2008). Some of the behavioural concerns experienced by FE institutions highlighted by the 2013 report include fighting, bullying, drugs, stealing, physical abuse, vandalism and racial abuse (Parry and Taubman, 2013). Staff have expressed feeling isolated when dealing with behaviour that impacts their teaching experiences negatively. As a result, school staff have requested further training in behaviour and classroom management (ibid). Parry and Taubman (2013) express that both of these student bodies lead chaotic lives where their learning is impacted by employment, unemployment and other personal and social difficulties, leading to behavioural challenges. In addition, the FE sector attracts many disengaged students from mainstream

schools and the curriculum on offer (ibid). For these students, the FE industry provides an alternative qualification that primarily focuses on vocational courses.

To support FE colleges with challenging behaviours and other challenges, RJ and other initiatives are employed; however, research and literature in the UK are finite.

Conclusion

This chapter's principal argument is the dearth of literature and research on behavioural challenges, management of behaviours, and exclusions in the UK's FE sector. Research focus in the areas mentioned above is essential for the development of behaviour policy for FE institutions. Reliance on guidance and support from primary and secondary schools can be problematic, as the FE sector is disparate in space, community, demographically and very dynamic. This chapter has illustrated that schools and other educational institutions deal with behaviours and challenges regularly. The government empowers schools to adopt a behaviour policy and provides schools with guidance on developing a behaviour policy and strategies for managing problematic behaviour. Studies have shown that schools adopt various strategies to aid behaviour management; some are more controversial than others, such as exclusions. That said, ample research and literature argue that long periods out of school, or permanent exclusion, makes a student vulnerable to offending, becoming a persistent offender, disconnected from school, making poor choices in life, which leads to criminality and into the criminal justice system. We have seen a 'thin line' between behavioural challenges and behaviours that fall within the remit of 'crime'. Defining terminologies relating to behaviour within schools is problematic and down to interpretation. But what is apparent is that acts and behaviours that fall within the remit of crime transpire in institutions. Literature has illustrated the materialisation of violence against teachers at the hands of students, parents and other adults.

CHAPTER TWO: *Restorative Justice Explained*

> Restorative [justice] is a process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and decide what should be done to repair the harm. With crime, restorative justice is about the idea that because crime hurts, justice should heal. It follows that conversations with those who have been hurt and with those who have afflicted the harm must be central to the process. **[Braithwaite, 2004: 28]**

Introduction

The previous chapter expounded on the type of challenges that arise in the education sector daily. It was contended that the school community is a hub attracting violence, conflicts and other challenges, some of which fall within the ASB or criminal remit. Due to the popularity of RJ in the criminal justice system, RJ is adopted in educational institutions to make schools a safe place and support staff with managing behaviours and other challenges highlighted in the previous chapter.

It is imperative to note that RJ literature is in abundance; in some instances, it is repetitive (Gavrielides, 2008), contributing to the confusion and misunderstanding of the concept. For example, the RJ Action Plan in England and Wales, by the Ministry of Justice (2012), identified a lack of clarity, misunderstanding, what RJ is, its role, and the outcome of the process. Furthermore, Gavrielides (2008) argues that RJ's ambiguity is multidimensional, influencing its application and development. These fault lines include the criminal justice system's relationship, positionality within the criminal justice system, definition and punishment. Thus, this chapter aims to unravel and scrutinise RJ's definitions, values, theories and models, which, at times, can be a very complex concept.

This chapter will explore RJ's history, some of the definitions offered by prominent scholars and organisations in the field, and the discourse circumambient RJ's definition. The chapter will then progress on scrutinising the values of RJ and the theories of RJ. Finally, once furnished with the foundations of RJ, models of RJ will be discussed.

A Brief History of Restorative Justice

It is essential to understand the origin, history, and when and why RJ was used; this will help place, support and legitimise RJ as a concept. RJ can be traced back to ancient Greek and Roman civilisations (Van Ness and Strong, 2006). There is evidence of RJ practices in Anglo-Saxon times (Jeffery, 1957; Daniels, 2013). Howard Zehr (1990) found RJ in Christian teachings from their holy book, The Bible. Qafisheh (2012) and Hascall (2011) found RJ in

Islamic teachings from their holy book, The Quran. In New Zealand, RJ practices are adopted from the Maori culture (Daniels, 2013).

Historically, societies can be broken down into *acephalous* and the *state* (Michalowski, 1985). Acephalous societies did not have rulers, and they were the only type of human community for 30,000 years. Acephalous societies are distinguished between *nomadic tribes*, consisting of gatherers and hunters, and segmental societies develop if a tribe changes its economic function from food gathering to a food-producing economy (Hartmann, 1995). Acephalous societies were focused on egalitarianism and collective responsibilisation; thus, relationships between members were significant. This structure diminished egoism amongst its members and minimised the risk of resistance when compliance and deviance were being regulated. Crime and dispute were resolved without a legal system; loss or harm was restored by doing something for the victim or the offender until the victim was satisfied. Since these societies were relatively small and close-knit, a resolution was fundamental for the victim, and the offender, to return to the community and daily life. A resolution was achieved either by blood revenge, retribution, ritual satisfaction or restitution (Michalowski, 1985).

Restitution was the principal method of resolving conflicts, and both the offender and the victim's clan were involved in the process. Restitution had six functions: avoid and prevent further conflicts or feuds, rehabilitate the offender, avoid any negative stigma, provide for the victim's needs, socialise the members about norms and values, reinstate the values of the society, reinforce that the society requires justice for all its members, and finally, to provide deterrence for its members (Nader and Combs-Schilling, 1977). Restitution's meaning varies; it can mean: '*restoration, amends, repayment, compensation or forgiveness*' (Gavrielides, 2011: 5). Restitution for the victim, solving the problem, establishing peace was primary and prevailed over acting against or punishing the offender (Weitekamp, 2003). Gillin (1935) described a situation where two men were involved in a fight where one of the men was injured. The one who caused the injury was required to pay the injured man for the employment time he lost due to the healing process.

Acephalous societies saw defiance as a community problem and community failure. The process, which is argued to be restorative, required the victim, offender, and community participation. The representatives of the community took the leading role of the mediator. As a result, the offender was rehabilitated and deterred by dealing with the offence personally, the victim's loss was restored, and the broken community was re-established (Michalowski, 1985).

The concept of restitution was utilised in almost all ancient societies (Drapkin, 1989), which included property and personal crimes (Drapkin, 1989; Weitekamp, 2003).

Proponents argue that RJ gradually eroded, and the state regulated criminal law, which meant that once an offence was committed, the state prosecuted the offender. The consensus is that, in Europe, the victims' role in the criminal justice system started to erode during the Middle Ages (Geis, 1977; Gavrielides, 2017). The state consisted of a hierarchal structure, and the ruler was in the form of a king/queen, tribal leader or elected government (Gavrielides, 2011). The rights of the state replaced the rights of the victim; RJ and restitution were eradicated. Weitekamp (2003) argues that RJ was forcibly abandoned and discarded by the crown. The focus is on reforming the offender, diminishing the victim's concerns (Harding, 1982). Crime is an act against the state, and offences against individuals were regulated by the law of torts (Gavrielides, 2011).

Legal philosophers and reformers reiterated the fundamentals of compensation, restitution and restorative processes. In the 17th century, Sir Thomas More (1515, reprinted 1990) suggested that restitution should be the focal point, and the offender should work for the public to raise money for the restitution payments. Ferri (1917) argued that the state was negligent in protecting victims of crime and failed to consider their rights. While Garofalo emphasised the benefits of RJ,

> If offenders were persuaded that...they could in no wise evade the obligation to repair the damage [of] which they have been the cause, the ensuing discouragement to the criminal world...would be far greater than that produced by temporary curtailment of their liberty. **[1914: 419]**

According to Daly (2016: 4), the argument that RJ can be traced to ancient justice systems is '*erroneous*'; she argues that advocates constructed the history of RJ, '*not in bad faith*' (2013a: 361), but to distinguish between retributive justice and RJ, and the superiority of the latter. Daly (2013a) raises a concern that justice practices from history are aggregated and brought within the RJ vicinity inappropriately; thus, she states,

> Efforts to write histories of restorative justice, where a pre-modern past is romantically (and selectively) invoked to justify a current justice practice, are not only in error, but also unwittingly reinscribe an ethnocentrism their authors wish to avoid. **[2013a: 361]**

However, claiming that RJ advocates constructed history to legitimise RJ can be deemed harsh since a mode of life existed in the past and components of the law were regulated by the community (Johnstone, 2011).

RJ was developed and inspired by various communities and cultures (Daniels, 2013). Hopkins (2009) refers to three cultures that inspired RJ. The *first* is from the Mennonite community in Kitchener, Ontario, where the Victim-Offender Reconciliation Programme was first utilised to deal with two offenders for vandalism in 1975. This is argued to be the first documented attempt to introduce RJ and how Christianity can respond to offending in the criminal justice system (Wright, 1996). This programme later spread through Canada and then into the UK; when the news of this RJ project travelled, similar projects began in the US in the late 1970s and Europe in the early 1980s (such as Austria, Germany and England) (Hopkins, 2004). The *second* inspiration came from New Zealand, where a disproportionate number of young Maori men were processed through the criminal justice system. The family group conference came directly from Maori practice, known as Whanau Conference; this is where community members sit together in a circle to find ways to move forward. The Australian police adopted this practice to support young Maori offenders, later adopted by the UK and utilised by the Thames Valley Police force (see Hoyle et al., 2002). The *final* inspiration came from the First Nation Communities in Canada. They developed sentencing circles, which involved the community deciding the appropriate sentence and moving forward for an offender.

Defining Restorative Justice

Proponents have made attempts to define RJ and agree on the practices and processes that are restorative (Gavrielides, 2008), but this has been problematic. RJ '*means different things to different people*' (Fattah, 1998: 393), and per O'Mahony and Doak, '*all things to all people*' (2009: 167). Ergo, a wide range of definitions is available in the literature, some of which will be discussed in this section to gain a coherent understanding of RJ.

Prominent scholars within the RJ field provide us with a definition of RJ (McCold and Wachtel, 2002: 113; Zehr, 2002: 37; Braithwaite, 2004: 28). This chapter's opening quote is a definition of RJ offered by John Braithwaite. Zehr argues that the fundamental essence of RJ is to '*involve…those who have a stake in a specific offence and to collectively identify and address harms, needs and obligations, in order to heal and put things right as possible*' (Zehr, 2002: 37). Thus, the emphasis is on the wrongdoer taking responsibility for the harm caused and taking the opportunity to put things right in the form of reparation (Hopkins, 2011). However, it is Tony Marshall's definition which is widely accepted and used,

> Restorative justice is a process whereby the parties with a stake in a particular offence come together to resolve collectively how to deal with the aftermath of the offence and its implication for the future. **[1996a: 5; 1996b: 37]**

Marshall's definition focuses on face-to-face negotiation and the resolution of a criminal offence. This definition attracted many criticisms and ignited the discourse on *process/purists* and the *outcome/maximalist RJ model*. The purists interpret RJ as a process focusing on practices where key stakeholders communicate and rectify issues raised by the offence, thus focusing on the RJ process and RJ values (see chapter 2). The maximalists understand RJ based on the outcome it helps to achieve, such as taking responsibility, apology or forgiveness. Therefore, if any outcome restores the harm caused, then the process, such as whether the parties volunteered or not, amongst other things, is irrelevant (see Bazemore and Walgrave, 1999; Walgrave, 2000; McCold, 2000; Walgrave, 2008). To simplify this purist and maximalist dichotomy, the purist model focuses on the RJ process and empowering the stakeholders. However, the risk of a non-restorative outcome(s) is higher as the stakeholders control the process rather than the facilitator(s). The maximalist model avoids this risk by ensuring that the outcome is restorative; thus, less emphasis is given on sacrificing the stakeholders' empowerment and overruling their decisions or excluding the parties from the process (Zernova and Wright, 2007). It should be noted that some proponents' vision of RJ values[5] may achieve both a restorative process as well as restorative outcome (Braithwaite, 2002b, 2003; Doolin, 2007; Pelikan, 2007)

Marshall's definition is too broad and can only be applied to situations where both the victim and the offender are present (Stockdale, 2015a). However, for some proponents, this is a prerequisite value.[6] This definition fails to inform RJ practitioners precisely what must be restored (Braithwaite, 2002a). An outcome model is preferred for other proponents because the process should be voluntary for both the victim and the offender (Dignan, 2005). Crawford and Newburn (2003) and Dignan (2005) argue that referring to RJ as a process and omitting to consider outcomes creates *uncertainty*, *disproportionality*, *unfairness* and *inconsistency* between cases dealt by RJ and other justice mechanisms.

While RJ's popularity grew and RJ's values, process, and the outcome became appealing to academics and organisations, it led organisations in contributing to the pool of definitions

[5] See values section below.
[6] See values section below.

already available for RJ to reflect their perceptions. For instance, United Nations (UN) defines RJ as,

> A problem-solving approach to crime that focuses on restoration or repairing the harm done by the crime and criminal…and involves the victim(s), offender(s) and the community in an active relationship with statutory agencies in developing a resolution. The modes for delivering Restorative Justice include, but are not limited to, restitution of property, restitution to the victim by the offender, reparations**. [2003: 28]**

The European Parliament states,

> Restorative justice is any process whereby the victim and the offender are enabled, if they freely consent, to participate actively in the resolution of matters arising from the criminal offence through the help of an impartial third party. **[Directive 2012/29/EU of the European Parliament and the Council, Article 2: para 1.d]**

The phrases '*any process*' and '*criminal offence*' in the UN and the European Parliament's definitions can cause controversy; it communicates the impression that '*any process*' can come under the remit of RJ, as long as the parties voluntarily and actively participate. Further, the definitions limit access to RJ only to matters arising from a criminal offence; thus, an act defined by law.

Her Majesty's Inspectorate of Constabulary (HMIC) offers a definition, which states RJ is,

> A process which brings those harmed by crime or conflict, and those responsible for the harm, into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward. **[2012: 4]**

There is no accepted universal definition of RJ, and proponents' perception differs from one to another (McCold, 1998; Gavrielides, 2008); which, led to '*aggregating all restorative justice understandings into a coherent whole*' (Daly, 2016: 11). Zehr (2002) classified RJ as a movement; Daly (2006) labelled it as a set of ideas, and Braithwaite (2003) and Johnstone (2011) identified RJ as a set of values. Confusion and lack of understanding have made RJ problematic theoretically and, in its implementation, application and practice (Daly, 2006). In effect, this confusion has percolated into understanding how RJ should be applied, the types of harm that should be restored, and the types of practices and outcomes covered (Dignan, 2002; Morris, 2002).

For some, a single universal and accepted definition is a prerequisite for a collective understanding of RJ (Miers et al., 2001). A universal definition is unnecessary for others, and there should be no expectations for the concept to be defined because the RJ movement is neither coherent nor unified (Zehr and Mika, 1998; Gavrielides, 2008). Johnstone and Van

Ness (2007: 19) and Daly (2006: 35) concede that the non-existence of a universal definition of RJ is not detrimental; they believe this reflects on the '*richness*' and '*diversity*' of the concept and provides an insight into its application (also see, United Nations Office on Drugs and Crime, 2020: 4).

Since 2006, Daly (2016) has changed her position and argues that an accepted definition is necessary. Daly expresses that '*Without a definition of RJ*[7] *that can be applied and assessed empirically, we are bobbling on a raft in a sea of hopes and dreams*' (Daly, 2016: 13). It is pivotal that '*Restorative justice must be defined concretely because its practices and outcomes must be subject to empirical inquiry*' (Daly, 2016: 11). Daly views RJ as a type of *justice mechanism*, a '*response, process, activity, measure, or practice*' (2016: 18) and distinguishes between *conventional mechanism* and *innovative mechanism*. The former consists of traditional approaches, such as a trial, sentencing and post-sentence. In contrast, the latter consists of approaches requiring all stakeholders' in-depth participation and engagement, informal processes, and structured rules and procedures. The term *innovative mechanism* is justified because of the variety of available practices under this umbrella, such as RJ, an alternative to conventional criminal justice, does not share the same aims and processes, and is used in different contexts. *Innovative justice* is an umbrella concept and not a type of justice. Consequently, Daly also contributes to a pool of definitions,

> Restorative justice is a contemporary mechanism to address crime, disputes, and bounded community conflict. The mechanism is a meeting (or several meetings) of affected individuals, facilitated by one or more impartial people. Meetings can take place at all phases of the criminal process, pre-arrest, diversion from the court, pre-sentence, and post-sentence, as well as for offending or conflicts not reported to the police. Specific practices will vary, depending on the context, but are guided by rules and procedures that align with what is appropriate in the context of the crime, dispute, or bounded conflict. **[2016: 21]**

The above definition falls under the purist model, which focuses on the process rather than the outcome. Daly (2016) accepts that this definition will be controversial to commentators who view '*diverse*' and '*ever-increasing*' practices to fall under the RJ umbrella; and to those who see RJ be '*anything that is not conventional criminal justice mechanism or that it is "not punitive"*[8]' (2016: 21). But, on the other hand, this definition will be welcomed by '*…those who view a variety of informal (non-state) justice mechanisms, particularly those used in the developing world, as distinct from the modern concept of restorative justice*' (2016: 21).

[7] Restorative justice; abbreviated in the original text.
[8] Quotation marks used in original text.

While many of the definitions discussed in this section focus on criminal offence, harm, impact, and the process of rectifying harm, Daly's (2016) definition is specific and flexible, applied to different contexts of crime and justice. It addresses crime, disputes and community conflicts; further, it is not restricted as a post-sentence initiative or a one-off meeting. In most instances, RJ is a one-time event focused on the victim and neglecting the offender (Ward et al., 2014); thus, this impacts the effectiveness of restorative programmes in restoration and healing between the parties.

Daly argues,

> Research needs to record and assess the actual workings and effects of justice mechanisms, and not solely with reference to participants' "satisfaction" or measures of reoffending. By taking this tack, we may build useful knowledge on the strengths and limits of conventional and innovative justice mechanisms, used alone or in combination. **[2016: 22]**

Restorative practices appear in different shapes and forms, ranging from *fully restorative, mostly restorative,* to *partially restorative* (McCold and Wachtel, 1999)—adopting a narrow definition (purist model) risk excluding the mostly and partially restorative practices. However, a broad definition (maximalist model) risks not abiding by RJ's central procedures (Gavrielides, 2008). '*RJ*[9]*is often stretched to fit elements that are not restorative in nature…or is narrowed down to a notion that cannot take in all the essential features that characterise its thought…*' (Gavrielides, 2008: 173). However, it is crucial that when adopting RJ, organisations attempt to define RJ or adopt a definition readily available in the literature to regulate its practices and ensure that these practices and processes fall within the remit of RJ philosophy.

RJ Definition in Schools

Schools, and other sectors, adopt and employ definitions of RJ available in the criminal justice system. Belinda Hopkins (2004), in her book, '*Just School: A Whole School Approach to Restorative Justice*', a guide for schools to adopt and implement RJ, refers to Martin Wright's (1999) definition of RJ, which states,

> Restorative justice constitutes an innovative approach to offending and inappropriate behaviour, which puts repairing harm done to relationships and people over and above the need for assigning blame and dispensing punishment. **[Wright, 1999: adopted from Hopkins, 2004: 29]**

[9] Restorative justice; abbreviated in the original text.

The above definition seems compatible in school settings, compared to the other definitions discussed in this chapter, because of the inclusion of '*inappropriate behaviour*', which incorporates all types of challenging behaviours in schools. This definition focuses on eschewing assigning blame and dispensing punishment, which is always appealing in schools. There are other definitions available that are appropriate for educational institutions, such as McCluskey et al. defined RJ as

> where staff and pupils act towards each other in a helpful and nonjudgemental way; where they work to understand the impact of their actions on others; where there are fair processes that allow everyone to learn from any harm that may have been done; where responses to difficult behaviour have positive outcomes for everyone. **[2008b: 211]**

Further, Wachtel defined RJ as,

> …a social science that studies how to build social capital and achieve social discipline through participatory learning and decision making. The use of restorative practices helps to: reduce crime, violence and bullying; improve human behaviour; strengthen civil society; provide effective leadership; restore relationships; and, repair harm. **[2013: 1]**

While McCluskey et al.'s (2008b) and Wachtel (2013) definitions of RJ seems appropriate in a school context, the discourse on a universally accepted definition is ongoing, as discussed above.

Restorative Justice and the Language Discourse in Education

The etymological discourse encompassing RJ has been problematic. The phrase '*restorative justice*' is commonly used within criminal justice remit (Hopkins, 2011). Griff Daniels asserts,

> Once restorative justice made its way back into the UK…it became apparent that other professions such as teaching had begun to use its methods, process and language. In this regard, the very term restorative justice is something of a handicap in a school context. It has a negative association with the police, lawbreaking and courts. In the context of education, the term *restorative practices* or *restorative approaches* have now made their way into common currency. **[2013: 308]**

In some instances, RJ is referred to as *restorative practice* (RP), restorative *approaches* (RA), and *restorative measures* (RM) (Thorsborne and Blood, 2013). However, scholars argue that RJ is too narrow to utilise outside the criminal justice system (Song and Swearer, 2016), especially in school. In addition, the appropriateness of the word '*justice*' is questioned (Masters, 2004).

This debate over the term *'justice'* in RJ was reignited by Nils Christie, who, in his work on '*Words on words*' (2013), calls for new language and grammar for RJ. RJ's words are very close to penal law, such as justice, '*Penal law emphasises justice in treating each case with*

equal gravity. But few acts are equal. And no human beings are completely equal to anybody else' (2013: 15). Walgrave (2013) disagrees with Christie (2013) and argues that *justice* also means a moral good.

In contrast, Braithwaite (2013) argues that justice is a holistic concept, which encapsulates: procedural justice, distributive justice, RJ, social justice and punitive justice. For Sumalla (2013), *justice* is an integral and essential part of RJ. However, Evans and Vaandering (2016) offer an alternative way of understanding '*justice*'. While justice in its conventional sense is understood as a mechanism for responding to crime, it also has roots in social justice which, '*honours the inherent of all. It is enacted through relationships…called social justice, is the condition of respect, dignity, and the protection of rights and opportunities for all, existing in relationships where no one is wronged*' (Evans and Vaandering, 2016: 7).

Wachtel (2016) views RJ as reactive, which responds to crime after it has occurred. On the other hand, RP or RA precedes wrongdoing and conflict because it is implemented in organisations or institutions as a framework to build relationships, create a sense of community, and prevent conflicts and transgressions. Furthermore, RP or RA have roots within social science, building on individuals' social capital and discipline by participating in learning and decision making (Wachtel, 2013: 1). That being said, it is argued that the concept was initially labelled, '*described*' and '*popularised*' as '*restorative justice*' (Song and Swearer, 2016: 316); thus, scholars and academics may feel inclined to continue using the term RJ.

Further, Christie (2013) argues that the word *restorative*, the aim to restore to the original position, is an impossible promise to achieve; he prefers *reconciliation*. The word *restorative* causes problems from a feminist perspective because restoring relationships broken due to violence is undesirable (Daly, 2016). RJ should not be interpreted as restoring people or relationships but construed as a set of activities, which are meetings between the stakeholders, in response to harm, wrongs, disputes or conflicts (ibid). However, Wright (2013) suggests that *restorative* is continued to be used but redefined if another word cannot be found. Maxwell (2013) points out that the issue is not to construct new meanings for *restorative* and *justice* but to refine and shape RJ's concept.

The words *offender* and *victim* are also undesirable and dangerous (Christie, 2013: 17). Such labels force the conclusion of the process and limit dialogue and the journey to attach meaning, or meanings, to a conflict. While these words can corrupt the dynamics of the RJ process

(Maruna, 2013), questions are raised on how easily they can be replaced (Daly, 2013b). Denying certain words from being used may produce animosity in the process; and deny recognition and reaffirmation of certain parties' position (Shapland, 2013; Sumalla, 2013). For instance, a victim referred to as a *complainant* or the *person who complains* (Shapland, 2013) and is not recognised (Sumalla, 2013) as a victim may trigger the emotion of anger.

In the education sector, labelling parties as *'victims'* or *'offenders'* is an issue and are argued not to fit well in a school setting because a student can be a preparator and a victim (McCluskey et al., 2008b). In addition, scholars argue that young offenders in the criminal justice system can be victims because of bullying, fights, exclusions, or being misunderstood or misrepresented by the education or justice systems (Squires and Stephen, 2005; Stephenson, 2006). A common understanding is that RJ's terminologies derive from the criminal justice field and are utilised in the educational setting, such as 'perpetrator', 'offender' and 'victim'. Such terms impeding in schools' RJ processes may reinforce the demonisation of young people (McCluskey et al., 2008b). Thus, using such labels should be avoided as they do not serve their schools' purpose (Thorsborne and Blood, 2013).

Values of Restorative Justice

Above, we saw that RJ's literature offers a pool of definitions, exhibiting its diversity and evolving nature (Johnstone and Van Ness, 2007; Daly, 2006; United Nations Office on Drugs and Crime, 2020). What is common amongst most of RJ's definitions are the values (United Nations Office on Drugs and Crime, 2020). This section will provide an insight into RJ values advocated in RJ literature. Similar to the definitions of RJ, a pool of values is also available in the literature. It can be perplexing at times, thus impacting the understanding, application and implementation of RJ. This precarious position is further aggravated because many proponents contributed their version of values, which overlaps (Johnstone and Van Ness, 2007). Understanding RJ values is vital; otherwise, retributive and punitive practices are passed on as restorative, and programmes that are defined as restorative do not encompass RJ's essential values (Zehr and Mika, 1998). A gap exists between restorative theories, values and practice because values are set too high (Daly, 2006; Gavrielides, 2011).

Crime is seen as a violation of people and interpersonal relationships; therefore, restorative processes should maximise healing, restoration, responsibilisation and prevention (Zehr and Mika, 1998). RJ focuses on all the stakeholders' harm and needs (Zehr, 1990); thus, the victim

and the offender's participation is vital (Marshall, 1996b). Violations create both obligations and liabilities; therefore, the offender is required to put things right, understand the harm caused and participate in addressing their own needs (Zehr and Mika, 1998). RJ seeks to heal and put things right for the victim; therefore, the victim's needs are the focal point of the process; and practices should provide forgiveness and reconciliation opportunities (Zehr and Mika, 1998; Daly, 2016).

Voluntary participation of the offender should be encouraged, coercion and exclusion should be avoided (Zehr and Mika, 1998). Encounter is significant, a meeting between the parties to tell their story from their perspective (Van Ness and Strong, 2006). RJ brings the victim and the offender into contact, directly or indirectly, so that the victim can receive answers to their questions, express their feelings regarding the crime's impact, and receive an apology (Dignan, 1999). The offender should be able to acknowledge the impact and consequences of the offence on the victim, facilitate the provision of reparation directly to the victim – if the victim agrees; thus, providing the offender with the opportunity to take responsibility and reconcile with the victim through either apologising or reparation (ibid).

Reintegration includes re-entering the parties into community life (Van Ness and Strong, 2006). RJ is understood to be a healing process designed to meet the victim's needs and seeks to reintegrate the offender back into the community (Haines and O'Mahony, 2008). Repairing the harm may entail an apology either face-to-face or in a written form (Crawford and Newburn, 2003). The more restorative practices conform to the values, the more significant the interventions' impact is (Crawford and Newburn, 2003). These values should be guaranteed by a neutral and trained facilitator or mediator (Shapland, 2014).

Kane et al. (2008) submit that in a school setting, the features of RJ include: a fair process, the involvement of all parties (where possible), recognition of rights of all parties, the notion of restoration and reparation (instead of retribution), valuing views of all parties, and developing empathy in preventing and responding to conflict and violence.

Braithwaite (2002b, 2003) categorises his version of the values into three standards; under each standard, he lists values to be achieved in RJ. The first standard is *constraining* where: non-domination of the process, empowerment, respectful listening and equal concern for all stakeholders is achieved. This standard aims to avoid oppressiveness during the process. The second standard is *maximising,* where: restoration of human dignity, property loss, relationship

and emotion are met. The third standard is titled *emergent*, where: the outcome of remorse, apology and forgiveness is achieved. For Sherman et al. (2005), justice is restored when the principles and values that the offence has violated are re-established and re-validated by social consensus.

Doolin (2007) categorises RJ's values into three strands: core value, process value, and dominant value. The *core value* requires the victim to be the focal point of the process, be empowered and actively participate. As a result, the offender is made accountable, takes responsibility for their action and the harm caused, makes reparation, their sense of belonging restored and reintegrated back into the community. In addition, a member of the community must be present. The *process value* requires all parties to consent to participate, decision-making, dialogue, and mutual respect. Finally, the *dominant value* requires the outcome to reflect *restorativeness*. For Doolin (2007), RJ's fundamental value is *restorativeness*, which is regarded as *repairing harm*; any other outcomes should be accepted as a gratuity, such as reducing recidivism. For Bolitho, *restorativeness* constitutes storytelling, respectful listening, victim support, attendance and apology (2012: 61).

Most scholars refer to the term '*community'* when they are defining or explaining the values of RJ. However, they fail to define *'*community' (Chapman, 2019). A prominent scholar in the field, Tim Chapman, offers us support in understanding what is meant by 'community' in RJ. Chapman et al. define community as *'people [living] equitably in interdependence with an increasingly diverse range of others'* (2012: 10).

The community is responsible for establishing peace, which is the quality of the community members' relationship (Van Ness and Strong, 2010: 46). Chapman and Kremmel (2018) argue that RJ practices can positively contribute to establishing and maintaining peace and creating confidence in community members. To achieve the aforementioned impact, Chapman and Kremmel (2018) suggest that community conflicts should be seen as typical. The process should address the harms of the conflict rather than the people involved in the conflict, and the process should take place in an environment where the parties are happy to engage in a dialogue. Furthermore, the approach should be communicative, focusing on understanding and consensus, which is achieved by telling the truth and sincerity of intent. Finally, the process should be safe, fair, and respectful, and parties commit to the outcomes agreed upon during the process.

Pelikan's (2007) version of RJ values is illustrated in three elements: *lifeworld, participatory, and reparative*. *The lifeworld element* requires RJ to focus on experience and the needs originating from the experience for the participants of a conflict. *The participatory element* requires all stakeholders' active participation in the conflict to achieve reparation, reconciliation, and the offender taking responsibility. Finally, *the reparative element* concentrates on the conflict and ways to make reparation; all parties' active participation should identify their needs. Pali and Pelikan (2014) claim that RJ's categorisation is theoretically consistent and captures the whole field.

Proponents argue that restorative outcomes should be decided by the participants (Shapland, 2014). Suppose participants deem reparation unfit for the offence committed, as many victims do (Shapland et al., 2011); in that case, healing, forgiveness, and apology should not be compelled from either the victim or the offender. The essential value is to embody what participants see fit and appropriate for the offence and the conflict (Shapland, 2014). Facilitators tend to be selective about the participants, especially in serious crimes, rather than being inclusive to avoid further harm or distress to the victim; the choice to participate is being replaced by professional judgement (Shapland, 2014). There are instances where offenders write to the victim; however, the letter is not sent because the victim cannot be contacted or may raise further questions; this does not promote communication (Shapland, 2011; 2014).

It is unclear how RJ approaches are implemented to capture and reflect restorative values (Crawford and Newburn, 2002; Morris, 2002). Daly (2016) contends that values should not restrict RJ processes; instead, they should be regulated by rules and procedures. The 'National Occupational Standards' provides good practice statements in the UK, setting standards for RJ facilitators to abide by and meet when carrying out RJ processes. These standards are published by 'Skills for Justice' (SFJ), a skills sector body. The standards include the following headings: assess the circumstances of an incident towards identifying a restorative response (SFJDJ101), engage with and prepare participants for a restorative process (SFJDJ102), facilitate participants' interaction within a restorative process (SFJDJ201) and evaluate the outcomes from a restorative process (SFJDJ205). Under each of these headings, there are several criteria to be met or followed by an RJ facilitator; the risk is that it can make the process overwhelming, professionalised and bureaucratic (Eglash, 1977; Christie, 1977; Ruggiero, 2011).

Theoretical Underpinnings of Restorative Justice

RJ was firstly associated with abolitionism (Gavrielides, 2011). Abolitionism is described as,

> The general human urge to do away with and to struggle against those phenomena or institutions of social, political or religious nature that at a given time are considered to be unjust, wrong or unfair. **[Bianchi, 1991: 19]**

According to Ruggiero, abolitionism: '*…is not merely a decarceration programme, but also an approach, a perspective, a methodology, and most of all a way of seeing*' (2011: 1; also see 2010: 1). Abolitionists reject penal structures; and state reactions to conflict, harm and violence; instead, community-led initiatives are preferred to deal with crime (Ruggiero, 2010). Abolitionism is against any form of punishment and favours alternative to state organised punishments, including reconciliation, conflict solutions, civil procedures, and creating social conditions for pain reduction (Pali and Pelikan, 2014).

Albert Eglash (1977), Randy Barnett (1977) and Nils Christie (1977), who are all described as penal abolitionists, raised the issue of the crisis within the criminal justice system and the need for a paradigm shift. Gradually, RJ departed from the abolitionist school of thought and '*co-existed* or '*complemented*' the punitive criminal justice system (Gavrielides, 2011: 12). Eglash (1977) is acknowledged for first using the term '*restorative justice*' (Gavrielides, 2011; Daly and Proietti-Scifoni, 2011; 2012). He argued that the conventional system is retributive, which focuses on the act, excludes parties from the process and limits their participation. However, on the other hand, RJ restores harm in the form of reparation; the process is inclusive and offers parties an opportunity to restore their relationship.

Randy Barnett (1977), in his article, *Restitution: A New Paradigm of Criminal Justice,* argues that the conventional criminal justice system is defective, and the system requires a new criminal justice paradigm, in this case, restitution. Barnett (1977) classifies the crime as an offence against the individual, not against the state. He is against punishment, which is associated with retributive and distributive justice. His pure restitution idea involves reparations made directly to the victim once the offender is sentenced to make restitution to the victim. For Barnett (1977), both reparation and restitution refer to financial payments.

Nils Christie (1977), a prominent scholar in the field, argues that the state stole the conflict from citizens, depriving society and the parties of the conflict and norm classification opportunities. He suggests that conflicts should be seen as valuable property. Social problems

and disputes are unavoidable and part of everyday life, and assigning professionals, such as lawyers, to provide a solution to the conflict limits the victim and the offender to explore their needs, liability and the impact of the harm caused; consequently, the state steals the conflict between individuals (ibid). For Christie (1977), RJ provides an opportunity for these limitations to be explored in-depth.

According to these critical scholars discussed above, RJ's fundamental purpose is to restore harm and relationship through direct reparation to the victim – preferably by financial means, includes all parties in the process, and returns the conflict to its rightful owners.

The need for an alternative justice system was reignited by Howard Zehr (1990) in his book, *Changing Lenses*. Zehr (1990) argues that the conventional criminal justice system is retributive, which views crime as lawbreaking and justice is achieved by allocating blame and delivering punishment. He refers to crime as a violation of people and interpersonal relationships, which entails the offender restoring the relationship and repairing the harm caused. Zehr (1990) argues that crime is a conflict between individuals and not the state. The primary focus is to restore the broken relationship between the parties and the community. Zehr (1990) prefers restitution, not as punishment, but to restore both parties, and advocates for both offender and victim to see each other as persons to establish or re-establish a relationship.

The prominent thinkers above argue that the conventional criminal justice system is defective, and RJ is the solution (Daly, 2012). Restitution or reparation should be made directly to the victim by the offender. Apart from Christie (1977), they seek an alternative response to crime, with no room for punishment or punitiveness. According to Christie (1977) and Zehr (1990), all stakeholders should actively participate in the process. McCold stipulates that,

> If restorative justice is to emerge as a justice paradigm, a shared vocabulary and parameters of the theory needs to be established...as theory, research, and practice cannot proceed without a shared understanding...**[1996: 359]**

Shame

During RJ's rebirth, the concept of 'reintegrative shaming' was introduced by John Braithwaite (1989) in the RJ discourse. However, before we explore Braithwaite's theory, it is crucial to understand and add some context to the emotion of '*shame*'. Donald Nathanson (1992) refers to Silvan Tomkin's *Affect Theory* (see figure 1 below), which he applied to his work on *Compass of Shame* (see figure 2 below). The *Affect Theory* consists of nine different 'affects'

that are the basis for human behaviours and emotions. For Tomkin, 'affects' are automatic because they are biological, but responses and experiences of affects develop into our understanding of emotions and behaviour. These 'affects' are placed on a positive and negative continuum. While enjoyment and excitement emotions are placed on the positive side of the continuum, shame, on the other hand, is positioned as a negative emotion.

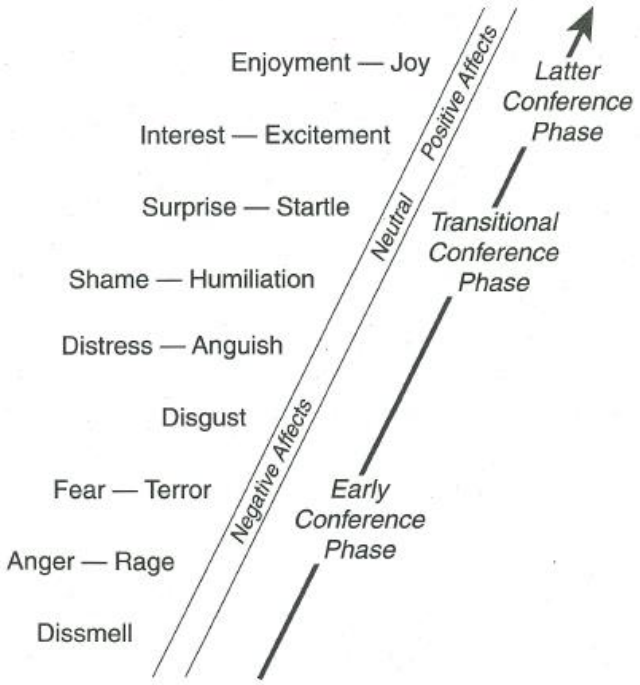


Figure 1: Silvan Tomkin's *Affect Theory* (Nathanson (1992))

Nathanson (1992) utilises the *Affect Theory* and describes four sets of scripts used to avoid shame; he calls this the *Compass of Shame*. At each compass pole are sets of scripts, which describes defensive behaviour when dealing with shame. At the North Pole, the '*withdrawal*' script refers to an ashamed individual who withdraws themselves from the process and the wrongdoing, as they are overwhelmed by the shame. At the east pole, the '*attack self*' is where individuals are unreasonably hard on themselves and punish themselves. At the South Pole, '*avoidance*' is where the individual avoids responsibility through alcohol, drugs, or committing further offences. Finally, at the west pole, the '*attack others*' is a response where the wrongdoer shift's blame or responsibility onto others.

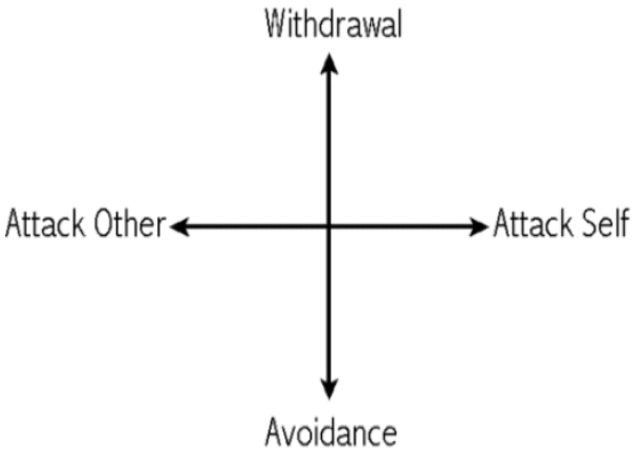


Figure 2: Compass of Shame (Nathanson, 1992)

Braithwaite's (1989) book, *Crime, Shame and Reintegration*, distinguishes between '*stigmatising shame*' and '*reintegrative shaming*'. According to Braithwaite, the former fractures the relationship between the parties because shame is allocated to the offender; thus, it has a negative impact on recidivism. On the other hand, the latter strengthens this relationship between all parties because shame is allocated to the wrongful act, not the offender, thus reducing recidivism. He argues that the current criminal justice system creates stigmatising shame. However, RJ reintegrates the offender by acknowledging the shameful/wrongful act and provides an opportunity to make amends. *Reintegrative shaming* is more effective when delivered by a person who is essential to the offender, such as a parent, teacher or family member. Besides, to repair the relationship, the offender must show remorse, apologise to the victim and repair the harm caused. The Australian National University uses this concept of *reintegrative shaming* in a project called '*Reintegrative Shaming Experiment*' (RISE). This project, directed by Heather Strang and Lawrence Sherman, uses the experimental research process to randomly assign cases to conferences or court hearings. RISE explores RJ conferences' effectiveness and the satisfaction of victims assigned to these programmes, which are compared to reoffending patterns and experiences of the conventional system (Strang et al., 2006).

The '*shame management*' theory (Ahmed, 2001; Ahmed et al., 2001), developed from *reintegrative shaming* theory, suggests that individuals who acknowledge shame and accept responsibility are less likely to re-offend because they are aware of the consequences and the

impact of harm; this is known as '*shame acknowledgement*'. However, those who do not accept responsibility nor feel shame are more likely to blame others and continue offending; this is known as '*shame displacement*'. *Shame management* theory has been developed and supported through empirical work (Bessant and Watts, 1993; Ahmed, 2001; Braithwaite et al., 2003; Ahmed and Braithwaite, 2004; Ahmed and Braithwaite, 2005; Morrison, 2006).

The *reintegrative shaming* theory (Braithwaite, 1989) is employed in some schools to deal with conflicts. The theory does not argue that shaming prevents crime, but stigmatising shame makes it worse, while reintegrative shame can prevent or reduce crime. Stigmatisation is disrespectful shaming, which labels the offender as a bad person, treats the offender as an outcast, provoking a defiant reaction and increasing predatory crime. *On the other hand, reintegrative shaming* disapproves of the wrongful act (not the person who is interpreted as good), and opportunities are provided to seek forgiveness (Ahmed and Braithwaite, 2005).

Braithwaite's (1989) *reintegrative shaming* theory is not universally utilised nor accepted (Ruggiero, 2011; Benade, 2015). Some prefer empathy or the value of the relationship over shaming (Julich, 2003). Others argue any shaming can be deemed dehumanising (Van Ness and Strong, 2010; Ruggiero, 2011). Rodogno (2008) explains and makes a valid point that RJ conferences are not just about *shame management*. While shame should be avoided, a successful conference will consider cultural tendencies, including cultural forms of apology and cultural experience of shame; this is paramount, especially in the education sector where the community is diverse, consisting of students from different backgrounds and ethnicity. The problem with shame and failing to consider culture is demonstrated by Toor's (2009) research, which argues that Asian girls in the youth justice system are exposed to double punishment. '*With Asian girls and shame, there is a clear emphasis on the gendered nature of shame, which acts to socially control and stigmatise the activities of girls in ways which it does not for boys*' (2009: 246). Although this research took place in criminal justice, the findings are applicable within the education sector. In South Asian communities, damaging reputation and bringing shame to the family is crucial to how the family or community treats women. Asian girls who are processed by the criminal justice system suffer double punishment; firstly, by the youth justice system, and secondly, by their family or community, which may take the form of honour-based violence. Little is known regarding RJ's experience and impact on minority ethnic girls (Toor, 2009). A major limitation of any shaming and punishment is that it focuses on '*the problem within the psychology of individuals in isolation*' (Drewery, 2014: 5) when RJ

values are based on respectful relationships. '*Although forms of restoration may produce shame, shaming for its own sake is not a restorative or just practice*' (Drewery, 2014: 5). Intentional shaming is problematic because it can cause victims to be re-traumatised (McCluskey et al., 2008a).

The Social Discipline Window and the Relationship Window

Restorative schools attempt to be firm on behaviour standards, fair on supporting pupils to change their behaviour and develop social skill sets (Thorsborne and Blood, 2013). Schools try to establish an environment where behaviour and relationship reflect knowledge and understanding of what it takes to be cooperative, work within boundaries and provide safety for all—in effect, creating an environment in schools where behaviour and conflicts are regulated and repaired when necessary (ibid). McCold and Wachtel's (2003) theory on the '*social discipline window*' aids institutions in evaluating, positioning practices and choices when responding to conflicts, harm caused, misbehaviour, and crime (see figure 3 below). The *International Institute for Restorative Practice (IIRP) promotes the social discipline window*, founded by Ted Wachtel, which is adopted internationally.

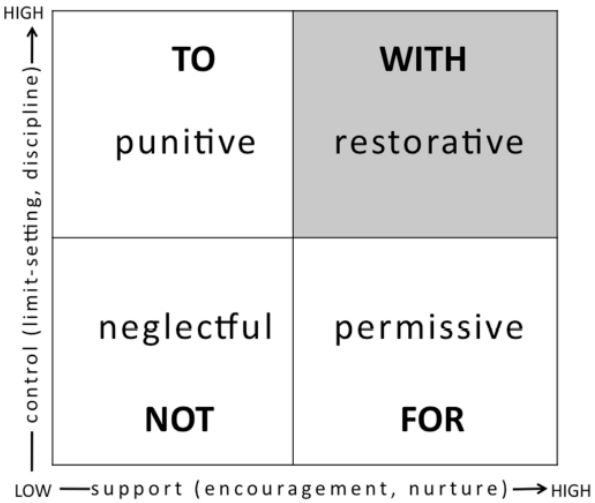


Figure 3: Social Discipline Window (McCold and Wachtel, 2003)

The *social discipline window* is a means to move away from punishment and punitive measures. The concept focuses on the belief that the stronger the relationship, the less likely people will misbehave (IIRP, 2012). The *social discipline window* (McCold and Wachtel, 2003) is divided into four quadrants, and each possesses a value according to the vertical and horizontal axes. The vertical axis measures control, while the horizontal axis measures support.

The *punitive* quadrant represents low support, demands compliance and punishes non-compliance, which is done '*to*' the wrongdoer. The *permissive* quadrant represents high support and low control. Here, the individual's voice and needs are dominant, but the support is so high that things are done or solved '*for*' them. The *neglectful* quadrant represents low control and support; this is where no support is available emotionally, psychologically or physically. There is little or no interaction, consequently, '*not*' meeting the needs of others. The *restorative* quadrant is where the problem-solving practices apply or employ restorative philosophy, which is argued to work the best (Thorsborne and Blood, 2013). This quadrant represents high control and support, thus achieving firm and fair standards of behaviour. When a problem arises, someone works '*with*' individuals to solve the problem, repair the harm caused, and take responsibility. Payne (2012) states that three things need to be established to support pupils with behaviour: *support, high expectation* and *insistence*. These requirements fall within the '*with'* restorative quadrant of the *social discipline window*.

When IIRP facilitated training in a school using the *social discipline window* as grounded theory, staff showed enthusiasm for '*with*' students. Still, many continued using punitive measures to regulate behaviour (Vaandering, 2013); teachers maintained or reverted to disciplinary approaches, even when staff and school committed to RJ (ibid).

In education, the tide started to move away from social control models and behaviour approaches. The hierarchical power structure to strike discipline and manage school behaviour is ineffective (Evans and Vaandering, 2016). Instead, schools are seeking models or methods which strengthen relationships and improve behaviours. In addition, schools are concerned with other factors such as '*an increased sense of safety, enhanced well-being and feeling of belonging; feeling listened to and respected; improved self-esteem, emotional literacy, resilience and the development of a strong inner locus of control*' (Hopkins, 2011: 196). For some, RJ is the epitome of building relationships (Cameron and Thorsborne, 1999). Furthermore, social capital development by developing social and emotional literacy is fundamental (Morrison, 2001; Blood and Thorseborne, 2006).

The *social discipline window* has shown to be problematic as a conceptual theory and inappropriate in a school setting (Vaandering, 2013). Vaandering (2013) argues that the *social discipline window* above is limited as a conceptual theory because it fails to consider justice theories underlying the practices. The *social discipline window* is an adaptation of Glaser's (1964) theory for describing effective practices of parole officers, as acknowledged by Wachtel

(1999; 2009), thus failing to engage as a conceptual understanding of RJ. IIRP began as a school for young offenders, which explains why Glaser's (1964) theory was adopted by McCold and Wachtel (2003). IIRP focuses on who caused harm, working with the wrongdoers, and being responsible for their transition from incarceration to reintegrating into society (Vaandering, 2013).

The *social discipline window* highlights the power imbalance of the stakeholders (Vaandering, 2013). Wachtel (2016) states that RJ principles are for human beings to be happier, cooperate effectively and make changes when an authoritative person does things '*with*' them, instead of '*to*' or '*for*' them; this contradicts the core philosophy of RJ. Victims are pivotal (Christie, 1977; Zehr, 2002; Vaandering, 2013), making the *social discipline window* concept problematic, especially in an educational context, because its purpose and goals differ from the original RJ initiatives. The *social discipline window* focuses on the need to *control* and provide *support* by those who know best, which was the focus of Glaser's (1964) work. The '*with*' quadrant is another mechanism for controlling and manipulating behaviour (Vaandering, 2013).

The terms used for the *social discipline window* are problematic (Vaandering, 2013). The word '*discipline*' is defined or associated with punishment, enforcement of rules, and compliance training. The *social discipline window* focuses on changing the behaviour of those who cause harm rather than concentrating on the harmed needs, which is the critical aspect of RJ. Vaandering states,

> As a member of this dominant social segment, I am involved in rj[10] because I desire desperately to work for equity and honouring the well-being of all humanity. Yet, I am discovering that the very tools I believed were helping are actually perpetuating what I am working against. Those of us who are promoting RJ through the use of the Social Discipline Window must wake to these discrepancies before the system we are 'trying to change' and those we are 'trying to help' rise up and point this out, seriously discrediting the foundation of rj itself. **[2013: 322]**

Vaandering (2013) responds to this pitfall by offering her version of the *social discipline window*, which she refers to as the '*relationship window*' (see figure 4 below).

[10] Lower case in original text.

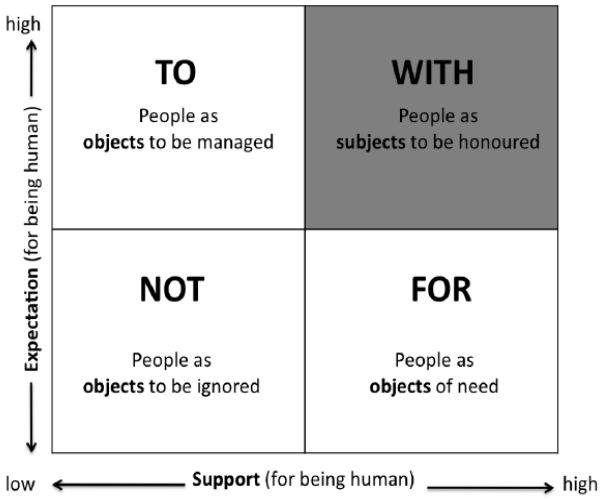


Figure 4: Relationship Window (Vaandering, 2013)

The modified window focuses on relationships, interpersonal interactions and individual relationships that harm others. The axes identify different types of relationships, the vertical axis labelled '*expectations – for being human*', and the horizontal axis labelled as '*support – for being human*'. The four quadrants identify '*interactions as either diminishing or nurturing one's inherent worth as a human being*' (Vaandering, 2013: 324). Therefore, when people provide each other with high support and expectations, they interact as '*subjects*', as '*humans*' and relate '*with*' each other. High expectations and low support result in the *'to'* quadrant, which involves a hierarchical power relationship, where disagreements and disruptions occur. In effect, people turn into '*objects*' characterised by what is done '*to*' one another. High support and low expectations result in the '*for*' quadrant, where the relationship is non-existent. People are deemed objects, and the relationship is characterised as what is done '*for*' one and another. Finally, low support and expectation result in the '*not*' quadrant, where the relationship seizes to exist and characterises as what is '*not*' done, i.e., neglecting the relationship. Vaandering (2013) highlights that expectations and support in the *relationship window* can be administered and received by anyone, not just an adult to a student, compared to the *social discipline window*.

The *relationship window* is based on the '*relational equality*' theory (Llewellyn, 2012), which focuses on respect, concern and dignity as primary needs arising from peoples' connection with one another and their environment. Thus, RJ is not seen as a disciplinary model but an approach to creating *relational spaces* where individuals and communities prosper. RJ highlighting *relational* qualities and emphasising social engagement, including addressing violence and aggression in schools, results in education becoming a practice of freedom and hope. Then

discipline is understood as nurturing humans rather than managing (Morrison and Vaandering, 2012), which are vital aspects of developing young minds and adults. For Vaandering (2010), when RJ is adopted to reduce exclusions and suspensions, it seems that the school's agenda is to manage and control students rather than creating and establishing a relationship-based environment. Managing and controlling students reinforces traditional structures of power and hierarchy in schools, demanding conformity, which sometimes conceals conventional practices as restorative (ibid). To avoid this, Vaandering (2010) suggests deeper understanding and engagement with RJ's ethos to transform the school's culture.

Regulatory Pyramid

For RJ to be effective in schools, Hopkins (2004), and others (McCluskey et al., 2008a; Kane et al., 2008), argue that it should be implemented as a whole-school approach. A whole-school approach entails that the institution adopts RJ philosophy, ethos and skills; only then schools can focus on building, maintaining and repairing relationships and achieve a sense of community (Hopkins, 2004). Thus, RJ's whole-school approach encompasses building relationships in the classroom, reducing conflicts, improving the learning environment, and developing relationships and skills (Wong et al., 2011). A whole-school approach does not refer to the whole school or class participating in RJ; instead, it relates to when staff are dealing with behaviours or challenges, RJ is always utilised (Hopkins, 2004).

To achieve, or support, institutions implementing RJ as a whole-school approach, as with the social discipline window and the relationship window above, Morrison et al. (2005) *regulatory pyramid* (see figure 5) illustrate how to sustain a whole-school approach and develop individuals. Morrison et al. (2005) submit that schools should have a system that incorporates the following:

- practices that are relational and empower an individual's integrity and development,
- behavioural evidence that empowers responsive decision making,
- empowering institutional integrity and development through relational bridging, and
- empowering responsive institutional policies through relationships.

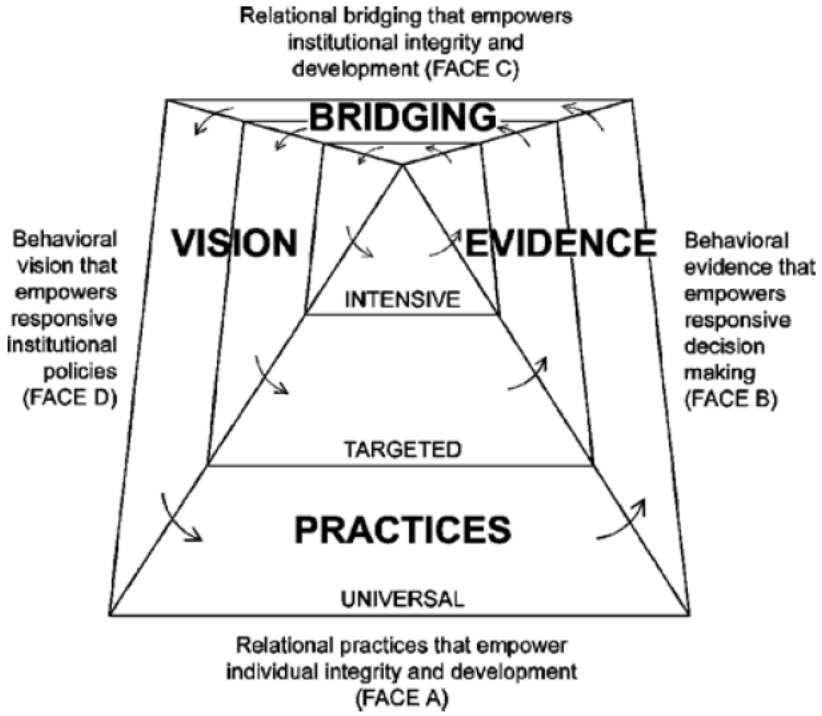


Figure 5: Regulatory Pyramid (Morrison et al., 2005)

The *regulatory pyramid* (Morrison et al., 2005) provides schools with the opportunity to respond to behaviour, repair, or build relationships restoratively. The pyramid has four faces. Faces B and D, which are opposite to each other (behavioural pair), focus on behaviour concerning outcomes sought and achieved. Again opposite each other (relational pair), faces A and C focus on relationships individually and institutionally. As we move around the pyramid, behavioural and relational faces alternate, ensuring that individual and institutional needs are met. Morrison et al. assert that,

> This regulatory framework outlines a process through which schools can be responsive to behaviour and restorative to relationships. Hence, behavioural policies are not forgotten but embedded in a broader framework that recognises the importance of relationships to individuals. For each pair (two behavioural and two relational), the two faces stand opposite each other, supporting opposite sides of the pyramid (opposed to standing adjacent to each other). Thus, as one moves around the pyramid, the behavioural and relational faces alternate, tapping both institutional and individual needs and concerns. **[2005: 343]**

Pyramid of Restorative Intervention

Morrison's (2005) *three-level pyramid of restorative interventions* (see figure 6 below) also provides some guidance to implement RJ as a whole-school approach. The *three-level pyramid*

of restorative interventions refers to the types of needs and responses required. Starting from the pyramid's base, the approaches involved are relevant to the whole school, focusing on building relationships, social and emotional skills, and problem-solving skills. The middle of the pyramid involves approaches that deal with low-level disruption and conflicts; this can take the form of RJ conferences. The top of the pyramid involves methods that deal with severe challenging behaviours. Finally, at the top of the pyramid, approaches can take the form of conferences and mediation to rebuild relationships. Morrison (2005) argues that the intervention level illustrated in figure 6 targets all school community members; thus, all members develop social and emotional skills to resolve conflict. It is recommended that participation includes parents, guardians, social workers and others for intensive interventions (ibid).

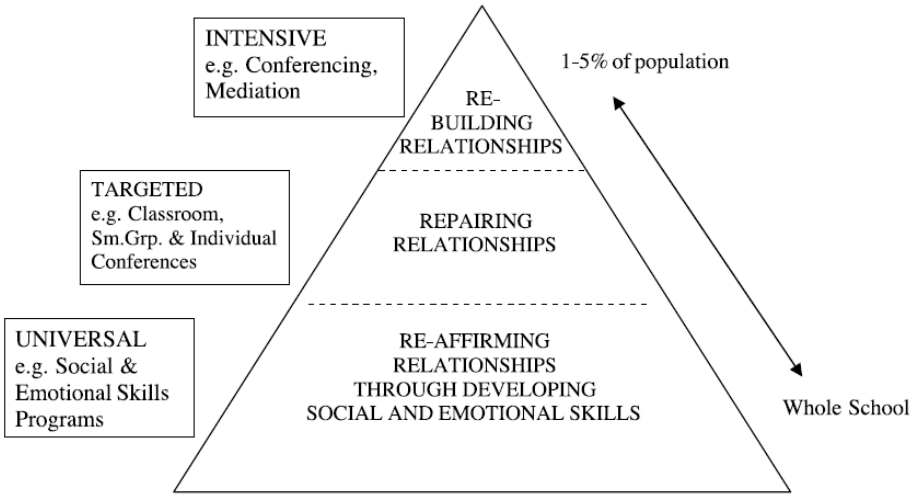


Figure 6: Three-level Pyramid of Restorative Interventions (Morrison, 2005)

Restorative Justice Models

Many RJ models are available, which are adopted from different communities and cultures (Hopkins, 2009; Daniels, 2013). Shapland et al. argue that,

> It is now an accepted truism to say that restorative justice is an 'umbrella concept', sheltering beneath its spokes a variety of practices, including mediation, conferencing, sentencing circles and community panels, and with no universally acclaimed definition**. [2006: 506]**

Schools that adopt RJ as a whole-school approach promote RJ ethos within the school community. Promoting RJ ethos can be achieved either by *restorative conversation*, *restorative*

enquiry or *circles* (*circles* also referred to as *circle time* or *healing circle*). *Restorative conversation* and *restorative enquiry* involve active listening and holding a dialogue respectfully, and acknowledging their thoughts, feelings and needs (Hopkins, 2004; Thorsborne and Blood, 2013). *Circle* involves people coming together in a safe and supportive environment to learn about others, develop communication and teamwork skills, share problems, discuss the harm caused and the impact, and celebrate achievements (Hopkins, 2004; Thorsborne and Blood, 2013). Promoting RJ ethos should minimise conflicts, harm caused to others and improve behaviour by encouraging respect and taking others' feelings or needs into consideration. When a conflict arises, or harm is caused, practices are available to deal with such situations to repair harm. Such methods include *mediation* and *restorative conference*.

Mediation brings people in conflict together to share their stories with the support of a neutral third party or parties (Hopkins, 2004; Thorsborne and Blood, 2013). Mediation provides the parties with the opportunity to understand the impact of their behaviour on others and repair the harm caused (ibid). A fundamental principle of mediation is that the parties in conflict find a solution and move forward. Solutions are not imposed on the parties. Mediation can take the form of peer mediation for minor disputes between young people, mediation by adults of severe conflicts, mediation between staff in dispute or parents and staff, and mediation between staff, parents and students (ibid).

The restorative conference seeks to repair the harm caused, which allows all stakeholders to participate, again providing an opportunity for their story to be told, identifying the impact of the behaviour or harm caused and repairing the harm (Hopkins, 2004; Thorsborne and Blood, 2013). A conference is defined as,

> A facilitated meeting with parties to the conflict – including family members, peers and others who have a significant relationship to the parties – which seeks to encourage the perpetrator(s) to accept responsibility and find ways to repair the harm caused. A facilitated meeting without the presence of those who have a significant relationship is a restorative mediation. **[Bitel, 2005: 70]**

Conferencing involves those directly affected, their parents or supporters, the person responsible for causing the harm and their parents or supporters (Hopkins, 2004; Thorsborne and Blood, 2013). Conferences occur in a room where everyone sits in a circle, some thought is given to the seating plan, and the facilitator regulates the conference. The facilitator would have directly communicated with all parties individually before the conference to prepare them and answer any queries and concerns (ibid). A paramount requirement is that participation is

voluntary, and all participants feel safe. Once everyone has had the opportunity to share their story, and the wrongdoer has accepted responsibility, an agreement is reached to repair the harm caused. Conferencing can be used to deal with classroom disputes, bullying, misbehaviour, vandalism, property damage, theft, public order offences, assault, harassment, name-calling and non-attendance (ibid).

Hopkins (2004) prefers conferences over mediation because it involves all stakeholders, such as teachers and parents, who participate in decision-making. Parents taking part in the process emphasises the seriousness of what has occurred; this ensures that the young person takes the process and the decision seriously. In addition, the parents can provide support with the decision or the outcome. Bitel states, '*A facilitated meeting without the presence of those who have a significant relationship is a restorative mediation*' (2005: 70). According to Wearmouth et al., '*Families and local voluntary community groups are, potentially, important sources of additional support for schools in developing initiatives to address problematic student behaviour*' (2007: 47).

RJ relies on restorative questioning (Hopkins, 2004), which a facilitator asks during RJ mediation or conference, and focuses on past, present and future events (Walgrave, 1995); see table 2 below. These questions are not strict, and further questions can be asked for clarification or a more profound understanding. Still, during the process, they should be asked to all participants, who have voluntarily agreed to partake in the process, so that they have the same opportunity to share their story (Hopkins, 2004; McCluskey et al., 2008a).

Restorative Question	Past, Present and Future Events
• *Can you explain what happened?* • *What were you thinking at the time?* • *How were you feeling at the time?*	Past
• *What have been your thoughts since?* • *What are they now?* • *How are you feeling now?* • *Who else do you think has been affected by this?*	Present
• *What do you need to do to put things right / repair the harm / to move on?*	Future

Table 2: Restorative Questions

Conclusion

This chapter illustrated that the RJ could be obfuscated by a pool of definitions and values available in the literature, impacting practice and implementation. A universally accepted definition may solve this confusion but limit the concept's richness and diversity. The purist/process and maximalist/outcome model dichotomy exacerbated the situation. RJ take many forms, and both models hold risks. The purist model empowers stakeholders and encompasses mostly and partially restorative practices but risks a non-restorative outcome. Maximalists' model avoids this non-restorative outcome but sacrifices empowerment and fails to follow procedures central to RJ.

Many values and theories underpin RJ, but initially, abolitionists' vision was for RJ to replace conventional criminal justice. Abolitionists envisioned a new system, where restitution and reparation are made directly to the victim by the offender, stakeholders who are directly affected by the offence participate actively in the process, punishment is avoided at all costs, and organisations or professionals do not constrain the process. That said, RJ now co-exists or complements the current system. The common theme of the values for RJ are voluntary and active participation of the stakeholders, showing mutual respect during the process, meeting the needs of the victim and offender, agreeing to the outcome of the process (without or with minimal third-party intervention), repairing the broken relationship and the harm caused and reintegrating the stakeholders back into the community – notwithstanding that some of these values are contested in the literature. Although RJ's definitions and values continue to evolve and expand, and many values and theories underpin RJ, what is apparent is that a definition and a set of values should be relied upon by organisations/institutions to provide clarity and guidance.

Schools adopt the 'social discipline window' to support restorative actions, thus turning the tide away from punishment and punitive measures. However, the 'social discipline window' has been criticised for being contradictory because its values differ from RJ, especially within the school context, as it was derived from the criminal justice system. The 'relationship window', an alternative, is offered, reflecting relational equality in promoting a relationship-based environment. In addition, schools employ the reintegrative shaming theory; this is argued to be problematic, as it fails to take cultural needs and expectations into account. Cultural needs and expectations are essential because every educational institutions' community is diverse,

consisting of students and staff from different ethnic and cultural backgrounds who have complicated lives and feelings.

CHAPTER THREE: *Restorative Justice in Practice*

> A strong theoretical framework will help to prevent restorative justice practices from being misunderstood, diluted, or misused in ways that could…create further harm. **[Evans and Vaandering, 2016: xiii]**

Introduction

So far, behaviours and other challenges in schools have been examined. It was argued that some schools utilise RJ to manage such challenges. Further, the underpinnings of RJ have been explored. Much research has been conducted to provide evidence of the effectiveness and satisfaction of RJ in schools to deal with behaviours, conflicts, crime, exclusions, bullying and implementation of RJ (Ahmed, 2001; Ahmed et al., 2001; Ahmed and Braithwaite, 2005; Ahmed and Braithwaite, 2006; Wearmouth et al., 2007a; Wearmouth et al., 2007b; Morrison and Vaandering, 2012; Russel and Crocker, 2016).

As expressed earlier in this thesis, research on RJ in education predominantly focuses on primary and secondary schools. Mayworm et al. (2016) argue that empirical research on RJ effectiveness in education in the US is limited. Thus, findings and data from international studies are relied upon, *'this raises concerns regarding the applicability of the research'* (2016: 387). Mayworm and colleagues searched scholarly articles and summarised empirical peer-reviewed journal articles on RJ and schools to support their argument. This similar submission can be argued in the UK, as Mayworm and colleagues' only list three empirical peer-reviewed studies conducted in the UK (McCluskey et al., 2008a; Kane et al., 2008; Standing et al., 2012). Despite this, it is not to say that RJ evaluations in UK Schools are not available; some of these UK evaluations will be discussed in this chapter. The argument submitted is that scholarly peer-reviewed empirical research on RJ in education is limited in the UK. Further, specific sectors within the education require further focus on RJ, such as FE colleges, PRUs, Special Schools, and Six Forms - Special Schools; subsequently, this thesis will focus on arguments on FE only.

It is imperative to review some of the research on RJ practices in the criminal justice system. The rationale for this is that the concept was coined and utilised in the criminal justice system; therefore, it is crucial to explore studies in this field. Thus, research findings in the criminal justice system may be relevant, support or oppose research findings on RJ practices in schools and possibly this current research. After exploring research findings on RJ practices in the criminal justice system, the focus will shift to RJ practices in the education sector. This chapter will then explore RJ and the discourse on punishment and language in education.

Restorative Justice in the Criminal Justice System

Initially, RJ aimed to replace the conventional system; however, currently, it works alongside the criminal justice system and is triggered during the process. A principal aim of adopting RJ in criminal justice is to reduce recidivism; however, this is not the only aim. It is established that there are nuance differences between the reconviction rates for those undergoing restorative programmes compared to a comparator sample. But it is found that young offenders who meet the victim and had victim awareness intervention are least likely to be reconvicted (Wilcox and Hoyle, 2004). In-direct RJ programmes were helpful for victims and offenders who participated; the process enabled the victims to put the offence behind them, and offenders better understood the offence's impact on the victim. A twelve-month follow up of the participants established that restorative programmes did not affect reoffending (ibid); it is emphasised that in-direct programmes, such as writing a letter to the victim, were adopted rather than direct programmes.

Other evidence indicates that RJ brings awareness and the impact of offenders' actions. A study into restorative cautioning found that 68% of the victims felt the process helped young offenders understand the offence's effects; this was concurred by a more substantial majority of offenders (Hoyle et al., 2002). Notwithstanding, RJ conferences did not impact offenders from reoffending, nor did they contribute to offenders from desisting (Hayes et al., 2014). RJ conferences rarely changed offenders' future offending behaviour, which is contrary to quantitative research that suggested young offenders who were satisfied, and agreed with the process and outcome, are less likely to re-offend (Hayes and Daly, 2003; Hayes and Daly, 2004; Maxwell et al., 2004).

That said, the evidence does seem to suggest that RJ programs can reduce offending, but there are variations between offence types and contexts (Braithwaite, 2002a; Latimer et al., 2005; Strang et al., 2006). Furthermore, findings are not conclusive because of self-selection; and the fact that offenders and victims have a choice to participate in the program as an addition or as an alternative to a court process (Latimer et al., 2005). To achieve rigorous research methodology, scholars argue that random selection is ideal, for example, RJ against court process, and then the data analysed irrespective of whether the parties have completed the program (Sherman et al., 2005; Strang et al., 2006).

The utilisation of RJ in youth justice is more prominent than in the adult criminal justice system. When the court refers young offenders to the 'youth offender panel', the panel decides how the offender should be dealt with and what form of action is necessary (Newburn et al., 2002). Some of these actions include victim awareness, counselling, drugs and alcohol interventions and forms of victim reparation; young offenders who were subject to RJ programmes felt they were treated fairly and respected (ibid). It was found that young offenders: agreed that the plans that were drawn up by the panel were practical, it would help them to stay out of trouble, but the involvement of victims was relatively low, which is a fundamental problem for RJ in criminal justice (ibid). Regarding offenders' satisfaction with the decision-making process on conference agreements, offenders were actively involved in the process. They were satisfied with the outcome, except for a small proportion of the offenders (Hayes et al., 2014).

There are problems with the concept of reintegrating and restoring offenders, which are critical objectives of RJ in criminal justice (Crawford and Newburn, 2003). RJ assumes that offenders' reintegration is achievable, but RJ fails to grasp that many young offenders live on communities' margins. Their lives are unstable, and they experience alienation and hostility (Munice and Hughes, 2002). Young offenders are disadvantaged socially and economically, experience social exclusion, and attempts are not made to deal with these inequalities (ibid). Youths do not have access to social support to access pro-social linkages, resources and opportunities (Raynor, 2001). For these reasons, it is unlikely that reintegration can be realistically achieved (Gray, 2005).

Satisfaction with RJ is one of the most researched variables (Walgrave, 2011), identifying whether participants accept RJ practices and their outcomes. Satisfaction is not limited to emotions, such as being happy or enthusiastic. Satisfaction encompasses other feelings and subjective evaluation, which include whether expectations were met, whether victimisation is taken seriously, the victims are being listened to respectfully, whether their opinion is considered, procedural justice occurs, and the offender apologises sincerely (ibid). Participants described their satisfaction with the RJ process using words such as '*appeasement, liberation, affirmation, closure, feeling valued and feeling reborn*' (Camp and Wemmers, 2013: 123). RJ was referred to in terms of empowerment. It allowed the victims to take control and shift the blame and responsibility to the offender. Participants expressed that they would recommend RJ to others as they were satisfied with the process and outcome. A minority of respondents

from Camp and Wemmers (2013) research found the result was unfavourable, but they were confident with the procedure. Few were dissatisfied with the financial agreement, some felt they did not receive the answers they were seeking, and others felt the offender did not take responsibility. The fairness of the procedure outweighed the negative perception of the outcome. What is attractive regarding this research is that participants wanted to directly communicate to the offender the impact of the crime on their life and wanted to make sure that the offender understood their behaviour was not acceptable. Some wanted the offender to be held accountable on a formal and public level by the criminal justice authorities. These participants felt that the restorative process and outcome were not seen as formal decisions but met the need for empowerment and validation through dialogue and process. Respondents asserted that RJ enabled them to deal with issues that cannot, and should not, be part of the court procedure. The process provided an opportunity to repair the damage and diffuse the situation. The values of RJ is to repair harm, meet the needs of the participants and agree on the outcome of the process; this research establishes that, for some, the core reasons for victims participating is to receive answers for the harm caused and the offender to be accountable on a formal and public level. Although RJ may not be a viable alternative to the conventional criminal justice system, it meets the participants' needs that criminal justice fails to achieve.

Hoyle et al.'s (2002) research into restorative cautioning found that 71% of the victims expressed that they felt better because of the conference, only 3% said they felt worse, and 97% said that the meeting was a good idea. There were high levels of satisfaction regarding how cautioning conferences were facilitated and how relatively participants were treated. Nearly all the victims who attended the restorative cautions were satisfied with how their conference was managed. However, not all were satisfied with the process. A minority of offenders felt they were coerced in apologising and stated that it made them feel like they were a bad person; this concurs with the argument that RJ processes can be painful, leading to punishment and *reintegrative shaming* being counterproductive. This study further found that implementation was deficient. Police officers trained to deliver RJ practices tended to exert their own opinions and ideas of the process and outcome. However, the study identified that the high-quality process and facilitation produced the most restorative results.

There may be undisputed satisfaction of the processes between parties, but the impact of RJ remains vague. Wilcox et al.'s (2004) two-year study, following the work of Hoyle et al. (2002), compared the performance of restorative and traditional cautions. It was found that

there was no statistically significant difference in re-sanctioning outcomes in three different police forces. The style of caution used had no impact on the seriousness and frequency of offending. Dignan's (2002) evaluation of reparation found that only 12% of direct reparation to the victim occurred, and just 9% resulted in mediation. However, evidence shows that victims feel more satisfied with RJ programs (Strang, 2002; Latimer et al., 2005; Sherman et al., 2005; Strang et al., 2006). Victims' satisfaction was due to their participation in the process rather than being satisfied with reparation (Beven et al., 2005). Victims placed more importance on material rather than emotional restoration, and a minority of victims were dissatisfied with the process (Strang, 2002). Strang et al. (2006) identified that victims' willingness to participate in the process varied between 36% to 92% in different conference programs. It is understood that participation in RJ can have a healing or therapeutic impact (Shapland et al., 2007) and can reduce levels of fear and anger for victims after participating in RJ (Strang et al.,2006). The current criminal justice can produce secondary victimisation to a more considerable extent than RJ (Daly, 2004). Sherman and Strang (2007) evaluative study highlight's that victim-participants are generally satisfied with RJ than conventional criminal justice.

The Cities Research Centre (2002) report depicts social exclusion on a national scale and found that 11 wards were rated the most deprived of the 25% of neighbourhoods in England in the area where the research took place. Over 214 young offenders who took part in the study resided in these wards. Those who participated in the programme lived in deprived households. Over a quarter had experienced abuse, a fifth had their name placed on the child protection register, and three in ten had special educational needs. A third had been excluded from school, four in ten regularly truanted, a quarter had physical health problems, and two-thirds had emotional and mental health problems. Pitts et al.'s (2001) qualitative research found that possible problems which indicate social exclusion were: the situation at school (90%), family life (75%), leisure (45%), friends and relationships (42.5%), living arrangements (30%), health (25%), neighbourhood contacts (22.8%), work (17.5) and finally, income (12.5%). Pitts et al. (2001) found that young offenders who participated in the programme were exposed to a range of personal, interpersonal and social difficulties, which resulted in social exclusion. If there is a thin line between offending and victimisation, there is a possibility that offenders themselves have been victims of crimes. It is dubious that one-off intervention, such as RJ practices, can resolve the problems in a young person's life to address their offending behaviour (Levrant et al., 1999).

The RJ process's voluntariness is questioned (Zernova, 2007), participants in RJ conferences believed that participation was mandatory, and most offenders were not enthusiastic about attending. Thus, their attendance was motivated by fear of returning to court or feeling informal pressure to participate. Other offenders thought their participation was optional; some believed they were encouraged to attend (ibid). Zernova (2007) argues that these findings are contrary to the claim that the RJ process is voluntary and invalidates the claim that RJ is free from coercion from the conventional criminal justice system. This research highlights that stakeholders' empowerment was limited to achieving other objectives. Strict controls were maintained over the restorative process outcomes, which had to be approved and meet the professionals' requirements. Victims' empowerment was restricted to telling the offender how they feel, asking questions and expressing disapproval. Victims did not play an active role in the outcome of the process. Offenders were empowered to the extent that they had a platform to provide their side of the story and provide an explanation. However, not all offenders utilised their right of empowerment; three offenders revealed they did not share their stories because they felt no one would believe them. One offender, to avoid trial, pleaded guilty to an offence which at first claimed he did not do. He was ordered to attend the conference and apologise to the victim, which he did without defending his innocence.

Exploring RJ facilitators understanding of the concept is crucial in its application and implementation. Stockdale (2015a) explored RJ's formal and informal understanding and how the police force and its staff define it. The research captured experiences, understandings, frustrations and challenges faced by police officers and PCSOs[11]. It was difficult for officers to embrace RJ but expressed support for RJ as an alternative to criminalisation and the benefits of incorporating RJ for children or low-level offences. However, conducting conferences and recording the conferences' outcomes is considered impractical; the logistics of undertaking such conferences were questioned. Officers were perplexed about *when* and *how* RJ *could* and *should* be carried out. A disparity existed regarding the understanding of RJ amongst police staff. *Top command* staff were more aware of the philosophical aspects and concepts of RJ. They described victims as central to the process and understood the concept of mutually agreed solution and offenders repairing the harm caused. *Middle management* showed an in-depth understanding of RJ. During the process, middle management did not see the victims, but they recognised the importance of both parties involved in the decision-making process and the

[11] Police Community Support Officers.

harm being repaired. However, RJ's understanding and implementation were impeded and lost due to the job's bureaucracies, such as issuing a fixed penalty ticket to meet performance targets. *Frontline workers* showed frustration regarding this, expressing a lack of interest and incentive to carry out RJ. They showed some understanding of RJ but did not question the philosophy or fundamental values; their discussion and concerns were focused on RJ's practicality. They wondered whether RJ was suitable for vulnerable victims. Despite frontline workers showing an understanding of mutually agreed resolution, it was apparent that officers usually told the offender what to do; this was also found in Hoyle et al.'s (2002) research. For the frontline workers, the importance of repairing harm was not apparent. Instead, they identified RJ as reducing reoffending; their focus was on the offender. Amongst the frontline workers, there was confusion about the purpose of RJ. Stockdale's research identifies that a gap exists between theory and practice; and that RJ values are '*lost in translation*' (2015: 230). These findings are very intriguing, demonstrating that RJ's understanding is crucial to practice and implementation.

Whether RJ can be used in complex adult criminal cases is a topical discourse. Bolitho (2015) identified that RJ could be utilised for adult offenders convicted of murder, manslaughter and driving offences leading to death. It was found that justice needs were met in 95% of the cases, and participants were positive and satisfied by their experiences. This empirical evidence suggests that it is possible to offer RJ for indictable offences. Bolitho (2015) expresses that the facilitator's role is crucial, especially when dealing with complex cases and the possibility of the victim being re-victimised by the offender, which was not apparent in any of the 74 cases studied highlighting the skills of the facilitators. These facilitators were trained in RJ and mediation; they had substantial experience working with serious and violent offenders in prisons. A key finding from this research is that restorative practices meet the needs of victims. And their motivation to attend was '*to seek safety, to seek information, to speak and be heard, to vent emotion, to seek accountability, to feel empowered, and ultimately to find a different meaning around the event that would better allow to move forward'* (Bolitho, 2015: 275). These justice needs were identified by Toews (2006) and concur with Camp and Wemmers (2013) findings. In Bolitho's (2015) research, the facilitators' skills suggest that expertise, training, and understanding of RJ affect the delivery, implementation, impact, and effectiveness of the RJ process.

To conclude this section, it is crucial to reiterate the importance of reviewing research and literature on RJ practices within the criminal justice system. RJ was first developed and used in the criminal justice system; thus, it is paramount to explore and learn from research and literature and the implications of the literature on RJ in the criminal justice system for RJ practices in other contexts, such as the education sector. This section discussed ample research on RJ processes' effectiveness, implementation, and satisfaction in the criminal justice system. Although RJ programmes and their effectiveness are celebrated, the concept has drawbacks, similar to other programmes or systems. For example, RJ fails to impact reoffending; although proponents argue this is not the only outcome sought, the process does bring awareness of the harm caused. Thus, most participants – both offenders and victims – are satisfied with the process. That being said, victims' participation in the process can be relatively low. Reintegration and restoration can be challenging to achieve because a one-off intervention cannot solve complicated lives. Research indicates that some victims want to directly communicate the impact of the harm and the disapproval of the wrongdoers' behaviour; thus, some public condemnation is sought because RJ outcomes, at times, are not seen as a formal decision. While some research demonstrates high satisfaction of RJ processes from offenders and victims in the criminal justice, there is pessimism in its application, which hinders implementation and culture change. When RJ is implemented and facilitated correctly, the process can achieve RJ values by empowering the participants and centralising their position. However, occasionally this is hindered by professionals regulating the process and the outcome to meet the system's bureaucracies. Or that the misunderstanding of the concept can lead to poor facilitation and personal opinions impeding the process. Thus, ineffective coordination and training have led to poor facilitation and practice. For example, in the criminal justice system, offenders of RJ at times felt coerced in participating, which contradicts a crucial RJ value, that participation needs to be voluntary. Research and literature from the criminal justice system argue that high-quality training and practice are paramount to meeting RJ participants' needs and avoiding re-victimisation. In the next section, we will find that there is a resemblance, to some extent, between research findings from the criminal justice system and the education sector regarding the experiences and implementation of RJ practices. That said, it should be noted that the voluntary aspect of RJ processes in education remains unclear in research and literature

Restorative Justice in Education

RJ's success stories in reducing recidivism and dealing with youth crime led schools to adopt RJ to make the environment safer (Morrison, 2007; IIRP, 2012). As a result, schools started utilising RJ as a reactive or proactive practice to deal with: challenging behaviours, crime, reducing exclusions, conflicts, bullying, assault on teachers and students, improving attendance and other challenges (Braithwaite, 2002a; Kane et al., 2007; Morrisons and Vaandering, 2007; Vaandering, 2013). In addition, young people started to progress to FE institutions, which began to display behavioural issues. Thus, behaviours, crime, conflicts, exclusions and other challenges are apparent in the FE sector (Attwood et al., 2004; Lobb, 2012; Burnell, 2017), although research and literature are scarce. Therefore, it is recommended that RJ in education is implemented as a proactive and a whole-school approach (Hopkins, 2004; Morrisons, 2007; McCluskey et al., 2008a; Kane et al., 2008). RJ is seen to offer schools practical tools to deal with behaviours, crime, conflicts and other challenges and create a haven for students (Kane et al., 2008).

The 'National Evaluation of the Restorative Justice in Schools Programme' was the most extensive independent evaluation of RJ in schools, commissioned by the Youth Justice Board of England and Wales (Bitel, 2005). Twenty secondary schools and eight primary schools participated in this study. The research tested the satisfaction of the process and the impact of RJ conferences on reducing offending, bullying, victimisation and improving attendance in primary and secondary schools. A range of restorative interventions was implemented, including active listening, restorative enquiry, circle time and mediation. This research found a minor impact on exclusions, and no impact on students' attitudes, except for a small number of schools that adopted RJ as a whole-school approach. Only 19% of conferences involved parents as parties to the conference. The school staff voiced that having parents attend conferences made a stark difference and communicated the message that the school is trying to work with parents rather than against them. Successful agreements were reached in 92% of conferences. It was reported that participants were satisfied with the outcome; they felt the process was fair and justice had been served. Only two of the schools had formal follow up procedures to the conferences that had taken place; without a follow-up process, it is impossible to ascertain whether agreements have been upheld. Running conferences is a time-consuming practice, and it is recommended either facilitated by external staff or by internal staff who have time off from front line teaching. However, this research concluded that RJ was '*not a panacea for problems in schools…if implemented correctly…[it] could improve the school environment,*

enhance learning and encourage young people to become more responsible and empathetic' (Bitel, 2005: 13).

In 2004, the Scottish Executive provided funding for a two-year pilot project on RJ in three Scottish Local Authorities. This project was later extended for a further two years, and the findings were subsequently discussed in Kane et al.'s (2007), Kane et al. (2008) and McCluskey et al. (2008a) publications. This evaluation's central aim was to learn about RJ in school settings and examine whether a distinctive approach could contribute or offer something new to Scottish practice. This research focused on RJ implementation, training, development; and the impact of improving social relationships, respect, responsibility and mutual engagement in Scotland Schools (McCluskey et al., 2008a). It was reported that when primary schools implemented RJ, they had various starting points, aims and strategies. RJ helped create a calm and positive atmosphere in the school and helped students develop conflict resolution skills. It was different in secondary schools; RJ's impact varied, and the implementation took slowly. Success was high in primary schools, which improved school ethos and created a positive relationship. When RJ was implemented with commitment, enthusiasm, leadership, and staff development, the impact was positive, which reduced playground incidents, discipline referrals, exclusion, and external behaviour support. However, this research highlighted the difficulty in changing culture, staff continued to utilise punitive measures, and the length of time it took to implement RJ. It was found that RJ was used alongside punishment; schools were reluctant to dispose of punitive measures. They saw both RJ and punishment as different but compatible approaches to manage behaviour (Kane et al., 2007). It was identified that for the successful implementation of RJ in schools, there needs to be quality training and ongoing support for staff; positive modelling, direction and commitment from the school management team; inclusion of all school staff in the awareness of RJ, not limited to teachers only; the need for both whole-school approaches and more focused intervention; involvement of parents; and, the recognition that RJ involve values, skills and processes. McCluskey et al. (2008a) concluded that RJ '*can make a substantial contribution to thinking about conflict in schools and help to promote social justice in education*' (p. 199). It is suggested that a broader conceptualisation of RJ that clearly defines its philosophies and principles is adopted for effective implementation in schools. Further, there is a critical reflection on RJ's core values and principles (Vaandering, 2014).

Later, McCluskey et al. (2011) carried out a systematic review of the 2008 findings and identified three operational approaches when RJ is utilised in schools. The first, a whole-school approach, was the most successful, which built schools ethos, had a preventative effect, operated as a response to wrongdoing, conflicts, and broken-down relationships. When RJ was partially implemented by those who oversaw behaviour, this second approach had limited success. The third approach, when RJ is only utilised to respond to serious incidents that would result in criminal charges. Although this approach positively impacted the participants directly involved in the process, it had a limited impact on prevention and the school. Even where data identified RJ as successful, there is '*evidence of resistance, ambivalence and ambiguity; a continuing commitment to the use of punitive sanctions and a concern about RA*[12] *being 'too soft"* (2011: 106). Further, the staff survey revealed a preference for punishment for those who cause harm: '*This important finding mirrored in previous research but has not, to date, received the attention that it merits*' (2011: 112).

Skinns et al. (2009) found RJ to be effective when implemented as a whole-school approach. RJ improved the learning environment because RJ was seen as better and fairer than conventional forms of punishment. RJ positively affected students' attendance, emotional literacy of both staff and students, school environment, and improved communications between all school community members. Although staff expressed the need for punishment as a necessity and RJ should be utilised alongside punitive sanctions. Staff valued punitive measures because they communicated the message of acceptable and unacceptable behaviour. Some students shared the same opinion as staff—a few students preferred punishment over RJ, as the practice was seen to be lenient. Most students and staff saw RJ as improving the learning climate, and punishment exacerbated the situation. RJ processes treated all parties fairly and solved the conflict rigorously, which, sometimes, was made simplistic by the conventional punitive process. Communication and relationships in the school community were found to be improved. Edgar et al.'s (2002) evaluation found that RJ's implementation was slow, caused by a lack of coordination and clarity. However, conferences positively dealt with severe school conflicts by resolving disputes, achieving closure, and repairing harm.

Hopkins (2006; cited in Hopkins, 2011) research focused on the experience of implementing RJ in schools by RJ trained staff. Generally, the experience of RJ with young people by trained staff members was positive. Staff voiced that RJ improved their confidence in dealing with

[12] Restorative Approaches; abbreviated in the original text.

challenging issues, improved their listening skills and enhanced their relationships with students. However, Hopkins (2006) did identify barriers to successful implementation, such as lack of investment both in time and financially, high expectation of a few staff, lack of time in training and practice, lack of support from senior management and RJ models were time-consuming. As a result, the staff sought a more flexible RJ model that could be utilised informally, preferably between one or two students without supporters.

Studies have investigated the impact of RJ on exclusions, and findings can be conflicting. Porter's (2007) research on RJ in schools identified reduced exclusions, fewer referrals for bad behaviour and increased self-esteem among students. The study found increased calmness, safety, and staff confidence, and students took responsibility for their actions. In addition, there was evidence of reduced verbal abuse and physical violence and improvement in attendance (ibid). Skinns et al. (2009) tentatively conclude that RJ was a contributing factor for reduced exclusions. Further, Barnet Youth Service (2008) research found no differences in the number of exclusions for RJ and control schools (Barnet Youth Service, 2008).

Using action research, McGrath (2004) evaluated RJ conferencing in five secondary schools, investigating RJ's effectiveness on the individuals who participated. Sixty-six students, who underwent RJ conferencing, were interviewed. In this research, 45% of all RJ conferences were used as an alternative to fixed-term exclusions. Interestingly, 11 to 13-year-olds were more likely to be involved in RJ conferencing; McGrath (2004) argues that this may be due to the transition from primary to secondary school. None of the children who partook in RJ conferencing was excluded in the three months following the conference. It was concluded that RJ conferencing had affected children's behaviour who had undergone conferencing, as it reduced the fixed-term exclusions of children. Participants of RJ conferences in schools are generally satisfied with the process and outcomes achieved; most would choose RJ conferencing again (Cameron and Thorsborne, 1999; Burssens and Vettenburg, 2006). In schools, RJ conferences are either entirely prosperous or partially successful (Tinker, 2002).

To conclude this section, it is essential to mention recent research which has examined the presence of police officers in UK schools (Connelly et al., 2020; Joseph-Salisbury, 2021). Joseph-Salisbury (2021) argues that research and literature are limited in the UK on the work of police officers and the impact of their presence in schools. Connelly et al.'s (2020) project on police officers in Greater Manchester's schools and Joseph-Salisbury (2021) Critical Race Theory analysis of teachers perspective of police officers in English schools offers invaluable

insight. Connelly et al.'s (2020) project and Joseph-Salisbury (2021) analysis found that participants demonstrated negative feelings regarding police presence in schools. Parents and guardians showed concerns about sending their children to a school with police presence. Further, police officers' presence is predominately focused in schools based in working-class areas; thus, inflaming the discourse and feelings of inequalities and stigmatisation. Participants argued that police officers discriminate against people of colour and minorities; their presence would negatively affect the school and create a climate of fear, anxiety and hostility. Concerns were also expressed regarding criminalising minor behaviours, thus leading to a school-to-prison pipeline. Participants reported experiencing inappropriate behaviour from police officers, such as offensive language, sexism, sexualisation of young people, police violence and harassment. A minority of participants argued that the presence of police officers in schools would ensure safety, deter violence and improve police relations with the local community. Connelly et al. (2020) and Joseph-Salisbury (2021) argue that investing in more staff trained within the education sector, rather than police officers to police behaviours and other challenges, would benefit the institutions. The findings and arguments from these studies possibly further support the idea and necessity of implementing RJ practices in education.

Research Studies and Findings Outside of the United Kingdom

A plethora of international research (outside of the United Kingdom) is available on RJ being employed in schools, which mirrors research findings from the UK. The Restorative Practices Development Team (2003) offers recommendations when implementing RJ in schools from the University of Waikato. The team from the University of Waikato express that it is incumbent to plan the implementation of RJ. They suggest that the school's management, staff, and community support is paramount; thus, a consultation process is necessary. Schools must assess whether restorative models are fit for purpose within their culture; RJ philosophy should be well embedded within their culture for implementation and practice to be successful.

However, the implementation of RJ in international schools can be problematic. Research has attempted to provide an insight into why this is, which concur with national studies. Karp and Breslin (2001) found that RJ's training took too long, and staff felt they did not have enough time to implement RJ properly. Some staff felt they were already delivering RJ, which was an issue because it made it difficult to train and make staff fully understand RJ ideals. It was tricky and required time to change the culture from punitive measures to RJ. These findings are supported by Blood and Thorseborne (2006), who found that RJ implementation is

handicapped due to funding. RJ's vision can be a barrier; it is challenging to determine whether RJ should be a behaviour tool or a whole-school approach. For instance, RJ's role can be questioned, should it abolish existing policies or work alongside them. Further issues identified are the quality of the training delivered, the time scale of implementation and the commitment to implementing RJ. Vaandering (2011), and Russell and Crocker (2016) found similar barriers to implementation already discussed here; they argue that teachers are under pressure to deliver curriculum; thus, implementing RJ interferes with the delivery of the learning outcomes.

Teachers' identity as authority hindering RJ implementation was an issue (Russell and Crocker, 2016). Teachers were concerned about discipline. Despite these implementation challenges, they found that the institution could implement RJ successfully and saw a reduction in suspensions and behavioural issues in the classroom. That said, Varnham (2005) explains that regardless of implementing RJ, schools still maintain an authoritarian, hierarchical model of 'them and us.' Varnham (2005) further argues that a culture change might be gradual, but policy development must stem from a national and school level, which involves students' participation. Training should be provided at the teacher education level, and existing staff training should encompass practising democratic processes in the classroom. In changing culture successfully, there should be a focus on students as part of the community, teacher's role is seen as a human being rather than authority, teachers are seen as members of the community, the consultation process adopts views of all members of the community, rigid rules and systems are abandoned, and the community works together to achieve the best results, punitive punishments are abandoned, and practices are focused on repairing relationships and inclusion.

Gonzalez et al. (2019) expressed that most research concentrate on the first stage of RJ implementation in schools; however, their study focused on multiple stages or years of implementation in an urban high school. RJ was implemented as a whole-school approach by embedding RJ theory and practice into the curriculum. Importantly, RJ implementation and practices were student-led rather than adults. Gonzalez et al. (2019) found that implementing RJ as a whole-school approach and changing the school community's culture would not have been possible without the commitment from the entire school community, including the leadership team and students. Involving students meant that the school had more RJ practitioners to support RJ processes. The implementation of RJ included staff professional development, the collaboration between a trained practitioner and a teacher from the school,

schools' ethos reflecting RJ, development of RJ discipline plan, student reflection and feedback on RJ, and the integration of a credit-bearing RJ course within the curriculum. This school assigned a teacher as the school's RJ facilitator who exhibited RJ's importance and commitment. Due to a non-hierarchical structure and democratisation of RJ processes, staff and students regularly engaged in decision-making processes. Thus, decentralising power and protecting RJ from oppression and marginalisation. This school successfully implemented RJ due to communitywide education, which helped embed RJ philosophy within the community and democratise RJ approaches. Gonzalez et al. (2019) contend that this model enables RJ's organic growth within the school, as there was evidence of positive outcomes from RJ processes and improved relationships. Further, this model responds to aggression and harm incidents, all relationships, policy decisions, teacher pedagogy and curriculum, and professional and institutional development; thus, falling within the ecological and relational framework (see Morrison and Vaandering, 2012).

In Australia, Shaw (2007) collected data from 18 schools piloting the implementation of RJ. Participants from this research expressed RJ was an effective behaviour management strategy that taught conflict resolution skills. However, some school staff resisted the implementation of RJ. Further, Grossi and dos Santos (2012) study was conducted in four public schools in Brazil. RJ circles were used for bullying, property damage, name-calling, stealing belongings and drug trafficking. RJ circles required the school community's participation, including parents, guardians, social workers, and others who have been affected by the harm. At the end of the process, a written agreement is signed by the parties involved. A follow-up circle is held in the future to determine whether the agreement has been upheld. Grossi and dos Santos (2012) argue that a democratic process, as illustrated, contributes to the process's satisfaction. This study found that RJ implementation reduced behavioural referrals and suspensions, improved communication and interaction between community members and the school environment.

One of the first randomised controlled trials on RJ's impacts on the classroom, school environment and exclusion rates was conducted by Augustine et al. (2018). This study involved Pittsburgh Public Schools in Pennsylvania (USA), implementing RJ between 2015-2016 and 2016-2017 academic years under the International Institute of Restorative Practice (IIRP) leadership. It was found that most staff developed some understanding of RJ within the two-year implementation process, and staff often used RJ such as statements, circles and impromptu conferences. The principal barrier to RJ implementation reported was time for both learning

and using RJ practices. The staff noted that RJ strengthened their relationship with students, and there was evidence of a reduction in suspensions. That said, academic outcomes did not improve. Academic results worsened at the middle-grade level (grades 6-8), and there was no evidence of improvement in exclusion rates.

Teachers' experiences and perceptions of RJ at a mid-Atlantic State High School was explored by Rainbolt et al. (2019). Administrators of this high school stated that all staff members had been trained in RJ; however, two staff indicated that they were never offered training. Another expressed being offered training, but it never materialised. This research revealed that around half of teachers utilised RJ practices often, 19% almost daily, 30% rarely, and one staff member never used RJ practices. Administrators at the school stated that teacher turnover affected RJ implementation and practice. Staff found RJ processes to be fair, which curbed students' behaviour at this High School. One teacher expressed that they wished they had come across RJ earlier to support them with behaviour. However, staff said that students take advantage of the RJ system and 'pay it lip service' (ibid; 173); thus, the behaviour is not altered. Some staff shared that students could manipulate the RJ system to avoid harsher consequences. Staff felt it was important that RJ practices were implemented as a whole-school approach and the whole community was on board with the RJ philosophy. Staff understood the rationale behind why RJ was needed. Staff shared that time and perseverance in practising RJ must be invested to reap the benefits. That said, staff showed discomfort in using RJ and the language used. In this research, staff suggested that they should choose the methods used for behaviour. Further, staff have various methods available to them and can self-select on the method used, aspects of RJ training they wish to be trained on and have an RJ expert available to help with RJ to build confidence in the process. Despite that, it is crucial to consider that Gregory et al. (2016) research on two USA High Schools found that teachers who implemented RJ tended to have a better relationship with their students than those who did not implement RJ in their classroom.

Students' perception of RJ practices is vital, which researchers usually overlook (Skrzypek et al., 2020). Skrzypek et al. (2020) explored the perception of RJ circles, which included 49 students from fifth grade and 41 students in eighth grade in a USA school. The methodology adopted was a mixed-methods approach exploring RJ circles experiences of urban, low-income, and predominantly black middle school students (Skrzypek et al., 2020: 1). The study found that students in fifth grade found RJ circles helpful compared to students from eighth grade. However, eighth-grade students were less convinced regarding the impact of RJ on

behaviour. Boys felt RJ circles helped them with their nonviolent problem-solving skills. On the other hand, girls from this study, particularly black girls compared to girls from different racial or ethnic backgrounds, found RJ circles ineffective for nonviolent and interpersonal conflicts and learning about their behaviour. The rationale for this disparity is that the eighth-graders had more experience to inform their perceptions of RJ practices (ibid: 6). The study found that RJ circles promoted communication, expressing thoughts and feelings, perspective-taking, and learning opportunities (Skrzypek et al., 2020: 1). However, researchers from this study identify limitations. For instance, students' perceptions may have been affected because RJ circles were the only practice adopted by the school to move towards a whole-school approach, and other policies or the school communities' relationship was not amended. Further, the study could not focus on students' perception of the impact of RJ circles on relationships or classroom climate; instead, the secondary data used to reach conclusions was based on students' perception of RJ circles in general.

Restorative Justice and the Punishment Discourse in Education

The discourse on RJ, retribution and punishment in education mirrors the discourse in criminal justice. Schools in the UK have adopted a quasi-judicial approach to managing student misconduct, reflecting the western criminal justice system (Thorsborne and Vinegrad, 2003). According to D*f*E,

> Teachers can discipline pupils whose conduct falls below the standard which could reasonably be expected of them. This means that if a pupil misbehaves, breaks a school rule or fails to follow a reasonable instruction the teacher can impose a punishment on that pupil. **[2016: 7]**

In schools, the understanding is that to discipline misbehaviour, sanctions are required, in effect, failing to meet the needs of those who are directly affected by the behaviour. Further, the broader impact of the behaviour on friends, family and the community are not considered, and the relationship with the stakeholders are not healed (Hopkins, 2004).

A traditional approach to school discipline is to blame and punish, thus failing to deal with the core problem (Thorsborne and Blood, 2013). Sanctions used in schools are deemed to be punitive, which are as follows: removal from class, isolation, detention, removal of privileges, banned from school outings and exclusion (ibid). The purpose of these sanctions is to change behaviour and inflict pain to deter the wrongdoer and others (ibid). Arbitrary approaches have no impact on the wrongdoer to learn from their behaviour. Often, the wrongdoer is labelled or

known for that behaviour; thus, it becomes difficult to remove or be vindicated from the stigma (ibid).

Research has demonstrated that punishment used to achieve discipline and compliance is counterproductive in schools (Coloroso, 2003; Grille, 2005; Morrison, 2007; Zehr, 2007; Thorsborne and Blood, 2013). Harsh punishment delivered on a student for disciplinary reasons contributes to the punished student disconnecting from the school environment; consequently, they are likely to hurt themselves, hurt others and participate in dangerous behaviours (Blum et al., 2002). Zehr (2007) explains that punishment may not have the desired effect because wrongdoers may get angry with those who punish them and start resisting; the threat of punishment may lead to denial of responsibility. In addition, the process of punishing the wrongdoer does not allow the wrongdoer to empathise with the victim and deal with the root cause (ibid). Issues of punishment and RJ are still to be fully explored in an educational setting (McCluskey et al., 2008b). The RJ values of participants volunteering to participate in the process and agreeing on moving forward can be more productive. That said, the voluntariness of students participating in the RJ process is unclear in an educational context - which is a core value - as we are unaware of the consequences of a party deciding not to participate in the process, further research is required in this area.

Schools focusing on behaviour fail to consider RJ's critical principles, a crime, or misbehaviour, is a violation of people and relationships (Zehr and Mika, 1998; Hopkins, 2004). As Zehr (1990) called for a paradigm shift in the criminal justice system from a punitive/retributive system to RJ, Belinda Hopkins (2004) calls for such a shift in schools. While the discourse on whether RJ should replace or integrate within the criminal justice system continues, schools have the prerogative and power to replace their punitive system with RJ or integrate both systems in their behaviour policy, which is usually the case (ibid). Proponents have stated that RJ applied in a school setting can be more effective than being implemented in the criminal justice system due to the close nature of the relationships within schools, and the school community members see each other daily. Thus, small instances can accelerate to become difficult or dangerous instances (Morrison et al., 2005). In addition, schools possess this prerogative and are empowered by the government to adopt and implement policies on behaviour to meet the school's needs.

While a restorative conference can conclude with a recommendation for punishment, the underlying principle of the conference is not about blame, but to achieve in getting the

wrongdoer to comprehend the impact of their action, deterring from committing the same act in the future and meeting the needs of the aggrieved party (McCluskey et al., 2011; Drewery, 2014). Drewery states,

> The idea of social justice must begin with the expectation of inclusion, rather than exclusion; the introduction of restorative justice into schools was certainly about *not* excluding young people from education. The fact that, at its beginning in schools, restorative justice was about disciplining offenders should not blind us to the fact that justice is not fundamentally about crime and punishment. It is an idea about how people might live together equitably in diverse communities. **[2014: 6]**

In schools, staff misunderstand or fail to abide by the RJ framework and RJ's theoretical purpose; consequently, when a conflict arises, staff revert to authoritarian and punitive approaches, including high control of wrongdoing and low nurturing support of the individual (Vaandering, 2013). As theory falls behind the practice, researchers explore and develop theoretical frameworks to explain, strengthen and shape RJ (ibid).

There is a need to shift the focus from behaviour to addressing relational needs, which has been problematic for schools as they are entrenched in policies and practices that require control and compliance, compared to valuing relational needs that nurture growth and well-being (Morrison and Vaandering, 2012). While school staff agree with RJ values, they are reluctant to surrender the power to punish and exclude, which is a default setting and symbolises teachers' power (McCluskey et al., 2011). In addition, RJ's values conflict with other philosophies, theories, or policies adopted by schools on either behaviour or the day-to-day running of the school; thus, RJ practices are obstructed from being the only means of dealing with behaviour and meeting students' needs (Morrison and Vaandering, 2012).

It is argued that RJ should not only be implemented in schools as a tool to address discipline but also to address the school climate, the community and teaching and learning; thus, shifting from an authoritarian and punitive institution to a democratic and responsive institution (Bazemore and Schiff, 2010; Cremin, 2010; Morrison, 2010; Morrison and Vaandering, 2012). To achieve successful implementation of RJ, schools must change their views on discipline and see it as an opportunity to build students and see how their behaviour impacts the school (Morrison et al., 2005). An issue in implementing RJ in schools is the inconsistent support from school boards and lack of professional development (Reimer, 2011; Mayworm, 2016). According to Vaandering (2011), Riestenberg (2013), and Russell and Crocker (2016), teachers may be reluctant to adopt RJ due to time constraints and the ability to deliver the curriculum. An essential challenge for RJ in school is utilising tools developed in the criminal justice

system for use in a school context; while RJ in criminal justice is to respond to crime, RJ in school is intended to respond to all incidents (Bitel, 2005).

Studies have found a positive impact on addressing challenging behaviour, improving schools' safety and building a positive school ethos. Cunneen and Hoyle argue that '*restorative justice lack praxis–in the sense of constantly reflexive, dialectical relationship between theory and praxis*' (2010: 186); this is echoed by Evans and Vaandering (2016: see chapter's opening quote), and Morrison, who argues that,

> Deep, critical, reflective practice is essential to sustainability and growth of restorative justice in education; indeed, all areas of the practice of restorative justice. Practice without theory is blind; theory without practice is meaningless. By and large, practice has led theory in the development of restorative justice; yet, without theory, practice is not sustainable. They must be reflexive. **[2015: 449]**

Morrison and Vaandering argue that the '*sustained development of engaged institutional praxis is piecemeal, inconsistent, and often ad hoc*' (2012: 148). They further state,

> Much more research and development are needed in all areas of praxis, from defining the paradigm shift to ongoing formative, processes, and outcome evaluation, using both qualitative and quantitative data at micro-and macro-levels of analysis. Underlying the need for systematic research and development, there is a pressing need for conceptual clarity in characterising and operationalising the paradigm shift that RJ embodies within schools. **[2012: 148]**

McCluskey (2013) supports the above argument, contending that there is much room for further development. Notably, the theories underpinning RJ practices are struggling to keep up with practices adopted in both schools and the criminal justice system (see Llewllyn, 2012).

Conclusion

Studies indicate that crime, conflicts, behavioural problems, and other challenges transpire regularly in educational institutions. There is incontrovertible evidence that establishes a connection between education, exclusion and offending. Students involved in offending have low basic skills and experience difficulties in education, thus hindering them in their adult life. For these reasons, implementing RJ in education is very appealing for institutions; because RJ's philosophy is appropriate in an educational context, some argue it is the best place to implement to meet RJ's values and ethos fully. However, it is paramount to implement and utilise RJ appropriately to meet RJ's aims, the aims and goals of the school, and the needs of those involved in the RJ process.

Research findings, nationally and internationally, and within the criminal justice system and the education sector, mainly concur. Participants of RJ practices are generally satisfied with the process, which they found fair and served justice. Occasionally, recidivism and desistence were achieved. However, ineffective coordination and training have led to poor facilitation and practice. In criminal justice, offenders felt coerced in participating in RJ processes, and facilitators controlled the process for bureaucratic reasons. In Education, the voluntary aspect of participating in the RJ process is unclear in the literature and research. While RJ programmes positively impacted the school's overall environment, there are conflicting findings on whether RJ positively impacted exclusions.

Parents' involvement and follow up on the agreements are found to be crucial in the process. RJ's drawbacks in schools focused on implementation and culture change, which was also apparent in the criminal justice system. Staff found it challenging to switch strategies from punitive measures to RJ measures; they either failed to dispose of punitive approaches or used in complementary of RJ strategies. Some staff, and students, preferred punitive measures as it empowered their authority and expressed acceptable and unacceptable behaviour; all did not share this view. The preference for formal or punitive punishment was seen in the findings from the criminal justice system.

Implementation, training and practising RJ processes was the biggest obstacle in schools, it was slow and time-consuming, and staff showed reluctance to adopt the concept. The whole-school approach had more impact than the partial approach and when only utilised for serious conflicts and harm. Understanding RJ as a concept in practice obstructed personal opinions and understanding negatively infiltrated RJ practices; this caused reluctance to accept the idea and implementation, which resonates with findings from the criminal justice system. It is challenging to achieve reintegration and restoration because young people live complicated lives impacted by many social factors. However, there is evidence of RJ positively impacting schools and their environment when implemented with commitment and enthusiasm. A top-down and a bottom-up approach and involving students positively affected implementation; this democratic process decentralised power, ensuring protection from oppression and marginalisation, thus adopting an organic, relational and ecological framework.

CHAPTER FOUR: *Research Methodology, Methods and Processes*

> …research highlights the gap…between theory and practice. It shows how some of the key values of restorative justice are effectively 'lost in translation'. **[Stockdale, 2015a: 230]**

Introduction

A plethora of research focuses on the effectiveness, implementation, and satisfaction of RJ processes, practices, and outcomes in education. However, the literature review chapters have established that research is still finite, and there is a gap between theory and practice (see chapter's opening quote), especially in the FE sector. However, this does not signify that RJ is not employed in FE institutions, but scholarly research and literature are lacking. Due to this limitation, this thesis posits that the ideal starting point for research within FE and RJ is to explore understanding and experiences of RJ practices and processes; and successes, opportunities, constraints and limitations in implementing RJ in FE colleges. Exploring these themes will provide the opportunity to capture a holistic picture of RJ practices and experiences within the FE sector, thus paving the way for future scholarly research and literary work, such as evaluations on effectiveness and impact within the FE sector. Effectively, this study provides insight into how RJ is understood and experiences of practices and implementation in FE; thus, supporting FE institutions and other organisations when planning to employ RJ as part of their behaviour policy.

Findings from this research are relevant and will support FE institutions, their staff, and the Department for Education (*Df*E) when institutions anticipate implementing or advising institutions on RJ as a behaviour policy. This research adapted and modified Stockdale's (2015b) research questions. Stockdale (2015b) explored RJ's formal and informal understanding and how it is defined by police staff in England and Wales, which captured experiences, understandings, frustrations, and challenges police officers and PCSOs face. This study adapted Stockdale's research within the FE sector.

This chapter will commence first by sharing with the reader the research aims and questions. The chapter will then share the journey to finding participants, research sites, and the case study referred to as the 'Restorative College' (a pseudonym). Developing the ideal research methodology and the case study model will then be discussed in detail. Next, Restorative College and the other research sites will be introduced; the participants from these research sites will be presented at this stage because only semi-structured interviews were conducted to collect data (see figure 8). Next, the participants who were part of the case study model will be

introduced when the methods used to collect data are discussed. All participants' names in this thesis are pseudonyms. Later, the mixed qualitative methods used as part of this research will be addressed. Then, sampling; ethics; reliability, validity, reflexibility and positionality; data analysis strategy and the process will follow.

Research Aim

This research adapted and modified Stockdale's (2015b) research aim and questions. Stockdale (2015b) explored RJ's formal and informal understanding and how it is defined by police staff in England and Wales, which captured experiences, understandings, frustrations, and challenges faced by police officers and Police Community Support Officers (PCSO). This study adapted Stockdale's research within the FE sector.

This research's broad aim was to explore staff and students understanding of RJ and staff experiences of RJ practices and processes; and opportunities, successes, constraints and limitations when implementing an RJ behaviour policy. Resembling Stockdale's (2015b) study, this research also depicts the understandings, experiences, successes, constraints, and limitations FE institutions face when implementing restorative justice policy.

Research Questions

1. What are the organisational and individual understandings of restorative justice: how is 'restorative justice' defined and understood by staff and students in Further Education institutions?
2. What were the key opportunities with regards to successful restorative justice policy implementation in Further Education institutions?
3. What are the constraints and limitations when implementing restorative justice policy in Further Education institutions?

Journey to Finding Participants, Research Sites and the Case Study

Before delving into the essence of this chapter, the methodology, methods, and other aspects, it is crucial to discuss the arduous journey of finding research participants, research sites, and a case study, which shaped and formed this study's research design. This research was conducted as a full-time law teacher, a part-time self-funded PhD student, and a father of two beautiful daughters. Thus, time and financial recourses were limited, especially during the data collection period when the author resigned from a full-time permanent post and sought a part-

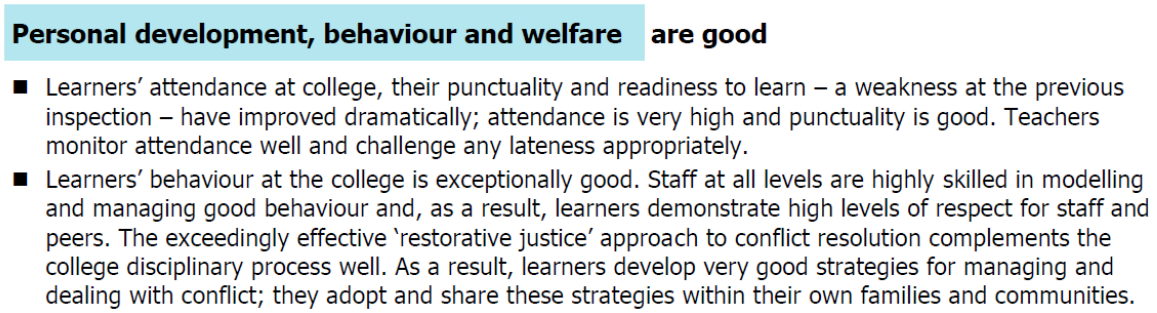
time zero-hour teaching contract. This type of employment contract enabled the author the flexibility to be available for data collection during term time. However, financial constraints were felt when travelling around England to collect data.

Finding a FE college as a research site within London proved to be a very challenging task. Research sites located in London or nearby was ideal for accessibility and cost reasons. To help seek research sites and networking purposes, the author enrolled on a *Level 5 Restorative Approaches – Theory and Practice* course. Connections from the Level 5 course and Twitter were proactively used to communicate this research's aims with RJ organisations and trainers in the UK. A request was made to forward the message or to retweet the original tweet. All suggestions and directions of possible research sites or other contacts were pursued; however, primary and secondary schools' recommendations were only emerging. School and Children's Services in London Borough Councils were emailed. Only one service responded with a suggestion of a PRU. This PRU was pursued. It was seen as an opportunity to interview participants and gain rich data from an alternative provision and compare these findings to the data collected from FE institutions. PRUs have an unstable learning environment due to the students' needs, whose learning trajectory can lead them to progress and continue their education at a FE institution.

The trainer from the *Level 5 Restorative Approaches – Theory and Practice* course informed trainees of an upcoming conference; it was felt that this would be an ideal opportunity for networking and expanding on the RJ contact list. Through this conference, connections were made with a Sixth Form – Special School and FE institutions that utilise RJ. These institutions explicitly expressed that they only had a couple of RJ facilitators willing to participate, as they use RJ as a reactive approach. It became apparent that institutions were utilising RJ, but only a few staff were trained as RJ facilitators and implemented RJ as a reactive approach. Like the PRU above, the Sixth Form – Special School has an unstable learning environment; this was seen as an opportunity to gain valuable insights into staff experiences of using and implementing RJ and comparing these rich findings with FE institutions. As explained earlier, a student's educational journey may commence at a particular sector, but this journey may lead them to a FE institution. It is essential to note that FE institutions cater for SEBD, SEND and SEN students (Mancab et al., 2008). Further, student demographics in PRU and Special School also attend FE colleges. Interestingly, research and literature on RJ experiences and implementation in PRUs and Special Schools are also scarce, as argued in earlier chapters.

The internet was a great tool to research FE institutions. A non-profit organisation, the *Association of Colleges* (AOC), a voice for the FE sector, has a database available on their website with the number of FE colleges in the UK and their names. According to AOC, as of 17 April 2018, there were 269 general FE colleges in England, 26 colleges in Scotland, 14 colleges in Wales and six colleges in Ireland. On 19 October 2021, the AOC website cited 163 general FE colleges in England, 26 colleges in Scotland, 14 in Wales, and six in Ireland.

The task was now to identify colleges that use RJ as a behaviour policy. AOC was directly contacted and asked whether they held any information on FE colleges using RJ, which they did not. However, AOC kindly published a short statement in their Newsletter regarding this research and its aims and whether institutions were interested in partaking in this study. It was thought that the Office for Standards in Education (Ofsted)[13] inspection reports would be a great resource to identify FE institutions behaviour framework. Ofsted inspects educational institutions, skills services and care services for children and young people. Ofsted inspection is graded, which are as follows: Grade 1 (Outstanding), Grade 2 (Good), Grade 3 (Requires Improvement) and Grade 4 (Inadequate). The rationale was that if an institution uses RJ, then the likelihood of it being mentioned in the report would be very high. Within the report, in the '*Personal development, behaviour and welfare*' section, Ofsted inspectors would mention if they detected that the institution used a particular behaviour management strategy, as seen in figure 7 below.



Personal development, behaviour and welfare are good

- Learners' attendance at college, their punctuality and readiness to learn – a weakness at the previous inspection – have improved dramatically; attendance is very high and punctuality is good. Teachers monitor attendance well and challenge any lateness appropriately.
- Learners' behaviour at the college is exceptionally good. Staff at all levels are highly skilled in modelling and managing good behaviour and, as a result, learners demonstrate high levels of respect for staff and peers. The exceedingly effective 'restorative justice' approach to conflict resolution complements the college disciplinary process well. As a result, learners develop very good strategies for managing and dealing with conflict; they adopt and share these strategies within their own families and communities.

Figure 7: Ofsted Report - 'Personal development, behaviour and welfare' section.

Using the AOC's database on FE colleges in England, Ofsted inspection reports for each institution were scrutinised to identify their behaviour management strategy. Surprisingly and disappointingly, not one FE institutions' recent Ofsted report mentioned RJ. Furthermore, FE

[13] https://www.gov.uk/government/organisations/ofsted/about

colleges that already agreed to participate in this research, their Ofsted inspection report did not highlight RJ practices. Thus, relying on Ofsted inspection reports to seek whether institutions employed RJ was not an accurate method. However, it was deduced that either Ofsted did not discover RJ's use, omitted from mentioning RJ in their report or that the institution did not emphasise its use.

Using the AOC's database, cities in England accessible from London were identified, and inner-city colleges were located for accessibility reasons. These institutions' websites were accessed to download their behaviour policy, which was readily available in the public domain. The benefit of downloading behaviour policies was two-fold. First, it helped to identify whether institutions employed RJ. Secondly, it helped to understand and analyse how FE institutions deal with and manage behaviours and the adopted methods, strategies, and processes. These colleges that mentioned using RJ practices were directly contacted. Attempts were made to speak with the person in charge of 'Safeguarding and Behaviour'. If they were not available, then their email address was requested. An email was sent immediately inquiring whether RJ was used as part of their behaviour policy and whether they would be interested in this study. Emails are often a good way of monitoring communication rather than phone calls. The rationale behind asking to speak directly with the person in charge of 'Safeguarding and Behaviour' is that, from experience, the institutions' front desk operators or 'lay staff' are usually unaware of specific internal policies. The outcome was the same; most institutions employed aspects of RJ in their behaviour policy as a reactive approach. A few staff were trained as RJ facilitators, but this was seen as an opportunity to interview individual staff who utilise RJ; these participants were successfully pursued.

It seemed impossible in finding research sites that adopted RJ as a behaviour policy that was more than a reactive approach. Besides, it was fundamental that the institution had a few teaching and other staff trained as RJ facilitators to obtain rich data; so that their understanding and experiences can be recorded through the medium of qualitative methods producing rich, valuable and holistic data. Just when hope was diminishing, a FE college, Restorative College, from North of England made contact expressing they implemented RJ as a whole-school approach with many staff trained as RJ facilitators and were happy to be used as a case study. Finding these research sites and Restorative College enabled the author to design a holistic methodology to meet the research aim and answer this study's research questions.

This thesis adopted an interpretivist exploratory case study design framework and mixed qualitative methods to address the above questions. The data collection process consisted of three stages (see figure 8 below), which commenced at the beginning of April 2018 and concluded at the end of May 2019. The data collection process consisted of three stages. Stage 1 comprised 20 semi-structured interviews with staff members from a Pupil Referral Unit (PRU), a Special Sixth Form School and 5 FE colleges. Also, 60 FE colleges' behaviour policies were analysed. Stages 2 and 3 were both elements of an interpretivist exploratory case study of a FE college, Restorative College. Stage 2 explored staff and students initial understanding, experiences and implementation of RJ. Stage 3 involved re-interviewing participants from stage 2 later in the academic year to follow how their understanding, experiences and implementation had developed. The case study incorporated mixed qualitative methods, which included: analysis of documents and RJ cases, ten semi-structured interviews with staff members, three focus groups with students, and unstructured observation of a meeting and training concerning RJ practices. The purposive sampling technique was used to identify participants for semi-structured interviews and focus groups and the constant comparative method was utilised to analyse all data.

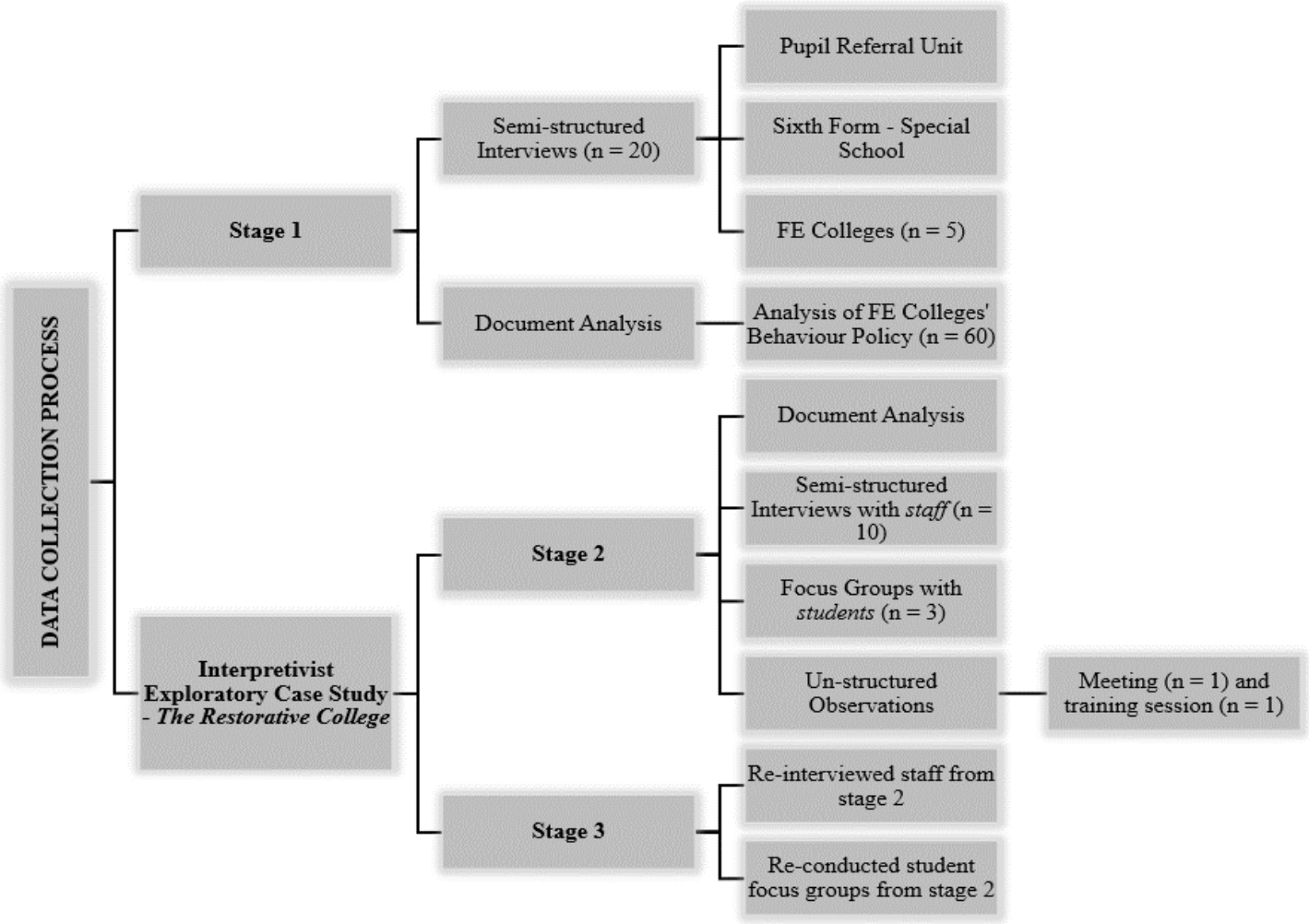


Figure 8: Data Collection Process

Research Methodology

Research is guided by three pivotal elements: *ontology*, *epistemology*, and *methodology* (Sarantakos, 2013: 29). *Ontology* deals with reality and what exists; *epistemology* deals with the nature of knowledge and asks the questions: how do we know what we know? Or what kind of knowledge is research searching for? *Finally, methodology* deals with the research design and methods and asks how we gain knowledge about the world? Or how is research constructed and conducted?

There are two types of ontologies, *realism* and *constructionism*. *Realism* is underpinned by *objectivism*, which argues that objective detachment and value neutrality are of utmost importance (Sarantakos, 2013: 30). *Realism* argues that reality exists independent from our consciousness and experience; and the world exists separate from people and their perception (ibid). The epistemology and the paradigm that underpins realism are *empiricism* and *positivism*. *Empiricism* views knowledge from experience through the senses; thus, observation and experience form the basis of knowledge. Empiricists argue that things that can be verified empirically exist; if they cannot be confirmed, they do not exist (ibid: 32). *Positivism* is a philosophical approach that consists of a fixed *quantitative* methodology and tools that can measure accurately and reliably. According to Creswell quantitative research,

> Is an approach for testing objective theories by examining the relationship among variables. These variables, in turn, can be measured, typically on instruments, so that numbered data can be analysed using statistical procedures. The final written report has a set structure consisting of introduction, literature and theory, methods, results and discussion…those who engage in this form of inquiry have assumptions that testing theories deductively, building in protections against bias, controlling for alternative explanations, and being able to generalise and replicate the findings. **[2014: 4]**

Positivism views reality as objective; thus, the focal point is on observation and measurement of social phenomena, supported by deductive reasoning, objectivity and empiricism (Sarantakos, 2013: 34).

Constructionism is based on the view that there is no objective reality or objective truth; reality is constructed through interaction with the world. According to constructionism, there are no absolute truths, knowledge is not limited to being created by senses alone, and research focuses on constructing meanings (Sarantakos, 2013: 38). The epistemology that underpins constructivism is *interpretivism*. Interpretivists believe that reality is created by social actors and people's perceptions (ibid: 40). It is recognised that humans' understanding, and experiences are subjective, contributing to the construction of reality in the social world;

therefore, social reality can change and have multiple perceptions (Hennink et al., 2011). Objectivism requires all personal values and views of the researcher to be eliminated from the research process to minimise personal prejudice and bias; this should guarantee that social reality is presented as it is and not how the researcher imagines it or wants it to be (Sarantakos, 2013). Interpretivists reject objectivism and argue that interaction and dialogue with participants are paramount to understanding the social world, which takes the form of qualitative methods (Neuman, 2011). The methodology underpinning constructionism is flexible *qualitative* social research (strict designs can be adopted), which consists of tools that uncover trends, thoughts, and opinions and explore deeper into the problem (Sarantakos, 2013). According to Creswell qualitative research,

> Is an approach for exploring and understanding the meaning individuals or groups ascribe to social or human problem. The process of research involves emerging questions and procedures, data typically collected in the participant's setting, data analysis inductively building from particulars to general themes, and the researcher making interpretations of the meaning of the data. The final report has a flexible structure. Those who engage in this form of inquiry support a way of looking at research that honours an inductive style, a focus on individual meaning, and the importance of rendering the complexity of a situation. **[2014: 4]**

Qualitative researchers collect data themselves by examining documents, observing behaviour or interviewing (Creswell, 2014). During the research process, the researcher focuses on the meanings of the problem from the participants' perspective; thus, the researcher must reflect on how their role, background, culture and experiences impact or shape their interpretation of data; this is referred to as *reflexivity* (ibid). The process of the qualitative approach is emergent, which means a strict plan cannot be adopted. The process or phases of the research may change; for example, the research question or the site may change, or the method of data collection may shift (ibid). The fundamental essence of qualitative research '*…is to learn about the problem or issue from participants and to address the research to obtain that information*' (ibid: 186).

There are strengths and limitations in both *quantitative* and *qualitative* schools of thought, which will be discussed here. *Quantitative* methodology views reality as objective, but the qualitative school of thought argues that reality is interpreted by social action (Sarantakos, 2013). In quantitative methodology, hypotheses are created before commencing the research, resulting in biased data, imposing opinions or intentions on the respondents, and restricting research options (ibid). Measurements are fundamental to the quantitative process, and there is a danger that the meanings of the results reflect the researchers' beliefs rather than reality (ibid). Quantitative methods are strict and central in the research process; thus, it is limited to what can be approached; anything unapproachable through quantitative methods is deemed

irrelevant (ibid). Achieving objectivity is argued to be an impossible task; perceptions and interpretations of the researcher cannot, and from a qualitative perspective, it should not be avoided in the research process (Thomas, 2011; Sarantakos, 2013).

On the other hand, *qualitative* methods cannot demonstrate accuracy to establish social trends; and, because the research sample is relatively small, it cannot produce representative results; therefore, the findings cannot be generalised (Thomas, 2011; Sarantakos, 2013). The qualitative research process, structure and procedure do not call for objectivity, validity and reliability; hence the quality of findings can be questionable (Thomas, 2011; Sarantakos, 2013). Due to qualitative methods' subjective nature, interpretation and meanings attached to the data can be questioned whether it has been captured fully or correctly. Further, the data produced cannot be replicated or compared and creates a large amount of information, which may not be relevant to the research (Thomas, 2011; Sarantakos, 2013). While *positivist* research explores, explains, evaluates, predicts and develop/test theories; *interpretivist* research focuses on understanding people (Sarantakos, 2013: 11).

The nature of this study was to explore understanding and experiences, and the research questions are formulated as 'what' and 'how' questions; thus, this research posits itself aptly within the realms of constructivism (ontology), interpretivism (epistemology) and qualitative methods (methodology) (Sarantakos, 2013). This research explored how RJ practices are understood by staff and students, the social actors (Hennink et al., 2011; Sarantakos, 2013). It also explored staff experiences of RJ implementation, thus the social actors' subjective multiple perceptions of the social world they live in, which is ever-evolving around them (Hennink et al., 2011; Sarantakos, 2013).

Case Study Model

As explained earlier, this research undertook a qualitative methodology and an interpretivist exploratory case study design framework. Therefore, a detailed account of the case study model, mixed research methods and their purpose will be discussed in this section.

Case Study Research Model

There are many research designs frames available, and within these design frames, various methods are adopted to answer the research question(s) (Thomas, 2011). Such design frames include action research, case study, comparative research, evaluation and experiment (ibid). A case study model concentrates on investigating a phenomenon in detail and not seeking to

generalise (Thomas, 2011; Yin, 2014). Case studies utilise 'how' and 'why' questions and assume that the researcher looks at everything regarding the case (Yin, 2014). Due to the nature of the research questions and how the questions were constructed in this study, a case study was ideal. A case study is defined as

> an empirical inquiry that investigates a contemporary phenomenon (the "case") in depth and within its real-world context, especially when the boundaries between phenomenon and context are not clearly evident. **[Yin, 2014: 16]**

Punch describes a case study as,

> The basic idea is that one case (or perhaps a small number of cases) will be studied in detail, using whatever methods seem appropriate. While there may be a variety of specific purposes and research questions, the general objective is to develop as full an understanding of that case as possible. **[1998: 150]**

A case study is not a data collection method, but it is a research model that adopts various qualitative and quantitative methods for data collection and analysis (Bromley, 1986; Thomas, 2011). Perhaps Simons (2009) provides a comprehensible and holistic definition of the process and practice of a case study model,

> Case study is an in-depth exploration from multiple perspectives of the complexity and uniqueness of a particular project, policy, institution, programme or system in a 'real life' context. It is research-based, inclusive of different methods and is evidence-led. The primary purpose is to generate in-depth understanding of a specific topic (as in a thesis), programme, policy, institution or system to generate knowledge and/or inform policy development, professional practice and civil or community action. **[Simons, 2009: 21]**

There are many types of case studies (Merriam, 1988; Stake, 1995; Bassey, 1999; de Vaus, 2001; Mitchel, 2006; Yin, 2014), which have been simplified and categorised in stages by Thomas (2011). Thomas (2011) explains that the purpose, approach, and process must be determined to map out the case study model's design. These stages are all interlinked; the researcher should explain how each stage is connected (ibid).

The types of case studies available are *intrinsic*, *instrumental*, *collective*, *evaluative*, *explanatory* and *exploratory* (Merriam, 1988; Stake, 1995; Bassey, 1999; de Vaus, 2001). *An intrinsic case study* involves studying one case only. The data is utilised to explain that very case or similar cases; findings cannot be generalised nor used to build theory. *An instrumental case study* is adopted to study a social issue or refine a theory; thus, the data produced has wide implications. A *collective case study* involves several single studies inquiring into an issue, phenomenon, group or condition. *An evaluative case study* is adopted to see how well something is working. *An explanatory case study* is used to explain a case. Finally, an

exploratory case study is used by a researcher to explore a problem that perplexes them, which requires further investigation. This research adopted an *exploratory case study* to address this research's broad aim, exploring how RJ is understood and experienced and experiences of RJ implementation in the FE sector.

Some of the approaches to a case study include testing a theory, building theory, and interpretive (Thomas, 2011). *Testing a theory* approach is where a framework is available for the phenomenon, and the researcher intends to test this framework. *Building a theory* approach is where the researcher plans to develop a brand-new theory, framework or model. The *interpretive* approach is adopted to answer questions that require in-depth understanding. This study adopted an *interpretive* approach, an ideal method for meeting the research aim and answering the research questions.

Finally, a case study can be employed either as a single case study or multiple case studies (Thomas, 2011). A single case study, or the *intrinsic* case study, can take the following form: *retrospective, snapshot* and *diachronic* (ibid). The *retrospective* study involves collecting data regarding past phenomena, situations or events, which looks at documents and archival records. *Snapshot* study consists of a case being researched into a period, such as a month, week, day or an hour. On the other hand, a *diachronic* study shows change over time, '*it is different from sequential study in that it is not two or more studies in sequence one after another, but one that reveals differences as it, itself, proceeds*' (Thomas, 2011: 149). The multiple case study or the *collective* case study can take a *parallel* or *sequential* form (ibid). In the parallel case studies, the cases are being studied at the same time. In the sequential case studies, the cases are examined one after the other; this is because '*there is an assumption that what has happened in one or in an intervening period will in some way affect the next*' (Thomas, 2011: 155-156). This study took the form of an intrinsic snapshot case study of a FE institution, Restorative College. The understanding and experiences of RJ during the academic year 2018/2019 were explored.

One of the main criticisms of a case study is that it cannot be replicated. The characteristics are seen as units rather than developing theory or broader generalisation (Gomm and Hammersley, 2000; Blaikie, 2000). It is argued that case studies cannot be replicated because researchers immerse themselves into the case study model research itself; thus, cases are unique (Blaikie, 2000). This study is not attempting to generalise but to provide an insight into how RJ is understood and experienced in the FE sector.

A case study model was ideal for exploring RJ's understanding and experiences in the FE sector due to the research questions focusing on 'what' and 'how' questions. Exploring the mentioned themes meant the model took the form of an *exploratory* case study. The approach that the case study model took was *interpretive*. The study answered questions that required an understanding and explored experiences of the participant's perceptions of the social world they live in (Hennink et al., 2011; Sarantakos, 2013). Finally, the case study model was a single or intrinsic snapshot. It was challenging to recruit multiple case studies due to the scarcity of FE institutions adopting RJ as a behaviour policy that was more than a reactive approach – as explained above. Most institutions implemented RJ as a reactive approach, with only a few staff trained to deliver its practices. The case study model period (*snapshot*) was during the academic year 2018/2019. Multiple visits were made to the institution to carry out document analysis, unstructured observations, semi-structured interviews and semi-structured focus groups.

The following section will introduce the case study (Restorative College), other research sites, and the data collection methods. The participants who were part of the case study model will be introduced when the methods used to collect data are discussed. Whereas the participants from the other research sites who partook in this study will be presented during the introduction of their respective institution because the only method used to collect data was semi-structured interviews. Again, to reiterate, the names used for the participants are pseudonyms.

Introduction to the Case Study – Restorative College

Restorative College is an FE institution with six campuses, serves over 16,000 students every year, and is located in West Yorkshire (WY). This institution provides provisions for 16-18-year-olds and 19+ students, provides Higher Education and Higher Skills provisions and Apprenticeships. In addition, the institution offers arrangements and courses for students with SEND. In the academic year 2017/2018, the institution committed itself to becoming a 'restorative' institution; thus, the academic year was invested in training all staff. Initially, senior members of the 'Safeguarding and Behaviour' team received three-day external training, who then provided in-house training for all staff in the institution. The trainers provided copies of training materials and resources to the institution, readily available for staff to access. From the beginning of the academic year 2018/2019, the RJ policy was fully implemented as part of the behaviour policy. This was the first year of practice as a whole-school approach. All staff were given copies of the behaviour policy and a quick guide to restorative practices. All documents used as part of the analysis are illustrated in table 10. Restorative College was

visited several times during the academic year 2018/2019 to collect data. Semi-structured interviews, focus groups, and unstructured observations of a meeting and training were pre-booked at the institution's convenience. Stage 2 of the data collection process, part of the case study model (see figure 8), took place between September 2018 and December 2018. Stage 3 of the data collection process, part of the case study model, occurred between January 2019 and May 2019. The institution's implementation time frame is provided in table 3 below.

Year 1 – 2017/2018	Year 2 – 2018/2019	Year 3 – 2019/2020	Year 3 – 2019/2020
• The implementation team identified and recruited • Vision and strategy agreed and positively and widely promoted • Senior Staff and Managers of Safeguarding and Behaviour Team undertake restorative practitioner training • Commence internal training by senior staff and managers of the Safeguarding and Behaviour Team.	• Restorative Panels fully operational • The institution becomes a member of the Restorative Justice Council • Embed restorative practice ethos in the institution's values and policies • Restorative practice promoted across College via a variety of means, i.e. staff and students' bodies, including induction	• Report impact to Senior Leadership Team • Communication of vision and values continues • Human Resources (HR) policies updated to include restorative practice	• Report impact to Senior Leadership Team • The institution established as a fully restorative organisation with a maintenance action plan • Apply for 'Restorative Practice Quality Mark'.

Table 3: Case Study's RJ Behaviour Policy Implementation Plan

Introduction to the Research Sites

We will now discuss the other research sites where semi-structured interviews with participants were held between April 2018 and May 2019.

Pupil Referral Unit (PRU)

This PRU is located in London and has four centres. Students enrol at various points during their secondary schooling – usually due to their previous school placement breaking down through ill-health, behaviour issues or other difficulties. This institution serves up to 200 students, either on an individualised or reduced teaching timetable to meet their needs. Its institution employs RJ as a reactive approach. Semi-structured interviews were held with two staff members who were part of the SLT (senior leadership team); see table 4.

Research Site	Pupil Referral Unit (PRU)	
Total Number of Semi-Structured Interviews	**2**	
	Name (Pseudonym)	**Role**
	Aroon	Assistant Head (SLT)
	Anna	Deputy Head (SLT)

Table 4: Participants from PRU

Sixth Form – Special School

This Sixth Form – Special School is located in North London, which serves approximately 170 students aged between 11 and 19 with learning, emotional, behavioural, autistic, communication, medical, physical, sensory and social needs. The institution employs RJ as a reactive approach. Semi-structured interviews were held with four staff members, three SLT staff members and a teaching assistant (see table 5).

Research Site	Sixth Form – Special School	
Total Number of Semi-Structured Interviews	**4**	
	Name (Pseudonym)	**Role**
	Damian	Assistant Head (SLT)
	Ethan	Head of Department (SLT)
	Thomas	Deputy Head Department (SLT)
	Olga	Teacher's Assistant

Table 5: Participants from Sixth Form – Special School

Further Education College – North London (NL1)

This Further Education College is located in North London (NL); the institution underwent a merger during the data collection process. The institution provides provisions for 14-18-year-olds, 19+ students and Apprenticeships. In addition, it provides arrangements and courses for students with SEND. This institution serves up to 9,000 students and employs RJ as a reactive approach. A semi-structured interview was held with a Safeguarding and Behaviour Officer; see table 6.

Research Site	FE College – NL1	
Total Number of Semi-Structured Interviews	**1**	
	Name (Pseudonym)	**Role**
	Musa	Safeguarding and Behaviour Officer

Table 6: Participants from FE College – NL1

Further Education College – South-East London (SEL)

This Further Education College is located in South-East London (SEL), serves up to 13,000 students and has two campuses. During the data collection process, the institution was in consultation for its second merger. It provides provisions for 16-18-year-olds and 19+ students,

provides Higher Education and Higher Skills provisions and Apprenticeships. In addition, the institution provides arrangements and courses for students with SEND. This institution employs RJ as a reactive approach. Semi-structured interviews were held with three staff members; two Safeguarding and Behaviour Officers and an SLT member; see table 7.

Research Site	**FE College – SEL**	
Total Number of Semi-Structured Interviews	**3**	
	Name (Pseudonym)	**Role**
	Oliver	Safeguarding and Behaviour Manager
	Rose	Safeguarding and Behaviour Officer
	Megan	Head of Department (SLT)

Table 7: Participants from FE College – SEL

Further Education College – North London (NL2)

This Further Education College is located in North London (NL), consisting of five campuses. It provides provisions for 16-18-year-olds and 19+ students, provides Higher Education and Higher Skills provisions and Apprenticeships. In addition, the institution offers arrangements and courses for students with SEND. It serves up to 16,000 students each year. The institution introduced RJ in one department in the academic year 2017/2018, although RJ was not part of the behaviour policy. The department head was externally trained to facilitate RJ practices, providing internal training for the department's staff to enable RJ. Semi-structured interviews were held with five staff members, SLT staff, and four teachers; see table 8.

Research Site	**FE College – NL2**	
Total Number of Semi-Structured Interviews	**5**	
	Name (Pseudonym)	**Role**
	Lily	Head of Department (SLT)
	Monika	Teacher
	Ayodele	Teacher
	Sophie	Teacher
	Linda	Teacher

Table 8: Participants from FE College – NL2

Further Education College – West Midlands (WM)

This Further Education College is located in the West Midlands (WM), consisting of three campuses. It provides provisions for 16-18-year-olds and 19+ students, provides Higher Education and Higher Skills provisions and Apprenticeships. In addition, the institution provides arrangements and courses for students with SEND. It serves up to 27,000 students each year. The institution introduced RJ in the academic year 2017/2018 as part of its behaviour

policy. The Safeguarding and Behaviour managers were externally trained to facilitate RJ, who then provided internal training for some of the staff to become facilitators. Semi-structured interviews were held with five staff members; two Safeguarding and Behaviour Managers, one teacher, and two tutors (see table 9). Unfortunately, this institution could not offer permission to participate in the case study due to anticipated management changes.

Research Site	**FE College – WM**	
Total Number of Semi-Structured Interviews	**5**	
	Name (Pseudonym)	**Role**
	Susan	Safeguarding and Behaviour Manager
	Rhys	Safeguarding and Behaviour Manager
	Charlie	Teacher
	Tanya	Tutor
	Tracy	Tutor

Table 9: Participants from FE College – WM

Mixed Qualitative Research Methods

Document Analysis

Document analysis is where documents are interpreted by the researcher (Sarantakos, 2013). Documents are a crucial part of any data collection process, including a case study, which can take many forms (Yin, 2014). As part of stage 1 of the data collection process (see figure 8), 60 behaviour policies of various FE institutions were analysed, which were readily available on their websites. Further, part of stage 2 of the data collection process and the internal documents of Restorative College, such as behavioural policies and procedures and RJ policies and procedures, were assessed. Table 10 below provides an extensive list of all the documents analysed as part of this study.

Documents Analysis		
Stage of the Data Collection Process	**Document Type**	**Total**
Stage 1	FE Colleges' Behaviour Policies	60
Stage 2 - Case Study	Discipline Statistics (2017/2018)	1
	Positive Behaviour – Embedding Restorative Practice, Initial Research and Draft Strategy 2018-2021 (PBDS)	1
	Positive Behaviour Policy	1
	Quick Guide to Restorative Justice Practice (QGRJP)	1
	Training Material: PPT Slides	1
	Training Material: Restorative Justice Practice Models	1
	Restorative Practice Case File	2

Table 10: Documents Analysed

Unstructured Observations

In research, observations take the form of gathering data through vision (Sarantakos, 2013; Yin, 2014). Observations can either take the form of *non-participant* or *participant* observation (ibid). As a non-participant observer, the researcher observes from the 'outside'; their position and role are clearly defined and separate from the observed subjects (ibid). The researcher observes from the 'inside' of the group they wish to study (ibid).

Observations can be *structured*, *unstructured* and *semi-structured*. Structured observations involve formal and strict procedures with set observation categories (Sarantakos, 2013; Yin, 2014). Quantitative researchers usually employ structured observations because they use rigid designs, focus on aspects of the setting, and study predominantly small groups (ibid). Unstructured observations involve minor organisation, and the process is left to the observer (ibid). Qualitative researchers usually employ unstructured observations because they use a flexible design, focus on the whole setting, study small and large groups, and are unobtrusive (ibid). Semi-structured observations are between structured and unstructured observations. It can be structured but unstructured in its setting; this observation is prevalent in social research (ibid). Semi-structured observation shares limitations and positives of structured and unstructured observation (ibid).

The significant limitations of participant observation are: the researcher is less likely to work as an external observer and compromise on their role or position; observer may follow a common phenomenon or become a supporter of the group; the role of the observer may become overwhelming, or require too much attention, thus may not have enough time to take quality notes, or ask questions; and finally, the observer may not have the prerogative of being in the right place at the right time or participate in key events (Yin 2014).

For this research, un-structured and non-participant observation was adopted as part of the case study model at stage 2 of the data collection process (see figure 8)—two observations we conducted. One was an RJ staff meeting, which took place on 06 November 2018, consisting of 15 staff; the meeting was hour-long. The second observation was a staff training on 06 December 2018, 1.5 hours long, and 25 staff members present.

The unstructured observations allowed the researcher to observe one staff meeting and one training session, which provided an insight into how RJ is understood and experienced. During the observations, detailed and accurate notes were recorded on what happened and said during

these meetings (ibid). Unfortunately, for safeguarding reasons, Restorative College could not authorise observing RJ conferences.

Semi-Structured Interviews

Interviews are a popular data collection method (Sarantakos, 2013), especially in case studies (Thomas, 2011; Yin, 2014). *Structured interviews* involve structured and strict questions presented to the participant, recorded by the interviewer. The response categories are fixed and prescriptive; this diminishes interviewer bias and promotes objectivity, thus predominantly adopted by quantitative researchers (ibid). *Un-structured interviews* involve un-structured and open-ended questions; with the benefit of flexibility, the interviewer can change the wording and order of the questions or formulate new questions and probing; this type of interview is predominantly adopted by qualitative researchers (ibid). *Semi-structured interviews* sit in between the two interviews as mentioned above and contain characteristics of both styles, but this depends on the research topic, objective, purpose, methodological standards, preferences and type of information sought (ibid). Reflexivity is paramount in the qualitative interview, and the researcher is required to reflect on their subjective perspective of the world (ibid). For this research, semi-structured interviews were arranged with participants at their convenience. Open-ended interviews provide a relaxed atmosphere and eliminate rigidity in answers (Fearfull, 2003). Semi-structured interviews enable the researcher to possess an interview schedule. Still, the researcher has the prerogative to deviate from the schedule, probe, ask further questions or go through the schedule in a different order if necessary (Bryman, 2008).

The rationale behind only utilising semi-structured interviews for staff, rather than adopting focus groups, was to minimise inconvenience for the participants and the institution. Staff, teachers/lecturers within the education sector are extremely busy during term-time, and their timetables differ. Attempting to bring a group of teaching staff together during term-time would be near impossible. Asking staff to give up their time outside their teaching timetable during term-time is an inconvenient request, especially for teaching staff, who usually spend that time preparing lessons, marking work, or dealing with other teaching or behaviour-related issues. Asking staff to participate during their holidays/outside the term-time is a complex request to offer, and also, it was highly likely that such proposals would be declined. Using semi-structured interviews was ideal, suitable and convenient, as a request could be made for an appropriate day and time for a conversation. If cancelled, rebooking another convenient time was always an option. Semi-structured interviews were adopted as part of the case study model. In addition to the 20 participants interviews at stage 1 (see ‘Introduction to the Research Sites’);

further, ten semi-structured interviews were held with participants from the Restorative College, who were re-interviewed at stage 3, except for one participant, Jessica, who had left the institution when stage 3 was conducted.

Research Site	**CASE STUDY: Restorative College**	
Stage	**2**	
Total Number of Semi-Structured Interviews	**10**	
	Name (Pseudonyms)	**Role**
	Sophia	Head of Department (SLT)
	Jack	Safeguarding Manager
	Jennifer	General Manager
	Mary	General Manager
	Isla	Safeguarding and Behaviour Officer
	Jessica	Safeguarding and Behaviour Officer
	Maggie	Teacher
	Bethany	Teacher
	Mia	Teacher
	Ava	Teacher

Table 11: Staff Participants - Restorative College (stage 2)

Research Site	CASE STUDY: Restorative College	
Stage	3	
Total Number of Semi-Structured Interviews	9	
	Name (Pseudonyms)	Role
	Sophia	Head of Department (SLT)
	Jack	Safeguarding Manager
	Jennifer	General Manager
	Mary	General Manager
	Isla	Safeguarding and Behaviour Officer
	Maggie	Teacher
	Bethany	Teacher
	Mia	Teacher
	Ava	Teacher

Table 12: Staff Participants - Restorative College (stage 3)

Mason (1996) argues that interviews are interactional where the opportunity arises for knowledge and evidence to be exchanged or emerge. Thus, a comprehensive interview schedule was designed covering critical areas with the opportunity to probe the participants. As explained earlier, these questions were adapted and modified from Stockdale's (2015b) research as the inquiry was similar but within different sectors. Like Stockdale (2015b), two separate interview schedules were used (see Appendices 3 and 4), one for the management team and one for general staff. The main difference between the two was that the schedule for the SLT and general managers asked more specific questions about implementation, logistics and costs, as they were privy to such information. The schedules reflected the research aim and questions. The interview schedules were reviewed by PhD supervisors and the Transfer Panel during the Transfer stage from MPhil to PhD. Recommendations were made by PhD supervisors and the Transfer Panel, which were taken on board. Table 13 below provides a breakdown of participants in specific roles and the total number of participants interviewed.

Roles	Total Participants
Members of SLT	8
Safeguarding and Behaviour Managers	4
General Managers	2
Safeguarding and Behaviour Officers	4
Teachers	9
Other staff	3
	***Total*:** 30

Table 13: Breakdown of Staff Roles

Focus Groups

The purpose of focus groups is to facilitate discussions between the participants (Thomas, 2011). Focus groups were used for students only. Focus groups enabled the researcher to recruit and assemble a group of participants (Yin, 2014) and trigger discussions amongst the participants attempting to draw out their views and opinions (Barbour and Kitzinger, 1999; Krueger and Casey, 2009). An advantage of focus groups is to observe how participants interact with each other and their views and bring topical issues to the forefront of the discussion (Morgan, 1998; Culley et al., 2007). Such conversations trigger other group members to contribute and participate in the discussion, allowing for a fruitful and in-depth analysis; thus, an understanding and perception of the group is gained (Waterton and Wynne, 1999; Barbour and Kitzinger, 1999; Bloor, 2001). Therefore, using focus groups for students was ideal to ensure and trigger participation, contribution, and discussion; interviews may have limited such opportunities primarily amongst the unconfident students.

The researcher's teaching background helped ensure inclusivity amongst the participant and incite, regulate and develop the discussions. Using focus groups for students had a logistical purpose; arranging individual student interviews would have meant disrupting their learning, and it would have been iniquitous to ask students to be available outside their timetable. It was uncomplicated and accessible to arrange a time with teachers at their convenience to hold a focus group with a class randomly at stage 2 (see figure 8) of the data collection process, and then return to hold the same focus group at stage 3 (see figure 8). On the other hand, using focus groups for teachers would have been impossible logistically; bringing teachers and other staff together at an educational establishment during term time is a mammoth task, as explained earlier.

A comprehensive focus group schedule was designed (see Appendix 6), covering critical areas with the opportunity to probe the participants. As explained earlier, this schedule was adopted and modified from Stockdale's (2015b) research as the inquiry was similar but within different sectors. The schedule was reviewed by PhD supervisors and the Transfer Panel during the Transfer stage from MPhil to PhD. Recommendations were made by PhD supervisors and the Transfer Panel, which were taken on board.

Research Site	**CASE STUDY: FE College – WY**
Stage	**2**
Total Number of Semi-Structured Focus Groups	**3**
Focus Group	**1**
Total Members: 6	**Name (Pseudonyms)**
	Connor
	Hakim
	Elsa
	Jade
	Noah
	Hamza
Focus Group	**2**
Total Members: 5	**Name (Pseudonyms)**
	Charlotte
	Joe
	James
	Kevin
	Freddy
Focus Group	**3**
Total Members: 5	**Name (Pseudonyms)**
	Saffiyah
	Fozia
	Madison
	Kay
	Saarah

Table 14: Student Participants - Restorative College (Focus Groups, stage 2)

Research Site	**CASE STUDY: FE College – WY**
Stage	**3**
Total Number of Semi-Structured Focus Groups	**3**
Focus Group	**1**
Total Members: 6	**Name (Pseudonyms)**
	Connor
	Hakim
	Elsa
	Jade
	Noah
	Hamza
Focus Group	**2**
Total Members: 5	**Name (Pseudonyms)**
	Charlotte
	Joe
	James
	Kevin
	Freddy
Focus Group	**3**
Total Members: 5	**Name (Pseudonyms)**
	Saffiyah
	Fozia
	Madison
	Kay
	Saarah

Table 15: Student Participants - Restorative College (Focus Groups, stage 3)

Sampling

Thomas (2011) argues that the sampling strategies available in research methodology are irrelevant in a case study. The purpose of a case study is not to find a sample that reflects the whole (ibid). When a case study is adopted, the researcher selects participants to represent a broader population, which is vital for the case study model (ibid). Thomas' (2011) perception of sampling within a case study falls under purposive sampling. Silverman states,

> Purposive sampling allows us to choose a case because it illustrates some feature or process in which we are interested…Purposive sampling demands that we think critically about the parameters of the population we are studying and choose our sample case carefully on this basis. **[2010: 141]**

Theoretical and purposive sampling is argued to be synonyms. The only distinction between the two is when purposive sampling is not driven theoretically (Silverman, 2010). Mason argues,

> Theoretical sampling means selecting groups or categories to study on the basis of their relevance to your research questions, your theoretical position…and most importantly the

> explanation or account which you are developing. Theoretical sampling is concerned with constructing a sample…which is meaningful theoretically, because it builds in certain characteristics or criteria which help to develop and test your theory and explanation. **[1996: 93-94]**

When choosing cases in terms of theoretical sampling, the researcher may be required to make choices regarding *setting*, *elements*, *processes*, and *generalising* (Silverman, 2010). In unfunded research such as this one, research settings or sites are selected depending on accessibility, cost and the availability of rich data (ibid). This study purposively selected research sites and participants who fell within the aim of this research and were accessible from London. Participants included the Assistant Principal, the SLT, RJ facilitators, Pastoral Team, teaching staff, other staff members, and students. These participants were chosen as they reflected the broader population of the institution's community, thus gaining a wide range of views, expertise, and RJ experience. Table 16 illustrates the research methods that were employed to answer the research questions.

Research Question	Research Method	Participants
Research Question 1: What are the organisational and individual understandings of restorative justice: how is 'restorative justice' defined and understood by staff and students in Further Education institutions?	Document Analysis	Institution's policy and other documents
	Semi-structured Interviews	Assistant Principal, RJ Facilitators, Safeguarding Managers, Safeguarding and Behaviour Officers, SLT, General Managers Teaching and other staff
	Focus Groups	Case study and students only
	Un-structured Observations	RJ meeting and training
Research Question 2: What are the constraints and limitations when implementing restorative justice policy in Further Education institutions?	Semi-structured Interviews	Assistant Principal, RJ Facilitators, Safeguarding Managers, Safeguarding and Behaviour Officers, SLT, General Managers Teaching and other staff
	Focus Groups	Case study and students only
	Un-structured Observations	RJ meeting and training
Research Question 3: What were the key opportunities with regards to successful restorative justice policy implementation in Further Education institutions?	Semi-structured Interviews	Assistant Principal, RJ Facilitators, Safeguarding Managers, Safeguarding and Behaviour Officers, SLT, General Managers Teaching and other staff
	Focus Groups	Case study and students only
	Un-structured Observations	RJ meeting and training

Table 16: Research methods employed to answer the research questions

Ethics

It was paramount that ethical issues were considered (Berg, 2001; Creswell, 2014). Accordingly, the British Sociological Association (BSA) and the Statement of Ethical Practice (2002; 2017) strictly adhered. In addition, ethical approval from the Middlesex University School of Law Ethics Committee was sought before the data collection commenced.

It was fundamental that the research participants were protected. The researcher developed trust, promoted the research integrity, guarded against misconduct and impropriety, which might reflect against the institution and the researcher, and coped with new and challenging problems (Israel and Hay, 2006). To ensure a good rapport was developed. The researcher introduced himself and his background. Ethical approval forms and processes were fully disclosed. All prospective participants were contacted in writing, inviting them to participate in the study and explain its purpose. Willing participants were required to sign a consent form (see Appendices 1 and 2). All participants were given a copy of the consent form, which included the researcher's contact details, description of the study, their role and their right to withdraw at any time (British Education Research Association, 2004) (see Appendices 1 and 2). Participants were explicitly informed of the study's purpose and did not have to sign the consent form and participate (Creswell, 2014; BSA, 2017).

During data collection and analysis, participants were treated equally. Participants were not deceived, nor did the researcher side with any participants. The researcher avoided disclosing positive results and ensured that the participants' privacy and anonymity were respected (Creswell, 2014; BSA, 2017). The researcher disclosed to the participants how the data would be used, reported multiple perspectives, reported contrary findings and assigned pseudonyms (Standing et al., 2012; Creswell, 2014).

Reliability, Validity, Reflexivity and Positionality

Reliability and validity expectations are debatable (Thomas, 2011), and the discourse on subjectivity and objectivity is ongoing in methodological literature (Blaikie, 2000). Reliability is referred to as accurate data to the extent that the same data can be produced separately and under different circumstances (ibid). Thomas' opinion is that,

> In a case study, where there is one case, expectations about reliability drop away…because, with just one case, there can be no assumption from the outset that, if the inquiry were to be repeated by different people at a different time, similar findings would result. **[2011: 63]**

Thomas' (2011) views on validity are similar to reliability. '*Validity is about the extent to which a piece of research is finding out what the researcher intends it to find out*' (ibid: 63). Validity becomes problematic in a case study because it is impossible to determine what the research findings will produce or reveal exactly (ibid).

However, it is vital to note that a degree of reliability and accuracy must be maintained, especially in qualitative research. It is argued that 'triangulation' can achieve this to an extent (Blaikie, 2000; Knight, 2002; Yin, 2014). From a case study perspective, triangulation is referred to as investigating the case by utilising mixed methods (Yin, 2014) rather than using a single method, thus looking from '*different angles and vantage points*' (Thomas, 2011: 68). Document analysis, semi-structured interviews, semi-structured focus groups, and unstructured observations should support reliability and validity for this study. Twenty further interviews were conducted with participants, and behaviour policies were analysed outside of the case study model. Also, it is submitted that this research and its findings are reliable because they corroborate with other research and findings in the literature, as evidenced in chapters six, seven and eight. As discussed, the importance of subjectivity or objectivity depends on the ontological and epistemological stance adopted. In this instance, selecting a case study and qualitative mixed methods approach, subjectivity to a degree is expected; complete objectivity would be impossible to achieve.

The concept of reflexivity is supported in keeping objectivity in check. In qualitative research, reflexivity is referred to the researcher reflecting on how their role, personal background, culture and experiences impact the meaning ascribed to the data collected (Creswell, 2014). When collecting data, the relationship created with research participants can lead the researcher to unknowingly influence the participants and the inquiry line (Yin, 2014). Overcoming such threats can be difficult, but awareness should minimise such risk (ibid). Furthermore, reflexivity requires the researcher to recognise their positionality and challenges (Attia and Edge, 2017). Thus, it was paramount for the researcher to reflect on their sex, ethnicity, class, social status; and knowledge in criminal law, criminology and the education system (Mendez, 2021).

In this study, the researcher was aware of participants' conversational nature in the interviews and focus groups, influencing the participants (Yin, 2014). The length of interviews and focus groups pose reflexive threats; prolonged discussions may create a relationship between the researcher and the participants. On the other hand, short interviews may achieve the opposite;

there is no solution to this issue, but essential for the researcher to be mindful (ibid). In mindfulness of the researcher and participants' relationship, the researcher created an atmosphere where participants felt comfortable and free to share their opinions and ideas. Besides, probes and *how* and *why* questions were used to direct the discussions to explore and investigate further, thus enabling the researcher to abstain from interjecting personal opinions. The researcher also refrained from correcting participants ideas with his knowledge and understanding. For instance, the researcher did not correct Musa (FE College, NL1) when he misconstrued a critical RJ theory (see chapter six). Thus, participants' understanding, views and opinions are presented objectively by *'maintaining a critical distance'* (Mendez, 2021: 5). Further, employing a *constant comparative method* (see the following section in this chapter) supported to achieve objectivity and a critical distance. Interviews and focus groups were not unnecessarily prolonged nor precipitous; participants from the interviews and focus groups were given time to answer the questions and move on at their own pace.

Being a British Bangladeshi Muslim working-class male and a PhD student raised the questions of whether the researcher would be taken seriously and whether the social background would be a barrier to progress in this study. However, during fieldwork, being a law teacher for almost eight years in the FE sector helped overcome such obstacles as it *'conveys an insider privilege*' (Shaw et al., 2020: 280). Insider researchers identify themselves and feel that they belong to the researched group as they understand the institutions' politics and know how to communicate and approach the participants (Breen, 2007; Smith and Holian, 2008). Whilst the outsider researchers do not belong to the group being researched (Breen, 2007). Consequently, the researcher, demonstrating expertise and knowledge, was valued by participants, contacts and other stakeholders (Ryan et al., 2011). Furthermore, being a teacher in the FE sector meant that the researcher understood the system, thus considering organisational needs and the needs of the staff and participants when planning and conducting the data collection process, as mentioned above in this chapter. This insider positionality helped the researcher to navigate himself through this study and ensure that the research aim, and questions were answered.

Data Analysis Strategy and Process

An interpretive inquirer studies the meanings constructed by social actors to understand the social world; thus, the ideal tool to adopt in analysing data for this research was the *constant comparative method*, developed by Glaser and Strauss (1967). For Thomas (2011), the *constant comparative method* is the primary method of an interpretive inquirer. It stipulates that the

basic principle governing this analytical method is that the researcher immerses with the themes that capture or summarise the essence of the data. This study utilised a case study model for stages 2 and 3 for the data collection process. Then data from stages 2 and 3 were compared to explore how understanding and experiences had developed. Therefore, adopting the *constant comparative method* was quintessential, consisting of continually going through the data and comparing phrases, sentences and paragraphs. Furthermore, the *constant comparative method* enabled the researcher to compare the constructs emerging from the data in and outside the case study model and the data as a whole (see figure 9 below). Such an approach granted this study a holistic insight into the understanding and experiences of RJ in FE. Table 16 demonstrates the steps of the *constant comparative analysis* method adopted for this study, and figure 9 reflects the process of analysing the data collected for this research.

A computer-assisted *qualitative data analysis software* (QDAS), NVivo, could have been used to assist the researcher with the *constant comparative method*. However, this software is an assisted tool to support the researcher in the analysis. The analysis will not be done for the researcher; the researcher will still need to study the outputs and determine whether any meaningful patterns are emerging (Leech and Onwuegbuzie, 2011; Bazeley and Jackson, 2013; Creswell, 2014; Yin, 2015). The advantage of using NVivo is that it helps the researcher *manage data* (Bazeley and Jackson, 2013; Creswell, 2014), mainly studies with substantial data (Wiltshier, 2011; Leech and Onwuegbuzie, 2011). However, many researchers and scholars raise several concerns about using QDAS. A primary concern of utilising QDAS is that computers can distance researchers from their data. Others argue that it gives too much closeness that the researcher becomes entrapped in coding (Gilbert, 2002; Johnston, 2006; Bazeley and Jackson, 2013). Due to this study's nature and the size of the data, a set of highlighters and Microsoft Word was appropriate and sufficient for the *constant comparative method* activity illustrated in table 17 (Thomas, 2011). In this instance, QDAS was irrelevant. The stance taken here is that relying too much on QDAS and computers created distance between the researcher and the data. As a personal experience, printing data on paper, the feel of paper, using highlighters and highlighting, manually recording emerging themes and construct made the whole analysis process and experience rejuvenating. In modern times individuals spend too much time in front of contraptions, steering away from QDAS provided an opportunity to withdraw from the computer and analyse the data with fresh lenses.

Process	Activity	Description
1.	**Data Collection**	Preliminary data analysis commenced during this stage
2.	**Transcription**	The researcher immersed with the data and started to create temporary constructs
3.	**Analysis: *Step 1***	Listened to interviews; read the interviews and focus groups transcripts; read notes on behaviour policies, un-structured observations; created important ideas or temporary constructs
4.	**Analysis: *Step 2***	Read through the data again alongside the temporary constructs, removed constructs or added new ones (second-order constructs), this enabled the researcher to summarise essential themes from the data
5.	**Analysis: *Step 3***	Went through the constructs again, refined them; once the researcher was happy that the constructs captured the essence of the data, they formed the final themes
6.	**Analysis: *Step 4***	The researcher reflected on the themes: *How do they connect? What matches with what? Are there unanimous areas of agreement? Are there any contradictions or paradoxes?*
7.	**Mapping Themes**	Mapped the themes and quality quotations from the data to be used to support these themes

Table 17: Constant Comparative Data Analysis Method (Thomas (2011: 172))

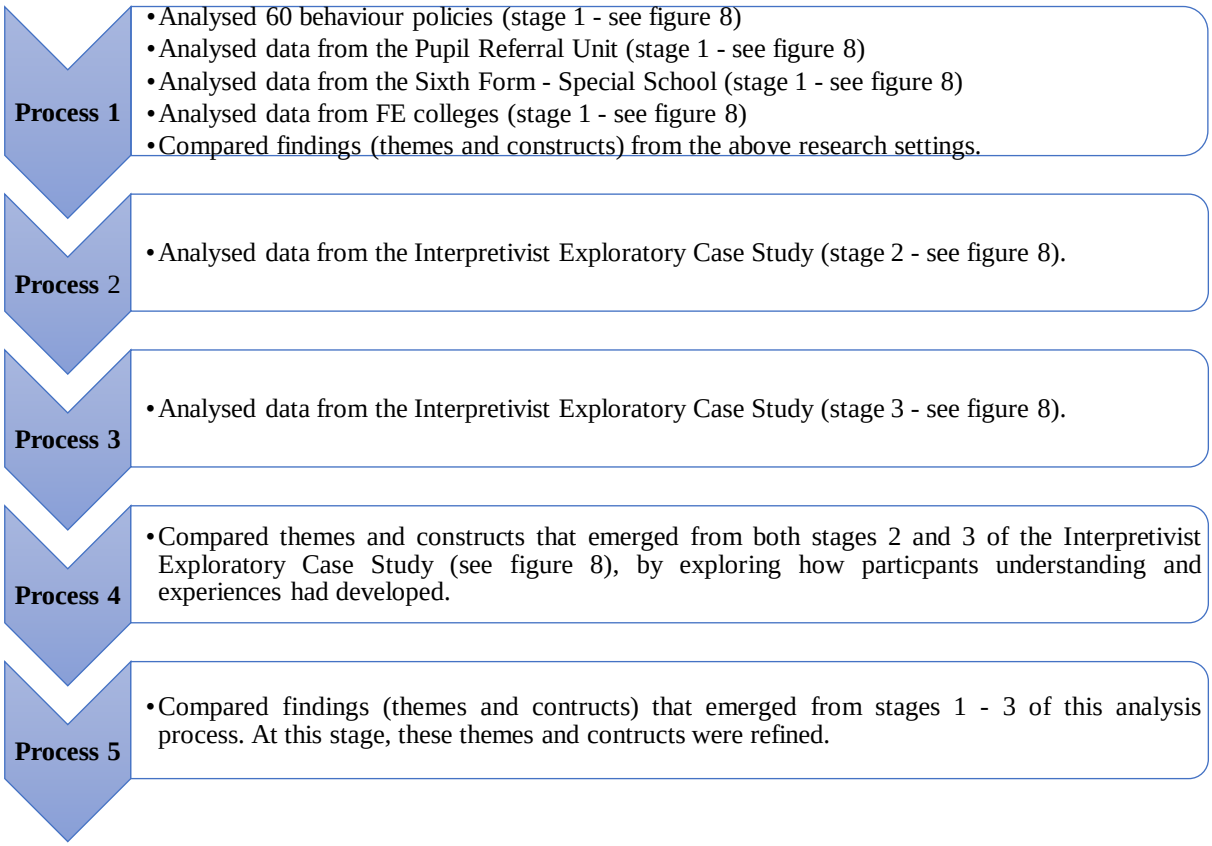


Figure 9: Process of Analysing the Data

Conclusion

This thesis argues that literature on RJ's understanding and experiences in the FE sector is lacking. It is submitted that the ideal research starting point was to explore staff and students understanding of RJ and staff experiences of RJ practices and processes, and staff's experiences of RJ implementation. Therefore, an interpretivist exploratory case study design framework and mixed qualitative methods were used. Twenty semi-structured interviews with staff members from a PRU, a Sixth Form - Special School and five FE colleges were held. Sixty FE colleges' behaviour policies were analysed. The case study model included: analysis of documents and RJ cases, ten semi-structured interviews with staff members, three focus groups with students, and unstructured observations of meetings and training concerning RJ. The purposive sampling technique was used to identify participants for semi-structured interviews and focus groups. A constant comparative method was utilised to analyse all data. Therefore, this study provides an insight into how RJ is understood and experienced in FE. Findings from this research are relevant and will support FE institutions, their staff, and the *Df*E when institutions anticipate implementing or advising institutions on RJ as a behaviour policy.

CHAPTER FIVE: *Institutions' Understanding of Restorative Justice (Part I) – An Emergence from Documents*

> Restorative practice can't be the only tool in your toolbox when dealing with behaviour because behaviours present themselves over such a wide range of issues. I think it would be very foolish to take the disciplinary process away; I would never consider it. It protects us, and it protects the student. **[Sophia, Stage 2, Restorative College]**

Introduction

In chapter one, it was established that FE colleges enrol students who are of compulsory school age, adults, as well as students who are permanently excluded from schools, PRUs, Special Schools (Cullum, 2003; Attwood et al., 2004; Pirrie et al., 2011; Solomon and Thomas, 2013), and SEBD/SEN/SEND students (Mancab et al., 2008). Thus, the FE sector encompasses a very dynamic, diverse and complex environment. There is little guidance, support, or resources from the government for FE institutions to rely upon; consequently, these institutions seek help from other sectors. A primary impediment of relying upon support from different sectors is that the FE sector is very diverse and complex, as established, and students from other sectors are excluded due to behavioural and other challenges, which are then enrolled in a FE institution, which seems to be an oxymoron to rely on institutions from these sectors for support who could not manage students demonstrating challenges themselves. It should be noted that it is their last opportunity at education for most students in institutions represented in this study. As mentioned earlier, students attend these institutions for various reasons, one of which is being excluded from mainstream school. Thus, while the exclusion tool is at all educational institutions' disposal, FE institutions attracting such a demographic of students should always first seek alternatives to behavioural challenges. Therefore, specific research focuses are essential on behaviour, exclusion, RJ practices and implementation in the FE sector.

Chapter one illustrated that schools face many behavioural and other challenges, which are argued to exist in the FE sector, although research and literature are lacking. This chapter will focus on some of these challenges that emerged from this research, which will enable us to acknowledge the rationale of adopting an RJ policy. Further, we will explore other explanations for employing an RJ behaviour policy from the Restorative College's perspective, particularly relying on its *'Positive Behaviour – Embedding Restorative Practice, Initial Research and Draft Strategy 2018-201'* (PBDS). The chapter will then focus on the structure, themes and constructs that emerged from examining the 60 behaviour policies and the Restorative College's behaviour policy, '*The Positive Behaviour Policy*'. Finally, by exploring and

investigating the aforementioned documents, this chapter will draw inferences on how institutions understand and position RJ practices, supported by some of the participants' perspectives from this study. Chapter six will focus on staff and students' understanding of RJ from the interviews and focus groups conducted as part of this research.

Challenges in the Further Education Sector and Rationale of Implementing a Restorative Justice Behaviour Policy

As mentioned in the introduction, chapter one explored behaviour challenges in education; we will now explore some of the experiences and challenges faced by institutions part of this research. Students' behaviour may fall within a criminal offence or ASB (Hayden, 2010), although the teachers and institutions decide how to define the act and deal with it (ibid). Chapter one highlighted many factors as to why an individual may choose to misbehave, some of which are: disaffection of school; SEBD, SEN, or SEND; and trying to test boundaries (Martin et al., 2011; also see Ofsted, 2005). Research has identified that criminal offences against staff and students, and bullying, were committed within the school premises (Aye Muang, 1995; Gill and Hernshaw, 1997; Porteous, 1998; Bhabra et al., 2006; Health and Safety Executive, 2008; Marin et al., 2008; Neil, 2008; The Teacher Support Network, 2008; Hayden, 2010). Parry and Taubman (2013) findings within the FE sector resonate with the studies mentioned above; it is essential to comprehend that the FE sector is unique. It embodies a community consisting of adults, 14-year-old students, SEBD/SEN/SEND students (Mancab et al., 2008), students who have progressed from PRUs (Parry and Taubman, 2013), and Special Schools.

This thesis's focus was not on the type of challenges faced in the FE sector; however, some rich data elucidating some of the challenges faced by staff from the institutions. Thus, data from these institutions will help us understand the difficulties experienced and the rationale for implementing an RJ behaviour policy. Therefore, it is submitted that further empirical research is necessary on behaviours and other challenges faced in the FE sector.

Institutions that encompass SEBD, SEN and SEND students means conflicts can occur daily as their needs are diverse and complex (Martin et al., 2011). Such students may have experienced trauma in their lives which contributes to students demonstrating challenges. Ethan emphasises the importance of developing skills to support students with needs when they reach adulthood. Ethan expresses,

> We've got a range of students with an intellectual disability on the autistic spectrum and have learning difficulties in various ways. We've got students who have experienced trauma and attachment issues. Consequently, you have quite a melting pot at times and like in any institution; there's likely to be conflict, there's likely to be difficulties. And their ability to understand one another and develop skills to help them manage in adult life is fundamental. **[Ethan, Sixth Form – Special School]**

Further, FE colleges' community consists of foreigners/asylum seekers fleeing war-torn countries seeking a better life in the UK; however, their experiences and trauma impact adjusting to a new life. Ayodele explains,

> We're dealing with many ESOL[14] students who have had a really tough time getting here. Many of them have had no education at all, and some have never been to school, so it's all a new environment, a new culture going into class, sitting down. A lot of them have got lots of issues. Some haven't seen their parents; they don't even know if their parents are alive. Some have come from war-torn countries so, we've got that melting pot of all these different issues. We have behavioural problems with a lot of them. **[Ayodele, FE College, NL2]**

Monika concurs with Ayodele,

> It's such a melting pot. Different people with different opinions come from diverse educational backgrounds and do not have that rigid educational background, for example, in primary schools and secondary schools. They have different experiences. **[Monika, FE College, NL2]**

The use of the phrase '*melting pot*' is intriguing, suggesting that the institutions' environment is very volatile. The contribution to this volatility is multifaceted as the environment consists of SEBD/SEN/SEND students, foreigners/asylum seekers, and students' demographic (Raynor, 2001; Munice and Hughes, 2002; The Cities Research Centre, 2002; Gray, 2005). Mary states,

> When we think about the College's context and the learners that we get, the nature of students we've got, and the kind of demographics we're pulling from, they can come from quite chaotic backgrounds. Life outside of college isn't necessarily that easy. All of that gives us some fairly challenging issues students are already coming in with. So, we can't have high expectations of them to come in and just be the, for want of a better phrase, a model student. **[Mary, Restorative College, Stage 2]**

Concurring with research cited above, institutions part of this study has disclosed that conflicts arise regularly,

> There are many daily conflicts, so physical fights, there's a lot of physical fights here, and this is a PRU. Even arguments, even things around social media. **[Aroon, Pupil Referral Unit]**

Kay, a student, states that conflicts occur daily during social time, outside of class, during lunchtime in the canteen,

[14] English for Speakers of Other Languages

> You can sit in the canteen for dinner, and there is bound to be a fight, every day, literally. **[Kay, Restorative College, Student, Stage 2, Focus Group 3]**

In contemporary times, as explained by Aroon above, technology (The Steer Committee, 2009) and social media contributes or can be the cause of conflicts,

> We've had girls that have been bullying each other on Facebook and threatening to fight physically. **[Mia, Restorative College, Stage 3]**

Conflicts can be escalated by others recording the incident and posting it on social media, which can cause re-victimisation and re-traumatisation for the parties involved,

> Last year, this girl fought with this lad. Students were videoing it, and it did get passed around on Snapchat; I think it was on Facebook, it got so many views on Instagram. **[Hakim, Restorative College, Student, Stage 2, Focus Group 1]**

There is evidence of conflicts from outside of the institution being brought into the institution (Porteous, 1998), then escalating onto social media where families are involved, as expressed by Sophia,

> A fight took place between two girls who went to school together. They fell out about a boy; they were friends, and they fought over the summer this year. The police were called, and so, both the families were then at war. And then they both turned up here, and they realised they were both at the same College and Student A launched an attack on Student B. But we weren't stopping there and weren't quits because before we could turn around, the mothers were involved. Student A's mother ran in and hit Student B. So, we had a mother hitting a student. And by this time, the sisters had got involved, and the cousins had got involved, and there was absolute vile abuse flying around on social media. **[Sophia, Restorative College, Stage 2]**

There are other recorded incidents of conflicts. For example, Appendix 7, an RJ case file, identifies an incident in Restorative College, which took place outside the library between two students. Both were amongst their friends socialising when a student (BO) brought up an incident that took place last year. BO reminded the other student (NK) that he zipped BO's fliers for him and laughed. This infuriated NK, who then lashed out at BO; NK punched BO in the face. NK's and BO's friends stopped the fight, the security guards intervened and immediately suspended the parties until the College resolved the matter. Further, Appendix 8, an RJ case file, illustrates an incident in Restorative College involving a female (Y) and a male (X). Y reported to a staff member and other students in the class that her ex-boyfriend (X) is aggressive towards her. He put an inappropriate picture of her on his social media; she takes modesty very seriously.

Students have expressed issues around gangs and violence,

> They're all into gang stuff and fighting. **[Freddy, Restorative College, Student, Stage 3, Focus Group 2]**

Issues circumambient gangs are supported by staff,

> We've seen a recent surge in fights. There's an increase in gang culture, which does spill over here. **[Jack, Restorative College, Stage 2]**

Interestingly, staff have voiced that behaviour is getting worse, which resounds with violence occurring in the broader society, such as knife crime (Coughlan, 2019); staff feel ill-equipped to deal with such challenges. In the quote below, Bethany reveals how vulnerable staff feel. She refers to an incident involving a gun and how staff are concerned regarding their safety. Bethany explains,

> We've noticed a real shift in behaviour; it's becoming much more of an issue; there's much more bad behaviour. So, I think this needs to be a real focus of all colleges because, in society as a whole, I think the behaviour is worse than ever. I've been here seventeen years and what we see now is much worse than we did before. Behaviour is just getting worse, and worse, and worse. Staff are feeling more threatened this year than any other year. There seems to be a bit of a menacing shift in some of the students. We had an incident at one of our other sites where somebody had come in with a gun. Staff feel a bit vulnerable when they have to deal with challenging behaviour; staff are really reluctant to challenge now because they're frightened of the repercussions. Staff are saying that openly to me; they're worried, they don't know if a student has a knife. I know it sounds dramatic, but this is how the staff are feeling. There have been serious fights this year, ambulances were called in, so there is some ground for the way they're feeling. **[Bethany, Restorative College, Stage 2]**

Musa explains that knife crime is an issue in the institutions that he works at, and inferences can be made that these incidents are gang-related,

> There are always issues involving knife crime. Most recently, there was a group of about ten students from 2 different parts of the Borough…**[Musa, FE College, NL1]**

This research provides insight into some of the challenges institutions face and that staff seek skills and tools to better manage these challenges. While the challenges cited thus far are related to incidents that may fall within the vicinity of crime and ASB (Hayden, 2010), there is evidence of continuous low-level disruption in the class that has contributed to staff stress (Ofsted, 2005; Martin et al., 2011a). Such behaviours include, amongst other things, attendance, lateness and not engaging with the teacher and the lesson (see Appendix 9). Ayodele (FE College, NL2; see Appendix 9) describes how continuous low-level disruption impacted him. He highlights how he was seeking new tools to support him with challenging behaviour as he was struggling. His classes portrayed challenges that included constant

arguments, misbehaviour, lateness, unpreparedness for the lesson, and challenges around phones when teaching.

Other Rationales for Employing an RJ Behaviour Policy: A Perspective from the Restorative College

While behaviour is the core reason for adopting an RJ behaviour policy, Restorative College shared other dimensions to the rationale of employing an RJ behaviour policy. As part of stage 2, the interpretivist exploratory case study (see figure 8) documents were analysed (see table 10). These documents drive the behaviour policy and are available to the institution's staff members for support when practising RJ. They also provide insight into the institution's understanding and vision of RJ practices. Restorative College's RJ policy complements the local authority's agenda in developing a borough-wide restorative approach; therefore, the institution's strategy was in accord with the borough's endeavours,

> The local Council is becoming a restorative organisation. We wanted to get on board with that so that there was continuity. **[Jennifer, Restorative College, Stage 2]**

Restorative College's *'Positive Behaviour – Embedding Restorative Practice, Initial Research and Draft Strategy 2018-2021'* (PBDS) explains the purpose of adopting an RJ policy. The document elucidates that the crux of embedding an RJ policy is to equip young people with the skills, knowledge and personal qualities needed for adult life, concurring with Ethan and others above. Further, the institution aims to raise achievement, attendance and minimise exclusions, which are common factors to adopting RJ established by research (McGrath, 2004; Bitel, 2005; Shaw, 2007). Another objective is to help teachers, other staff and students develop new skills and ways of dealing with conflict and negative behaviours (Shaw, 2007). The institution highlights that the teacher training emphasises coping with curriculum issues rather than behaviour issues. Understandably, some teachers lack the confidence and skills to deal with everyday challenging behaviours, as voiced by Bethany above. Gonzalez et al. (2019) study found that integrating a credit-bearing course supported implementation, which Hopkins (2004) also argued. Mary echoes the lack of training to manage behaviour, thus inferring the need for in-depth and quality training. Mary contends,

> In my teacher training, I didn't really learn how to manage behaviour at all from doing that. So, I think that's what has been the general consensus. **[Mary, Restorative College, Stage 2]**

The PBDS document explains that RJ will provide a whole College framework. The benefits of adopting an RJ policy are as follows: the institution will become a fairer and safer place to

work and study; the members of the College community will show respect; better communication and raise standards in the College and classrooms; harm will be addressed; social inclusion, equality and taking responsibility will be achieved (Hopkins, 2004; Morrison, 2005; Morrison et al., 2005 Kane et al., 2008; McCluskey et al., 2008a; Wong et al., 2011). The document identifies that the College's current disciplinary process is offender-centric. Students are distanced from the process, i.e., temporarily or permanently excluded, removed from the meeting to discuss sanctions and disengaged or not directly involved in the process (Kane et al., 2008).

The PBDS document argues that the process should be offender- and victim-centric, but not offender-or victim-led. The process should be an inclusive decision-making process where all parties can voice their experiences and ideas about repairing harm and contribute to a resolution (Zehr and Mika, 1998; Zehr, 1990; Marshall, 1996b; Kane et al., 2008). The process should allow the offender to take responsibility and see the act as an issue, not the person (reintegrative shaming (Braithwaite, 1989)). Thus, the focus of the process should be to build and repair relationships and trust, which is fundamental for the College community's stability and the victim's wellbeing (Hopkins, 2004; Morrison, 2005; Morrison et al., 2005; Kane et al., 2008; McCluskey et al., 2008a; Wong et al., 2011). An RJ policy moves away from a punitive disciplinary process, which creates a barrier between the student and the institution towards a more inclusive community (Zehr, 1990; Chapman et al., 2012; Chapman and Kremmel, 2018; Chapman, 2019). For the Restorative College, an RJ policy is a 'moral dialogue', a didactic approach, teaching community members that some behaviours are morally wrong because they are harmful to others (ibid).

Restorative College realised that their disciplinary model was not working,

> The College saw that approach we were using wasn't working. The student numbers for withdrawals for behaviour were high; we needed to address it. **[Jack, Restorative College, Stage 2]**

Data on 'Discipline Statistics' from the academic year 2017/2018 was used to argue that it is imperative to reduce disciplinaries (McGrath, 2004; Bitel, 2005; Shaw, 2007). The 'Discipline Statistics 2017/2018' table illustrates disciplines issued for academic, attendance, behaviour, bullying, and racism. The table categorises these disciplines/sanctions as a *caution*, *formal warning*, *temporary exclusion* and *permanent exclusion*. In the 2017/2018 academic year, Restorative College had 11,151 students enrolled; amongst those, 2,343 (21%) were issued

with a disciplinary sanction. For academic challenges, 388 students received disciplinaries; amongst these, eight students were permanently excluded. For attendance challenges, 1,180 students were issued with disciplinary sanctions; nine students were permanently excluded from this category. For behavioural challenges, 737 students were given disciplinary sanctions, and 36 students were permanently excluded from this category. A total of 32 students were issued with disciplinaries for bullying, of which only one student was permanently excluded. Finally, six students were disciplined for racism, and amongst them, only one was permanently excluded. In total, there were 55 (0.5%) permanent exclusions, 29 (0.3%) temporary exclusions; thus, 2,259 (20.3%) consisted of cautions and formal warnings. Ofsted detected Restorative College's data on exclusions, and they were not impressed,

> Ofsted picked up on our disciplinary data, and our disciplinary data was very high with little impact. **[Jennifer, Restorative College, Stage 2]**

This theme of employing a less punitive behaviour policy and reducing exclusions is shared amongst the other participants in this study,

> Statistically, the main focus was on how we reduce the volume of temporary and permanent exclusion. **[Musa, FE College, NL1]**

Similar to the Restorative College, Oliver expresses that in his institution, statistics on exclusion were high,

> We were looking at ways of reducing exclusions. We realised that we were having a lot of students involved in the disciplinary process at the top end, so the more serious and we had two options of either removing the student or, you know, putting them on a contract. **[Oliver, FE College, SEL]**

A further challenge that Restorative College faced was student attendance (Bitel, 2005); excluding students for low or non-attendance was counter-productive, as explained by Mary;

> The government has a big focus on attendance, so we were running around, all the colleges in the country, running around trying to drive up attendance. And indeed, in some cases, in other colleges, too, we were punishing students for non-attendance by refusing them entry into the classroom, which was a bit mad to me, a bit bonkers. We were looking at data, our attendance rates were dropping significantly, but our disciplinary process was increasing. The number of cautions assigned for attendance was sky-high, which meant we had no impact whatsoever because we weren't addressing the root issues of why they weren't attending. So, it wasn't working because our attendance was going down. **[Mary, Restorative College, Stage 2]**

Others share the importance of retaining students (Parry and Taubman, 2013) who can succeed in their course, which is at the forefront of FE education,

> RJ policy helps us retain students in institutional terms, so you know, helping them succeed because they're still in college. We hope that they miss as little as possible if they've had to have time away from college either because they've been suspended or because they've stayed away for whatever reason. Hopefully, it means they're succeeding. **[Rose, FE College, SEL]**

What was critical for Restorative College is to maintain consistency when dealing with challenging behaviours across the board,

> There can be some inconsistencies in what has been happening previously. If you bring a bag of weed into college, I just exclude you. But if you bring a bag of weed into someone else's class, they might get security involved and safeguarding involved, and you would lose your weed, but we might talk to you about drugs and taking drugs and what you're doing and talk to you about it in a bit of a different way. **[Sophia, Restorative College, Stage 2]**

So far, we have seen that institutions part of this research face many challenges, and they are seeking tools to support staff and students to ensure that their time in the institution is productive and flourishing. For example, in observing a training session on RJ practices (8th of December 2018, Restorative College, see figure 8), staff discussed how the change from a punitive to a restorative institution enabled students to learn that they do not have to be friends with everyone. Still, they have to respect that they share the same space. The understanding of respecting others and that the College space is to be shared is fundamental in institutions that consist of a diverse and volatile environment. Further, this new restorative policy focuses on students, pulling them in rather than pushing them away.

Further Education Behaviour Policies

Chapter one expressed that schools are advised to suppress behavioural issues and are empowered to discipline and punish students. Ofsted and Spielman manifest the impact of sound, or acceptable, behaviour,

> Everyone stands to benefit from good behaviour in schools. Effective behaviour management means that low-level disruption is not tolerated and pupils' behaviour does not disrupt lessons or the day-to-day life of the school. Pupils can learn; teachers can teach; staff can do their job; and parents have confidence that their child is safe and supported to do the best that they can. **[Ofsted and Spielman, 2019]**

The quote below from D*f*E rationalises and reinforces the authority of schools to discipline and punish,

> Teachers can discipline pupils whose conduct falls below the standard which could reasonably be expected of them. This means that if a pupil misbehaves, breaks a school rule or fails to follow a reasonable instruction the teacher can impose a punishment on that pupil. **[D*f*E, 2016: 7]**

Schools should have a behaviour policy setting out the expectations and appropriate sanctions. They are free to design their behaviour policy; the government does provide suggestions, recommendations and guidance. While these suggestions, advice and guidance are directed at primary and secondary schools, none is available for FE colleges; thus, this sector relies upon what is available for schools. It is worthwhile mentioning again that the FE sector is unique and dynamic, which embodies a community consisting of students with various needs and who are from a diverse cultural and demographical background, as seen from this chapter's opening quote and reiterated by Rhys below,

> It is the nature of the FE sector. It is where we are, and our location, our demographic. We deal with a whole variety of different types of learners, potentially becoming a problem with conflict. People do not necessarily understand each other's perspectives, or each other's backgrounds, each other's beliefs, and so on. Rather than problems occurring and us trying to find solutions for dampening them down afterwards, we're trying to be proactive in creating an atmosphere, a respectful, inclusive environment that is tolerant. **[Rhys, FE College, WM]**

FE colleges design their behaviour policy. As part of stage 1 of the data collection process (see figure 8), 60 behaviour policies from various FE institutions were examined. These behaviour policies were readily available on the institutions' websites. This section will explore some of the themes that transpired from these FE behaviour policies, which will permit us to discern institutions' understanding of dealing with behaviour and RJ.

FE colleges' behaviour policies structure resonates with schools' structure and the structure suggested by Parry and Taubman (2013) in their study conducted for UCU. However, the wording of headings and subheadings may differ. A typical behaviour policy will have an *introduction*/*scope*/*purpose* section. This section explains the college's ethos and outlines the purpose and approach. An *equality and diversity statement* is then followed, which outlines the college's position on the topic. Next, a *code of conduct* section expresses the college's expectations of students (see figure 10a) and defines unacceptable behaviour (see figure 10b) and distinguishes gross misconduct (see figure 10c). Interestingly, institutions construct what they deem acceptable and unacceptable in this section, similar to how the wider society considers acts a crime or an ASB (Burke, 2014). Further, gross misconduct usually mirrors actions that are deemed to be criminal offences.

- treat everyone with respect, and make sure that their behaviour does not discriminate against anyone or make any other person feel uncomfortable
- respect the rights and interests of other College students, staff and visitors
- attend all required activities regularly and punctually
- explain to their tutor or lecturer any reason for non-attendance
- take personal responsibility for their own learning and make active use of the learning resources and support services provided
- work hard and complete all work within specified deadlines
- take an active part in reviewing their progress with their tutor
- seek help from their tutor or Student Services if they need it
- act safely so that they do not put themselves or others at risk and observe all health and safety rules of the College
- wear their ID card at all times on College premises and show it, on request, to any member of the College staff
- act with consideration for the College environment and other College users, e.g. by not spitting or dropping chewing gum and litter
- pay all fees and other costs for which they are liable, or seek advice from us if in financial difficulty
- abide by all College policies and procedures.

Figure 10a: FE Behaviour Policy - Expectations

- behave in a disruptive, aggressive, intimidating, bullying, indecent or unruly manner
- disrupt or interfere with the education or learning of fellow students
- display or circulate any material which is designed to cause offence or distress to others
- misuse College property and equipment, including IT or health and safety equipment
- be intoxicated while on College premises or be incapable of undertaking their course work because of excessive drinking or use of controlled substances
- smoke anywhere other than in designated smoking areas, in accordance with the College's smoke-free policy
- consume, possess or supply toxic, dangerous or controlled substances
- make or send annoying, obscene, malicious or indecent telephone calls, letters, SMS messages, text messages or emails, or place malicious, offensive or extremist materials on any electronic or social media
- cause malicious damage to, or theft of, the property of other students, staff or visitors of the College
- use foul or abusive language
- gain unauthorised access to, or make modifications to, College files or computer material
- enter any part of the College which the student is not entitled to access
- carry any weapon or any other object with the intention or purpose of use in a threatening way
- falsify College documents
- submit materials or work for assessment which have not been made or authorised by the individual, or which have been copied from other students or sources without acknowledging or referencing those sources (plagiarism), or allow one's work to be knowingly plagiarised
- take part in any illegal activity
- behave in any way which adversely affects the reputation of the College.

Figure 10b: FE Behaviour Policy - Unacceptable Behaviour

- Theft or unauthorised possession of any property or facilities belonging to the College or any member of staff or student
- Serious damage deliberately sustained to the property of the college, students, staff or members of the public
- Deliberate falsification of college documentation, records and course work
- Serious negligence which causes unacceptable loss, damage or injury
- Violent, dangerous or intimidatory conduct, including carrying or use of weapons
- Deliberate violation of the college's rules and procedures concerning health and safety
- Incapacity owing to the consumption of alcohol or misuse of drugs (Any prescribed medical treatment or condition will be taken into account when determining what action is appropriate
- Serious misuse of college property or equipment, including use of photocopiers, phones, faxes and other IT equipment for personal purposes without prior agreement
- Harassment, victimisation or discrimination against another student or staff member on any grounds, including age, disability, ethnic origin, gender, sexual orientation, marital status, religion or belief
- A criminal offence which may adversely affect the college's reputation or the student's suitability to continue on the course, e.g. the supply or purchase of illegal substances
- Repeated breaches of the Code of Conduct.

Figure 10c: FE Behaviour Policy - Gross Misconduct

The next section of the behaviour policy usually clarifies the *disciplinary procedure*, which is explained below. Next, the policy will clearly and coherently explain each stage in detail, define and explain *temporary* and *permanent exclusion*, and explain the process and appeals procedure. Finally, the *recording of outcomes* section consists of the information on recording the process at each stage.

As mentioned above, the disciplinary process in a typical FE behaviour policy is in stages; sometimes, these stages are presented in levels or a traffic light process (green, amber and red) (see figure 11). Typically, there are five stages. The first, *informal stage* allows teachers and other staff to issue an informal reprimand or verbal warning for minor misconduct.

Stage one constitutes a formal reprimand/warning for recidivists or behaviour considered to trigger an initial formal process. At stage one, the behaviour is reported to a manager. The student must explain their behaviour, the process is recorded, and a learning contract is designed to support the student. Parent(s) or guardian(s) are informed if they are under 18 years old. For students 18 years old or above, parent(s) or guardian(s) are only notified if necessary.

At *stage two*, where the behaviour is deemed severe, or a student continues with their conduct that they were reprimanded for at the informal stage, they may receive a formal written warning. The student may take part in a disciplinary hearing with a manager, or an assistant principal, where they will be required to explain their behaviour and their needs to progress on their course. The process is recorded, and a learning contract is designed to support the student. At the hearing, the student can bring a supporter such as a friend, a student representative, parent or relative; however, the student cannot be accompanied by a legal representative unless

notice is given and the college agrees. An opportunity to appeal at this stage is available to the student.

Stage three is triggered where gross misconduct is involved, or the student has exhausted the above steps and demonstrates the same behaviour. At this stage, a student can be temporarily excluded pending a panel hearing. As with stage two, a student can bring a supporter to the hearing, and the rule regarding legal representation also applies here.

Finally, *stage four* allows the student to appeal to the principal if they disagree with the outcome in stage three. Once all stages have been exhausted, the process's outcome may lead to a permanent or temporary exclusion; this is dependent on the case.

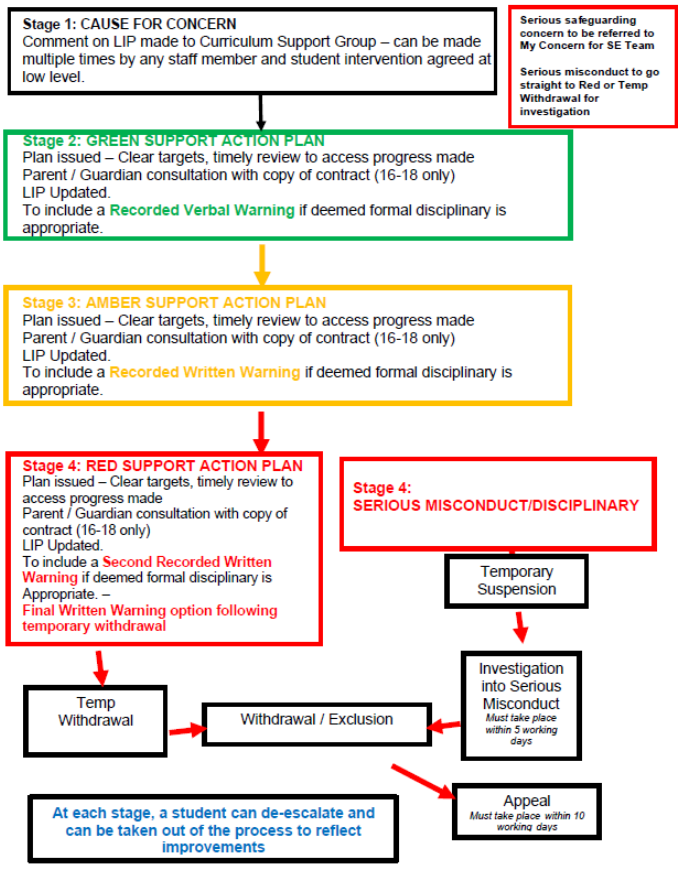


Figure 11: FE Behaviour Policy - Procedure

Restorative College's 'Positive Behaviour Policy'

The Restorative College introduced a new behaviour policy in the academic year 2018-19. The policy is titled 'Positive Behaviour policy' to convey positive connotations (Hayden, 2011; Christie, 2013); however, it resonates and is structured similarly to the other FE institutions'

behaviour policy, but it is centralised and focused on RJ philosophy. That said, the policy does not explicitly refer to or cite a definition, theory or values of RJ; these are inferred.

The policy introduces four key pillars, which forms the foundation of the institution's RJ philosophy: *respect*, *responsibility*, *repair*, and *reintegration*. The policy emphasises *respect* for everyone by listening to others' opinions and learning to value them. Individuals should take *responsibility* for their actions and develop skills to identify solutions that *repair* harm and achieve desistance. Working in a structured and supportive process should solve the problem and allow the individual to remain in mainstream education (*reintegration*). The policy suggests that teachers have a classroom contract where the standards and values are agreed upon and expected in the academic year. The document does express that if a criminal offence has been committed, the institution will involve the police. In certain circumstances, as a victim, a student may be advised to contact the authority directly. However, wherever possible, restorative interventions should take precedence before any formal disciplinary. Where appropriate, formal disciplinary processes can be used in conjunction with RJ practices (Gaverilides, 2008).

Like the other FE institutions' behaviour policy (see above), this Positive Behaviour Policy process is in stages. Still, with a slight difference, there are sub-stages to focus on the restorative part of the process. *Stage one*, the RJ practices intervention stage, is subdivided into further three stages. This stage focuses on improving the student's behaviour; as soon as the first intervention is triggered, the entire stage one process should occur within six weeks. The policy states,

> A restorative intervention is designed to address undesirable behaviours in a non-punitive, supportive way. It provides opportunities for those directly affected by an offence/incident (victim, offender and members of staff) to communicate, and agree on how to deal with the behaviour and its consequences. **[Positive Behaviour Policy, p.1]**

S*ub-stage 1.1* takes place within five days of the reported behaviour. Parent(s), carer(s) and guardian(s) (supporters) are notified. This stage involves a meeting between a staff member, student and supporter where possible. An additional meeting is held with those affected by the behaviour. RJ practices will be considered; however, specific actions will be agreed on during this stage, a follow-up meeting scheduled, and the process is recorded. S*ub-stage 1.2* takes place within two weeks of *sub-stage 1.1*. Again, supporters are informed the initial meeting's actions are reviewed; this is recorded on the system. S*ub-stage 1.3* takes place within two weeks of *sub-stage 1.2*. Supporters at this stage are involved. Actions from the initial meetings

are reviewed, the student's progress is assessed, and the student is signed off if improvements are made. If the student shows no improvement, they are progressed to the next stage.

Stage two is a formal warning, which is recorded on the system and supporters are notified. The policy requires that restorative interventions be used alongside the formal warning stage. *Stage three* initiates a final warning which can lead to a disciplinary hearing for exclusion. Again, supporters are notified, and restorative interventions are used. However, the final warning is an indication that this is the last opportunity for the student to improve their behaviour. At *stage four*, a student is excluded. The policy stipulates that,

> Exclusions are usually reserved for dealing with either a single extreme behavioural incident or a pattern of persistent behavioural problems that have resulted in a series of escalating warnings. Students should normally be issues with appropriate warnings before any exclusion procedure is initiated. It is important to give the student a chance to improve and sometimes help them believe they CAN[15] improve. **[Positive Behaviour Policy, p.8]**

Students have the opportunity to appeal against stages two, three and four, and against exclusion.

During data collection at the Restorative College (case study, stage 2, see figure 8), there was evidence that students were oblivious to the new behaviour policy, which indicates that either not all students were informed of the new behaviour policy, the Restorative College is yet to notify students or only informed a small sample of students to obtain feedback. Below, Noah, James, and Saffiyah are all describing the old behaviour policy. Gonzalez et al. (2019) found that involving students to achieve whole-school approach implementation was fundamental, which creates a democratic and responsive institution (Bazemore and Schiff, 2010; Cremin, 2010; Morrison, 2010; Morrison and Vaandering, 2012). Noah expresses his lack of knowledge of the new behaviour policy,

> I don't know really much about this new policy, but it is good that they're giving people a second chance from what I'm hearing. Giving people time to explain themselves. **[Noah, Restorative College, Student, Stage 2, Focus Group 1]**

James refers to the old behaviour policy expressing that demonstrating behavioural challenges can lead to exclusion either from the course or the College, thus indicating his lack of knowledge of the new behaviour policy,

> You could be removed from the course or removed from the College. **[James, Restorative College, Student, Stage 2, Focus Group 2]**

[15] Capitalised in the policy.

Similar to James, Saffiyah refers to the old behaviour policy's codes and caution process, again demonstrating her lack of knowledge of the new behaviour policy,

> We have some codes that we have to follow. They're like cautions, yeah, there's three, and then you get thrown out. **[Saffiyah, Restorative College, Student, Stage 2, Focus Group 3]**

At stage 3 of the data collection process (see figure 8), students could not demonstrate much knowledge about the new behaviour policy. To his dismay, Hakim attempted to inquire into the new behaviour policy and whether it existed and was fully enforced; however, no progress was made. Hakim says,

> I haven't heard much. I have heard from level 2s that I have friends who do media, and they've not been told either fully. Nothing's happened since. **[Hakim, Restorative College, Student, Stage 3, Focus Group 1]**

Hamza continues to express his frustrations on the institution's lack of dedication and proactiveness in enforcing the new behaviour policy, bringing awareness and explaining the new approach to the students. Hamza states,

> It's not as present. Because if something happens, they don't always enforce it. But they should let us know, well, if you do this, these are the sanctions and the consequences. But after you do that, after something happens, then they're like, "oh well, this is what you're going to face now, so, either you'll do the work in class or be removed from the course." **[Hamza, Restorative College, Student, Stage 3, Focus Group 1]**

Elsa also shows frustration about the behaviour policy being non-existent,

> The policy is non-existent to us at the moment. We haven't heard much about it. **[Elsa, Restorative College, Student, Stage 3, Focus Group 1]**

Further, there was evidence of students still referring to the old policy,

> At the start of our first year, we got given behavioural rules. We had to sign a sheet and what not to do while we are in college. It's broken down to you by your tutors, and it's like there's so many rules. Your tutor will get involved, and then your parents will get involved and then, he has to leave College. **[Freddy, Restorative College, Student, Stage 3, Focus Group 2]**

Students are oblivious of the RJ policy unless they took part in it or heard about it from their peers. Megan states that students would not be familiar with the RJ language in her institution, but they are aware that there is an approach in place to support the breakdown of relationships or conflicts,

> Students wouldn't know the terminology, but they certainly know that if something is not working, whether it's between a student and staff, student and student or something within the

> class. They know that they will have the opportunity to sit down and discuss, listen and their concerns will be taken seriously. **[Megan, FE College, SEL]**

Rose agrees with Megan, stating that awareness of the RJ process is brought to students through shared experiences and communicating these experiences with their peers. Rose shows uncertainty on whether the RJ approach is introduced to students during inductions, and the consistency of introducing RJ during induction is dependent on who is running the induction. Rose admits that RJ practices may go unnoticed, but the essence of what is brought to students' attention is that when something goes wrong, speak to someone about it. Rose coveys,

> I suppose those who have experienced it do, and they'll be others who know them, who may tell them about it. In certain groups where it's been used, there will be awareness in the group because you might do a whole group session about building better relationships. There are certain processes to help resolve things. I am not sure if we explain in the induction the disciplinary procedures. I suppose that depending on who is conducting the inductions, there will probably be some explanation of how we resolve things. I think what is always stressed is to talk to someone if things are going wrong. And I think, institutionally, yes, it will go unnoticed, often people only hear what they're ready to hear. But I think in everything you do, we're saying to students you know if things are going wrong, talk to a tutor or come to support services and talk to them. **[Rose, FE College SEL]**

A Discussion: The Emergence of Themes from the Behaviour Policies

Chapter one drew on arguments that the education sector has a crime-prevention role (Martin et al., 2011a; Millie and Moore, 2011). Chapter three expressed that when schools try to deal with challenging behaviours in the UK, they adopt approaches that reflect the western criminal justice system (Thorsborne and Vinegrad, 2003); thus, educational institutions are a microcosm of the wider society. Perception of defining and dealing with challenging behaviours mirrors and reflects how society defines and deals with offenders. Institutions in this study construct and define acceptable and unacceptable behaviour (Burke, 2014) and maintain an authoritarian and hierarchical model (Varnham, 2005), which is inferred from the institutions' behaviour policy.

The ultimate punishment available to FE institutions is temporary and permanent exclusions, which is used to achieve, to some extent, discipline and compliance, but research has illustrated it to be counterproductive (Coloroso, 2003; Grille, 2005; Morrison, 2007; Zehr, 2007; Thorseborne and Blood, 2013). Languages used in FE institutions behaviour policy display their retributive nature, such as warnings, disciplinary, exclusion, and suspension (Hayden, 2011; Christie, 2013). There is evidence of restorative elements where institutions try to achieve responsibilisation and reintegration (see figure 12a). However, the policies are pretty

vague on the philosophy or model of RJ. For example, referring to figure 12a, one institution offers a *'Re-integration meeting'* (see the top left corner of figure 12a), a short meeting that gives parties impacted by behaviour the opportunity to talk to each other. Another institution (see the top right corner of figure 12a) expressly states that *'restorative practice and sanctions, is a key element of our behaviour management practice'*. However, there is no evidence of the institution's RJ definition or process in the behaviour policy.

Similarly, another institution (see the bottom of figure 12a) refers to RJ as offering an opportunity, *'if appropriate, mediated [session(s)] with any individuals who have experienced negative consequences as a result of the student's misconduct. This will provide the student with an opportunity to make reparation for [the] harm caused'*. Again, there is no evidence of the institution's RJ definition or process in the behaviour policy. The deduction made here is that institutions are leaving the onus on staff dealing with behaviour to interpret what is and is not RJ practices and adopt practices and outcomes that they see fit (Gavrielides, 2008).

There is evidence of institutions misunderstanding RJ's philosophical foundations and positioning themselves within the retribution school of thought (Vaandering, 2013) (see figure 12b). Figure 12b illustrates RJ practices and processes' common misunderstanding, which is seen as a soft approach or more lenient than other punitive tools, such as exclusions. Camp and Wemmers (2013) and Skinns et al. (2009) research illustrate society's need to hold the wrongdoer accountable at a formal and public level using punitive measures to communicate disapproval of the wrongful act. The institution in figure 12b associates litter picking as an RJ outcome; their policy states: *'Where there is a case to answer, a disciplinary action will be taken within the following disciplinary framework. The College does not use sanctions as a form of restorative justice, [e.g.] litter picking'*. It should be noted that litter picking is not associated with RJ; however, parties to the RJ process can decide if litter picking is an appropriate outcome for that incident. The methods and values ascribed will determine whether the process falls within RJ philosophy confines or not (Walgrave, 2008). This may trigger the process versus outcome dichotomy (Bazemore and Walgrave, 1999; Walgrave, 2000; McCold, 2000; Zernova and Wright, 2007; Walgrave, 2008), where institutions may be faced with whether the process should focus on RJ values or the outcome, or possibly both (Braithwaite, 2002b, 2003; Doolin, 2007; Pelikan, 2007).

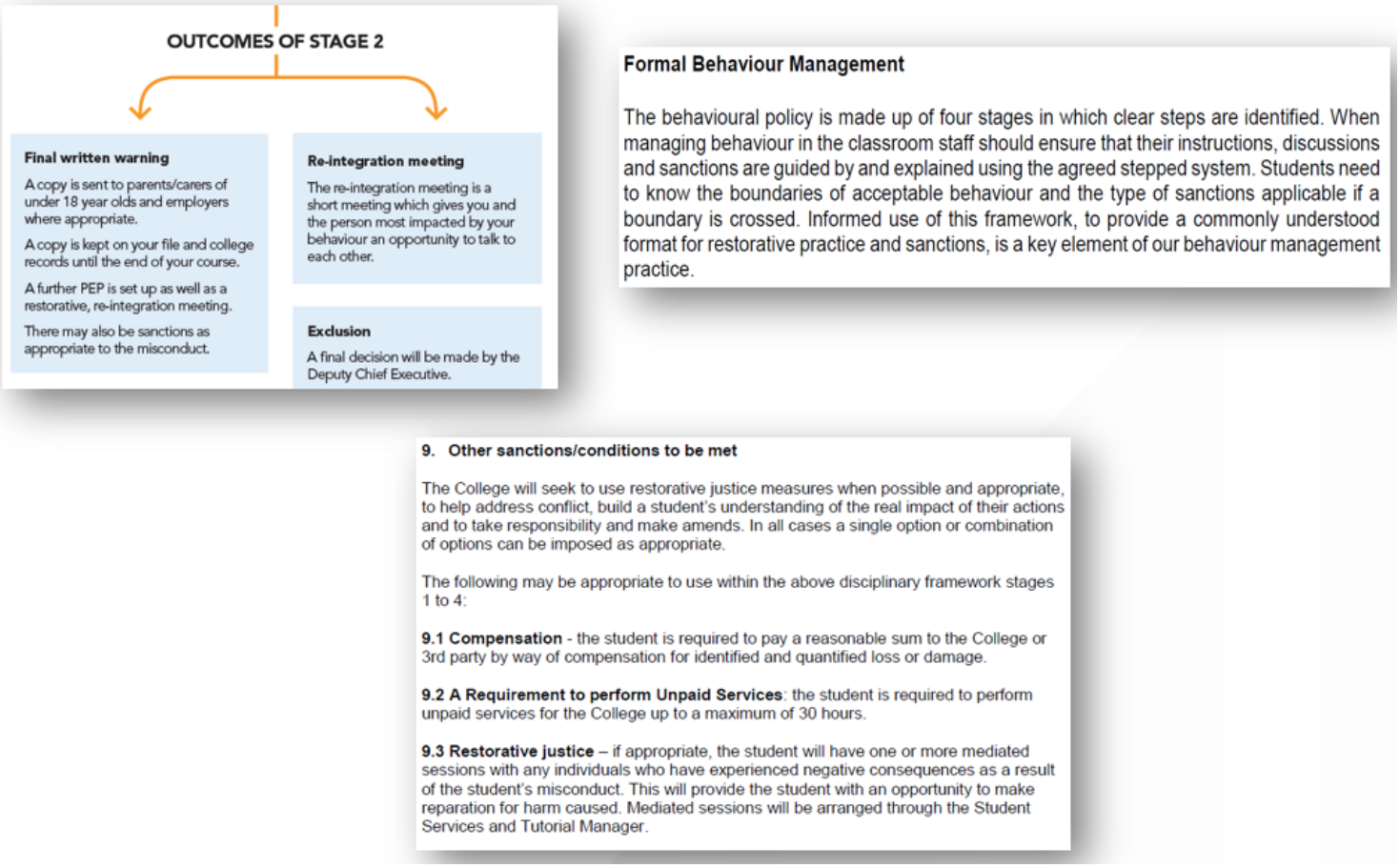


Figure 12a: FE Behaviour Policy - Restorative Elements

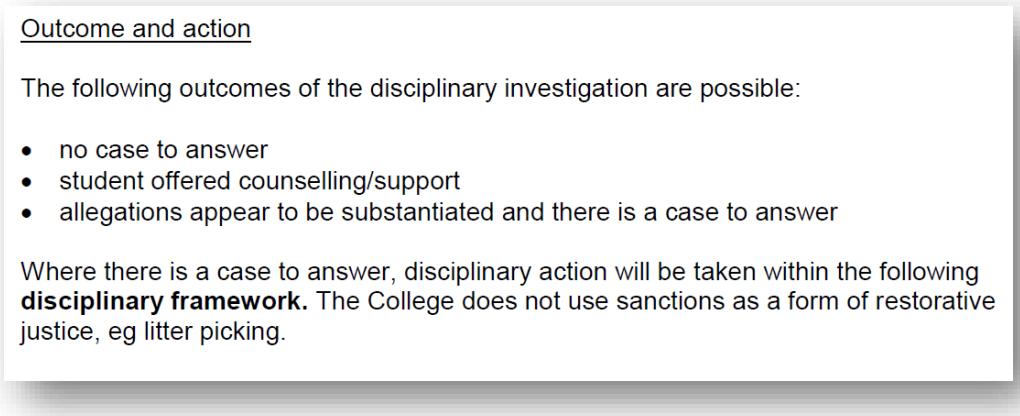


Figure 12b: FE Behaviour Policy - Misunderstanding of Restorative Justice Philosophy

FE colleges' behaviour policies attempt to be supportive (see figure 13a) where institutions try to ensure that the focus is on the student returning to and focusing on their learning. Institutions' pursuit of supporting students takes many forms, such as setting SMART[16] targets and encouraging students to be proactive in developing their own goals (see figure 13b). As seen above, students are asked about their needs to progress. A learning contract is drawn to aid this process. Some behaviour policies encourage positive behaviour by implementing a rewards system, writing feedback, commendation, and a note of praise on the system, a letter or a postcard sent home and celebrating their achievements at college events. One institution adopts a credit system where students collect points and are awarded vouchers according to the points achieved.

There are 4 Stages to the discipline procedure. At each stage of the process, students should be offered support and encouraged to attend additional and appropriate support in order to aid successful achievement of any actions arising from the warnings. Support is available via the Learner Experience Team and covers SEND, substance misuse, time management, English and Maths, welfare, mental health and much more. Further details are available from Student Services. Other sanctions may also be used alongside the 4 stages.

Figure 13a: FE Behaviour Policy - Supportive

The College will set targets at each stage of the Student Conduct and Disciplinary Procedure. These will be targets for improvement and will be SMART, (Specific, measurable, achievable, realistic and time-constrained).

Figure 13b: FE Behaviour Policy - Supportive

Three themes were apparent through inspecting the FE behaviour policies, which resonates with the criminal justice system: *procedural and due process*, *retributive* and *restorative*. *Procedural justice theory* examines the fairness of the decision-making process and the treatment received from the decision-makers in the criminal justice system. If authorities are to be seen as fair, just and trustworthy, their treatment must be respectful, neutral and provide the opportunity to voice concerns before any decisions are made. Achieving procedural justice can result in compliance in the process and judgment, even if it is adverse (Mazerolle et al., 2014). The *due process theory* argues for protecting human rights and other hindrances during the process (Paker, 1968). From the behaviour policies examined, it is clear that FE institutions

[16] Specific, Measurable, Achievable Realistic and Time-Constrained

attempt at having a transparent, respectful and fair process. Opportunities and support are given to improve at every stage of the disciplinary process, in the form of learning contracts, SMART objectives, incentives, and voicing need to progress. Challenging behaviour can be dealt with informally, unrecorded, mirroring criminal justice agents issuing warnings for minor offences.

Further, behaviour can be dealt with formally, which is recorded, thus resembling a report on the police database or a criminal record. Should a staff in an educational institution inquire into a student, they will have access to their record/history, possibly hindering their progression and future references, as would happen with a Disclosure and Barring Service (DBS). The behaviour policies offer students opportunities to have supporters with them during the process and access legal representation to protect their rights.

As with the criminal justice system (Gaverilides, 2008), RJ operates adjacent to the FE sector's retributive system. Jennifer explicitly acknowledges this,

> It depends on the severity of the conflict or the harm that has been inflicted. We have a twenty-four-hour cooling-off period; the next day, we speak to all the parties, take statements, and involve parents at that point. We always offer restorative practice intervention to all the parties involved alongside any appropriate disciplinary action or sanctions that we're going to take. **[Jennifer, Stage 2, Restorative College]**

RJ's punishment discourse in the education sector echoes the criminal justice system (see chapter three; Thorseborne and Vinegrad, 2003). Research shows that staff see both RJ and retributive/punitive punishment as different but compatible approaches to deal with behaviour (Kane et al., 2007). The behaviour policies convey elements of retributive and restorative justice. Retributive justice refers to repairing justice by imposing punishment, while restorative justice is seen as restoring justice through *'reaffirming a shared value-consensus in a bilateral process'* (Wenzel et al., 2008: 375). Retributive justice identifies crime as '*…a violation of the state*[17]*, defined by lawbreaking and guilt. Justice determines blame and administers pain in a contest between the offender and the state directed by systematic rules*' (Zehr, 2015[18]: 181). While crime is seen as law-breaking, *justice* is considered as applying the law. These nuance contrasts can be seen in the behaviour policies. The institution/principal and SLT resemble the state, defining acceptable and unacceptable conduct and the prescribed sanctions. Educational institutions take the firm stance of violation being meted with retribution; this takes the form of progressing through the behavioural disciplinary stages, warnings, and temporary or

[17] Not capitalised in original text.
[18] 3rd edition: 1st edition published in 1990.

permanent exclusion. These sanctions reaffirm the application of justice in institutions. Occasionally in some institutions, particularly in the Restorative College, the behaviour policies offer students to repair harm and reintegrate themselves into the school community (see figure 12a).

Retributive theorists argue that wrongdoing must be punished; the wrongful act deserves condemnation and punishment (Mani, 2002). Retributive justice is rooted in the idea that the offender has taken an unfair advantage in committing a crime, which can only be corrected by administering punishment. Punishment must be imposed according to strict limits: only the guilty deserve punishment, which is justified if it inflicts the suffering they deserve. This is conspicuous in some behaviour policies (see figure 14b), which explicitly positions itself within the punishment and retributive school of thought. Duff (2003) associate's punishment as a communicative act. Communicating the condemnation serves a variety of purposes. The victim suffered harm, and not to condemn the wrongful act may result in the assumption that the act was not wrong; most share this stance in the education sector, as seen in chapter three (Skinns et al., 2009) and figure 12b.

Staff and students have shown a preference towards retributive outcomes. Damien asserts a punitive process is an accepted traditional way of dealing with conflicts and harm, concurring with the arguments above. Damien argues that a punitive process is required in institutions to reflect the broader society. A restorative process, which may be seen as a soft option, is a departure from the norm, which will take a while to accept. On the one hand, he agrees that a restorative process can be a painful process when reliving the event (Hoyle et al., 2002), but on the other hand, sitting in a room talking through the conflict or harm can be deemed as not a consequence. Here, Damien is demonstrating a misunderstanding of the process of RJ. The process may entail aspects of sitting and talking about the harm caused or the conflict; however, RJ's key component or value is to make reparation for the harm caused, which is decided by all parties involved. Damien reveals,

> There's that traditional way of dealing with the consequence. And I think there need to be consequences; our traditional view is of a punitive process where like you do this, you have detention…and that's life, outside if you get angry and beat someone up, you might be prosecuted and go to prison for GBH…I don't disagree with that, but I think it might take a little while to get just like…people on board with restorative justice because it's a slight departure from the traditional method. It will take a little while. Everyone's got different opinions about behaviour management and discipline and those kinds of things. So, for some people, it would be a soft option. If you think about it, my personal feeling is one way you're able to bully someone or do something like horrible to someone by dehumanising them. But if

> you force them to sit down in the same room with someone and explain what you were doing, and they can explain how it made them feel, it's a very painful process for someone to go through. And it's not a soft option, in my opinion, but I can just sit here and say sitting in a room and not going to class, sitting in a room talking about things for a while. You know, what's happening, that's not a consequence. **[Damian, Sixth Form – Special School]**

There is evidence that RJ practices can administer punishment because it creates obligations for the offender. The process can be coercive (Daly, 2000; 2012; 2013a); this is supported by a qualitative survey of young offenders who underwent Family Group Conference (Daly, 1999). Observation of conferences concluded that RJ incorporates elements of retributive and restorative justice (Daly, 2013a). Retribution may provide a form of restoration for many victims, as the victim feels better to see the offender suffer. Victim-offender meetings encourage parties to be empathetic and compassionate towards each other. Such meetings can be a painful experience for victims and offenders (Roche, 2007), but it is not punishment, unlike court-imposed sanctions (McCold, 2000). RJ is a whole new paradigm for justice, and there is no room for retribution (Walgrave, 2003).

Walgrave (2008) argues that retribution and RJ are not opposites but two sides of the same coin; he does not accept that punishment is compatible with RJ but distinguishes it by the decision-makers intention. If the RJ outcome is constructive and does not inflict pain, it is not considered punishment. He accepts that various restorative outcomes may impose pain on the offender, but the decision-maker does not intend this. Therefore, RJ does not try to induce more pain, rather eradicate it or reduce it. This he calls *constructive restorative retributivism*; the intention to inflict pain is *punitive retributivism* (ibid). We can see from the behaviour policies, including the Restorative College's behaviour policy, where harm is caused, ultimately, in some instances, to restore, repair and reintegrate an individual; a retributive outcome may be utilised, such as temporary and permanent exclusion. A stance, which is sympathised by Oliver,

> We still exclude students. Sometimes the offence is too great; the exclusion is based on being convinced that you will provide a safe environment for yourself and others. If we believe in that meeting that they're not able to do that, then we'll remove them. It's often been the case that we've attempted an RJ, we've attempted a behavioural contract, and they've broken that, and the decision is made. Most of the occasions, it's because there's been progressively poor behaviour, or they've committed serious behaviour, and then they haven't changed. **[Oliver, FE College, SEL]**

The above quote explains why serious misconducts in schools are expedited to a more formal stage. Further, educational institutions may want to please the community they serve by incorporating retributive strategies in their policies. Walgrave's (2011) research suggests that the public sway towards punishment to establish justice; this is not surprising since society

equates punishment as a response to criminal offences. Restorative responses may be deemed too soft and weak as a deterrence (ibid). Roberts and Hough's (2002) survey concluded that the public is unlikely to abandon the concept of punishment, even though restorative responses appeal to the young and non-violent offenders. For the same reasons, a paradigm shift to a full RJ behaviour policy within the education sector may not be possible either (Zehr, 1990; Hopkins, 2004). Ethan explains how students and parents do not always buy into RJ, and it cannot be adopted as a panacea as there is a need for just deserts. Ethan asserts,

> Students don't always buy into it; the parents don't always buy into it. It's going to take time, and I need to be realistic and recognise that there are limitations to implementing any one philosophy to everybody. You can't insist upon it, and maybe you shouldn't either; perhaps it needs to be challenged too. Unfortunately, there's a need for a quick fix, quick outcome, and this happens, this should be the consequence, this should be the punishment, this person has done this, this is what should happen…it's a philosophy which is widespread within society. **[Ethan, Sixth Form – Special School]**

The need for consequences to actions and punishment resonated amongst students in the Restorative College; students showed concerns about the new behaviour policy and preferred the old behaviour policy. For instance, Joe argued that specific actions require punishment. His example was of a student pulling the fire alarm. However, he did recognise this action can directly impact others; he mistakenly argues that there can be no underlying issues to trigger such an act. For instance, a student may set the alarm off to avoid an exam they could not revise for due to social factors affecting preparing for the exam at home. Joe argues,

> It is important to make it clear that if something is unprovoked and there is no reason behind it, things can't go unpunished. So, for example, pulling the fire alarm, it's not a direct consequence to other people, well, it is because they're losing out on their education, but I don't think there would be any underlying reason behind that, it's something that needs to be addressed. So, having the traditional approach of exclusion is necessary. You have to have guidelines in place, so if something happens, if there's no reason for it, there can be a punishment, and everyone knows that so that everyone is not likely to do it. **[Joe, Restorative College, Student, Stage 2, Focus Group 2]**

Freddy explains that students may use the new policy to avoid harsh consequences (Rainbolt et al., 2019),

> With anything, there are always loopholes, and restorative practice could be used negatively. For example, an incident occurs where people are aware of the policy. If there were a fight and the person who was victimised agreed to restorative practice, it is explained to them that it's going to be their chance to understand why it happened and that they're going to get to the bottom of it and ensure it won't happen again. If the perpetrator just says, "Oh, yeah, I'll go to that and just lie to the person." Just pretend that he understands how they feel; it could be used negatively. Someone might not be getting the proper punishment or the proper resolution to the situation, and they could just get away with what they've done. **[Freddy, Restorative College Student, Stage 3, Focus Group 2]**

Some students are inclined towards a more punitive approach (Skinns et al., 2009). Exclusion is seen as an essential tool to deal with behavioural issues, so it does not affect others,

> Exclusions are important because if they stay, they will continue with how they are. It affects other people. If they're targeting different students, it could affect them, both physically and mentally. **[James, Restorative College, Student, Stage 2, Focus Group 2]**

Inferences are made about the punishment discourse and society's influence on how people should be dealt with when rules/laws are broken (Thorseborne and Vinegrad, 2003). Attending college is seen as a choice; thus, the consequences must be harsher,

> It's better to exclude in college because college is a choice instead of mandatory, unlike school. So, in school, it's harder just to kick someone out if they've done something or they have to send them to a different school because it is mandatory. Whereas college is a choice for people to come here and most people choose to come here, they choose it because they want to further their education or learn. **[Joe, Restorative College, Student, Stage 2, Focus Group 2]**

Punitive punishment is seen as to provide didactical lessons, which are seen to prepare students for adult life, and the wider society,

> In a way, it teaches them what they've done wrong. It teaches kids that may have done the same in school that they can't get away with it in life. It changes the perspectives once it's happened, and they stop doing it when they go further on. It's like primary school and high school, you can get away with a lot of things, but in life, you can't get away with it; in adult life, you can't get away with it. The consequences are worse as you get older. **[Charlotte, Restorative College, Student, Stage 2, Focus Group 2]**

Students demonstrated that punitive punishment is appropriate, which creates boundaries and consequences,

> I think it's fair, to be honest. If you're misbehaving, you should face the consequences. Yeah, I think it's quite important to have certain rules. So, there are certain boundaries that you can't just step out of them basically. **[Saarah, Restorative College, Student, Stage 2, Focus Group 3]**

Conclusion

This chapter has illustrated that institutions part of this study experience many challenges that arise daily. While this was not the focus of the study, rich data emerged depicting the rationale for seeking support with behaviour and challenges. The institutions' environment is very volatile, or a 'melting pot' as described by participants from this research, where conflicts are more likely to erupt due to the community consisting of a diverse body of students. These challenges range from possessing a knife and gun to gang-related issues, bullying and conflicts on social media, which is brought into the institution, skirmishes, and continuous low-level disruption in the class. Such challenges can fall within the remits of crime and ASB. Staff feel

vulnerable and ill-equipped to deal with an exponential rise in challenges, thus seeking tools and practices to support them. From the Restorative College's perspective, implementing an RJ behaviour policy was driven by the local Council's undertaking in becoming a restorative borough. Implementation of RJ is seen as an opportunity to equip young people and staff with life and conflict resolution skills, raise achievement, attendance and minimise exclusions. The Restorative College argues that employing an RJ policy will result in the institution becoming a fair and safe place, a respectful community, improving communication skills, raising standards, addressing harm, reducing exclusion and achieving responsibilisation, social inclusion, and equality.

As the opening quote of this chapter suggests, the key theme that emerged from inspecting the behaviour policies is that institutions are hesitant to abolish their disciplinarian or retributive practices to protect staff and students. This suggests that institutions understanding is that RJ is compatible to work adjacent to a disciplinary policy. Thus, behaviour policies in the FE sector are hybrid, constituting punitive and restorative functions and maintaining a procedural and due process. The need to retain punitive measures part of the behaviour policy is shared by staff and students. Punitive methods are seen as the norm or traditional way of dealing with behaviour. There is an expectation from society, the local community and parents; thus, insinuating a paradigm shift where RJ replaces the punitive and disciplinarian policy is untenable.

That said, Restorative College's documents express that RJ practices are employed to reduce exclusions and improve the institution's environment. The Restorative College argues that the benefits of adopting an RJ policy are that the institution will become a fairer and safer place to work and study. The College community members will show respect, better communication, and raise standards in the College and classrooms; harm will be addressed; social inclusion, equality, and responsibility will be. Thus, the focus of the process should be to build and repair relationships and trust, which is fundamental for the College community's stability and the victim's wellbeing. In addition, an RJ policy moves away from a punitive disciplinary process, which creates a barrier between the student and the institution towards a more inclusive community. Finally, for the Restorative College, an RJ policy will enable the institution to teach its community members that some behaviours are morally wrong because they are harmful to others.

CHAPTER SIX: *Institutions' Understanding of Restorative Justice (Part II) – An Emergence from Interviews and Focus Groups*

> All the disciplinary stuff must be an educative process. It's about making people comfortable, feel safe. Work needs to be done in refining and reviewing, and assessing the sort of climate we want in our institution. I think it differs very much from work in schools or the work in other tiers of education. We are in a unique environment because it involves a rapid turnaround of students. The student cohort is constantly changing; staff interact with learners they haven't known for four, five, six, seven years. The right atmosphere must be created for learning and maintaining positive relationships. It needs to be functional at the point of entry. **[Rhys, FE College, WM]**

Introduction

Chapter five drew inferences on how institutions understand and position RJ practices from documents. This chapter will focus on staff and students' understanding of RJ from the interviews and focus groups conducted as part of this research. The chapter will commence with discussing the Restorative College's document, *'Quick Guide to Restorative Justice Practice'*. This study suggests that the participants understanding of RJ practices is driven by the training they received and the documents and resources they have in their possession; thus, there is consensus between the institution and staff. Therefore, it is imperative to examine and explore this document to gain an insight into the Restorative College's foundational understanding of RJ practices. The chapter will then progress to exploring staff and students understanding of RJ, drawn from interviews and focus groups conducted as part of this research. Finally, this chapter will draw inferences on how staff and students understand and position RJ practices.

The Restorative College's 'Quick Guide to Restorative Justice Practice'

Evidence from this research shows that internal documents and training drive staff understanding of RJ. Although specific RJ's definitions, theories, or models were not explicitly cited; however, it is clear that these documents and training are based on RJ literature and research. For example, the Restorative College's 'Positive Behaviour Policy' is accompanied by a 'Quick Guide to Restorative Justice Practice' (QGRJP), which covers the following topics: what is RJ?; what is involved in a restorative response to harm or conflict?; what is being restored?; and, why are RJ practices helpful? This document drives how RJ practices are perceived in the Restorative College. Thus, it is understandable why Restorative College's participants' understanding of RJ practices at stage 2 reverberated at stage 3 (see figure 8) of

the data collection process. The QGRJP guide will now be discussed to give readers insight into the document's content.

In the *'what is RJ?'* section, the QGRJP guide typically contrasts retributive and restorative justice found in most literature (Zehr, 2015). The guide refers to RJ's six principles or values offered by the Restorative Justice Council on their website[19]; which are as follows:

1. **Restoration**: Address and repair harm
2. **Voluntarism**: Participation is voluntary
3. **Neutrality**: Fair and unbiased process
4. **Safety**: Safe processes, practices and environment for participants to express their feelings and views about the harm that has been caused
5. **Accessibility**: Non-discriminatory process which is available to all those affected by conflict and harm
6. **Respect**: A process that is respectful towards all those who have been affected by conflict and harm.

According to the QGRJP guide, RJ is based on 'storytelling', allowing parties to describe the incident and their feelings, thus allowing them to understand different perspectives. This document states there are four pillars to RJ (echoing RJ values in literature), which are as follows:

1. **Respect**: Listening to others' opinions and learning to value them
2. **Responsibility**: Taking responsibility for your actions
3. **Repair**: Developing skills so that individual members have the skills needed to identify solutions that repair harm and ensure behaviours are not repeated
4. **Reintegration**: Structured and supportive process that aims to solve the problem and allow young people to remain in education.

The principle or value of voluntarism in RJ within the education sector is precarious. In an RJ process in the criminal justice system, the voluntary aspect of the process is core (Hopkins, 2004). That said, in the criminal justice system, the voluntariness of the RJ process is questioned (Zeronova, 2007). Zeronova's (2007) research found that participants thought the process was mandatory or felt informal undue pressure or influence to attend. Alike, after

[19]https://restorativejustice.org.uk/sites/default/files/resources/files/Principles%20of%20restorative%20practice%20-%20FINAL%2012.11.15.pdf

investigating the behaviour policies in the FE sector, an alternative approach is not offered for students who wish not to partake in an RJ process. Examining the Restorative College's 'Positive Behaviour Policy' and the other behaviour policies, the RJ process is an integral part of the policy, coinciding with the punitive process.

Further, the policies do not explicitly mention, and it is very unclear, that students can choose to, or not to, participate in the RJ process. It is inferred that if students decide not to be involved in the RJ part of the process, they will bypass this stage and progress to the next stage, which is argued to be the punitive part of the process. Therefore, in the education sector, as with the criminal justice system, it is submitted that the voluntary aspect of the RJ process is absent, or a form of pressure or influence may take place for the parties to participate. Hopkins argues,

> A school will need to decide to what extent its restorative processes are voluntary. It is certainly true that one cannot force someone to come to a meeting, and threats of punishment or disciplinary action in the event of a refusal to turn up would be preposterous in such a situation. Nevertheless, if a young person, a parent or a member of staff were not prepared to engage in this way, there would need to be alternative responses available. The question is whether these alternatives can still be restorative or whether they need to be retributive. **[2004: 164]**

The *'what is involved in a restorative response to harm or conflict?'* section of the QGRJP guide deals briefly with the process's expectations. For instance, this section suggests that the parties involved share what happened, the impact of the harm on those involved and what needs to be done to put things right to make things better in the future. These resonate with the RJ questions (Hopkins, 2004); see table 2. In addition, this section advises facilitators on the expectations when facilitating an RJ process. Such advice includes building a respectful rapport with the parties, listening, responding calmly and empathetically, remaining neutral, inspiring a sense of safety and trust, encouraging parties to express their thoughts and feelings, and finding a solution. As mentioned earlier, although the document does not explicitly refer to specific definitions, theories and models in the literature, these expectations resonate with RJ's values discussed in chapter two (Bazemore and Walgrave, 1999; Walgrave, 2000; McCold, 2000; Zernova and Wright, 2007; Walgrave, 2008).

'What is being restored?' section of the QGRJP guide suggests that RJ practices may restore, or that the outcome may result in, depending on the context: effective communication, relationships, empathy and understanding of the other parties perspective, respect, understanding of the impact of their behaviour on others and reparation. In addition, however, this section postulates that the following may be restored on an individual level: a sense of security, self-confidence, self-respect, and dignity. Finally, this section encapsulates that the

process often results in restoring someone's sense of belonging to a community (e.g., class, college, peer group or family), again resonating with RJ's values discussed in chapter two.

The last section of the QGRJP guide, *'why are RJ practices helpful?'*, explains that working restoratively, organisations are able to ensure: a respectful climate; a shift away from sanctioned-based responses that aim to 'manage' behaviour towards a more relational approach; better relationships amongst students and staff; promotes honesty and taking responsibility; students feeling supported; and creates a calmer, quieter and more productive learning environment. Although this guide does not support these outcomes with research, we have seen in chapter 3 of this thesis that RJ processes can achieve these outcomes mentioned by the guide (Hopkins, 2006; Kane et al., 2007; Kane et al., 2008; McCluskey et al., 2008a; Skinns et al., 2009).

The QGRJP guide uses data for RJ's effectiveness from primary and secondary schools to sell the framework to staff. However, these findings are not referenced/cited at all; that said, it mentions a report published by D*f*E, an independent evaluation of RJ in Bristol school and an evaluation in Barnet, which are discussed in chapter 3.

Staff and Students Understanding of Restorative Justice

As mentioned above, evidence from this research suggests that internal documents and training drive staff understanding of RJ. Again, although specific RJ's definitions, theories, or models were not explicitly cited, participants of this research demonstrated a sound, common and consistent understanding of what they believe RJ encompasses. They offer their version of what RJ means to them and its attributes using adjectives that reverberate RJ's definitions or values in the literature.

A common theme amongst the participants was that RJ is a peaceful and reflective process, which provides the parties with a voice to tell their story, thus achieving responsibilisation, closure and developing empathy and conflict resolution skills.

Ethan explains that the RJ process results in a peaceful resolution that achieves understanding and closure. Ethan states,

> I suppose moving from conflicts to a more peaceful resolution. They're able to move forward and understand the feelings, emotions, experiences of the other. So, developing empathy. **[Ethan, Sixth Form – Special School]**

Anna expresses that the RJ process offers an opportunity for two people in a conflict to resolve their difference, share their experiences, repair their relationship and co-exist. Anna submits,

> Giving two people who had a conflict with each other, giving them an opportunity to sort out the conflict and to be able to move on from it and co-exist with each other afterwards. It is an opportunity for someone who has been harmed and someone who did the harm to tell each other what impact the incident had on them. But also to allow the victim to say how that made them feel, and the perpetrator to explain why they did what they did. **[Anna, Pupil Referral Unit]**

Thomas sees the RJ process as an opportunity for the parties to reflect, take responsibility and develop conflict resolution skills. He further explains that RJ offers an opportunity for the parties involved to resolve, make peace and find closure voluntarily without pressure from authority; thus, it is led democratically by the parties involved in the process. Thomas argues,

> What comes to my mind is how we can give the student the opportunity to reflect on things. Also, to provide them with the opportunity to take responsibility and develop strategies to solve problems. It is a way of engaging the student to take responsibility and have a discussion to try to find out what has happened. To solve the problem in a way that the student does not seem to be pressured, or in a way that we don't tell the student what to do, but for them to reflect on the situation and then make peace and move on. It is a democratic opportunity for the student to be listened to, given a chance to be valued and tell their story. **[Thomas, Sixth Form – Special School]**

Being an inclusive institution, building and repairing relationships, and centralising students/parties is fundamental for staff. Jennifer explains that the 'Positive Behaviour Policy' at her institution, Restorative College, is to build relationships and trust amongst its community; thus, the parties are confident in the decisions made and when a sanction is imposed. Jennifer's understanding or expectation of this new behaviour policy resembles the premise of procedural and due process (Paker, 1968; Mazerolle et al., 2014). Jennifer contends,

> The policy's main aspect is welcoming, being inclusive, and drawing in instead of pushing away. Building relationships underpin our behaviour policy completely. We build relationships first to feel confident and trust us with whatever sanctions or whatever route we choose to take when behaviour is not positive. **[Jennifer, Restorative College, Stage 2]**

Jack reiterates the inclusivity aspect of RJ practices, where institutions want to work with the students proactively. Jack's understanding of RJ reflects 'reintegrative shaming' (Braithwaite, 1989), focusing on the individual's behaviour rather than the individual and supporting them not to display the same behaviour again. Jack explains,

> I think it's pretty proactive and very inclusive and what brings to mind is that we want to work with the student instead of, "You've done that behaviour; this is the punishment." It's, "You've displayed that behaviour; what can we do to help so that you don't display that behaviour in future and stop your learning?" **[Jack, Restorative College, Stage2]**

For Musa, RJ practices restore and repair the harm caused and prevent the conflict from escalating. He expresses,

> Restorative justice is a way of restoring and repairing the harm caused in a relationship. We try to restore and repair the harm caused to the students, the teachers and the wider community. We try to prevent it from escalating. **[Musa, FE College, NL1]**

There is another dimension to the understanding and purpose of RJ. Institutions see RJ as an educative tool (see this chapter's opening quote) for developing life skills, social skills, emotional skills, reflective skills and conflict resolution skills. Institutions express that the environment and the community is very complicated. Nevertheless, there is consensus that RJ is essential in these institutions due to its challenges and the demographic of students it attracts.

Thomas explains that RJ practices are essential in developing social, emotional and conflict resolution skills, particularly for students with learning difficulties. Thomas says,

> It is a very important part of developing students' social skills and emotional skills. Especially for the students with learning difficulties in this school, they must always reflect on what they have done. And then, in the future, they will be able to apply these skills in real life. It is important because it is a mechanism. It has positives. It helps people to solve problems. **[Thomas, Sixth Form – Special School]**

Charlie argues that young people need to develop conflict resolution skills, a life skill that can only be achieved through education. Charlie states,

> There needs to be a greater focus on teaching young students and young people problem-solving skills. The onus needs to be given to students, and they need to be given those life skills. And it is through education and whether its education at home; whether it's an education in colleges, schools or whatever, they need to have these skills. To reflect upon themselves, they can question things to have a better understanding of themselves. **[Charlie, FE College, WM]**

Megan reiterates the importance of developing conflict resolution skills in students and argues that the same weight or value should be added to teaching students English and Maths subjects. She explains,

> Young people need to learn and grow in their behavioural and conflict resolution skills as much as in their reading, writing, maths etc., and that should be a whole part of the process. We are not putting as much time and effort into helping them resolve and improve their behaviour to help them evolve, grow, and develop their academic skills. **[Megan, FE College, SEL]**

Anna invests time explaining why RJ is essential in her institution, which captures RJ's importance in an institution with a similar cohort of students, such as in FE colleges. Anna states that students at her institution were never allowed to take responsibility, make amends nor find closure in their previous institution. Anna elucidates,

> When our students get excluded from school, they're never allowed to make amends or find closure…there's never been a process for them to deal with the incident and come to terms and acknowledge their involvement and take responsibility. Our students often come here and don't take responsibility for their actions, and they have never been in processes where they could express why they might be doing something or why they're feeling that way, or when they're angry, they respond in a certain kind of way. Our students often come here with an experience of never having been heard, whether as a victim or a perpetrator. So, when we do the restorative justice process, the whole process is about being allowed to voice what was going on for you at the time. And how you feel about it now, and it's also for victims, you know our victims often have had something done to them and are never allowed to work through that process. The most important thing is being heard, which kids often don't experience in schools when teachers are shouting at them. **[Anna, Pupil Referral Unit]**

It is evident from Anna's response that the purpose of adopting an RJ policy is to provide an opportunity for parties to make amends, acknowledge and take responsibility, and find closure. Most importantly, it gives the parties a voice to express the reason behind their behaviour, feelings and being heard. RJ practices have another purpose in this PRU,

> It was something that would help our students with emotional language and understanding what they're doing. Because it's not something our students are okay with, they haven't had that from their parents. Their parents haven't done any kind of restorative practice, not that you need the training to do anything restoratively. Still, just in a natural parenting procedure, you might adopt a similar model without calling it restorative. Our student's parents lack that kind of ability, most of them. **[Aroon, Pupil Referral Unit]**

Aroon argues that RJ practices are needed to develop students' emotional language to communicate their emotions verbally. Aroon contends that this limitation of emotional language is due to a lack of parenting, a skill that parents in this institution lack themselves.

In the Restorative College, a couple of students from Focus Group 1 had participated in an RJ training session and demonstrated some understanding and optimism of the new behaviour policy; their knowledge is subpar, which can only be attributed to the lack of or limited training. Connor gives the impression that RJ practices provide a student with the opportunity to explain their behaviour, reduce exclusions, avoid punitive punishment, and ensure students are still learning,

> A couple of us went to a meeting about that, and we've got three documents explaining how they're going to change the behaviour policy and everything like that. I would say it's very straightforward; it's more addressing it as action/consequence, that's how it's addressed, and the restorative practice is more action/reason/consequence. That's what I think about it. So, it's saving the college a lot of time and effort because they do not exclude people. People are still getting their education and will be able to progress even though they've done something wrong, but at the same time, it's not just directly punishing them, and they're not going to feel targeted as in, they've done something bad, no support, just get punished for it. **[Connor, Restorative College, Student, Stage 2, Focus Group 1]**

Elsa focuses more on RJ's communication aspect, where parties talk, share feelings, and listen; however, just as with staff, the focus is on two parties,

> It's a really good way to sort things out because they're not losing out on education. The two people who fought, when they get invited into the room, and if they both agree to go and talk about it, the person who has been hurt or both sides will be able to talk with each other, they can talk about their emotions and how they feel about what hurt them. This is better for both of them because they get that heavy weight off their chest and feel like they have been listened to. Getting the other person to know how others feel, how the victim feels, and how it's affected them long-term or short-term. And to actually get them to know that they need to stop because they can do more damage. **[Elsa, Restorative College, Student, Stage 2, Focus Group 1]**

There were discrepancies in staffs understanding of RJ practices. Despite Musa's sound knowledge of RJ's foundation, he demonstrated pitfalls in understanding critical theories or terminologies used within the RJ concept. For example, Musa completely misunderstands the concept of *reintegrative shaming* (Braithwaite, 1989), which can be problematic in its application. Such misunderstanding of reintegrative shaming and intentional shaming can cause re-traumatisation, shamed twice: once by the institution and then the community, shaming is dehumanising and not restorative (McCluskey et al., 2008a; Toor, 2009; Ruggiero, 2011; Drewery, 2014). Musa shares,

> I know that sometimes shame has a more significant impact on RJ, and one of the things about shame is that you teach and instil people about humility and its impact. How would they feel if they were in a position? Would they face up to their victim, and you've sort of created more significant remorse for them? **[Musa, FE College, NL1]**

Oliver, Sophia and Elsa's (student) understanding of a restorative process seem restricted to only identifiable parties of a victim and a perpetrator and identifiable harm, which may not posit itself well in an educational institution. The language used to identify parties in a school setting can be questionable (Hayden, 2011; Christie, 2013; McCluskey et al., 2008b). It is not only Oliver and Sophia who limited their understanding to two identifiable parties; this echoed in others understanding of RJ; for instance, see Anna's quote above. Oliver states,

> When harm has been caused and trying to repair that harm, it's an instance where there's an identified victim and identified perpetrator. There are recognised harm caused, and the process is about restoring the balance, hence restorative. **[Oliver, FE College, SEL]**

Further, there is an indication that if students choose a restorative pathway, they may be treated leniently, which questions the process's voluntariness (Zernova, 2007), a value of RJ which has had a shortage of focus in the education sector as argued elsewhere in this thesis. Sophia explains,

> I might, at the caution level, not give you a caution because you've agreed to restorative practice intervention. However, you might have transgressed. It doesn't involve a victim, there isn't anybody you've targeted, or there is nobody that has been hurt, and there isn't a relationship to resolve. Because you've graffitied a wall, or you've set fire to something. That would just be dealt with caution or depending on the severity of the incident. If you come in and stab someone, restorative practice intervention might be a bit inappropriate, and you might need excluding, to restorative practice intervention might not be helpful. I wouldn't get involved in a case like that particularly. What are you going to do in that situation? Well, you've got to have some sanctions to protect and safeguard the college community. **[Sophia, Restorative College, Stage2]**

Vaandering (2014) suggest that for practical implementation in schools, a broader conceptualisation of RJ that clearly defines its philosophies, principles and practices is adopted, with clear and critical reflection on RJ's core values. Vaandering's (2014) argument is supported by Stockdale (2015a: 230), who argues that a gap exists between theory and practice, highlighting how RJ's critical values are 'lost in translation'.

A Discussion: Assemblage of Staff and Students Understanding of Restorative Justice

The understanding of what RJ is to the educational institutions of this study resounds across literature and research. Although Stockdale (2015a; 2015b) found a disparity of understanding between top command staff, middle management and frontline police officers and PCSOs, this was not the case in this study. Participants from this study did not explicitly cite or refer to definitions, theories, or models available in the literature; instead, they illustrate a sound understanding of what RJ means to them using adjectives to describe its attributes which embodies perspectives of RJ from literature and research. Thus, in the FE sector, RJ practices is defined as:

> An educative, inclusive and democratic process allowing parties who have volunteered to share and understand their experiences in conflict or broken relationships, where responsibility is taken, relationships are repaired and built, and closure and a resolution is achieved peacefully. In addition, the process enables parties to learn to co-exist in safe shared spaces and develop social, emotional, and conflict resolution skills.

There is consensus between this research and literature; in chapter two, it was argued that schools are seeking models to strengthen relationships and improve behaviours. Schools are concerned with '*an increased sense of safety, enhanced well-being and feeling of belonging; feeling listened to and respected; improved self-esteem, emotional literacy, resilience and the development of a strong inner locus of control*' (Hopkins, 2011: 196). RJ practices are a paragon in building relationships and developing social and emotional literacy (Cameron and Thorsborne, 1999; Morrison, 2001; Blood and Thorseborne, 2006).

The definition above offered for the FE sector fits well with Pelikan's (2007) version of RJ values, which is argued to be theoretically consistent and captures the field holistically (Pali and Pelikan, 2014). As a reminder, Pelikan's (2007) version of RJ values is illustrated in three elements: *lifeworld, participatory, and reparative*. *The lifeworld element* requires RJ to focus on experience and the needs originating from the experience for the participants of a conflict. *The participatory element* requires all stakeholders' active participation in the conflict to achieve reparation, reconciliation, and the offender taking responsibility. Finally, *the reparative element* concentrates on the conflict and ways to make reparation; all parties' active participation should identify their needs.

Therefore, the evidence from this thesis suggests that the RJ model FE institutions are drawn towards the '*relational equality*' theory (Llewellyn, 2012). Relational equality focuses on respect, concern and dignity as primary needs, which arise from peoples' connection with one another and their environment. RJ is not seen as a disciplinary model but an approach to creating *relational spaces* where individuals and communities prosper. RJ highlighting *relational* qualities and emphasising social engagement, including addressing violence and aggression in schools, results in education becoming a practice of freedom and hope. Then discipline is understood as nurturing humans rather than managing (Morrison and Vaandering, 2012), which are vital aspects of developing young minds and adults. Vaandering (2010) argues that when RJ is adopted to reduce exclusions and suspensions, the school's agenda is to manage and control students rather than creating and establishing a relationship-based environment. Managing and controlling students reinforces traditional structures of power and hierarchy in schools, demanding conformity, which sometimes conceals conventional practices as restorative (ibid).

For RJ to be effective in schools, Hopkins (2004), and others (McCluskey et al., 2008a; Kane et al., 2008), argue that it should be implemented as a whole-school approach. A whole-school approach or framework entails that the institution adopts RJ philosophy, definition, ethos and skills; only then schools can focus on building, maintaining and repairing relationships and achieving a sense of community (Hopkins, 2004; Daly, 2016; Wachtel, 2016). Thus, RJ's whole-school approach encompasses building relationships in the classroom, reducing conflicts, improving the learning environment, and developing relationships and skills (Wong et al., 2011; Wachtel, 2016). To support FE institutions in implementing RJ practices as a whole-school approach, Vaandering's (2013) *'relationship window'* can offer assistance as it

focuses on relationships, interpersonal interactions and individual relationships that harm others and is linked to *'relational equality'* theory (Llewellyn, 2012).

Furthermore, Morrison et al. (2005) *regulatory pyramid* illustrates sustaining a whole-school approach and developing individuals. Finally, Morrison's (2005) *three-level pyramid of restorative interventions* guides in implementing RJ as a whole-school approach. The *three-level pyramid of restorative interventions* refers to the types of needs and responses required. See chapter two for the *relationship window*, *regulatory pyramid* and the *three-level pyramid of restorative interventions*.

Conclusion

As the opening quote of this chapter suggests, participants from institutions in this study seek a model to support behavioural challenges faced by institutions that are educative, inclusive, and democratic. The themes that emerge from the interviews and the focus groups is that RJ practices offer all parties to voice their experience and impact of the behaviour or harm and make amends. Thus, the process is to repair, restore and build relationships. RJ practices are seen as a didactical approach to teaching students between right and wrong. RJ process achieves responsibilisation, finding closure, developing empathy and social, emotional and conflict resolution skills. This research suggests that a relational approach is sought by FE institutions, where a calm, safe and productive environment is created. It is argued that a definition, theory and values should drive the RJ behaviour policy. This research offers a definition suitable for institutions in the FE sector complementing Pelikan's (2007) values of three elements; Vaandering's (2013) relationship window; Morrison et al. (2005) regulatory pyramid; and Morrison's (2005) three-level pyramid of restorative interventions, all of which are linked to the relational equality theory (Llewellyn, 2012); thus, offering support to institutions wishing to implement RJ practices as a whole-school approach.

The voluntary participation of parties in an RJ process is argued to be problematic in the education sector holistically. There is no evidence of a 'choice to participate' in institutions part of this study; in fact, RJ policy is an integral part of the behaviour policy, which takes effect automatically when an undesired behaviour is demonstrated. It is deduced that if students decide not to be involved in the RJ part of the process, they will bypass this stage and progress to the next stage, a punitive stage. Therefore, it is submitted that the voluntary aspect of the RJ process is absent, and a form of pressure or influence may take place for the parties to

participate. Staff in this research have voiced that if students choose to participate in an RJ process, they will be lenient on parties. That said, further research is required in the voluntary aspect of RJ practices in the education sector.

CHAPTER SEVEN: *Opportunities and Successes in Implementing Restorative Justice Policy*

> I can absolutely guarantee that any kind of initiative will be either impossible to embed or really, really, really difficult to embed if you haven't got whole college buy-in and complete support from your Senior Leadership Team; that is absolutely essential. **[Sophia, Restorative College, Stage 2]**

Introduction

Chapters five and six focused on challenges institutions face, the rationale for employing an RJ policy and their understanding of RJ. This chapter will focus on the opportunities and success of implementing an RJ behaviour policy that emerged from staff interviews. This chapter consists of three sections. The first two sections are titled after key constructs that emerged from staff interviews, and the third consists of staff experiences. The sections are as follows: a top-down, bottom-up and whole-school approach; training, dedicated RJ staff and sharing good practice; and finally, other experiences and RJ impact on behaviour.

A Top-Down, Bottom-Up and Whole-School Approach

A common theme amongst the participant of this study is that the implementation of RJ practices must be a top-down and a whole-school approach for an RJ behaviour policy. There must be support from the Executives and the SLT; this is evident in Jennifer and Aroon's quote below. Aroon and Anna are part of the SLT who demonstrated much interest in an RJ policy. Jennifer expresses,

> Amongst the Executives and our Senior Leadership Team, there was a lot of interest and backing for it. **[Jennifer, Restorative College, Stage 2]**

As Sophia states in this chapter's opening quote, any initiative or policy is impossible or difficult to implement without support from the institution and its front-line staff or members. Thus, it is argued that not only a top-down approach is needed, but a bottom-up approach is also required.

The acceptance of an initiative or policy is dependent on how it is sold to the institution and its members. The quality of pitching and delivery, supported by consultation and evidence, is crucial (The Restorative Development Team, 2003). Aroon explains how SLT drove the RJ policy, and staff in this institution were optimistic and willing to implement RJ practices due to the leadership and control of implementation by SLT, which had a consultation process. Aroon says,

> Anna and I led it. If we're optimistic and say that we want this, our staff will see it coming from the top and start implementing it. It was sold well, there was consultation with it, and it was delivered well. **[Aroon, Pupil Referral Unit]**

The above findings are not anew, which is supported by other research. Hopkins (2006) study reported that lack of support from senior management was a barrier to successful implementation. Kane et al. (2007; 2008) and McCluskey et al. (2008a) found that RJ implementation positively impacted when implemented with commitment and leadership. Skinns et al. (2009) argued that RJ implementation was more effective as a whole-school approach. The studies mentioned above were later supported by McCluskey et al. (2011), who carried out a systematic review of the findings from Kane et al. (2007; 2008) and McCluskey et al. (2008a). These findings mirror international findings as well. Gonzalez et al. (2019) argue that implementation would not have been possible without the entire school's commitment. Still, the involvement of students in implementation was vital, which meant the school had more practitioners to support RJ practices and processes.

For the Restorative College, a borough-wide initiative helped with implementation. Jack describes how shadowing and modelling or using the local authority's template on RJ practices has helped implement RJ behaviour policy and maintain consistency. Jack states,

> What has helped is that the local authority began restorative practice, and so, we're sort of shadowing that and taking that template which, I think, is great consistency across the borough. **[Jack, Restorative College, Stage 2]**

There are other examples of Restorative Cities; the first Restorative City in England was the City of Hull (Green et al., 2013; Green et al., 2014). Hull aimed to create a more socially and emotionally confident youth population encouraging a more entrepreneurial and aspirational outlook (Green et al., 2013: 445). RJ practices were implemented in the public services working with youths, schools and the police. Results show that by implementing RJ practices, the police had saved at least £3.5 million and cut custodial sentencing by 23% in the Youth Justice System (Green et al., 2013). In addition, schools reported that classroom disruptions were reduced by 90%. The study evidenced improved and healed relationships.

Training, Dedicated RJ Staff and Sharing Good Practice

A shared consensus amongst the participants in this study is that training opportunities and staff development days are crucial for a successful RJ policy implementation. Having an in-house trained RJ team had a positive impact on practical training. Jennifer states,

> We got the training out on staff development day and started with a small team with the skill set. We're quite lucky that we have an RJ team and could have two full days of training with them. **[Jennifer, Restorative College, Stage 2]**

In addition to training and staff development opportunities, Isla states that the Restorative College offers further training opportunities on demand, which is positive for successful RJ behaviour policy implementation. Isla expresses,

> We've already had the training opportunities, and if there is anything else we want training on, we just ask, and our managers will try and implement it for us as much as they can. **[Isla, Restorative College, Stage 2]**

Participants argued that assigning a dedicated staff and a team to support RJ processes positively affected implementation and practice (Gonzalez et al., 2019). Hopkins (2004) argues that every restorative school should have an RJ practices coordinator. There is evidence of sharing good practice and modelling, thus building confidence in staff (Kane et al., 2007; Kane et al., 2008; McCluskey et al., 2008a). Monika explains how staff support others across her College; it is not limited to local teams or departments. In the FE College NL2, Behaviour Officers proactively ensure staff understand RJ principles, and occasionally they support with facilitation. Monika shares,

> People are coming forward to help people across the college, not just in the department. We have the Behaviour Officers making sure that we understand RJ, and sometimes they facilitate it to make sure that we are doing it in the right way, especially when we are doing it for the first time and if we are not one hundred per cent sure what we're doing. So, I have seen it used in many departments. **[Monkia, FE College, NL2]**

The support and guidance offered by Behaviour Officers and other staff members are reverberated by Isla. In the Restorative College, a team of staff were RJ trained. In the academic year 2017/2018, the Restorative College committed itself to train all staff. Initially, senior members of the 'Safeguarding and Behaviour' team received three-day external training. Then the senior members of the 'Safeguarding and Behaviour' provided in-house training for all staff in the institution. For Isla, sharing good practice is paramount to strengthening one's understanding and practice of RJ. Isla asserts,

> Having a supportive team as well, so when we've got a situation we're not quite sure about, and we'll go to someone within our team and just throw the ideas out and have a bit of a chat around it to see what they would do and if they're thinking the same as us. That's been the most helpful thing, is to have those other people to ask, because you're not always sure. **[Isla, Restorative College, Stage 2]**

Other Experiences and RJ Impact on Behaviour

A theme that reoccurred is that staff felt that they were already dealing or managing with challenges restoratively. Aroon explains how he always dealt with problems restoratively without knowing the terminology. However, after training, his practice was enhanced as it was theoretically and philosophically supported and driven. Aroon explains,

> We did a form of restorative justice anyway; I mean, after receiving the training, I knew that a lot of the things I did anyway. But intuitively and experience-wise, I was doing that stuff anyway, so it was easy for me to sort of slip into it. You know it's the normal structure that any good teacher trying to resolve, a pastoral teacher trying to resolve any situation would sort of adopt. Now, there's this terminology behind it, and there's a label. It enhances a teacher's practice; it has enhanced my practice to think about the emotions that I'm going through when I'm making a decision about a teacher, another employee or a student—reflecting on why I am making a decision, what's underpinning my behaviour and interaction, or knowing my uncomfortableness about a situation. **[Aroon, Pupil Referral Unit]**

As with Aroon above, Bethany states that the RJ policy was embraced because values were already practised. Bethany expresses,

> When the new Positive Behaviour Policy came in, we embraced it because we do that anyway. **[Bethany, Restorative College Stage 1]**

Lily also echoes what Aroon and Bethany have stated. She argues that most teachers deal with students problems in a restorative manner, especially with low-level behavioural issues. Lily explains,

> A lot of people are using restorative approaches without even necessarily knowing that's what they're doing. I would say the majority of teachers approach student problems in that way. If it's a low-level problem, they will approach it by asking the student what is going on and trying to get their perspective. **[Lily, FE College, NL2]**

While the above arguments are seen as a positive, which helps with implementation as staff feel they are already operating restoratively so are willing to accept RJ policy, research has identified a problem with this positionality. Karp and Breslin (2001) found that staff who felt that they were already delivering RJ caused an issue because it made it difficult to train and make staff fully understand RJ ideals. That said, Susan shares similar RJ experiences as the others above. Still, Susan exerts that with the right direction, behaviour in her institution had improved, which was observed by Ofsted (see Appendix 11). Susan also felt she managed challenges restoratively for many years of pre-RJ training. Ofsted inspection for this institution was predominately rated as a Grade 3, 'Requires Improvement'. As a consequence of the 2017 Ofsted report, FE College WM focused on improving students' behaviour, and the initiative adopted to support the institution was RJ practices. In October 2018, 18 months later, Ofsted

re-inspected FE College WM and observed improvements in students' behaviour. Susan elucidates,

> For me, it was something that I found that I was doing as a practitioner anyway. I didn't have a term for it; I didn't have a name for it until we went into training, and suddenly I had a word for what I'd been doing for years and what I'd seen other good teachers doing for years. So, I now had a language to talk to other teachers as part of my coaching. I had a language now to speak to them on what they were doing and what would work. Historically, particularly at this campus, we have had, as an organisation, three Grade 3s from Ofsted. Part of that, not the last one but the one before, was about behaviour; it was about issues to do with students in and out of lessons. The last inspection that we had, although we didn't shift in terms of our overall Grade, we did shift in terms of the comments; we had the same Lead Inspector who commented massive differences in the eighteen months on behaviour, the Inspector could see that it had a massive turn around, so that was commented on in our Ofsted Report. It talks about behaviour, it doesn't talk specifically about restorative practice, but it talks about differences in behaviour. So that as a general term is mentioned, obviously part of our whole behaviour management thing, the whole Policy, the restorative practice is part of what we do, the behaviour is definitely mentioned in the Ofsted Report. **[Susan, FE College, WM:** *see Appendix 11 for the Ofsted reports***]**

Staff shared personal experiences of RJ practice's impact on their professional life. For example, Ayodele speaks anecdotally (see Appendix 9) on implementing RJ principles to improve students' behaviour and relationship. Due to behavioural issues, Ayodele was very stressed, who was contemplating resigning from the teaching profession. Research has observed that continuous low-level disruption in the class contributed to staff stress (Ofsted, 2005; Martin et al., 2011a). However, after utilising RJ practices, his classes' behaviour had changed and improved, resulting in him enjoying teaching again.

Anna further explains that the RJ process enables staff to learn more about their students (Gregory et al., 2016); teachers can understand the students better and see a side to students that are not always apparent, thus improving teacher and student relationships. Anna has observed that RJ practices empower students, enable's them to be reflective and take responsibility. Anna describes,

> It has also enabled us to get to know students a lot better. Because when you go through the process, you go through the questions, they show a side to them that you don't necessarily see when they're the aggressor. So, you see them in a completely different light, and it's helped our relationships with students here. It really empowers them and allows them to be reflective, and we see some of the most hardened kids here who don't seem to have any remorse or capacity to be reflective. When you take them through the process, I've seen some of the most hardened boys be reflective and being very sorry without needing to say sorry. **[Anna, Pupil Referral Unit]**

Staff expressed (Observation, RJ Practices Training, 8th December 2018, Restorative College, see figure 8) that teachers are usually oblivious to what students are going through; RJ practices have helped them better understand students and their needs (Gregory et al., 2016).

Also, staff reported (Observation, RJ Practices meeting, 6th November 2018, Restorative College, see figure 8) that the RJ script or questions (see table 2) gave structure to the process. Following the RJ script, students were able to take ownership or responsibility for their actions. Usually, the question 'what happened?' can cover all grounds. However, participants from interviews were cynical of these RJ scripts/questions, which will be discussed in the next chapter. The advantage of using RJ scripts/questions is a personal preference, as some staff have shown contempt in its use, as discussed in chapter eight, constraints and limitations in implementing RJ Policy.

For the Restorative College, involving parents in RJ practices positively impacted the process (Bitel, 2005; Kane et al., 2007, Kane et al., 2008; McCluskey et al., 2008a); it built trust between the institution and parent(s), demonstrating professionalism in dealing with the issue. Jack expresses,

> Parents' involvement straight away initially gets them on-side. We've got a clear plan, that we know this is what happened, we can tell parents straight away, this has happened at College, the next steps are X, Y, and Z. And I think if they can see that and know that we can deal with it and be on top of it straight away. **[Jack, Restorative College, Stage 2]**

Conclusion

This research highlights that a successful implementation of an RJ behaviour policy needs to incorporate both top-down and bottom-up approaches driven by SLT accompanied by an evidence-based consultation, which is paramount for the initiative to be accepted by its community. Further, for a successful implementation, the initiative needs to be accepted by its community. For the Restorative College, the local council implementing an RJ policy as a borough-wide initiative supported and complemented implementation in its institution. Training, further training and staff development days were seen as critical opportunities for successful implementation. Having a dedicated team to support staff with RJ practices was crucial in institutions, enabling staff to receive support, gain confidence, and share good practices. Staff shared that they felt they were already managing challenges restoratively; however, after being introduced to RJ practice, they had a label and set of vocabulary. While this is seen as a positive as it is easier to get staff to accept RJ practice, the danger is that staff

are set in their ways. Nevertheless, there is anecdotal evidence of RJ practices improving behaviour and supporting staff in learning more about their students. Using the script or RJ questions aided the RJ process, and involving parents was seen as an advantage as it built a bridge between the institution and the parent(s).

CHAPTER EIGHT: *Constraints and Limitations in Implementing Restorative Justice Policy*

> Time…Time to meet with the students, time to do feedback, reflect, time to organise, time to train. I suppose along with time, there's the issue of money because you have to have money to create time. **[Ethan, Sixth Form – Special School]**

Introduction

Chapters five and six focused on challenges FE institutions face, the rationale for employing an RJ policy and their understanding of RJ. Chapter seven explored the opportunities and successes of implementing an RJ policy that emerged from staff interviews. This chapter will examine the constraints and limitations of implementing an RJ behaviour policy, which consists of seven sections, reflecting the constructs that emerged from staff interviews. The first section of the chapter will focus on funding cuts and mergers impacting the implementation of an RJ policy in the FE sector, followed by staff turnover and consistency in RJ practice. The chapter will then discuss challenges surrounding authority, hierarchical structure and power imbalance. Later, the focus is on culture change and time. Time is a commonly cited barrier by participants; thus, this section is split into three further subsections: implementation, practice, space, and bureaucracies of the RJ process. Next, the complexities surrounding the institutions and their environment will be examined. Finally, issues that emerged from staff interviews regarding training will be scrutinised.

Funding Cuts and Mergers

Since 2010, the Institute of Fiscal Studies found that funding and investment in the FE sector diminished compared to primary and secondary schools (Weale, 2018b; D*f*E, 2019). Spending for a sixth form student was reduced to 21% since 2010, and FE colleges saw an 8% cut which meant course closures, job losses, cuts to student services, amongst other things (ibid). In the same period, funding for adults was reduced by 45%. These funding cuts have had a devastating impact on FE institutions and the implementation of RJ. Oliver explains how funding cuts and investing in resources meant that the institution lost RJ practitioners, which had a colossal effect on the implementation of RJ. Oliver explains,

> So, the difficulty has been funding cuts to the FE sector; we've lost practitioners who would be able to deliver RJ. I just think it's down to resources; unfortunately, it's the only thing that's held it back. **[Oliver, FE College, SEL]**

Due to funding cuts and institutions' financial health at risk, college mergers have been more prevalent since 2010 and during this period of economic precariousness (D*f*E, 2019). There is evidence of staff's optimism in employing RJ practices. Megan explains that due to funding cuts, resources decreasing, changes in senior managers and mergers, the implementation of RJ policy has not been driven by a top-down approach. Funding cuts and mergers have caused disruptions and instability to the institution. Megan expresses,

> Some people are really signed for it, haven't been a top-down, and we would like this to spread across the whole college. Our senior team has been changing and changing, we've merged twice, and there's been a lot of disruption going on, so we haven't had much stability over the last sort of five, six years in terms of a solid leadership team that would say, this is how. And cuts, I'm sure it's mostly the same in FE, lots of cuts, so many departments have shrunk, so people have less time to focus on the things that don't seem to be immediately necessary. **[Megan, SEL]**

A consequence of mergers is that the subservient institution usually adopts the dominant institution's policies to ensure consistency. As a result, if the subservient institution was utilising RJ practices as part of their behaviour policy, and the dominant institution was not, then in effect, the subservient institution would relinquish its practices and policies to synchronise with the dominant institution. A power imbalance can be inferred here; a merger suggests that institutions are entering an equal partnership; the process can seem like a takeover by the dominant institution. Musa identifies financial strains on the institution, reiterating what others have mentioned. Musa contends,

> Because of the merger, policies changed, we had to take on their policies; we had no choice. The behaviour policy has changed with that; obviously, there hasn't been much emphasis on RJ, as we had in the past six years. It's also a matter of budget. I think budget cuts significantly impact what we can do; there would be a central person who would oversee behaviour management; unfortunately, that's gone. With budget cuts continuously happening, more and more pressure is being put on local departments, and that is teachers and managers. **[Musa, FE College, NL1]**

Staff Turnover and Consistency in RJ Practice

So far, we have seen how unstable the FE sector is; this instability is percolated into staff retention and turnover. In a typical FE institution, staff are predominantly visiting lecturers, part-time or zero-hour contract staff. Training and monitoring to ensure consistency in adopted policies can be arduous due to staff being on different contracts and turnover. Rose asserts that due to visiting and part-time staff, not all will be aware of RJ practices or policies,

> A lot of our staff are visiting lecturers or part-time. So, they won't all know. But the turnover is so just in terms of needing to use quite a lot of visiting lecturers and part-time staff on several sites that we're on. **[Rose, FE College, SEL]**

Jack describes how the Restorative College regularly recruits new staff, and inductions or training do not take place immediately as they are scheduled at specific times in the academic year. This raises concerns regarding non-restorative measures implicitly finding their way back into an institution that implements RJ policy as a whole-school approach. In effect, this will impact consistency in dealing with behavioural challenges and uncertainty on what measures and tools are perceived as restorative and non-restorative (Fattah, 1998; Gavrielides, 2008; O'Mahony and Doak, 2009). Jack states,

> Turnover of staff is a barrier to implementing restorative practices. You know we get new staff to come in, we get new staff starting quite regularly, and there's not always that induction within a week. I think inductions take place at set times of the year. So, they might not be fully aware of it. **[Jack, Restorative College, Stage 3]**

Oliver reiterates staff turnover issues, exhibiting how ensuring new staff are informed of new policies is usually lost in communication. Thus, new staff must rely upon their training and methods, which can be deemed punitive, disrupting the successful implementation of RJ practices. Oliver conveys,

> We've got new staff all the time, you know. And we've had a lot of changes over the years, so they'll be a lot of staff who don't know about the approach, and we'll still use punitive response in these situations. **[Oliver, FE College, SEL]**

As mentioned above, funding cuts in the FE sector has had a massive impact on institutions operational practices. Generally, organisations and institutions are restructured to save money; thus, staff are usually offered a redundancy package, or some staff decide to leave the institution for a change. A merger can see new staff being recruited. Again, training all staff on the institution's behaviour policy can be problematic. New staff bring their methods of managing behaviour into the institution, thus an inevitable departure from set policies and practices. Musa contends,

> Because of the merger, we have a departure of old members of staff and recruitment of new members of staff who are not aware of RJ, and if there are any issues at the moment in time, it gets straight sent to the manager a disciplinary route. There was three of us, but after the college merged, obviously, people moved on, so from the 3 of us, I am the only one left. And for the past year, I've been taking the lead on this. **[Musa, FE College, NL1]**

Maintaining and monitoring consistency in practices can be a challenge, given the size of most FE institutions. It is paramount that behavioural cases are dealt with similarly across the institution and in different departments. Jack argues,

> With any organisation this size, it's going to be difficult to get that consistency across. I think that's what we need to be aiming for so that if something happens in a curriculum area offsite,

> in the engineering centre say, and it's dealt with in the same manner that it would here or at another site, or at construction. **[Jack, Restorative College, Stage 2]**

Consistency in applying and implementing the RJ policy is a barrier to a successful implementation. Staff will always construct and interpret behaviour according to their views (Burke, 2014); thus, staff will manage behaviour how they see fit. The behaviour policy is there for staff to rely upon, but staff may choose to depart from it and deal with behaviour on a case-by-case basis. Ava elucidates,

> I think it's inconsistent. Certain people follow the behaviour policy; certain people see different behaviours as acceptable and unacceptable. And I think that will always be there because things that I tolerate, you may not. So, the behaviour policy is just a blanket policy, really. For some students, it works and is appropriate, and for others, no! **[Ava, Restorative College, Stage 2]**

There is hope to achieve consistency in RJ implementation and application; however, it will require time and education; as Mary explains,

> I think it's the consistency across the college. It's improving, but I think we've got a long way to go regarding addressing and challenging certain behaviours. Everyone needs to be following that policy, and sometimes it doesn't happen. They are using it, but they do not understand how to use it properly. **[Mary, Restorative College, Stage 3]**

Inconsistency of implementation and application of RJ policy was mentioned by staff in the observation of the RJ Training on 6th December 2018 at the Restorative College, see figure 8. Staff expressed that there is currently inconsistency in how teachers deal with behaviours. For example, some will reprimand students for a typical issue, but others will not; in effect, this becomes highly problematic as students start to cite other teachers' techniques to get away with challenging and disruptive behaviour.

Authority, Hierarchical Structure and Power Imbalance

We have discussed how staff are reluctant to sacrifice their authority (Russell and Crocker, 2016) and surrender the power to punish, symbolising teachers' power (McCluskey et al., 2011). Institutions implementing RJ policy maintain an authoritarian and hierarchical structure (Varnham, 2005). Although the Restorative College was making every effort to implement RJ behaviour policy as a whole-school approach, there was evidence of power, authoritarian and hierarchal structure and undermining staff struggle. In observing an RJ meeting on 6th November 2018 at the Restorative College, staff raised concerns about how SLT constantly questioned their power and authority. Mia refers to her experience of feeling undermined by an SLT. Mia explains, see below, how her line manager persuaded her to be present in an RJ process. Mia mistakenly thought that she was one of the party's directly taking part in the

meeting; however, later, it was apparent that she was merely a supporter. A consequence of Mia being just a supporter was that she could not partake in the decision-making process and was asked to leave the room when the decision was being made, contradicting the values of RJ. In contrast, her line manager remained in the room whilst a decision was being made. Mia felt unimportant, disregarded and irrelevant. Mia communicates,

> This morning is an obvious example of how they treat teachers, and I don't mean this to sound like I'm venting about it because it's just happened. One of my young men assaulted somebody, and it was an assault, and I saw it on the video. But he's a good kid; I see a different side to him; he made a mistake, a massive mistake, no doubt. So, we've just had a meeting now, my manager, she is great, she is all for it, as well, so she said I want you to be in on it because you know him, we need to give a good side to him as well because that's only fair. So, we did, we were in the meeting, and they showed the violence, it was horrible, his dad and uncle were there as well. Now we thought we were in the meeting, but seemingly, we were just there to support him. So, when it came to making a decision, we were told to step outside. My manager could stay, but not me. So, it's just like teachers in all of this behaviour policy; we're just not regarded as even important. And that made me feel like a right idiot. And then when I went back in, she said, you didn't need to have stayed; you could have gone back to your class. So, most teachers feel we're completely disregarded, and what we say or do doesn't make any difference. And we have to deal with it day in, day out. **[Mia, Restorative College, Stage 3]**

Lilly explains how teachers remove students from the class, but they would return without any accountability, thus questioning teachers' authority in the classroom. Lily states,

> As a teacher, I would send somebody out to go and see SLT, but they would bounce back in again, and as a teacher, I had no authority to do anything or question anyone. Students would do awful things, and nothing was done about it. **[Lily, FE College, NL2]**

The power dynamic between students and staff is questioned. In an instance where a relationship has broken between a student and staff, there is evidence that the institution would implicitly support the staff to ensure their authority and confidence is untethered. On the other hand, it offers support to the student. This stance is very problematic, questioning the legitimacy of the process, especially if the staff was genuinely in the wrong and whether relationships between staff and students can ever be repaired. Rose explains,

> If there's a breakdown in relationships between a student and a staff member, that's trickier. Because we have to support staff members, we have to be seen not eroding their authority or confidence. But at the same time, we're supporting the student in understanding. **[Rose, FE College, SEL]**

A common understanding of staff not being able to punish or exclude students is for financial reasons. A student enrolled in an institution means funding from the government. Already established above, due to funding cuts, FE institutions are already struggling financially. From

this vantage point, it is understandable why SLT may wish to overrule staff members' decisions and retain students demonstrating challenging behaviour. Ava says,

> Regardless of how challenging they are and what they do, we need them for funding reasons. I think a little bit of the system's hierarchy that we are hands-on, we know the students, and we know what their behaviours are like. Still, we are overruled by people higher up who don't know the students and know the situation and the circumstances. And we should have our professional integrity, and we know how to deal with them. Often ninety-nine per cent of the time, we're overruled by somebody who has never met the student, doesn't know the circumstances, and has just read a little bit of the report on the electronic system. Retention of students. The fact that we've got to retain them, and we can't get rid of them. **[Ava, Restorative College, Stage 2]**

Culture Change

Orthodox understanding of disciplining behaviour in schools is administering punishment using punitive measures, such as removing the student from class, isolation, detention, removal of privileges, banned from school trips and exclusion (Thorsborne and Blood, 2013). The purpose of these disciplining tools is to deter students and alter their behaviour (ibid). Thus, schools in the UK have adopted a quasi-judicial approach to managing behaviour resembling the western criminal justice system (Thorsborne and Vinegrad, 2003), as argued in chapter five.

Changing the culture from punitive or traditional methods to restorative methods has been challenging. This research and other research have already addressed that staff are reluctant to dispose of punitive measures. RJ is used alongside punishment, and punitive methods are seen as compatible with RJ practices to manage behaviour (Kane et al., 2007). Staff and students have expressed that they favoured punitive measures as it establishes acceptable and unacceptable behaviour, and RJ practices were seen as soft and lenient (Skinns et al., 2009; McCluskey et al., 2011; Camp and Wemmers; 2013).

We find similar struggles of changing culture from traditional practices to RJ practices in institutions part of this research. Damian (Sixth Form – Special School: quote available in chapter five, 'A Discussion: The Emergence of Themes from the Behaviour Policies) explains that staff are opinionated regarding behaviour management and discipline, which may require a substantial amount of time to change their mindset. The traditional practice is to punish students for misbehaviour, which is the default practice of the wider society. Departing from normative practices can be a culture shock as it is a departure from tradition.

For a successful RJ implementation, particularly as a whole-school approach, and culture change, it is paramount that the entire school community, including the leadership team and

students, are committed to the RJ and its practices (Gonzalez et al., 2019). That said, any change or new idea will always attract resistance. Jennifer states,

> We're at the start of a three-year implementation, and I think it's a very different way of working for many staff. I would say seventy per cent are really receptive to it and really grateful for the new ideas and new approaches. And we've got maybe thirty per cent that is a little bit resistant at the moment; they think that we need to stick to the punitive approach they're used to. **[Jennifer, Restorative College, Stage 2]**

As with an RJ behaviour policy, staff, students, and parents do not always 'buy into it' (Ethan, Sixth Form – Special School). RJ practices should not be seen as a panacea, as institutions, particularly in the FE sector, encompass students with diverse needs; therefore, various behaviour management tools may be required to be available to staff (Daly, 2016). Ethan asserts,

> Students and teachers don't always buy into it; the parents don't always buy into it. It will take time, and I need to be realistic and recognise that there are limitations to implementing any one philosophy to everybody. Unfortunately, there's a need for a quick fix, quick outcome, and this happens, this should be the consequence, this should be the punishment, this person has done this, this is what should happen, it's a philosophy which is widespread within society. **[Ethan, Sixth Form – Special School]**

However, Ethan suggests that to help with implementation and culture change, '*having a very clear set model could help*' (Ethan, Sixth Form – Special School; Vaandering, 2014; and argued in chapter six). That said, Ethan explains how there is an expectation for justice to be served and perpetrators held accountable formally (Camp and Wemmers, 2013). RJ literature argues that ideas and understanding of RJ differ from one to another, leading to aggregation of all ideas (McCold, 1998; Gavrielides, 2008; Daly, 2016). Further, Gavrielides (2008) explicates that often practices that are not restorative are brought under the RJ umbrella. Ethan describes how punitive methods are masqueraded as RJ initiatives,

> For the staff, I think there is a little bit of a challenge. Being in a school environment where behaviour presents as challenging quite often, there's a temptation, from staff for expectations from other students and parents, to see justice done, whatever that means. Staff are using a range of punishments and sanctions and stuff like that. Because philosophically, they don't buy into restorative practices. So, whilst people still say they're giving somebody detention, informally, formally, it's called reflective time. So, there are some embedding of the philosophies of the school's practices since September. **[Ethan, Sixth Form – Special School]**

Staff forgoing their authority is a challenge, impacting implementation (Russell and Crocker, 2016). Evidence shows that institutions implementing RJ still maintain an authoritarian and hierarchical structure (Varnham, 2005), as explained in the above section of this chapter. Susan

describes how staff's perception of behaviour management and their role can impede dealing with behaviour and students. Susan states,

> The biggest issue has been individuals and their ideas about how to deal with students. We still have teachers who think that their role is very much about being an authority, and students are there to do as they are told, and if they don't, then that is a problem with that students' personality, or there's an issue there, it's not something that they need to deal with. So, getting them to make a shift in terms of restorative practice is much more complex. **[Susan, FE College, WM]**

Regardless of ensuring that the RJ behaviour policy is implemented fully, there will always be few instances where staff continue to rely upon the old policy. Whether this is done studiously or unintentionally due to the message or training not being received is unknown. Sophia postulates that staff will always attempt to exclude students,

> They still refer to the old policy, even though we've done a massive staff briefing at the management level, Senior Leadership Team level, and Governors level. We have had a few cases where people have over the last three months, and they will always try to exclude students without following the process. **[Sophia, Restorative College, Stage 2]**

Staff disclosed (Observation, RJ Practices Meeting, 6th November 2018, Restorative College, see figure 8) that some teachers can be very punitive when dealing with students' behaviour. As a result, staff feel that they cannot say anything or approach these staff, leading to dissension between colleagues.

Sophie raises legitimate concerns. She identifies that implementing RJ as a behaviour policy is an immense task, which requires a change of the College's ethos. Sophie exhibits apprehension of such a task,

> I'm worried that they don't realise what a huge change it will be; you don't just change your behavioural system. It has to be a change of ethos, and I think that not everyone is committed to that in this College, and I worry that is a huge task. **[Sophie, FE College, NL2]**

Much support is available in literature in aiding a change in institutions, which should include a consultation process and be supported by evidence (The Restorative Development Team, 2003), which Aroon also argues in chapter seven. Hopkins (2004) offers a *'five-stage model for school change along restorative lines'*. *Stage one* is where the institution brings awareness to the whole school and provides an opportunity for further discussions. Hopkins (2004) explicitly states that attention is brought to the teaching staff, governors, parents, students and all other staff and groups part of the institution's community. The *second stage* is where a steering group is created representing the school community. Depending on the size of the steering group, difficulties may arise regarding logistics and coordination; however, the group

must decide how to communicate and keep all group members informed. The steering group would be the first to be trained in RJ practice, enabling them to advocate RJ in the institution. Hopkins (2004) advises that qualitative and quantitative evaluation are implemented at every stage to measure changes in behaviour, attitudes, and perceptions. The *third stage* involves the steering group, who are already trained in RJ practice, planning implementation and monitoring barriers. Further, a training team trained in RJ which possesses skills in training and teaching others will be initiated. This training team should consist of representatives from the institution's community. At *stage four,* training of the school community commences, and RJ practices are introduced in the institution, which the steering group would have planned at the consultation process (stage three). Finally, the *fifth stage*, which is ongoing, requires the institution to be proactive and adopt initiatives in keeping RJ practices *'alive and well'* (Hopkins, 2004: 176).

Further, Throsborne and Blood (2013) offer an *'eight steps for change'* model, which is based on the work of John Kotter (1995, 2007, 2012) and, to some extent, reflects Hopkins' (2004) model above. In supporting the implementation of RJ practices in the education sector, the eight steps are: *making a case for change*, *putting an implementation team together*, *creating a vision for the future*, *communicating the vision to capture hearts and minds*, *removing obstacles and empowering action*, *generating short-term wins*, *keeping the pressure on*, and finally, *maintain the gains*. Thorsborne and Blood (2013) refer to Rogers (2003), Heath and Heath (2010) and Kotter (1995) argument that when *making a case for change*, a sense of urgency is required to motivate the staff. At this stage, the SLT and governing body discuss the rationale for employing RJ practice. The *implementation team* needs a team (three or four or more) of influential and respected people who can drive the implementation. Having a big group with a common interest will ensure that implementation and the drive continue even if a member decides to leave the institution. Thus, *'members should be willing, interested and have positive relationships and influencing skills'* (Thorsborne and Blood, 2013: 149). *Creating a vision for the future* consists of developing a vision statement. This summary captures the future, determining the values central to the change, creating a strategy to launch and execute the vision, and becoming fluent in describing or communicating the change in a short time (ibid: 163). Regarding *capturing the hearts and minds* of the community, Thorsborne and Blood (2013) suggest the vision is communicated at every available opportunity. *Removing obstacles and empowering action* requires the SLT to support the implementation team and the changes required proactively. This step requires SLT to permit the implementation team to take

risks in developing new strategies to work with students and others. There are ample opportunities and training available to develop skills to implement the changes. If staff still show resistance despite the support offered, they should be held accountable restoratively, leading to the removal of staff, redeployment, or resignation (ibid: 168). *Generating short-term wins* will motivate staff to continue with the vision: thus, impact on exclusions, referrals to managers, bullying, amongst other things, can achieve this. *Keeping the pressure* on is critical; change needs to occur deep into the institution's culture (ibid: 171). Thorsborne and Blood (2013) suggest, amongst other things, that the scope of the project is broadened by involving more members of the community, continuing to announce the impact, bringing in new members to the implementation team to revitalise the team, and taking care when recruiting new staff, especially SLT, where old methods return, and all the hard work is undone, as argued above in the 'Funding Cuts and Mergers' section. Finally, Thorsborne and Blood (2013) say that the *pressure* to maintain gains must continue, which can be achieved by announcing and showcasing the positives of the change or vision. Further, offering upskilling opportunities, building awareness, holding staff accountable for not embracing or implementing the change, implementing robust induction and training for new students and staff.

Time and Space

One of the biggest obstacles to successfully implementing an RJ behaviour policy is time; participants discussed issues relating to implementing and delivering RJ practices. The time barrier is multifaceted as it impacts implementation, practice, space and bureaucracy; these factors are delineated by participants, which will be discussed in-depth.

Implementation

The barrier to implementing an RJ behaviour policy in an institution is that it is a lengthy process; many factors impact this process, such as its size and training staff. Jennifer explains that although the SLT demonstrated much interest in implementing RJ as a behaviour policy, they underestimated its time to implement it across the whole College. Jennifer expresses that the institution's size, having several campuses, and reaching all staff impact RJ implementation. Further, the implementation relies on staff to read and understand the policy, which is problematic as staff are already constrained with time, discussed in-depth below. Jennifer says,

> Our Senior Leadership Team had a lot of interest and backing for it, but they wanted it done as soon as possible; they knew that it would take time to implement across. The size of the organisation is a factor in implementing it and getting it out to everybody. We sent the policy

> out, but that relies on people who are quite short of time to sit and read a policy, digest it, understand it, and get on board with it. The fact that the organisation is across many different sites. The logistics of getting the training out to everybody is difficult, and to implement it, you need to do the training first; it's not just something you can just read and do. **[Jennifer, Restorative College, Stage 2]**

Anna describes how time restraints restrict her institution from investing in RJ practices. To create or invest time in RJ practices, the institution needs to recruit additional staff and reduce or alter existing staff members' teaching timetables or responsibilities. Thus, ultimately, it will cost the institution to invest time for effective and quality RJ practices. This caveat prevents the institution from working with students and training them in RJ practices; in effect, to contemplate training students, the institution requires space. Training students in RJ practices would teach the values of RJ, which institutions are attempting to inculcate in students as discussed in chapter six, such as conflict resolution skills, responsibilisation, empathy, amongst other things. Training students in RJ practices will ensure more RJ facilitators (Gonzalez et al., 2019); consequently, the institutions may solve staffing and timetabling issues. The institution needs to invest in the former to achieve the latter. Anna explains,

> If anything, it's probably time restraints and staffing restraints that keep us from doing more, doing more conflict sessions with the kids and maybe even getting the kids trained. We have many different issues in terms of timetables, space and time, and staffing. It would be nice to have a bit more space to go a bit deeper. **[Anna, Pupil Referral Unit]**

Practice

Delivering RJ practices is argued to be time-consuming. Aroon explains how some incidents and RJ processes can be elementary; however, others are very labyrinthine. One incident can lead to several other investigations and RJ processes. Aroon states,

> With some, it's very quick, you know it can be one meeting. Others, you must just put it there and come back to it later. The situations can be over long periods; it can be sustained bullying over social media; you know it isn't one issue you're trying to unpick. It's not one thing this person did that annoyed subject B; it was over a long period, several things, and it's so complicated. It is coupled with the fact that they already have neurological disorders, and their perception of things is so warped. **[Aroon, Pupil Referral Unit]**

The daily life of a teacher is very bureaucratic, complex and busy. A teachers role requires meeting the broader institutional needs, local departmental needs, student needs and teaching needs; thus, teachers feel overwhelmed and under a lot of stress. Finding the time to accommodate RJ practices can be a mammoth task, especially when teachers travel between campuses for teaching responsibilities. Ayodele explains finding the time to accommodate RJ

practices is an issue. He argues that teachers are overworked, and the teaching timetable does not permit miscellaneous activities,

> Timing, time! Because we are stretched, it's about time. Our timetables, we're overworked, we're stretched, and it's making that time where you can all sit together. I might have had a problem with that class, and then the next thing I'm off to another campus, that kind of thing, so it's able to take the time to sit down and have these meetings. **[Ayodele, FE College, NL2]**

It is apparent that poor behaviour, mainly low-level disruptions, occurs regularly in institutions and that staff attempt to deal with challenges promptly. That said, scheduling an appropriate time to meet the student(s) can be problematic for the teachers and student(s), as students are also on a stringent timetable. Resonating with Ayodele, Susan notes how difficult it can be to practice RJ; asking students to return at an appropriate time can be very difficult. Susan clarifies,

> Because many teachers deal with poor behaviour, you're just dealing with it as it happens, and so there's no real-time to say I need you to come back at the end of the session. Teachers teach twenty-five hours a week, so they're back to back; they're running from one lesson to the next. Keeping a student at the end to have that conversation is difficult at that point. Having a student come back at the end of the day, or the following morning, again, may not suit them or that student. Trying to find time to make that restorative conversation can be difficult. **[Susan, FE College, WM]**

Lily asserts that delivering a quality RJ process requires a significant amount of teachers' time, a scarce commodity in the sector, which can test their determination and commitment to deliver RJ practices. Lily expresses,

> You need time to do it properly, it takes a lot of time, and it takes time from people who don't have it. So, it involves curriculum staff being available when we need them to be to have those meetings. It all takes a huge amount of time, and unless you are really, really into it, I think getting started, to give up that time is problematic. **[Lily, FE College NL2]**

It is important to note that although RJ practices can be implemented as a whole-school approach, partial-approach or reactive-approach (McCluskey et al., 2011), institutions do not allocate specific time in staffs' timetable to deliver RJ processes. Staff are required to find that time, as explained by Sophie;

> Time! There hasn't been a slot for restorative meetings so, it's as and when and teachers may have time, don't have time. **[Sophie, FE College, NL2]**

The lack of time to accommodate and deliver RJ processes was found in the Restorative College, which has a dedicated team to provide RJ practices. Bethany contends that issuing a caution is simplistic. However, Restorative College has assigned a team tasked with RJ practices; the size of the institution and the number of students assigned to a team makes it

impractical to deliver RJ practices. The number of students cited by Bethany, 450, is the number of students assigned to her team; it is not the number of students enrolled in the Restorative College. The Restorative College consists of more than 16,000 students every year. Bethany describes,

> It takes more time than just issuing somebody with caution. So, we've got four hundred and fifty students; you can see many meetings are going on, and it is a lot of time and resources to do this. The main problem is finding the time to have all these meetings and getting the parents in because many of our parents are not interested. **[Bethany, Restorative College, Stage 2]**

Staff (Observation, RJ Practices Meeting, 6th November 2018, Restorative College, see figure 8) echoed time-related issues. Staff in this meeting shared that they were rushing into RJ meetings; this calls into question the time taken to prepare for the RJ meeting, the thoroughness of risk assessment conducted and the quality of the process. Some staff disclosed that no preparation work was undertaken; this is problematic. It sacrifices safeguarding parties involved and ensuring a safe environment, which is critical to RJ values. Staff expressed that they could not go through the script. These RJ scripts or questions are not strict, and further questions can be asked for clarification or a more profound understanding. Still, during the process, they should be asked to all participants, who have voluntarily agreed to partake in the process, to have the same opportunity to share their experiences (Hopkins, 2004; McCluskey et al., 2008a). In this instance, what is called into question is whether all parties had the opportunity to share their story and repair their relationships. Staff explicitly stated that there is no way of anticipating how long an RJ process would last; as Aroon mentioned above in this chapter, some sessions can be quick and others very lengthy and possibly require further investigation. This causes staff issues on a strict timetable; thus, it is understandable why facilitators could not go through the script or curtailed the session. Staff saw practising RJ as a profession – a full-time job, as preparation for an RJ meeting, and the actual meeting itself can be highly time-consuming.

The issue of time in practising RJ practices is identified in research and literature (Karp and Breslin, 2001; Bitel 2005; Hopkins, 2006; Vaandering, 2011; Russell and Crocker; 2016). Teachers are under a lot of pressure to deliver curriculum; thus, RJ practices obstruct lessons and learning outcomes. Without a clear plan, strategy and direction, implementation of RJ can be a prolonged process (Edgar et al., 2002; Kane et al., 2007; Kane et al., 2008; McCluskey et al., 2008a). Bitel (2005) recommended that the process is either facilitated by external staff or by internal staff who have time off from front line teaching. Restorative College assigned a

team precisely to deliver RJ practices and train teaching staff to provide RJ processes where possible; time was still cited as an issue for this institution due to the size and the number of students attending the College.

Space

While FE institutions can be significant in size, space can still be problematic, which Anna raised above. Finding an area or a room within the institution can be difficult, which triggers other issues such as safeguarding, providing a safe environment, accommodating all parties, and ensuring the room booked for the process is available for the duration of time needed to complete the process. Rhys manifests,

> We need somewhere safe for that to happen. Some of our other campuses do not have appropriate places. Then there are all sorts of other issues in terms of safeguarding and making sure that staff and students are accommodated appropriately while these conversations are taking place. We don't want any situations to be escalated as a result of this process in itself. So, we just need to be conscious of all of that, and there are wider implications; there's time, there's appropriate resources or facilities that might be needed. **[Rhys, FE College, WM]**

A staff member shared their experience conducting an RJ process (Observation, RJ Practices Meeting, 6th November 2018, Restorative College, see figure 8). They described that ensuring safety was an issue when the parents and all the parties involved were called in on the same day and time due to space and time constraints. Still, it was managed as one family was asked to wait in the canteen, while the other was in the meeting room, that said, the staff emphasised how stressful the situation and the day was.

Bureaucratic Process

The issue of time and practising RJ is exacerbated by the bureaucracy of the delivery of the process. Typically, when institutions or organisations implement RJ practices, they are inclined to evaluate the concept to monitor its impact, effect and experience. Assessing and evaluating RJ practices results in facilitators and parties to the process completing a great deal of paperwork. The bureaucratic process can be time-consuming, adding to teachers' workload and pressure resulting in stress and professionalisation (Eglash, 1977; Christie, 1977; Ruggiero, 2011; Bolitho, 2015). This time-consuming bureaucratic part of the process can force staff to divert from utilising RJ practices to deal with behaviour and seek alternative methods or compel staff to omit to record the use of RJ practice. Either way, this puts the employment of RJ practices in a quandary. Thomas voices his frustration of the bureaucracy of the process,

> I was given some forms that need filling after the process, and the pressures of filling them are time-consuming. I don't see myself having the time to fill out this form every single day that

> something occurs because it's not possible. I do not have the time for that. It's not the only way. It's a very democratic way, but it has its pros and cons as well. And one of them is the time it would take; I don't see myself doing that every day. It is not possible, I would not have the time to do that, and I'm not going to do that every day because it is impossible. I've been sitting here since seven twenty, marking, and marking, and marking. As I said, it's time-consuming. **[Thomas, Sixth Form – Special School]**

Another dimension to the bureaucracy of RJ practices is the resources accompanied to understand and deliver the process. These resources can be voluminous, again eating into teachers' valuable time and adding to their workload and stress. Suppose staff omit from reading these documents to enhance their understanding and practice; this can result in RJ practices being misunderstood and convoluted with individuals own perceptions and ideas, consequently imperilling the process (Vaanderring, 2013). Bethany states,

> It's always a bit of a struggle at first because you can't remember the policy, and it's quite a big document. The problem is that they're always too big. They should be summarised because staff don't have time to sit reading. **[Bethany, Restorative College, Stage 2]**

Bethany identifies that the bureaucracy of implementing and practising RJ prevents staff from doing what they are supposed to do, which is to spend time with students to meet the values of RJ, as identified in chapter two by research and literature, and chapter five by participants of this research. In lieu, staff are engaged with contraptions, thus, the inception of depreciation of RJ practices. Bethany states,

> I tend to see now all the staff, the progress coaches; all they seem to do is be sat at their computer, typing up on pro-monitor. When actually, I'd like to see them with the bloody students, talking to the students. It seems to be the focus now is on systems rather than people and that. If they didn't have to type all this up, they could spend longer with the students, and that to me is the important bit. **[Bethany, Restorative College, Stage 2]**

Bethany's assertion above resonates with Pitts'observation that *'A Martian criminologist might be forgiven for assuming that the average Earthling delinquent is half a metre tall, hums and has a huge glowing face onto which harassed correctional personnel type an unending stream of rehabilitative messages'* (2001: 1); alluding the fact that professionals spend too much time in completing forms and being in front of the computer, rather than with the client.

Appendices 7 and 8, case files from the Restorative College, demonstrate some of the information collected and recorded by institutions. Between the two files, a report can be from three to seven pages. The Restorative College collect information on: assess the circumstances of an incident towards identifying a restorative response; engaging with and preparing for a restorative process; facilitating participants' interactions within a restorative process; and evaluating the outcomes from a restorative process. Limited time and bureaucracy of RJ

practices can cajole staff from resisting the acceptance of the concept, as it is more straightforward and facile to continue with the current approach.

Complex Environment: RJ Practices are not a Panacea

It has already been established that the FE sector possesses a very complex environment consisting of diverse students. Aroon demystifies this predicament by explaining how some students demonstrate difficulties with alexithymia and other psychological and social needs. Aroon explains,

> Some of our students are more receptive than others; others just cannot engage with it. I've had a couple of occasions where I couldn't do RJ with this child because, you know, they have a neurological disorder that prevents them. They're very closed off when it comes to their emotions. They find it very difficult to emphasise and reflect; that's a part of their diagnosis. We have kids with autism, and so they're already kind of detached from reality. Expecting them to be involved in something restorative like this isn't easy. You must know the child; you must know the child! I will know if they've witnessed domestic violence; I will know if they've been sexually abused. From that, I will gauge that it is probably not the right thing to do this week and talk about how they feel in front of another child. As soon as you're talking about their emotions, they're thinking about the abuse they witnessed at home. So, you really do have to address that before you can do anything else. So, it's quite complex! **[Aroon, Pupil Referral Unit]**

RJ may not always be an ideal initiative to deal with conflict or other behaviour challenges. In the PRU institution, a variety of strategies are employed to deal with disputes. RJ is used alongside other interventions (Daly, 2016), which includes punitive methods, '*I have several students where it's not even an option; I can't even go down that route. You know I have to use a different strategy with them; it's very punitive for some*' (Aroon, Pupil Referral Unit). Ideas around RJ have to be refined for it to be implemented, '*you really do have to look into their Educational Psychologist report and see whether they have the capacity to do that*' (Aroon, Pupil Referral Unit). There is always the possibility of doing more harm than good when using RJ in a complex environment; thus, RJ is not seen as a panacea. Aroon continues to explain,

> You might do more damage than good by trying to get a student to really tap into their emotion because you're unlocking so many other things. There's a child that suffered from trauma or has a trauma disorder condition. You're tapping into how they're feeling about certain things; it can open up a whole can of worms. Especially if they've experienced, like a lot of our children have, domestic violence, you know, sexual abuse. These things you really have to look into before you kind of consider doing it. That's the thing; it's not a model that fits everything. It would be more successful in a school where most kids are banded in the middle; there's a massive range for us. **[Aroon, Pupil Referral Unit]**

A common fear of RJ practices is the breakdown of the process and re-victimisation. Although, as seen above, preparation for intervention is vital, considerable background and research are

required. The facilitator's role and skills are essential when dealing with complex cases and to avoid re-victimisation (Bolitho, 2015). Sophia (Restorative College, Stage 2) offers an anecdote where an RJ process backfired. The full version of this anecdote can be found in Appendix 10. A refugee student (R), smuggled out of Syria, witnessed his parents being shot. He had been fostered and then moved into independent living. He fell out with a friend (F). Sophia offered an RJ intervention, and they both (R and F) agreed. R and F expressed that they wanted to be friends and put it behind them. And they were both saying that they were sorry. However, at some point in the process, F commented along the lines of…. *'I want to be friends, it's not like I'm no threat, it's not like I'm going to shoot you or anything'* (Sophia, Restorative College, Stage 2). A comment that enraged R resulted in the RJ process breaking down and the relationship being unrepaired. Sophia acknowledges that *'In hindsight, I wouldn't have done it at all, or I would have had his social worker there or his key worker there'* (Restorative College, Stage 2). This anecdote reinforces the importance of research, preparation and facilitators training and skills. In Bolitho's (2015) research, re-victimisation was not apparent in any of the 74 cases studied, highlighting the facilitators' skills. As part of Bolitho's (2015) study, these facilitators were trained in RJ and mediation; they had substantial experience working with serious and violent offenders in prisons.

Due to the diverse needs of students in the FE sector, institutions part of this study feel that RJ practices should be tailor-made to the student(s) or adapted to suit their needs. A caveat of this is that additional time would need to be invested in researching the case and the student's needs and then delivering the process. Olga expresses,

> Well, I guess it had to be adapted because we are a special needs school, with pupils whose understanding and the needs, if I may put it that way, are slightly different; therefore, their understanding and approach had to be somewhat different. **[Olga, Sixth Form – Special School]**

Formal and rigid RJ processes and training sessions are seen to be inappropriate in a FE setting. Practices need to be adapted to the individual, situation and circumstance. Rose explains,

> I think it's adapted all the time; I mean, one of the courses I went to was very formal, you ask this, you ask that you ask the other, and I find that you have to adapt it to the individual and the situation and the circumstance. **[Rose, FE College, SEL]**

Staff (Observation, RJ Practices Meeting, 6th November 2018, Restorative College, see figure 8) disclosed the complexity of the RJ process. The entire practice, process, and outcome depend

on the student. Staff expressed that they feel unsure whether the intervention has worked. Occasionally, there is a sense that the conflict will be resolved outside or on the weekends.

A critical component of this research is the lack of research and literature on RJ and its practices in the FE sector. As mentioned earlier, relying on experiences and case studies from primary and secondary sectors can be problematic. The FE sector is diverse and complex compared with the aforementioned sectors and encompasses students that these sectors have excluded from their institutions. Mary expresses how more evidence and examples from this sector is required, *'We need more examples and more evidence from FE colleges'* (Mary, Restorative College, Stage 2)**.**

Training

We saw above with Sophia's anecdote how vital training is. Song and Swearer (2016) assert that training in RJ practices in the education sector is critical; external RJ practices trainers should offer ongoing support, one or several workshops is not sufficient. A cause of concern that this study highlight is the irregular and arguably outdated training some participants possess. Limited RJ practices training can question facilitators understanding and skills of implementing, delivering and applying RJ processes and values. For example, Oliver from FE College SEL disclosed that he undertook training in 2006, *'It was 2006 when I had the training. Since then, I haven't done much'* (Oliver, FE College, SEL).

From the same institution as Oliver, Megan could not specify precisely when she participated in the RJ practices training but stated it must have been between 5-8 years ago.

> It was, gosh; it must be about 7 or 8 years ago now. At least five anyway, I've got the certificate. I've been to some of the RJ meetings in London. I haven't had any more formal training besides that. **[Megan, FE College, SEL]**

More astonishingly, participants have disclosed that they did not have formal training but are practising RJ processes. Rose communicates that she did not partake in any training and could not be specific when she participated in a few short courses,

> I haven't had any in-depth training; I haven't done several days' long courses; I've done a couple of short sessions. I'm not sure if it was within the last 18 months or more than 18 years ago that I can't really remember. **[Rose, FE College, SEL]**

Rhys expresses that he was only introduced to RJ practices and did not have specific training in RJ,

> We were first introduced to it a couple of years ago now, two years ago. We haven't had specific training. **[Rhys, FE College, WM]**

However, Musa (FE College, NL1) first did a day-long course, then progressed to 3 days; in the 2016/2017 academic year, Musa completed another course.

From above, it is apparent that there is no regular training or development for staff who employ RJ within their job role. Also, due to staff turnover (see above), trained facilitators have moved on due to mergers, which means a reduction of trained staff in institutions; ultimately, this can lead to just one trained staff. Musa asserts,

> There was 3 of us, but after the college merged, people have moved on, and from the 3 of us, it was me; I was the only one left. And for the past year, I've been taking the lead on this. **[Musa, FE College, NL1]**

Still, due to staff turnover, recruits were not trained, and further training sessions were not held,

> We haven't had a refresher course because we only trained last year, but I now have new staff members who haven't gone through the process. So, I would quite like them to be trained as well, so that's something I need to investigate. **[Anna, Pupil Referral Unit]**

Damian discloses that he had no formal training; some in-house conversation took place; this seems to be a standard method or strategy in informing or training staff on RJ practices. Damian discloses*, 'Yes, I've had some training about restorative justice basics; we've had conversations about it'* (Damian, Sixth Form – Special School).

As mentioned in chapter four, Restorative College trained all its staff in RJ practices in the 2017/2018 academic year. At first, senior staff members from the Safeguarding and Behaviour team were trained in RJ practices by an external organisation; the training was for three days. The RJ practices training was then provided to all staff by the senior staff members from the Safeguarding and Behaviour team. Finally, the external organisation provided training materials to this institution, forming the foundation of their RJ practices (see table 10).

The *RJ Practices Models* document provides staff with examples of different RJ practices models in a table (see figure 14). In addition, this material offers six other models that staff can utilise: *one to one meetings*, *restorative circles*, *restorative chats*, *informal restorative conferences*, *formal restorative conferences* and *peer facilitation*. The document identifies the type of practice, whether the preparation is required, participating parties, type of facilitators, the harm suitable for the practice, and the practice features. From figure 14, we can see that each RJ practices model has a role and purpose. For instance, one to one meetings, restorative circles, and restorative chats are used for early interventions to deal with classroom

interruptions, minor conflicts, bullying, and vulnerable students with difficulties. These models are restricted to harm between students and students or students and staff and include staff and staff conflicts. The formal and informal conferences are triggered for more severe behaviours, such as bullying and assault, amongst other things.

Interestingly, all models are offered as appropriate for bullying. For the two types of conferences, the informal conference is suitable for low-level bullying, while moderate to high-level bullying is more suitable for a formal conference. However, none of the documents defines or make a distinction between low, moderate and high-level bullying. This document predetermines the desired outcomes, particularly for informal and formal conferences. Regarding the informal conference, the features section (see figure 14) suggests it can be a no-blame approach as long as the harm has been acknowledged, followed by a low-level sanction/reparation. The type of sanction or reparation is not defined; thus, it is open to interpretation and can cause confusion between restorative and retributive outcomes. The document fails to establish what will happen if the harm is not acknowledged. For the formal conference, a prerequisite is that the parties recognise the harm and agree to put things right before the conference has taken place (see figure 14). This not only contradicts some proponent's vision of RJ values (Shapland et al., 2011; Shapland, 2014), but it triggers the process and outcome debate (Bazemore and Walgrave, 1999; Walgrave, 2000; McCold, 2000; Zernova and Wright, 2007; Walgrave, 2008).

PRACTICE	PREPARATION	CONFLICT	ATTNEDED BY	FACILITATOR	CAUSE OF HARM	FEATURES
1-1	None	Student-Student Student-Staff Staff-Staff	Student	Restorative Chat Trained Staff	Classroom disruption, minor conflict, bullying, vulnerable Student with difficulties	Early intervention, flexible no-blame approach.
Restorative Circle	None or some	Student-Student Student-Staff Staff-Staff	Student Staff	Restorative Chat Trained Staff	Classroom disruption, minor conflict, bullying	Large number of harmers, preventative, focus on collective responsibility for actions
Restorative Chat	None or some	Student-Student Student-Staff Staff-Staff	Student Staff	Restorative Chat Trained Staff	Classroom disruption, minor conflict, bullying, vulnerable Student with difficulties	Early intervention, flexible no-blame approach.
Informal Restorative Conference	Full preparation	Student-Student Student-Staff Staff-Staff	Student Staff Supporters	Restorative Conference Trained Staff	Friendship problem, low level bullying, behaviour in classroom, assault on Student	Can be no-blame approach as long acknowledgement of harm. A low-level sanction/reparation can be used. Needs full preparation and acknowledgment of harm caused before going ahead.
Formal Restorative Justice Conference	Full preparation with or without risk assessment	Student-Student Student-Staff Staff-Staff Student-Parent Parent-Staff	Student Staff Parent Supporters	Restorative Conference Trained Staff	Friendship problem, high-moderate level bullying, behaviour in class, dangerous behaviour in school, assault on Student or member of staff	Acknowledgement of harm and agreement to put things right before conference takes place. Sanction/reparation may be used. Needs full preparation of ***ALL*** participants, ground rules and possible risk assessment may be necessary.
Peer Facilitation	None	Student - Student	Student	Trained Peer Mediator	Friendship conflict, low level bullying	Supervision and debrief by trained member of staff, log of conversations that have taken place.

Figure 14: RJ Practices Models (Case Study Training Material)

During the Restorative College's external organisation three-day training, the trainers used a 160 PowerPoint slides presentation available to staff for reference purposes. Not all 160 slides will be discussed here; space does not permit this, nor are the slides necessary to be addressed for this thesis. Some videos and interactive activities were incorporated as part of the PowerPoint presentation. The rationale for stating the number of slides that formed the PowerPoint presentation is to stress the intensity of the three-day training. As noted, this presentation was used to train and sell the RJ practices framework to the trainees. Thus, the presentation covered responses to crime and the distinction between retributive justice and RJ. The presentation swiftly moved on to briefly discussing RJ's history and the difference between RJ, RP and RA, which is always topical when implementing RJ practices in the education sector, and rightly so. The presentation expresses that,

> Restorative Approaches are inspired by the philosophy and practices of Restorative Justice, which aim to repair the harm caused by relationships and communities by conflict. Crucially it is believed that is best achieved by focusing upon the harm caused, rather than assigning blame and dispensing punishment which often fails to address the needs of those most affected. **[Training Material, PPT Slides, Slide 5]**

The above definition resonates with some of the definitions covered in chapter two; however, oddly, the presentation failed to reference this definition and explicitly state whether this is a definition that the institution should adopt and rely upon.

The presentation reflects RJ's essential features, based on the six R's: *respect*, *relationship*, *responsibility*, *repair*, *resilience* and *reintegration*. However, throughout the Training PowerPoint presentation, there was no mention of critical theories, definitions or even prominent scholars in RJ, apart from Nathanson's (1992) *compass of shame* and McCold and Wachtel (2003) *social discipline window*.

Staff from the Restorative College criticised the quality of their training session provided by internal staff and how the policy is inappropriate for some challenges. Possibly, due to the quality of training, more questions were raised rather than giving answers. Maggie reveals that the training session was a lecture on the new RJ policy than meaningful training. The new RJ policy was still unclear for Maggie after the training session; thus, an hour was insufficient to fathom the new behaviour policy. Maggie raises issues regarding the RJ behaviour policy contradicting other policies and how the RJ policy is restricted to disruptive and challenging behaviour, as opposed to missing deadlines, punctuality and attendance, which are highlighted to be prominent in the FE sector. What is concerning is that Maggie's understanding of RJ values, practices, and use is limited to challenging, disruptive or problematic behaviours, which may have been due to the quality or lack of training. It is submitted that RJ meetings or conferences can support students with missing deadlines, attendance and punctuality. RJ practices can support teachers to determine or identify underlying issues as to why a student is missing deadlines, non-attendance and tardiness, thus providing support to these barriers to learning. Maggie suggests,

> We had about an hour of a talk, rather than training, to introduce us to the policy. I'd say the policy was still unclear for most. Well, to be fairly truthful, I don't think an hour's talk about a new policy is enough. But the policy doesn't fit with everything; for example, if a student misses a deadline, I know that's a behaviour, but another policy says that we're to give them a caution if they miss three deadlines. So, the restorative practice doesn't meet with a caution, so; they don't match. If you do restorative practice and you've got a policy such as that, it needs to be made clear that it's just about behaviour because that's all it works for. It doesn't work for missing deadlines and attendance; that's different. Because if you have a restorative meeting about attendance, they go out thinking, "Well, I don't really know what they've just said I'm still going to be late, or I'm still not going to bother coming." **[Maggie, Restorative College, Stage 2]**

Bethany goes as far as to state that no one has been appropriately trained to deliver RJ practices. She acknowledges the skills required to deliver RJ processes,

> We think we're doing good restorative meetings, but are we? Because none of us has been trained on it. I run counselling as well, and nobody can just be a counsellor, it's really skilful, and I think to do that, is quite skilled as well, and it's assuming that we've all got the skills and we haven't. **[Bethany, Restorative College, Stage 2]**

Lack of training, understanding, and skills was evident when Jennifer explained how difficult she found facilitating an RJ process. Jennifer communicates how she found it challenging to manage and facilitate an RJ process,

> Although they were told when we sat down, the girls will talk to each other in turn, and it was a case of one speaks and then the other speaks. I don't think they were aware of that before. So, when they came together and started answering the questions, when one answered the question, the other was arguing, resulting in one of them leaving the room. **[Jennifer, Restorative College, Stage 2]**

Jennifer expresses how a few staff members are confident in delivering RJ processes; this may be due to the quality of training offered. Jeniffer exerts,

> We've only got maybe three staff members who will be comfortable at the moment, doing a restorative intervention between a member of staff and a student. **[Jennifer, Restorative College, Stage 2]**

Further, Jack showed limited understanding of what practices came under the umbrella of RJ; clearly, direct approaches are not the only methods available, Jack failed to consider indirect methods (Gavrielides, 2008). As with Maggie above, this can be due to the lack of quality of training received. Jack said,

> There has been an instance where one of the parties has agreed to it, and the other one hasn't. At that point, then, we just had to get assurance that it's done and dusted, and there is going to be no further instance. **[Jack, Restorative College, Stage 2]**

Maggie shares an experience of an RJ process that involved herself and another student. She questioned the formality of the process, and her anecdote highlights a facilitator's lack of understanding, training and skills. Maggie felt that she and the student organically resolved their differences; however, the facilitator thought she had to go through the whole process following the script. Maggie tells us,

> The trouble with these meetings, they're scripted. With this new restorative policy, I have been in one, and there is a script that you have to go through. And for me, a script, why is there a script? It should be a natural thing rather than scripted. I think that the script is limiting. They've got the script in front of them, and they're reading off the script. The facilitator had, like I said, this script. However, I didn't know she had this script until after I had opened the meeting with the student. The meeting was because the student felt that I had offended her in class. After all, I had said something about maybe she had dyslexia. We were working on personal statements; her personal statement was a bit kind of, it didn't flow, and it repeated itself, and I said that to her in class and talked to her about long sentences and garbled sentences. And I asked her did she have dyslexia, and that offended her. So, she had written an email to complain. So, I opened the meeting and, like I said, as I normally would, and discussed how I didn't want to offend her by asking about dyslexia. I was just wondering if she had dyslexia, I could get her support etc. So, we had this meeting, and at the end, the progress coach said, so she talked about her script and how she had to have certain questions answered. So, she still had to ask further questions

> even though the student and I felt as though we had resolved it. **[Maggie, Restorative College, Stage 2]**

Most concerning of all, a staff member disclosed during the observation of an RJ meeting on 6th November 2018 at the Restorative College that the RJ process he was facilitating resulted in him expressing his views about a student who was participating in the RJ process, contradicting all values of RJ and a facilitator who is facilitating the process. This identifies the lack and quality of understanding and training of RJ practices and supports the argument that RJ practices can be painful and punitive (Hoyle et al., 2002), also argued by Damien (Sixth Form – Special School) in chapter five. In the same observation, similar to Maggie above, staff described how the RJ scripts/questions feel unnatural.

Conclusion

This chapter has illustrated that funding cuts in the FE sector impacted implementing an RJ behaviour policy. The funding cuts resulted in limited resources available to invest in initiatives such as RJ practice. During this economic precariousness, FE institutions financial health relies upon mergers, again disrupting institutions stability and agendas. What was apparent is that in a merger, usually, the dominant institution regulates the policies and initiatives, and the subservient institution follows suit, resulting in relinquishing its policies and practices. Thus, it raises concerns for staff and RJ supporters if the latter institution adopts an RJ framework and the former a punitive one.

Staff turnover and maintaining consistency in applying RJ practices in FE institutions is a cause for concern. The dynamicity and fluidity of FE institutions' staff community disrupt the stability of a whole-school RJ approach as new staff are not trained in RJ practice, allowing traditional methods to return to the institution. In addition, the size of FE institutions means it is challenging to monitor practices and applications of RJ, which means staff are left to their 'virtues and vices' for RJ practice. The struggle of authority, hierarchical structure and power imbalance was conspicuous. Regardless of implementing RJ as a behaviour policy, staff decisions were questioned or overruled by SLT. Culture change, as with available research in the field, was a challenge. It was argued that staff are opinionated regarding behaviour management and discipline, which will require substantial time to change their mindset. The traditional practice is to punish students for misbehaviour, resembling the wider society. Departing from normative practices can be a culture shock for the institutions' community as it departs from tradition.

Staff shared barriers that impeded in practising RJ approaches. For example, time was an issue, time to implement RJ as a policy and time to accommodate RJ practices by staff. It is evident that implementing RJ as a behaviour policy is a long and strenuous journey. Staff feel they do not have enough time to accommodate RJ practices due to teaching needs, which is exacerbated by the bureaucracy attached to the process. In addition, institutions do not allocate extra time on the teaching timetable for RJ practice. Therefore, finding a suitable time for all parties is problematic. Even if the institution has a dedicated team for RJ practice, the staff per RJ process ratio computation fails.

Further, space to conduct RJ practices is limited in institutions, as rooms are time-bound, and there is no guarantee for a process to be completed within the time allocated. Finally, it is argued that the FE sector's environment is very complex, which consists of diverse students and needs. Thus, RJ practices are not a panacea, and institutions require regular and bespoke training driven by definition, theory and values.

SUMMARY AND CONCLUSION

Introduction

Chapter one reviewed the literature on crime, conflicts and other challenging and problem behaviours in the education sector, thus providing an insight into why RJ practices are adopted in the education sector. The principal argument of the chapter was that research and literature are finite on behaviours and other challenges and staff experiences of such behaviours in the FE sector. Chapter two explored RJ's history, definitions offered by prominent scholars and organisations in the field, and the discourse circumambient RJ's definition. Chapter two scrutinised the values, theories and models of RJ. Chapter three reviewed research on RJ practices in the criminal justice system and the education sector and explored the discourse on punishment and language in education. Chapter four, methodology, methods and processes chapter, shared the research aims and questions. This chapter also shared the journey on finding participants, research sites, and the case study. Developing the ideal research methodology, methods and the case study model was discussed. Further, the chapter included sampling, ethics, reliability, validity, reflexibility, positionality and the data analysis strategy. Chapter five focused on the structure, themes and constructs that emerged from examining the 60 behaviour policies and the Restorative College's behaviour policy, '*The Positive Behaviour Policy*'. Chapter five drew inferences on how institutions understand and position RJ practices, supported by some of the participants' perspectives from this study. Chapter six focused on staff and students' understanding of RJ from the interviews and focus groups conducted as part of this research. Chapter seven focussed on the opportunities and success of implementing an RJ policy that emerged from staff interviews. Finally, chapter eight examined the constraints and limitations of implementing an RJ policy.

The sole purpose of this chapter is to amalgamate the findings from this research holistically. Therefore, firstly, the main findings will be summarised according to the respective research questions, then the following sections will follow: contribution to knowledge, recommendations, gaps, and future research.

Summary of the Main Findings

This thesis embarked on a journey to explore staff and students understanding, experiences of RJ practices and processes, and staff experiences of RJ implementation in FE colleges. The literature reveals that educational institutions' space and communities could be volatile.

Therefore, institutions should expect behaviour that tests boundaries and behavioural difficulties and other challenges. Sometimes volatile situations present themselves because of the small space with limited adult supervision. The general understanding is that behaviour in education institutions is good or better, and students do feel safe in schools. However, boys' behaviour is of concern compared to girls, and the low-level disruptive behaviour wears down staff. Violent behaviour is rare and carried out by a minority of students, and drug abuse is a concern amongst the senior students. Thus, misbehaviour is common and is a significant contribution to teacher stress. The volatile situations can come under the remit of crime and ASB. For example, bullying, theft, assault, harassment, sexual harassment, physical and verbal abuse, violence with weapons or other objects, sexual offences, racism, carrying weapons, and drug-related offences are common in education.

Such behaviours and challenges addressed above started to permeate the FE sector. This study argues that further research is required on exclusions, behaviours and challenges staff face in FE institutions. The FE sector environment is very diverse, dynamic and complex, which comprises adults and young learners, learners who have progressed or transferred from PRUs or Special Schools; and EAL learners and learners who demonstrate SEN, SEND or SEBD characteristics. Thus, the FE community is a composite of many social and economic difficulties that can lead to behavioural challenges. The available literature highlights that bullying, drugs, stealing, physical abuse, vandalism and racial abuse occur in FE institutions.

The research focus of this study was not on the type of challenges faced in the FE sector; however, rich data emerged demonstrating some of the challenges faced by staff in FE institutions and from institutions constituting learners from demographics who attend FE institutions. The FE sector environment is understood to be very volatile, or a 'melting pot' as described by participants from this research, where conflicts are more likely to erupt due to the community consisting of a diverse body of students. Behavioural challenges range from possessing a knife and gun to gang-related issues, bullying and conflicts on social media, which is brought into the institution, skirmishes, and continuous low-level disruption in the class. Such challenges can fall within the remits of crime and ASB. Staff feel vulnerable and ill-equipped to deal with an exponential rise in challenges, thus seeking tools and practices to support them. To support FE colleges with behaviours and other challenges, RJ practices are employed; however, research and literature in the UK are finite. Implementing an RJ behaviour policy can be driven by other factors, such as the local Council's undertaking to become a

restorative borough. Implementation of RJ is seen as an opportunity to equip young people and staff with life and conflict resolution skills, raise achievement, attendance and minimise exclusions. Participants submitted that employing an RJ policy can support the institution to become a safe place, a respectful community, improve communication skills, raise standards, address harm, reduce exclusion, and achieve responsibilisation, social inclusion, and equality.

Research Question One

1. *What are the organisational and individual understandings of restorative justice: how is 'restorative justice' defined and understood by staff and students in Further Education institutions?*

Educational institutions are a microcosm of the wider society—perception of defining and dealing with challenging behaviours mirrors and reflects how society defines and deals with offenders. Institutions construct and define acceptable and unacceptable behaviour and maintain an authoritarian and hierarchical model. FE colleges behaviour policies resonate with the criminal justice system, where the process encompasses *procedural and due process*, *retributive* and *restorative*. *Procedural justice theory* examines the fairness of the decision-making process and the treatment received from the decision-makers. The *due process theory* argues for protecting human rights and other hindrances during the process. From the behaviour policies examined, it is clear that FE institutions attempt at having a transparent, respectful and fair process. Opportunities and support are given to improve at every stage of the disciplinary process, in the form of learning contracts, SMART objectives, incentives, and voicing their needs to progress. Challenging behaviour can be dealt with informally, unrecorded, mirroring criminal justice agents issuing warnings for minor offences. Behaviour can be dealt with formally, which is recorded, thus resembling a report on the police database or a criminal record. Should a staff in an educational institution inquire into a student, they will have access to their record/history, possibly hindering their progression and future references, as would happen with a Disclosure and Barring Service (DBS). Institutions offer students opportunities to have supporters with them during the process and access legal representation to protect their rights.

Languages used in FE institutions behaviour policy display their retributive nature, such as warnings, disciplinary, exclusion, and suspension. There is evidence of restorative elements where institutions try to achieve responsibilisation and reintegration; however, the policies are vague on the philosophy or model of RJ. Institutions being vague on RJ philosophy and model could be due to the lack of clarity and understanding of what RJ is, its role, and the outcome of

the process in literature and research. This thesis has argued and identified a plethora of available literature on RJ. A pool of definitions, theories and values contribute to the misunderstanding of this perplexing and complex concept.

As with the criminal justice system, RJ practices operate adjacent to the FE sector's retributive system. Findings demonstrate that staff see both RJ and retributive/punitive punishment as different but compatible approaches to deal with the behaviour. The behaviour policies convey elements of retributive and restorative justice. In this study, staff and students exhibited a preference towards retributive outcomes. The punitive process is an accepted traditional way of dealing with conflicts and harm. Participants demonstrated that a punitive process is required in institutions to reflect the broader society. A restorative process, which may be seen as a soft option, is a departure from the norm, which will take a while for the community to accept. Further, educational institutions may want to please the community they serve by incorporating retributive strategies in their policies.

The need for consequences to actions and punishment resonated amongst students. Students argued that specific actions require punishment and that students may use the new policy to avoid harsh consequences. Exclusions are seen as an essential tool to deal with behavioural issues; punitive punishment is seen to provide didactical lessons, creating boundaries and consequences, which prepare students for adult life and the wider society.

The understanding of what RJ is to the educational institutions of this study resounds across literature and research. Although Stockdale (2015a; 2015b) found a disparity of understanding between top command staff, middle management and frontline police officers and PCSOs, this was not the case in this study. There was consensus amongst staff and the institution on how they understood and envisioned RJ practice. Participants from this study did not explicitly cite or refer to definitions, theories, or models available in the literature; instead, they illustrate a sound understanding of what RJ means to them using adjectives to describe its attributes which embodies perspectives of RJ from literature and research. Thus, in the FE sector, RJ practices are seen as:

> An educative, inclusive and democratic process allowing parties who have volunteered to share and understand their experiences in conflict or broken relationships, where responsibility is taken, relationships are repaired and built, and closure and a resolution is achieved peacefully. In addition, the process enables parties to learn to co-exist in safe shared spaces and develop social, emotional, and conflict resolution skills.

FE colleges are seeking models to strengthen relationships and improve behaviours. Institutions in this study see RJ practices are a paragon in building relationships and developing social and emotional literacy. The definition above fits well with Pelikan's (2007) version of RJ values. This thesis suggests that the RJ model FE institutions are drawn towards the '*relational equality*' theory (Llewellyn, 2012). Pelikan's (2007) version of RJ values is illustrated in three elements: *lifeworld, participatory, and reparative*. *The lifeworld element* requires RJ to focus on experience and the needs originating from the experience for the participants of a conflict. *The participatory element* requires all stakeholders' active participation in the conflict to achieve reparation, reconciliation, and the offender taking responsibility. Finally, *the reparative element* concentrates on the conflict and ways to make reparation; all parties' active participation should identify their needs. Relational equality focuses on respect, concern and dignity as primary needs, which arise from peoples' connection with one another and their environment. RJ is not seen as a disciplinary model but an approach to creating *relational spaces* where individuals and communities prosper. RJ highlighting *relational* qualities and emphasising social engagement, including addressing violence and aggression in schools, results in education becoming a practice of freedom and hope. Discipline is understood as nurturing humans rather than managing (Morrison and Vaandering, 2012), which are vital aspects of developing young minds and adults.

For RJ to be effective in schools, Hopkins (2004), and others (McCluskey et al., 2008a; Kane et al., 2008), argue that it should be implemented as a whole-school approach. A whole-school approach or framework entails that the institution adopts RJ philosophy, definition, ethos and skills; only then schools can focus on building, maintaining and repairing relationships and achieving a sense of community (Hopkins, 2004; Daly, 2016; Wachtel, 2016). Thus, RJ's whole-school approach encompasses building relationships in the classroom, reducing conflicts, improving the learning environment, and developing relationships and skills (Wong et al., 2011; Wachtel, 2016). To support FE institutions in implementing RJ practices as a whole-school approach, Vaandering's (2013) *'relationship window'* can offer assistance as it focuses on relationships, interpersonal interactions and individual relationships that harm others and is linked to *'relational equality'* theory (Llewellyn, 2012).

Furthermore, Morrison et al. (2005) *regulatory pyramid* illustrates sustaining a whole-school approach and developing individuals. Finally, Morrison's (2005) *three-level pyramid of restorative interventions* guides in implementing RJ as a whole-school approach. The *three-*

level pyramid of restorative interventions refers to the types of needs and responses required. See chapter two for the *relationship window*, *regulatory pyramid* and the *three-level pyramid of restorative interventions*.

That said, there is evidence of institutions misunderstanding RJ's philosophical foundations and positioning themselves within the retribution school of thought. One institution's behaviour policy explicitly associated litter picking as an RJ outcome and their disapproval of using such sanctions. As explained in chapter 5, litter picking is not associated with RJ; however, parties to the RJ process can decide if litter picking is an appropriate outcome for that incident. The methods and values ascribed will determine whether the process falls within RJ philosophy confines or not. A common misunderstanding is that RJ is seen as a softer approach than other punitive tools, such as exclusions. We have noticed a need to hold the wrongdoer accountable at a formal and public level using punitive measures to communicate disapproval of the wrongful act. Further, the process may entail aspects of sitting and talking about the harm caused or the conflict; however, RJ's key component or value is to make reparation for the harm caused, which is decided by all parties involved.

Participants showed limited understanding of what practices came under the umbrella of RJ; direct approaches are not the only methods available, staff failed to consider indirect methods, such as writing a letter. There was evidence of a staff member misconstruing an RJ theoretical underpinning. We saw in chapter 6 that despite Musa's (FE College, NL1) sound knowledge of RJ's foundation, he demonstrated pitfalls in understanding critical theories or terminologies used within the RJ concept. For example, Musa completely misunderstood the concept of *reintegrative shaming* (Braithwaite, 1989), which is problematic. Such misunderstanding of reintegrative shaming and intentional shaming can cause re-traumatisation, shamed twice: once by the institution and then the community, shaming is dehumanising and not restorative (McCluskey et al., 2008a; Toor, 2009; Ruggiero, 2011; Drewery, 2014). This misunderstanding can be due to the lack of quality of training received. Staff raised issues regarding the RJ behaviour policy contradicting other policies and how the RJ policy is restricted to disruptive and challenging behaviour, as opposed to missing deadlines, punctuality and attendance, which are highlighted to be prominent in the FE sector. What is concerning is that understanding of RJ values, practices, and use is limited to challenging, disruptive or problematic behaviours, which may have been due to the quality or lack of training. It is submitted that RJ meetings or conferences can support students with missing deadlines,

attendance and punctuality. RJ practices can support teachers to determine or identify underlying issues as to why a student is missing deadlines, non-attendance and tardiness, thus providing support to these barriers to learning.

Research Question Two

2. *What were the key opportunities with regards to successful restorative justice policy implementation in Further Education institutions?*

A common theme amongst the participants of this study is that the implementation of RJ practices must be a top-down and a whole-school approach. There must be support from the Executives and the Senior Leadership Team. Any initiative or policy is impossible or difficult to implement without support from the institution and its front-line staff or members. Thus, it is argued that not only a top-down approach is needed, a bottom-up approach is also required. Therefore, the acceptance of an RJ practices policy is dependent on how it is sold to the institution and its members. The quality of pitching and delivery, supported by consultation and evidence, is crucial.

A shared consensus amongst the participants in this study is that training opportunities and staff development days are crucial for a successful RJ policy implementation. Having an in-house trained RJ team had a positive impact on practical training. Participants argued that assigning a dedicated staff and a team to support RJ processes positively affected implementation and practice. There is evidence of sharing good practice and modelling, thus building confidence in staff. The support and guidance offered by trained staff and other staff members are critical.

Research Question Three

3. *What are the constraints and limitations when implementing restorative justice policy in Further Education institutions?*

Participants of this study expressed many constraints and limitations when implementing an RJ behaviour policy. The seven constructs that emerged are as follows: funding cuts and mergers; staff turnover and consistency in RJ practice; authority, hierarchical structure and power imbalance; culture change; time, a commonly cited barrier by participants, which is split into three further subsections, implementation, practice, space, and bureaucracies of the RJ process; the complex environment; and, finally, training. These constructs are discussed in-depth below.

Funding Cuts and Mergers

Funding cuts have had a devastating impact on FE institutions and the implementation of RJ. Funding cuts meant that the institution lost RJ practitioners, which had a colossal effect on the implementation of RJ. Further, due to institutions' financial health at risk, college mergers were more prevalent; thus, there were changes in senior managers; consequently, the RJ policy implementation has not been driven by a top-down approach. Another consequence of mergers is that the subservient institution usually adopts the dominant institution's policies to ensure consistency. As a result, if the subservient institution was utilising RJ practices as part of their behaviour policy, and the dominant institution was not, then in effect, the subservient institution would relinquish its practices and policy to synchronise with the dominant institution. A power imbalance can be inferred here; a merger suggests that institutions are entering an equal partnership; the process can seem like a takeover by the dominant institution.

Staff Turnover

Staff turnover is an issue. In a typical FE institution, staff are predominantly visiting lecturers, part-time or zero-hour contract staff. Training and monitoring to ensure consistency in adopted policies can be arduous due to staff being on different contracts. Not all staff will be aware of RJ practices or policies, and inductions or training do not take place immediately as they are scheduled at specific times in the academic year. This raises concerns regarding non-restorative measures implicitly finding their way back into an institution that implements RJ policy as a whole-school approach. In effect, this will impact consistency in dealing with behavioural challenges and uncertainty on what measures and tools are perceived as restorative and non-restorative. New staff can bring their methods of managing behaviour into the institution, thus an inevitable departure from set policies and practices.

Consistency

Maintaining and monitoring consistency in practices can be a challenge, given the size of most FE institutions. It is paramount that behavioural cases are dealt with similarly across the institution and in different departments. Staff will always construct and interpret behaviour according to their perception and interpretation; thus, staff will manage behaviour how they see fit. The behaviour policy is there for staff to rely upon, but staff choose to depart from and deal with behaviour on a case-by-case basis.

Authority, Hierarchy Structure and Power Imbalance

It is apparent that institutions implementing RJ policy maintain an authoritarian and hierarchical structure; thus, there was evidence of authority, hierarchical structure and power imbalance. Staff raised concerns about how SLT constantly questioned their power and authority. As a result, the power dynamic between students and staff is questioned. In an instance where a relationship was broken between a student and staff, there was evidence that the institution would implicitly support the staff to ensure their authority and confidence were untethered. On the other hand, it offers support to the student. This stance is very problematic, questioning the legitimacy of the process, especially if the staff was genuinely in the wrong and whether relationships between staff and students can ever be repaired.

Culture Change

Changing the culture from punitive or traditional methods to restorative methods is challenging. This research and other research have addressed that staff are reluctant to dispose of punitive measures. RJ is used alongside punishment, and punitive methods are seen as compatible with RJ practices to manage behaviour. Staff and students have expressed that they favoured punitive measures as it establishes acceptable and unacceptable behaviour, and RJ practices were seen as soft and lenient. Staff are opinionated regarding behaviour management and discipline, which may require substantial time to change their mindset. The traditional practice is to punish students for misbehaviour, which is the default practice of the wider society. Departing from normative practices can be a culture shock as it is a departure from tradition.

Time

One of the biggest obstacles to successfully implementing an RJ behaviour policy is time; participants discussed issues relating to implementing and delivering RJ practices. The time barrier is multifaceted as it impacts implementation, practice and space.

Implementation

The barrier to implementing an RJ behaviour policy in an institution is a lengthy process; many factors impact this process, such as its size and training staff. Staff underestimated the time frame to implement RJ as a whole-college approach. Further, the implementation relies on staff

to read and understand the policy, which is problematic as staff are already constrained with time.

Time restraints restrict institutions from investing in RJ practices. To create or invest time in RJ practices, the institution needs to recruit additional staff and reduce or alter existing staff members' teaching timetables or responsibilities. Thus, ultimately, it will cost the institution to invest time for effective and quality RJ practices. In addition, this caveat prevents the institution from working with students and training them in RJ practices.

Practice

Delivering RJ practices is argued to be time-consuming. The daily life of a teacher is very bureaucratic, complex and busy. A teachers role requires meeting the broader institutional needs, local departmental needs, student needs and teaching needs; thus, teachers feel overwhelmed and under a lot of stress. Finding the time to accommodate RJ practices can be a mammoth task, especially when teachers travel between campuses for teaching responsibilities. Teachers are overworked, and the teaching timetable does not permit miscellaneous activities. Scheduling an appropriate time to meet the student(s) can be problematic for the teacher(s) and student(s), as students are also on a stringent timetable. Delivering a quality RJ process requires a significant amount of teachers' time, a scarce commodity in the sector. It is important to note that although RJ practices can be implemented as a whole-school approach, partial-approach or reactive-approach, institutions do not allocate specific time in the staff's timetable to deliver RJ processes. Staff are required to find that time.

Staff shared that they rushed into RJ meetings; this questions the time taken to prepare for the RJ meeting, the thoroughness of risk assessment conducted and the quality of the process. Some staff disclosed that no preparation work was undertaken; this is problematic. It sacrifices safeguarding parties involved and ensuring a safe environment, which is critical to RJ values. Staff expressed that they could not go through the RJ script/questions. In this instance, what is called into question is whether all parties had the opportunity to share their story and repair their relationships. Staff explicitly stated that there is no way of anticipating how long an RJ process would last; some sessions can be quick, and others very lengthy and possibly require further investigation. This causes staff issues on a strict timetable; thus, it is understandable why facilitators could not go through the script or curtailed the session. Staff saw practising RJ

as a profession – a full-time job, as preparation for an RJ meeting, and the actual meeting itself can be highly time-consuming.

Space

While FE institutions can be significant in size, space can still be problematic. Finding an area or a room within the institution can be difficult, which triggers other issues such as safeguarding, providing a safe environment, accommodating all parties, and ensuring the room booked for the process is available for the duration of time needed to complete the process.

Bureaucracy

The issue of time and practising RJ is exacerbated by the bureaucracy of the delivery of the process. Typically, when institutions or organisations implement RJ practices, they are inclined to evaluate the concept to monitor its impact, effect and experience. Assessing and evaluating RJ practices results in facilitators and parties to the process completing a great deal of paperwork. The bureaucratic process can be time-consuming, adding to teachers' workload and pressure resulting in stress. This time-consuming bureaucratic part of the process can force staff to divert from utilising RJ practices to deal with behaviour and seek alternative methods or compel staff to omit to record the use of RJ practice. Either way, this puts the employment of RJ practices in a quandary.

Another dimension to the bureaucracy of RJ practices is the resources accompanied to understand and deliver the process. These resources can be voluminous, again eating into teachers' valuable time and adding to their workload and stress. Suppose staff omit from reading these documents to enhance their understanding and practice; this can result in RJ practices being misunderstood and convoluted with individuals own perceptions and ideas, consequently imperilling the process. The bureaucracy of implementing and practising RJ prevents staff from doing what they are supposed to do, which is to spend time with students to meet the values of RJ. In lieu, staff are engaged with contraptions, thus, the inception of depreciation of RJ practices.

Complex Environment

FE sector possesses a very complex environment consisting of diverse students. RJ may not always be an ideal initiative to deal with conflict or other behaviour challenges. Due to the

diverse needs of students in the FE sector, institutions part of this study feel that RJ practices should be tailor-made to the student(s) or adapted to suit their needs. A caveat of this is that additional time would need to be invested in researching the case and the student's needs and then delivering the process. A common fear of RJ practices is the breakdown of the process and re-victimisation. Although preparation for intervention is vital, considerable background information and research are required. The facilitator's role and skills are essential when dealing with complex cases and to avoid re-victimisation. A critical component of this research is the lack of research and literature on RJ and its practices in the FE sector. Relying on experiences and case studies from primary and secondary sectors can be problematic. The FE sector is diverse and complex compared with the aforementioned sectors and encompasses students that these sectors have excluded from their institutions.

Training

This research found that most institutions and staff engaged in a 1–3-day training. Some disclosed they did not participate in any formal training or have not had any recent training or engaged in a refresher course. Staff criticised the quality of their training session. Some felt that the training session was more of a lecture than meaningful training. An hour was seen as insufficient to fathom RJ practice. A participant goes as far as to state that no one has been appropriately trained to deliver RJ practices.

Lack of training and skills was evident when staff explained how they found it difficult in facilitating an RJ process. It was expressed that only a handful of staff members were confident in delivering RJ processes. Due to a lack of training and skills, although participants of an RJ process organically resolved their differences, the facilitator still felt the need to go through the whole process following the RJ scripts/questions. Most concerning of all, a staff member disclosed that while facilitating an RJ process, it resulted in the staff/facilitator expressing their views about a student participating in the RJ process, contradicting all values of the RJ process and facilitation. This identifies the lack of training and the quality of training on RJ practices. RJ practices are not a panacea, and institutions require regular and bespoke training driven by definition, theory and values. Lack of training was also evident when staff demonstrated their understanding of RJ practices.

Contribution to Knowledge

This study contributed to knowledge by providing an insight into the understanding, experiences and implementation of RJ in the FE sector, which is underdeveloped in literature and research in the UK. This research considered how staff and students understood RJ practices and staff experiences of RJ practices and processes; and opportunities, successes, constraints and limitations when implementing an RJ behaviour policy. Further, this study identified that there is a lack of research on exclusion, behaviours, and other challenges faced by staff in the FE sector. Accordingly, the research identified a series of gaps in research as listed in the 'Future Research' section below. In addition, this thesis suggests a definition of RJ for FE colleges that emerged from the data corresponding to how this study's institutions and participants envisioned RJ practice. In part, this definition is offered because literature and research on RJ highlight a lack of clarity and understanding of what RJ is, its role, and the outcome of the process. Whilst adding to the ever-widening pool of definitions, theories, and values could be said to only further confuse the matter, the argument here, echoing a point frequently made in the literature, is that RJ is a perplexing, complex concept that can be interpreted and practised in numerous ways. Articulating a definition of RJ in the context of FE, it is hoped, may help to avoid some of the confusion witnessed in this study amongst those responsible for and/or participating in RJ processes.

Recommendations

The following are recommendations for FE and other institutions considering implementing an RJ behaviour policy:

1. **Ensure there is a consultation process**. Accepting an RJ practices behaviour policy depends on how it is sold to the institution and its members. Therefore, the quality of pitching and delivery, which is supported by evidence, is crucial.

2. **Ensure there is a steering group to implement the RJ behaviour policy**. The steering group must plan strategies on how to implement the RJ behaviour policy, mainly changing its culture and training its community members. Implementation frameworks are offered in chapter eight; see *'Culture Change'* section.

3. **Ensure that the RJ behaviour policy implementation is a top-down, bottom-up, and whole-school approach**. There must be support from all members of the

institution's community, including students, for a successful implementation, especially if the institution's objective is to change the environment and ethos and promote a sense of community.

4. **Ensure that RJ practices are driven by definition, theory, and values**. This should limit misunderstandings and maintain consistency in institutions on how RJ practices are understood and practised. This study offers a definition compatible with FE colleges with recommendations of theories and values to support institutions in implementing RJ practices (see above).

5. **Ensure the RJ behaviour policy is clear and coherent in its practices and processes**. For example, the policy must be explicit on the process, such as whether the RJ process is voluntary and the consequences if a participant wishes not to partake in the process.

6. **Ensure bespoke, long-term, continuous, and regular training is available**. Qualified trainers must provide quality training and offer constant support when needed. This should limit misunderstandings and maintain consistency in institutions on how RJ practices are practised.

7. **Ensure a dedicated team is trained in RJ practice**. This should offer support to teaching staff when needed. Ideally, training will be provided by external qualified RJ trainers.

8. **Ensure to offer training to all staff and students**. This will ensure that the institution has ample practitioners available. Further, training students will ensure they equip themselves with conflict resolution skills and develop their social skills. This may also have an impact on the institution's environment. Ideally, training will be offered by fully trained staff or qualified external RJ trainers.

9. **Invest in time for the institution's community members to train in RJ practices**. Utilise staff training days and Continuous Professional Development days and provide further time outside of staff's timetable for members to introduce and familiarise themselves with RJ practices. Regarding students, RJ training can be offered as an extracurricular activity or during the tutorial/form/Personal Social, Citizenship Health Education.

10. **Share and model good practice**. This will develop confidence in staff and students and refine their practices.

11. **RJ practices training should be offered at the teacher training level** (recommendation at a national level). Scholars recommend this nationally and internationally. Having teachers pre-trained in RJ practices during their training course will ensure that teachers are equipped with the skills needed for RJ policy institutions. Thus, limiting conventional methods from entering the institution and maintaining consistency in dealing with behaviours and other challenges.

12. **Reduce bureaucracy in the delivery RJ process**. In evaluating RJ practices, adopt innovative ways of assessing RJ practices and their impact and effectiveness.

Future Research

This research utilised mainly qualitative methods, which consisted of 20 semi-structured interviews with staff members from a Pupil Referral Unit (PRU), a Special Sixth-Form School and 5 FE colleges. Sixty FE colleges' behaviour policies were analysed. The interpretivist exploratory case study of a FE college, Restorative College, in England, also incorporated mixed qualitative methods, which included: analysis of documents and RJ cases, ten semi-structured interviews with staff members, three focus groups with students, and unstructured observation of a meeting and training concerning RJ practices. This research identified the opportunity to use quantitative methods in future research, thus increasing the sample size and access to respondents nationally through technology and online platforms to gain a more comprehensive understanding and experiences of RJ practices from staff and students in the FE sector. Furthermore, this research successfully identified that further research is required in the FE sector to possess a better understanding of behaviours, other challenges and implementation of an RJ behaviour policy:

1. Research into behaviours and other challenges in the FE sector
2. Investigation into how institutions and staff deal with behaviours and challenging behaviours in the FE sector
3. Exclusions in the FE sector
4. Perception of punishment in the FE and other education sectors

5. A longitudinal study on the implementation of RJ behaviour policy in the FE sector and the educational sector in general
6. RJ practices impact, effectiveness and satisfaction on behaviour in the FE sector
7. RJ practices impact, effectiveness and satisfaction on the institutions' environment in the FE sector
8. RJ practices impact, effectiveness and satisfaction from staff perspective on the institution in general, students, teaching and learning in the FE sector
9. RJ practices impact, effectiveness and satisfaction from students' perspective on the institution in general, teachers, teaching and learning in the FE sector
10. An investigation into the voluntariness RJ value and the consequences of a participant choosing not to participate in an RJ process in the FE and other education sectors.

REFERENCES

Ahmed, E. (2001). *Shame Management: Regulating Bullying*. In E. Ahmed, N. Harris, J. Braithwaite and V. Braithwaite. (Ed.). *Shame Management Through Integration*. Cambridge, UK: Cambridge University Press.

Ahmed, E. and Braithwaite, J. (2004). *'What, Me Ashamed?': Shame Management and School Bullying*. Journal of Research in Crime and Delinquency, 41 (3): 245-269.

Ahmed, E. and Braithwaite, J. (2005). *Forgiveness, Shaming, Shame and Bullying*. The Australian and New Zealand Journal of Criminology, 38 (3): 298-323.

Ahmed, E. and Braithwaite, V. (2006). *Forgiveness, Reconciliation, and Shame: Three Key Variables in Reducing School Bullying*. Journal of Social Sciences, 62 (2): 347-370.

Ahmed, E., Harris, N., Braithwaite, J. and Braithwaite, V. (2001). *Shame Management Through Integration*. Cambridge, UK: Cambridge University Press.

American Psychological Association Zero Tolerance Task Force. (2008). *Are Zero Tolerance Policies Effective in the Schools? An Evidentiary Review and Recommendations*. American Psychologist, 63: 852-862.

American Psychological Association Task Force on Violence Directed Against Teachers. (2011). *Understanding and Preventing Violence Directed Against Teachers*. Washington, DC: American Psychological Association. Available at: http://www.apa.org/ed/schools/cpse/activities/classroom-violence.pdf. (Accessed 23 July 2020).

Armstrong, D. (2004). *A Risky Business? Research, Policy, Governmentality and Youth Offending*. Youth Justice, 4 (2): 100-116.

Attia, M. and Edge, J. (2017). *Be(come)ing a Reflexive Researcher: A Developmental Approach to research Methodology*. Open Review of Educational Research, 4 (1): 33-5.

Attwood, G., Croll, P. and Hamilton, J. (2004). *Challenging Students in Further Education: Themes Arising from a Study of Innovative FE Provision for Excluded and Disaffected Young People*. Journal of Further and Higher Education, 28 (1): 107-119.

Augustine, C. H., Engberg, J., Grimm, G. E., Lee, E., Elaine, L. W., Christianson, K. and Joseph, A. A. (2018). *Can Restorative Practices Improve School Climate and Curb Suspensions?* Santa Monica, California: RAND Corporation.

Aye Maung, N. (1995). *Young People, Victimisation and the Police*. Home Office Research Study No. 140. London: HMSO.

Barbour, R. and Kitzinger, J. (1999). *Developing Focus Group Research: Politics, Theory and Practice*. London: SAGE.

Barnett, R. (1977). *Restitution: A New Paradigm of Criminal Justice*. Ethics: An International Journal of Social, Political, and Legal Philosophy, 87 (4): 279-301.

Barnet Youth Offending Service. (2008). *Restorative Approaches in Primary Schools: An Evaluation of the Project Co-Ordinated by the Barnet Youth Offending Service*. Education: Policy and Research. Available at: https://restorativejustice.org.uk/resources/restorative-approaches-primary-schools-evaluation-project-co-ordinated-barnet-youth. (Accessed 01 January 2016).

Bassey, M. (1999). *Case Study Research in Educational Settings.* Maidenhead: Open University Press.

Bazeley, P. and Jackson, K. (2013). *Qualitative Data Analysis with NVivo*. London: SAGE.

Bazemore, G. and Walgrave, L. (1999). *Restorative Juvenile Justice: In Search of Fundamentals and an Outline for Systemic Reform*. In G. Bazemore and L. Walgrave. (Ed.). *Restorative Juvenile Justice: Repairing the Harm of Youth Crime*. Monsey, NY: Criminal Justice Press.

Bazemore, G. and Schiff, M. (2010). *No Time to Talk: A Cautiously Optimistic Tale of Restorative Justice and Related Approaches to School Discipline*. American Society of Criminology Meetings in San Francisco, CA.

Becroft, A. and Thompson, R. (2006). *Youth Offending: Factors that Contribute and How the System Responds*. The Youth Court of New Zealand Information on Court Publications. Available at: http://www.justice.govt.nz/courts/youth/publications-and-media/speeches/. (Accessed 15 April 2018).

Benade, L. (2015). *Shame: Does it Have a Place in an Education for Democratic Citizenship?* Educational Philosophy and Theory, 47 (7): 661-674.

Berridge, D., Brodie, I., Pitts, J., Porteous, D. and Tarling, R. (2001). *The Independent Effects of Permanent Exclusion from School on the Offending Career of Young People*. RDS Occasional Paper No. 71. London: Home Office Research Development and Statistics Directorate. Available at: http://webarchive.nationalarchives.org.uk/20110218135832/rds.homeoffice.gov.uk/rds/pds/occ71-exclision.pdf. (Accessed 13 September 2015).

Bessant, J. and Watts, R. (1993). *Young People and Violence: A Focus on Schools, Proceedings of the Second National Conference on Violence*. Canberra, Australia: Australian Institute of Criminology.

Beven, J. P., Hall, G., Froyland, I., Steels, B. and Goulding, D. (2005). *Restoration or Renovation? Evaluating Restorative Justice Outcomes*. Psychiatric, Psychology and Law, 12: 194-206.

Bhabra, S., Dinos, S. and Ghate, D. (2006). *The National Evaluation of On Track, Phase Two: Young People, Risk and Protection: A Major Study of Secondary Schools in On Track Areas*. Brief No. RB728. London: DfES.

Bianchi, H. (1986). *Abolition: Assensus and Sanctuary*. In H. Bianchi and R. van Swaaningen. (Ed.). *Abolitionism: Towards a Non-Repressive Approach to Crime*. Amsterdam: Free University Press.

Bianchi, H. (1991). *Abolitionism in the Past, Present and Future*. In Z. Lasocik, M. Platek and I. Rzeplinska. (Ed.). *Abolitionism in History: On Another Way of Thinking*. Warsaw: Institute of Social Prevention and Resocialisation, University of Warsaw.

Bitel, M. (2005). *National Evaluation of the Restorative Justice in Schools*. London: Youth Justice Board for England and Wales.

Blaikie, N. (2000). *Designing Social Research*. Cambridge: Polity.

Blood, P. and Thorsborne, M. (2006). *The Challenge of Culture Change: Embedding Restorative Practices in Schools*. Paper presented at the Sixth International Institute of Restorative Practice Conference on *Conferencing, Circles and Other Restorative Practices: Building a Global Alliance for Restorative Practices and Family Empowerment*. Sydney, Australia: March 3-5, 2005.

Bloor, M. (2001). *Focus Groups in Social Research*. London: Sage.

Blum, R. W., McNeeley, C. A. and Rinehart, P. M. (2002). *Improving the Odds: The Untapped Power of Schools to Improve the Health of Teens*. Minneapolis, MN: Office of Adolescent Health.

Blythe, E. and Milner, J. (1993). *Exclusion from School: A First Step in Exclusion from Society?* Children and Society, 7 (3): 255-268.

Bolitho, J. (2012). *Restorative Justice: The Ideals and Realities of Conferencing for Young People*. Critical Criminology, 20 (1): 61-78.

Bolitho, J. (2015). *Putting Justice Needs First: A Case Study of Best Practice in Restorative Justice*. Restorative Justice: An International Journal, 3 (2): 256-281.

Bolivar, D. (2013). *For whom is Restorative Justice*? Restorative Justice: An International Journal, 1 (2): 190-214.

Bottrell, D., Armstrong, D. and France, A. (2010). *Young People's Relation to Crime: Pathways Across Ecologies*. Youth Justice, 10 (1): 56-72.

Bowey, L. and McGlaughlin, A. (2006). *The Youth Crime Reduction Video Project: An Evaluation of a Pilot Intervention Targeting Young People at Risk of Crime and School Exclusion*. The Howard Journal, 45 (3): 268-283.

Boxford, S. (2006). *Schools and the Problem of Crime*. Cullompton: Willan.

Braithwaite, J. (1989). *Crime, Shame and Reintegration*. Cambridge: Cambridge University Press.

Braithwaite, J. (1999). *A Future where Punishment is Marginalised: Realistic or Utopian*. UCLA Law Review, 46 (4): 1727-50.

Braithwaite, J. (2002a). *Restorative Justice and Responsive Regulation*. New York: Oxford University Press.

Braithwaite, J. (2002b). *Setting Standards for Restorative Justice*. British Journal of Criminology, 42: 563-577.

Braithwaite, J. (2003). *Principles of Restorative Justice*. In A. von Hirsch, J. Roberts, A. Bottoms, K. Roach and M. Schiff. (Ed.). *Restorative Justice and Criminal Justice: Competing or Reconcilable Paradigm*. Oxford: Hart Publishing.

Braithwaite, J. (2004). *Restorative Justice and De-Professionalization*. The Good Society, 13 (1): 28-31.

Braithwaite, J. (2013). *Western Words*. Restorative Justice: An International Journal, 1 (1): 20-23.

Braithwaite, J. and Pettit, P. (1990). *Not Just Deserts: A Republican Theory of Criminal Justice*. Oxford: Clarendon Press.

Braithwaite, V., Ahmed, E., Morrison, B. and Reinhart, M. (2004). *Researching the Prospects for Restorative Justice Practice in Schools: The 'Life at School Survey' 1996-9*. In L. Walgrave. (Ed.). *Repositioning the Restorative Justice: Restorative Justice, Criminal Justice and Social Context*. Devon, UK: Willian Publishing.

Breen, L. J. (2007). *The Researcher 'in the Middle': Negotiating the Insider/Outsider Dichotomy*. The Australian Community Psychologist, 19 (1): 163-174.

British Sociological Association. (2017). *Statement of Ethical Practice*. Available at: https://www.britsoc.co.uk/media/24310/bsa_statement_of_ethical_practice.pdf (Accessed 1 January 2018).

British Education Research Association (2004). *Revised Ethical Guidelines for Educational Research*. Available at: http://www.bera.ac.uk/files/guidelines/ethica1.pdf (Accessed 1 January 2018).

Brodie, I. (1998). *School Exclusion, Risk and Community* Safety. In A. Marlow and J. Pitts. (Ed.). *Planning Safer Communities*. Lyme Regis: Russel House Publishing.

Bromley, D. B. (1986). *The Case-Study Method in Psychology and Related Disciplines*. New York: Wiley.

Brooks, G. and Tarling, R. (2012). *Boosting the Reading Levels and Attitudes of Young People who have Offended: A Review of the Evidence and Lessons Learnt from an Evaluation of TextNow*. Youth Justice, 12 (3): 184-198.

Bryman, A. (2008). *Social Research Methods*. Oxford: Oxford University Press.

Burdick-Will, J. (2013). *School Violent Crime and Academic Achievement in Chicago*. Sociology of Education, 86 (4): 343-361.

Burke, R. H. (2014). *An Introduction to Criminological Theory*. (4th Ed.). London: Routledge.

Burnell, I. (2017). *Teaching and Learning in Further Education: The Ofsted Factor*. Journal of Further and Higher Education, 41 (2): 227-237.

Burssens, D. and Vettenburg, N. (2006). *Restorative Group Conferencing at School: A constructive response to serious incidents*. Journal of School Violence, 5 (2): 5–17.

Cameron, L. and Thorsborne, M. (1999). *Restorative Justice and School Discipline: Mutually Exclusive?* In H. Strang and J. Braithwaite. (Ed.). *Restorative Justice and Civil Society*. Cambridge, UK: Cambridge University Press.

Camp, V. T. and Wemmers, J-A. (2013). *Victim Satisfaction with Restorative Justice: More than Simply Procedural Justice*. International Review of Victimology, 19 (2): 117-143.

Canadian Broadcasting Corporation (CBC). (2007). *Ontario Agrees to end Zero-Tolerance School Policy*. April 13 2007. https://www.cbc.ca/news/canada/toronto/ontario-agrees-to-end-zero-tolerance-school-policy-1.671464#:~:text=April%2013%2C%202007-,Ontario's%20Ministry%20of%20Education%20has%20reached%20a%20settlement%20with%20the,tolerance%20approach%20to%20delinquent%20students.&text=Under%20the%20settlement%20reached%20Tuesday,no%20place%20in%20school%20policies. (Accessed 1 May 2021).

Casella, R. (2003). *Zero-Tolerance Policy in Schools: Rationale, Consequences, and Alternatives*. Teachers College Record, 105: 872-892.

Chapman, T., Campbell, H. and Wilson, D. (2012). *Developing Alternative Understanding of Security and Justice through Restorative Justice Approaches in Intercultural Settings with Democratic Societies*. ALTERNATIVE: Deliverable 7.5. Available at: http://www.alternativeproject.eu/assets/upload/Deliverable_7_5_Appropriate_restorative_justice_interventions_manual.pdf. (Accessed 16 August 2021).

Chapman, T., and Kremmel, K. (2018). *Community in Conflict in Intercultural Contexts and how Restorative Justice can Respond*. In I. Vanfraechem and I. Aertsen. (Ed.). *Action Research in Criminal Justice: Restorative Justice Approaches in Intercultural Settings*. Oxon: Routledge.

Chapman, T. (2019). *Searching for Community in Restorative Justice*. Verifiche, XLVIII (2):179-203; ISSN: 0391-4186.

Christie, N. (1977). *Conflicts as Property*. British Journal of Criminology, 17 (1): 1-15.

Christie, N. (2013). *Words on Words*. Symposium. Restorative Justice: An International Journal, 1 (1):15-19.

Cities Research Centre. (2002). *Plymouth Social Exclusion Mapping and Evaluation Research Report.* Bristol: University of the West of England.

Coloroso, B. (2003). *The Bully, the Bullied, and the Bystander: From Pre-school to High-school – How Parents and Teachers Can Help Break the Cycle of Violence*. Toronto, ON: HarperCollins.

Connelly, L.J., Legane, R. & Joseph-Salisbury, R. (2020). *Decriminalise the Classroom: A Community Response to Police in Greater Manchester's Schools*. Manchester: Kids of Colour and Northern Police Monitoring Project.

Cornell, D. (2006). *School Violence: Fears vs. Facts*. Mahwah, NJ: Lawrence Erlbaum.

Cornell, D., Gregory, A., & Fan, X. (2011). *Reductions in Long-Term Suspensions Following Adoption of the Virginia Student Threat Assessment Guidelines*. NASSP Bulletin, 95: 175-194.

Corrigan, P. (1979). *Schooling the Smash Street Kids*. London: MacMillan.

Coughlan, S. (2019). *Child, Four, Among Pupils Taking Weapons to School*. BBC Online, 16 Oct 2019. Available at: https://www.bbc.co.uk/news/education-50056275. (Accessed 16 October 2019).

Crawford, A. and Newburn, T. (2002). *Recent Developments in Restorative Justice for Young People in England and Wales: Community Participation and Representation*. British Journal of Criminology, 42: 476-95.

Crawford, A. and Newburn, T. (2003). *Youth Offending and Restorative Justice, Implementing Reform in Youth Justice.* Devon, Willan Publishing.

Cremin, H. (2010). *Talking Back to Bazemore and Schiff: A Discussion of Restorative Justice Interventions in Schools*. American Society of Criminology Meetings in San Francisco, CA.

Cremin, H. and Bevington, T. (2017). *Positive Peace in School*: *Tackling Conflict and Creating a Culture of Peace in the Classroom*. Oxon, Routledge.

Creswell, J. W. (2014). *Research Design: Qualitative, Quantitative and Mixed Methods Approaches*. London: SAGE.

Culley, L., Hudson, N. and Rapport, F. (2007). *Using Focus Groups with Minority Ethnic Communities: Researching Infertility in British South Asian Communities.* Qualitative Health Research 17: 102-112.

Cunneen, C. and Hoyle, C. (2010). *Debating Restorative Justice*. Oxford: Hart Publishing.

Daly, K. (1999). *Does Punishment have a Place in Restorative Justice?* Paper presented to the Australia and New Zealand Society of Criminology Annual Conference, Perth: February.

Daly, K. (2000). *Revisiting the Relationship between Retributive and Restorative Justice*. In J. Braithwaite. (Ed.). *Restorative Justice: Philosophy to Practice*. Aldershot, USA: Ashgate/Dartmouth.

Daly, K. (2004). *A Tale of Two Studies: Restorative Justice from Victim's Perspective*. In E. Elliott and R. Gordon. (Ed.). *Restorative Justice: Emerging Issues in Practice and Evaluation*. Cullompton: Willan Publishing.

Daly, K. (2006). *The Limits of Restorative Justice*. In D. Sullivan and L. Tifft. (Ed.). *Handbook of Restorative Justice: A Global Perspective*. New York: Routledge.

Daly, K. (2012). *The Punishment Debate in Restorative Justice*. In J. Simon and R. Sparks. (Ed.). *The Handbook of Punishment and Society*. London: SAGE.

Daly, K. (2013a). *Restorative Justice: The Real Story*. In G. Johnstone. (2nd Ed.). *A Restorative Justice Reader*. England: Routledge.

Daly, K. (2013b). *More Words on Words*. Restorative Justice: An International Journal, 1 (1): 23-31.

Daly, K. (2016). *What is Restorative Justice? Fresh Answers to a Vexed Question*. Victims and Offenders, 11 (1): 9-29.

Daly, K. and Proietti-Scifoni, G. (2011). *Reparation and Restoration*. In M. Tonry. (Ed.). *Oxford Handbook of Crime and Criminal Justice*. New York: Oxford University Press.

Daniels, G. (2013). *Restorative Justice: Changing the Paradigm*. Probation Journal, 60 (3): 302-315.

Daniels, H. and Cole, T. (2010). *Exclusion from School: Short Term Setback or a Long Term of Difficulties?* European Journal of Special Needs Education, 25 (2): 115-130.

de Vaus, D. A. (2001). *Research Design in Social Research*. Thousand Oaks, California: SAGE.

Deakin, J., and Kupchik, A. (2016). *Tough Choices: School Behaviour Management and Institutional Context*. Youth Justice, 16 (3): 280-298.

Debarbieux, E. (2006). *Violence in School: A Few Orientations for a Worldwide Scientific Debate*. International Journal on Violence and School, 2 December, On-line Journal: http://www.ijvs.org/3-6224-Article.php?id=19andtarticle=0. (Accessed 16 October 2019).

Department for Education. (1994). *Exclusions from School*. *Circular 10/94*. London: Department of Education.

Department for Education. (1995). *National Survey of Local Education Authorities' Policies and Procedures for the Identification of, and Provision for, Children Who Are Out of School by Reason of Exclusion or Otherwise*. London: Department of Education.

Department for Education. (2010). *The importance of Teaching: The Schools White Paper 2010*. London: D*f*E.

Department for Education. (2011). *Wolf Review of Vocational Education - Government Response*. London: DfE Publications. Available at: https://www.gov.uk/government/news/government-publishes-response-to-the-wolf-review-of-vocational-education. (Accessed 9 November 2015).

Department for Education. (2012). *Exclusion from Maintained Schools, Academies and Pupil Referral Units in England: A Guide for those with Legal Responsibilities in Relation to Exclusion*. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/269681/Exclus

ion_from_maintained_schools__academies_and_pupil_referral_units.pdf. (Accessed 9 November 2015).

Department for Education. (2016). *Behaviour and Discipline in Schools: Advice for Headteachers and School Staff*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/488034/Behaviour_and_Discipline_in_Schools_-_A_guide_for_headteachers_and_School_Staff.pdf. (Accessed 21 May 2018).

Department for Education. (2017a). *Permanent and Fixed-Period Exclusions in England: 2015 to 2016*. Available at: https://www.gov.uk/government/statistics/permanent-and-fixed-period-exclusions-in-england-2015-to-2016. (Accessed 21 May 2018).

Department for Education. (2017b). *Case Studies of Behaviour Management Practices in Schools Rated Outstanding*. Available at: https://www.gov.uk/government/publications/school-behaviour-management-case-studies-report. (Accessed 21 May 2018).

Department for Education. (2019). *The Impact of College Mergers in Further Education: Research Report*. Available at: https://www.gov.uk/government/publications/the-impact-of-college-mergers-in-further-education. (Accessed 9 July 2021).

Department for Education. (2020). *Academic Year 2018/19 - Permanent and Fixed period exclusions in England*. Available at: https://explore-education-statistics.service.gov.uk/find-statistics/permanent-and-fixed-period-exclusions-in-england. (Accessed 9 July 2021).

Department for Education and Skills. (2005). *Permanent and Fixed Term Exclusion from Schools and Exclusion Appeals in England, 2003/04*. DfES, London.

Deuchar, R. and Ellis, J. (2013). *'It's helped me with my anger and I'm realising where I go in life': The Impact of Scottish Youth Work / Schools Intervention on Young People's Responses to Social Strain and Engagement with Anti-Social Behaviour and Gang Culture*. Research in Post Compulsory Education, 18 (1-2): 98-114.

Dignan, J. (1999). *The Crime and Disorder Act and the Prospects for Restorative Justice***.** Criminal Law Review, 48.

Dignan, J. (2002). *Reparation Orders*. In B. Williams. (Ed.). *Reparation and Focused and Victim-Focused Social Work*. London: Jessica Kingsley.

Dignan, J. (2005). *Understanding Victims and Restorative Justice*. Maidenhead: Open University Press.

Doolin, K. (2007). *But what does it mean? Seeking Definitional Clarity in Restorative Justice*. Journal of Criminal Law, 71 (5): 427-440.

Drapkin, I. (1989). *Crime and Punishment in the Ancient World*. Lexington, MA: Lexington Books.

Drewery, W. (2004). *Restorative Practices in Schools*. Hamilton, New Zealand: University of Waikato.

Drewery, W. (2016). *Restorative Practice in New Zealand Schools: Social Development Through Relational Justice*. Educational Philosophy and Theory, 48 (2): 191-203.

Duff, R. A. (2003). *Restoration and Retribution*. In A. von Hirsch, J. Roberts, A. Bottoms, K. Roach and M. Schiff. (Ed.). *Restorative Justice and Criminal Justice: Competing or Reconcilable Paradigm*. Oxford: Hart Publishing.

Edgar, K., Bitel, M., Thurlow, J. and Bowen, G. (2002). *The Evaluation of the Lambeth Restorative Justice Conference Pilot Project in Schools*. London: Youth Justice Board.

Eglash, A. (1977). *Beyond Restitution: Creative Restitution*. In J. Hudson and B. Galaway. (Ed.). *Restitution in Criminal Justice*. Lexington, MA.

Espelage, D. L., Holt, M. K., and Henkel, R. R. (2003). *Examination of Peer-Group Contextual Effects on Aggression During Early Adolescence*. Child Development, 74, 205–220.

Espelage, D., Anderman, E. M., Brown, V. E., Jones, A., Lane., K. L., McMahon, S. D., Reddy, L. A., and Reynolds, C. R. (2013). *Understanding and Preventing Violence Directed Against Teachers: A Recommendation for a National Research, Practice, and Policy Agenda*. American Psychological Association, 68 (2), 75-87.

Evans, K., Vaandering, D. (2016). *The Little Book of Restorative Justice in Education: Fostering Responsibility, Healing, and Hope in Schools*. New York: Good Books.

Fabelo, T., Thompson, M. D., Plotkin, M., Carmichael, D., Marchbanks, M. P., & Booth, E. A. (2011). *Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement*. New York, NY: Council of State Governments Justice Center.

Fattah, E. (1998). *Some Reflections on the Paradigm of Restorative Justice and its Viability for Juvenile Justice*. In L. Walgrave. (Ed.). *Restorative Justice for Juveniles. Potentialities, Risks and Problems*. Leuven, Belgium: Leuven University Press.

Fearful, A. (2005). *Using Interpretive Sociology to Explore Workplace Skill and Knowledge*. International Journal of Social Research Methodology, 8 (2): 137-150.

Ferri, E. (1917). *Criminal Sociology*. Boston, MA: Little, Brown.

Galloway, D., Ball, T., Blomfield, D. and Syed, R. (1982). *Schools and Disruptive Pupils*. London and New York: Longman.

Garland, D. (1996). *The limits of the Sovereign State: Strategies of Crime Control in Contemporary Society*. British Journal of Educational Psychology, 36 (4): 445-471.

Garland, D. (2001). *The Culture of Control: Crime and Social Order in Contemporary Society. Oxford: Oxford University Press.*

Gavrielides, T. (2007). *Restorative Justice Theory and Practice: Addressing the Discrepancy*. Finland: HEUI.

Gavrielides, T. (2008). *Restorative Justice – The Perplexing Concept: Conceptual Fault-lines and Power Battles within the Restorative Justice Movement*. Criminology and Criminal Justice, 8 (2): 165-183.

Gavrielides, T. (2011). *Restorative Practices: From the Early Societies to the 1970s*. Internet Journal of Criminology. ISSN: 2045-6743 (Online).

Gavrielides, T. (2017). *Collapsing the Labels' Victim' and 'Offender' in the Victims' Directive and the Paradox of Restorative Justice*. Restorative Justice: An International Journal, 5 (3): 368-381.

Geis, G. (1977). *Restitution by Criminal Offenders: A Summary and Overview*. In J. Hudson and B. Galaway. (Ed.). *Restitution in Criminal Justice*. Lexington: Lexington Books.

Gilbert, L. S. (2002). *Going the Distance: 'Closeness' in Qualitative Data Analysis Software*. International Journal of Social Research Methodology, 5 (3): 215-228.

Gill, M. and Hearnshaw, S. (1997). *Personal Safety and Violence in Schools*. DfEE Research Report RR31. London: DfEE.

Gillin, J. L. (1935). *Criminology and Penology*. New York: Appleton-Century.

Glaser, D. (1964). *The Effectiveness of a Prison and Parole System.* New York: Bobbs-Merrill.

Glaser, B. G. and Strauss, A. L. (1967). *The Discovery of Grounded Theory: Strategies for Qualitative Research*. Chicago, IL: Aldine.

Gonzalez, T. (2012). *Keeping Kids in Schools: Restorative Justice, Punitive Discipline, and the School to Prison Pipeline*. Journal of Law and Education, 41 (2): 281-335.

Gonzalez, T., Sattler, H. and Buth, A. J. (2019). *New Directions in Whole-School Restorative Justice Implementation*. Conflict Resolution Quarterly, 36: 2007-220.

Graham, J. and Bowling, B. (1995). *Young People and Crime*. Home Office Research Study No. 146. London: HMSO.

Graham, J. (1998). *Preventive Work with Children and Young People at Risk of Offending*. In A. Marlow and J. Pitts. (Ed.). *Planning Safer Communities*. Lyme Regis: Russel House Publishing.

Gray, P. (2005). *The Politics of risk and Young Offenders' Experiences of Social Exclusion and Restorative Justice*. British Journal of Criminology, 45: 938-957.

Green, S., Johnstone, G., and Lambert, C. (2013). *What Harm, Whose Justice?: Excavating the Restorative Movement*. Contemporary Justice Review, 16 (4): 445-460.

Green, S., Johnstone, G., and Lambert, C. (2014). *Reshaping the Field: Building Restorative Capital*. Restorative Justice: An International Journal, 2 (1): 43-63.

Gregory, A., Clawson, K., Davis, A. and Gerewitz, J. (2016). *The Promise of restorative Practices to Transform Teacher-Student Relationships and Achieve Equity in School Discipline*. Journal of Educational and Psychological Consultation, 4: 325-353.

Grille, R. (2005). *Parenting for a Peaceful World*. Alexandria, NSW: Longueville Media.

Groot, B., Sanders, M., Rogers, T. and Bloomenthal, E. (2017). *I Get by with a Little Help from my Friends: Two Field Experiments on Social Support and Attendance in Further Education Colleges In The UK*. The Behavioral Insights Team.

Grossi, P. K. and dos Santos, A. M. (2012). *Bullying in Brazilian Schools and Restorative Practices.* Canadian Journal of Education, 35: 120–136.

Haines, K. and O'Mahony. (2008). *Restorative Approaches, Young People and Youth Justice*. In B. Goldson and J. Munice. (Ed.). *Youth Crime and Justice*. London: SAGE.

Hartmann, A. (1995). *Schlichten oder Richten. Der Taler-Opfer-Ausgleich und das (Jugend) Straf-recht*. Munchen: Willem Fink Verlag.

Harding, J. (1982). *Victims and Offender: Needs and Responsibilities*. London: Bedford Square Press.

Hascall, S. C. (2011). *Restorative Justice in Islam: Should Qisas be Considered a Form of Restorative Justice*. Berkeley Journal of Middle Eastern and Islamic Law, 4 (1): 35-78.

Hayden, C., Sheppard, C. and Ward, D. (1996). *Primary Age Excluded from School. Report Number 33*. Portsmouth: University of Plymouth.

Hayden, C. (1997). *Children Excluded from Primary School*. Buckingham: Open University Press.

Hayden, C. and Martin, T. (1998). *Safer Cities and Exclusion from School*. Journal of Youth Studies, 1 (3): 315–331.

Hayden, C. (2009). *Deviance and violence in schools: A review of the evidence in England*. International Journal of Violence and School, 9, On-line journal: http://www.ijvs.org/3-6224-Article.php?id=74andtarticle=0. (Accessed 7 June 2020).

Hayden, C. (2010). *Crime, Anti-Social Behaviour and Schools*. Keynote at SEBDA International Conference: Transforming Troubled Lives. Keble College, Oxford, UK, 14-17 September.

Hayden, C. (2011). *Safety, School Connectedness and Problem Behaviour*. In C. Hayden and D. Martin. (Ed.). *Crime, Anti-Social Behaviours and Schools*. England, Hampshire: Palgrave Macmillan.

Hayes, H. and Daly, K. (2003). *Youth Justice Conferencing and Re-Offending*. Justice Quarterly, 20: 725-64.

Hayes, H. and Daly, K. (2004). *Conferencing and Re-Offending in Queensland*. Australian and New Zealand Journal of Criminology, 37: 167-91.

Hayes, H., McGee, T. R., Punter, H. and Cerruto, M. J. (2014). *Agreements in Restorative Justice Conferences*. The British Journal of Criminology, 54 (1): 109-127.

Health and Safety Executive (HSE). (2008). *Health and Safety at Work 2007/8*. Sudbury: Health and Safety Executive.

Heath, C., and Heath, D. (2010). *Switch: How to Change Things When Changing is Hard*. New York: Broadway Books.

Hendrick, H. (2006). *Histories of Youth Crime and Justice*. In B. Goldson and J. Muncie (eds) Youth Crime and Justice. London: SAGE.

Hennink, M. M., Hutter, I. and Bailey, A. (2011). *Qualitative Research Methods*. London: SAGE.

HMIC, HP, HMI Prisons and HMCPSI. (2002). *Facing up to offending: Use of Restorative Justice in the Criminal Justice System*. London: Criminal Justice Joint Inspection.

Home Office. (1987). *Criminal Careers of those Born in 1953: Persistent Offenders and Desistance*. Home Office Statistical Bulletin. London: HMSO.

Home Office. (1995). *Young People and Crime. Research Study 145*. London: Home Office.

Home Office. (2002). *British Crime Survey*. London: HMSO.

Home Office (2006). *Respect Action Plan*. London: Home Office.

Hopkins, B. (2004). *Just School: A Whole School Approach to Restorative Justice*. London: Jessica Kingsley Publishers.

Hopkins, B. (2006). *Implementing a Restorative Approach to Behaviour and Relationship in Schools – The Narrated Experiences of an Educationalist.* PhD Thesis. School of Education. Reading: University of Reading.

Hopkins, B. (2009). *Just Care: Restorative Justice Approaches to Working with Children in Public Care*. London: Jessica Kingsley.

Hopkins, B. (2011). *Restorative Approaches in UK Schools*. In C. Hayden and D. Martin. (Ed.). *Crime, Anti-Social Behaviours and Schools*. England, Hampshire: Palgrave Macmillan.

Houlston, C., Smith, P. K. and Jessel, J. (2009). *Investigating the Extent and Use of Peer Support Initiatives in English Schools.* Educational Psychology, 29: 325-344.

Hoyle, C., Young, R. and Hill, R. (2002). *Proceed with Caution – An Evaluation of the Thames Valley Initiative in Restorative Cautioning*. York: York Publishing Services.

International Institute of Restorative Practices (IIRP). (2012). *What is Restorative Practices?* Available at: www.iirp.org/whatisrp.php.

Jeffery, C. (1957). *The Development of Crime in Early English Society*. Journal of Criminal Law, Criminology and Police Science, 47: 647-666.

Johnstone, G. and Van Ness, D. W. (2007). *The Meaning of Restorative Justice*. In G. Johnstone and D. Van Ness. (Ed.). *Handbook of Restorative Justice*. Cullompton: Willian Publishing.

Johnstone, G. (2011). (2nd Ed.). *Restorative Justice: Ideas, Values and Debates*. New York: Routledge.

Johnston, L. H. (2006). *Software and Method: Reflections on Teaching and Using QSR NVivo in Doctoral Research*. International Journal of Social Research Methodology, 9 (5): 379-391.

Joseph-Salisbury, R. (2021). *Teacher Perspectives on the Presence of Police Officers in English Secondary Schools: A Critical Race Theory Analysis*. Race Ethnicity and Education, 24 (4): 578-595.

Julich, S. (2003). *Critical Issues in Restorative Justice: Advancing the Agenda in Aotearoa, New Zealand*. Auckland: Centre for Justice and Peace Development, Massey University.

Kane, J., Lloyd, G., McCluskey, G., Riddell, S., Stead, J. and Weedon, E. (2008). *Collaborative Evaluation: Balancing Rigour and Relevance in a Research Study of Restorative Approaches in Schools in Scotland*. International Journal of Research and Methods in Education, 31 (2): 99-111.

Kane, J., Lloyd, G., McCluskey, G., Riddell, S., Stead, J. and Weedon, E. (2007). *Restorative Practices in Three Scottish Councils: Final Report of the Evaluation of the First Two Years of the Pilot Project 2004-2006: Executive Summary*. Edinburgh, UK: Scottish Executive.

Karp, D. R. and Breslin, B. (2001). *Restorative Justice in School Communities*. Youth and Society, 33: 249–272.

Knight, P. (2002). *Small Scale Research*. London: SAGE.

Kotter, J. (1995). *Leading Change: Why Transformation Efforts Fails*. Harvard Business Review, March-April 1995

Kotter, J. (2007). *Leading Change: Why Transformation Efforts Fails*. Harvard Business Review, January 2007.

Kotter, J. (2012). *Leading Change*. Boston, Ma: Harvard Business Review Press.

Krueger, R. A. and Casey, M. A. (2009). *Focus Groups: A Practical Guide for Applied Research*. (4th Ed.). Thousand Oaks, CA: SAGE.

Latimer, J., Dowden, C. and Muise, D. (2005). *The Effectiveness of Restorative Practices: A Meta-Analysis*. Prison Journal, 85: 127-144.

Leech, N. L., and Onwuegbuzie, A. J. (2011). *Beyond Constant Comparison Qualitative Data Analysis: Using NVivo*. School Psychology Quarterly, 26 (1): 70-84.

Levrant, S., Cullen, F. T., Fulton, B. and Wozniak, J. F. (1999). *Reconsidering Restorative Justice: The Corruption of Benevolence Revisited*. Crime and Delinquency, 45: 3-27.

Llewellyn, J. (2012). *Restorative Justice: Thinking Relationally about Justice*. In J. Downie and J. Llewellyn. (Ed.). *Being Relational*. Vancouver: University of British Columbia Press.

Lobb, R. (2017). *When FE Lecturers Go the Extra Mile: The Rhetoric and the Reality*. Research in Post-Compulsory Education, 22 (2): 186-207.

Losinski, M., Katsiyannis, A., Ryan, J. and Baughan, C. (2014). *Weapons in Schools and Zero-Tolerance Policies*. NASSP Bulletin, Vol. 98 (2): 126-141.

Machin, S., Marie, O. and Vujic, S. (2012). *Youth Crime and Education Expansion*. German Economic Review, 13 (4): 366-384.

Macnab, N., Visser, J. and Daniels, H. (2008). *Provision in Further Education Colleges for 14- to 16-Year-Olds with Social, Emotional And Behavioural Difficulties*. British Journal of Special Education, *35* (4): 241-246.

Marshall, T. (1996a). *Restorative Justice: An Overview*. London: Home Office.

Marshall, T. (1996b). *The Evolution of Restorative Justice in Britain*. European Journal on Criminal Policy and Research, 4 (4): 21 – 43.

Martin, T., Hayden, C., Turner, D. and Ramsell, K. (1999). *Out of School and into Trouble? Exclusion from School and Persistent Young Offenders.* Portsmouth: Social Services Research and Information Unit and Hampshire Constabulary.

Martin, D. (2008). *Secondary School Teachers' Experiences and Perceptions of Violence in the Workplace: Full Research Report*. ESRC End of Award Report, RES-000-22-1962. Swindon: ESRC.

Martin, D., Squires, P. and Stephen, D. E. (2011a). *Crime, Anti-Social Behaviour and Schools – Key Themes*. In C. Hayden and D. Martin. (Ed.). *Crime, Anti-Social Behaviours and Schools*. England, Hampshire: Palgrave Macmillan.

Martin, D., Chatwin, C., Porteous, D. (2011b). *'Risky Places' – Young People's Experiences of Crime and victimisation at School and in the Community*. In C. Hayden and D. Martin. (Ed.). *Crime, Anti-Social Behaviours and Schools*. England, Hampshire: Palgrave Macmillan.

Martin, D., Mackenzie, N., Healy, J. (2011c). *Teachers' Experiences of Violence in Secondary Schools*. In C. Hayden and D. Martin. (Ed.). *Crime, Anti-Social Behaviours and Schools*. England, Hampshire: Palgrave Macmillan.

Martin, D., Mackenzie, N., Healy, J. (2012). *Balancing risk and professional identity, secondary school teachers' narratives of violence*. Criminology and Criminal Justice, 13 (4): 398-414.

Maruna, S. (2013). *In Defence of Restorative Justice: The Perils of Promising Less*. Restorative Justice: An International Journal, 1 (1): 47-52.

Mason, J. (1996). *Qualitative Researching*. London: SAGE.

Maxwell, G., Kingi, V., Robertson, J., Morris, A. and Cunningham, C. (2004). *Achieving Effective Outcomes in Youth Justice: Final Report.* New Zealand Ministry of Social Development.

Maxwell, G. (2013). *Justice, Power, and Restorative Solutions*. Restorative Justice: An International Journal, 1 (1): 52-55.

May, T. (2011). *Social Research: Issues, Methods and Process*. (4th Ed.). Berkshire, England: Open University Press.

Mayworm, A. M., Sharkey, J. D., Hunnicutt, K. L. and Schiedel, C. (2016). *Teacher Consultation to Enhance Implementation of School-Based Restorative Justice*. Journal of Educational and Psychological Consultation, 26 (4): 385-412.

Mazerolle, L., Sargeant, E., Cherney, A., Bennett, S., Murphy, K., Antrobus, E., and Martin, P. (2014). *Procedural Justice and Legitimacy in Policing*. New York, NY: Springer.

McAra, L and McVie, S. (2010). *Youth Crime and Justice: Key Messages from the Edinburgh Study of Youth Transitions and Crime*. Criminology and Criminal Justice, 10 (2).

Mccann, K. and Kirk, Ahley. (2018). *School Expulsions Fuel rise in Youth Crime, Say Experts*. The Telegraph, 10 April 2018. Available at: https://www.telegraph.co.uk/news/2018/04/10/school-expulsions-fuel-rise-youth-crime-say-experts/. (Accessed 7 June 2020).

McCluskey, G., Lloyd, G., Stead, J., Kane, J., Riddell, S. and Weedon, E. (2008a). *Can Restorative Practices in Schools Make a Difference?* Educational Review, 60 (4): 405-417.

McCluskey, G., Lloyd, G., Stead, J., Kane, J., Riddell, S. and Weedon, E. (2008b). *I was Dead Restorative Today: From Restorative Justice to Restorative Approaches in Schools.* Cambridge Journal of Education, 38 (2): 199-216.

McCluskey, G., Lloyd, G., Stead, J., Kane, J., Riddell, S. and Weedon, E. (2011). *"Teachers are Afraid we are Stealing their Strength": A Risk Society and Restorative Approaches in School*. British Journal of Educational Studies, 59: 105-119.

McCluskey, G. (2013). *Challenges to Education: Restorative Approaches as a Radical Demand on Conservative Structures of Schooling*. In E. Sellman, H. Cremin and G. McCluskey (Eds.). *Restorative Approaches to Conflict in Schools: Interdisciplinary Perspectives on Whole School Approaches to Managing Relationships*. London: Routledge.

McCold, P. (1996). *Restorative Justice: The role of the Community*. In B. Galaway and J. Hudson. (Ed.). *Restorative Justice: International Perspectives*. Monsey, New York: Criminal Justice Press.

McCold, P. (1998). *Restorative Justice: Variations on a Theme*. In L. Walgrave. (Ed.). *Restorative Justice for Juveniles: Potentialities, Risks and Problems for Research*. Leuven: Leuven University Press.

McCold, P. (2000). *Towards a Holistic Vision of Restorative Juvenile Justice: A Reply to the Maximalist Model*. Contemporary Justice Review, 3: 357-72.

McCold, P. (2004). *What is the Role of Community in Restorative Justice Theory and Practice*? In H. Zehr and B. Toews. (Ed.). *Critical Issues in Restorative Justice*. Cullompton: Willan Publishing.

McCold, P. and Wachtel, T. (1999). *Restorative Justice Theory Validation*. Paper presented at the 4th International Conference on Restorative Justice for Juveniles. Leuven, Belgium. October 1999.

McCold, P. and Wachtel, T. (2002). *Restorative Justice Theory Validation*. In E. Weitkamp and H. J. Kerner. (Ed.). *Restorative Justice: Theoretical Foundations*. Cullompton: Willan Publishing.

McCold, P. and Wachtel, T. (2003). *In Pursuit of Paradigm: A Theory of Restorative Justice*. Restorative Practices E-Forum. Available at: www.iirp.edu/article_detail.php?article_id=NDI0.

McGrath, J. (2004). *Restorative Practices in Education: Managing Challenging Behaviour, Evaluation Report for Southend-on-Sea.* Newry, UK: Netcare Consultancy.

McNeely, C. A., Nonnemaker, J. M. and Blum, R. W. (2002). *Promoting School Connectedness: Evidence from the National Longitudinal Study of Adolescent Health*. Journal of School Health, 72 (4): 138-146.

Mendez, M. (2021). *Partisanship and Positionality in Qualitative Research: Exploring the Influences of the Researcher's Experiences of Serious Crime on the Research Process*. Qualitative Research: 1-16.

Merriam, S. B. (1988). *Case Study Research in Education: A Qualitative Approach*. San Francisco, California: Jossey-Bass.

Michalowski, R. J. (1985). *Order, Law and Crime*. New York: Random House.

Miers, M., Maguire, M., Goldie, S., Sharpe, K., Hale, C., Netten, A., Uglow, S., Doolin, K., Hallam, A., Enterkin, J. and Newburn, T. (2001). *An Exploratory Evaluation of Restorative Justice Schemes*. London: Home Office.

Millie, A. (2009). *Securing Respect: Behavioural Expectations and Anti-Social Behaviour in the UK*. Bristol: Policy Press.

Millie, A., and Moore, S. (2011). *Crime, Anti-Social Behaviour and Education: A Critical Review*. In C. Hayden and D. Martin. (Ed.). *Crime, Anti-Social Behaviours and Schools*. England, Hampshire: Palgrave Macmillan.

Ministry of Justice. (2012). *Restorative Justice Action Plan for the Criminal Justice System, November 2012*. London: Ministry of Justice. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/162265/restorative-justice-action-plan.pdf.pdf. (Accessed 20 October 2014).

Mitchell, C., Pride, D., Lance, H. and Pride, B. (1998). *Ain't Misbehavin': Managing Disruptive Behaviour*. London: Further Education Development Agency.

More, T. S. (1515, 1990). *Utopia, New Haven*. London: Yale University Press.

Morgan, D. L. (1998). The Focus Group Guidebook. Thousand Oaks, California: SAGE.

MORI. (2003). *Youth Survey 2003*. London: Youth Justice Board.

MORI. (2010). *Evaluation of Campus Police Officers in Scottish School*. Edinburgh: Scottish Government.

Morris, A. (2002). *Critiquing the Critics: A Brief Response to Critics of Restorative Justice*. British Journal of Criminology, 42: 596-615.

Morrison, B. (2001). *The School Systems: Developing its Capacity in the Regulation of a Civil Society*. In J. Braithwaite and H. Strang. (Ed.). *Restorative Justice and Civil Society*. Cambridge: Cambridge University Press.

Morrison, B. (2005). *Building Safe and Healthy School Communities: Restorative Justice and Responsive Regulation*. Paper presented at the Sixth International Institute of Restorative Practice Conference on *Conferencing, Circles and Other Restorative Practices: Building a Global Alliance for Restorative Practices and Family Empowerment*. Sydney, Australia: March 3-5, 2005.

Morrison, B. (2006). *School Bullying and Restorative Justice: Toward a Theoretical Understanding of the Role of Respect, Pride, and Shame*. Journal of Social Sciences, 62 (2): 371-392.

Morrison, B. (2007). *Restoring Safe School Communities: A Whole School Approach to Bullying, Violence and Alienation*. Sydney, NSW: Federation Press.

Morrison, B. (2010). *From Social Control to Social Engagement: Enabling the "Time and Space" to Talk Through Restorative Justice and Responsive Regulations*. American Society of Criminology Meetings in San Francisco, CA.

Morrison, B. (2015). *Restorative Justice in Education: Changing Lenses on Education's Three R's*. Restorative Justice: An International Journal, 3 (3): 445-452.

Morrison, B., Blood, P. and Thorsborne, M. (2005). *Practising Restorative Justice in School Communities: The Challenge of Culture Change*. Public Organisation Review: A Global Journal, 5: 335-357.

Morrison, B. and Vaandering, D. (2012). *Restorative Justice: Pedagogy, Praxis and Discipline*. Journal of Violence, 11 (2): 138-155.

Morrison, S. (2019). *School Exclusion' Tipping Point' for Youth Knife Crime, Report Warns*. Evening Standard, 25 October 2019. Available at: https://www.standard.co.uk/news/crime/school-exclusion-tipping-point-for-knife-crime-report-warns-a4270366.html. (Accessed 20 March 2020).

Nader, L. and Combs-Schilling, E. (1977). *Restitution in Cross-cultural Perspective*. In J. Hudson and B. Galway. (Ed.). *Restitution in Criminal Justice*. Lexington, MA: Lexington Books.

Nathanson, D. L. (1992). *Shame and Pride: Affect, Sex, and the Birth of the Self*. New York: W. W. Norton and Company.

National Association of Head Teachers (NAHT) (2000). *Managing Security: Personnel*. NAHT Professional Management Series, PM018. London: NAHT.

National Association of Schoolmasters Union of Women Teacher (NASUWT). (2019). *The Big Question: An Opinion Survey of Teachers and Headteachers*. UK, Document Reference Number 19/05002 England. Available at: https://www.nasuwt.org.uk/article-listing/big-question-survey-report-2017.html. (Accessed 20 February 2020).

Neill, S. R. St. J. (2008). *Disruptive Pupil Behaviour: Its Causes and Effects: A Survey Analysed for the National Union of Teachers*. Warwick: Institute of Education, University of Warwick.

Neiman, S. (2011). *Crime, Violence, Discipline, and Safety in U.S. Public Schools: Findings from the School Survey on Crime and Safety: 2009-10 (NCES 2011-320)*. Washington, DC: U.S. Department of Education, National Center for Education Statistics.

Neuman, W. L. (2011). *Social Research Methods: Qualitative and Quantitative Approaches*. (7th Ed.). Boston: Pearson/Allyn and Bacon.

Newburn, T., Crawford, A., Earle, R., Goldie, S., Hale, C., Hallam, A., Masters, G., Netten, A., Saunders, R., Sharpe, K. and Uglow, S. (2002). *The Introduction of Referral Orders into the Youth Justice System: Final Report*. London: Home Office Research Study 242, Home Office Research, Development and Statistics Directorate.

Office for Standards in Education (Ofsted). (1996). *Exclusions from Secondary Schools, 1995-96*. London: The Stationery Office.

Office for Standards in Education (Ofsted). (2005). *Managing Challenging Behaviour: Better Education and Care*. UK, Document Reference Number: HMI 2363.

Office for Standards in Education (Ofsted). (2014). *Below the Radar: Low-Level Disruption in the Country's Classroom*. UK, Document Reference Number: 140157.

Office for Standards in Education (Ofsted). (2019). *Teacher Well-Being at Work in Schools and Further Education Providers*. UK, Document Reference Number: 190034.

Office for Standards in Education (Ofsted) and Spielman, A. (2019). *HMCI Commentary: Managing Behaviour Research*. UK: Ofsted. Available at: https://www.gov.uk/government/speeches/research-commentary-managing-behaviour. (Accessed 28 October 2020).

Office for Standards in Education (Ofsted) and Spielman, A. (2020). *Speech: Amanda Spielman Launches Ofsted's Annual Report 2018/19*. UK: Ofsted. Available at: https://www.gov.uk/government/speeches/amanda-spielman-launches-ofsteds-annual-report-201819. (Accessed 28 October 2020).

O'Mahony, D. and Doak, J. (2009). *Restorative Justice and Youth Justice – Bringing Theory and Practice Closer together in Europe*. In J. Junger-Tas and F. Dunkel. (Ed.). *Reforming Juvenile Justice*. Heidelberg, Germany: Springer.

Osler, A. and Starkey, H. (2005). *Violence in schools and representations of young people: A critique of government policies in France and England*. Oxford Review of Education, 31(2), pp. 195–215.

Pali, B. and Pelikan, C. (2014). *Con-texting Restorative Justice and Abolitionism: Exploring the Potential and Limits of Restorative as an Alternative Discourse to Criminal Justice*. Restorative Justice: An International Journal, 2 (2):142-164.

Parry, D. and Taubman, D. (2013). *UCU Whole College Behaviour Management: Final Report*. University and College Union (UCU), Funded by the Learning and Skills Improvement Service. Available at: https://www.ucu.org.uk/media/5693/UCU-whole-college-behaviour-policy-project-report/pdf/UCU_Whole_College_Behaviour_Management_Final_Report_June_2013.pdf. (Accessed 18 October 2014).

Pavlich, G. (2005). *Governing Paradoxes of Restorative Justice*. London: Glass House Press.

Payn, R. (2012). *A Framework for Understanding Poverty*. Moorabbin, VIC: Hawker Brownlow Education.

Pelikan, C. (2007). *The Place of Restorative Justice in Time and Space*. In R. Mackay, M. Bosnjak, J. Deklerck, C. Pelikan, B. van Stokkom and M. Wright. (Ed.). *Images of Restorative Justice Theory*. Frankfurt am Main: Verlag fur Polizeiwissenschaft.

Perraudin, F. and McIntyre, N. (2018). *Dozens of Secondary Schools Exclude at least 20% of Pupils*. The Guardian, 31 August 2018. Available at: https://www.theguardian.com/education/2018/aug/31/dozens-of-secondary-schools-exclude-at-least-20-of-pupils?CMP=Share_AndroidApp_Tweet. (Accessed 28 October 2020).

Pirrie. A., Macleod, G., Cullen, M. A., and McCluskey, G. (2011). *What Happens to Pupils Permanently Excluded from Special Schools and Pupil Referral Units in England?* British Educational Research Journal, 37 (3): 519-538.

Pitts, J., Daiber, B., Van Otterloo, M. and Veltkamp, P. (2001). *Young People Our Stake in Their Future: A Three Nation Action Research Project.* Luton: University of Luton.

Pitts, J. (2002). *Changing Youth Justice: Research and Evaluation*. Luton: Unversity of Bedfordshire (Unpublished Research Paper).

Porter, A. (2007). *Restorative Justice in Schools: Research Reveals Power of Restorative Approach*. International Institute of Restorative Practices, Restorative Practices e-Forum: 1-3.

Porteous, D. (1998). *Young People's Experiences of Crime and Violence: Findings from a Survey of School Pupils*. In A. Marlow and J. Pitts. (Ed.). *Planning Safer Communities*. Lyme Regis: Russel House Publishing.

Porteous, D. (2014). *Utopian Youth Justice?* Doctorate by Public Works. Available at: http://eprints.mdx.ac.uk/14711/. (Accessed 28 October 2015).

Punch, K. (1998). *Introduction to Social Research: Qualitative and Quantitative Approaches*. London: SAGE.

Qafisheh, M. M. (2012). *Restorative Justice in the Islamic Penal Law: A Contribution to the Global System*. International Journal of Criminal Justice Sciences, 7 (1): 487-507.

Rainbolt, S., Fowler, E. S. and Mansfield, K. C. (2019). *High School Teachers' Perceptions of Restorative Discipline Practices*. National Association of Secondary School Principals Bulletin, 103(2):158-182.

Raynor, P. (2001). *Community Penalties and Social Integration: "Community" as Solution and as Problem*. In A. Bottoms, L. Gelsthorpe and S. Rex. (Eds.). *Community Penalties: Changes and Challenges*. Devon: Willian.

Reimer, K. (2011). *An Exploration of the Implementation of Restorative Justice in an Ontario Public School*. Canadian Journal of Educational Administration and Policy, 119: 1-23.

Restorative Practices Development Team. (2003). *Restorative Practices for Schools*. Hamilton, New Zealand: University of Waikato.

Richards, L. (1998). *Closeness to Data: The Changing Goals of Qualitative Data Handling*. Qualitative Health Research, 8 (3), 319-328.

Riestenberg, N. (2013). *Creating the Restorative School Part I: Seeding the Restorative Approaches in Minnesota*. In E. Sellman, H. Cremin and G. McCluskey. (Ed.). *Restorative Approaches to Conflict in Schools: Interdisciplinary Perspective on Whole School Approaches to Managing Relationships*. London: Routledge.

Roberts, J. and Hough, M. (2002). *Public Attitude to Punishment: The Context*. In J. Roberts and M. Hough. (Ed.). *Changing Attitudes to Punishment: Public Opinion, Crime and Justice*. Devon: Willian Publishing.

Roche, D. (2006). *Dimensions of Restorative Justice*. Journal of Social Issues, 62: 217-238.

Roche, D. (2007). *Retribution and Restorative Justice*. In G. Johnstone and D. Van Ness. (Ed.). *Handbook of Restorative Justice*. Devon: Willan Publishing.

Rodogno, R. (2008). *Shame and Guilt in Restorative Justice*. Psychology, Public Policy and Law, 14 (2): 142-176.

Roger, E. (2003). *Diffusion of Innovation*. (5th Ed.). New York: Fre Press.

Ruggiero, V. (2010). *Penal Abolitionism*. Oxford: Oxford University Press.

Ruggiero, V. (2011). *An Abolitionist View of Restorative Justice*. International Journal of Law, Crime and Justice, 39 (2): 100-110. Available at: http://eprints.mdx.ac.uk/7831/. (Accessed 28 October 2014).

Russell, S. and Crocker, D. (2016). *The Institutionalisation of Restorative Justice in Schools: Acritical Sense Making Account*. Restorative Justice: An International Journal, 4 (2): 195-213.

Rutter, M., Maughan, B., Mortimore, P. and Ouston, J. (1979). *Fifteen Thousand Hours. Secondary Schools and Their Effects on Children*. Shepton Mallet: Open Books Publishing Ltd.

Ryan, L., Kofman, E. and Aron, P. (2011). *Insiders and Outsiders: Working with Peer Researchers in Researching Muslim Communities*. International Journal of Social Research Methodology, 14 (1): 49-60.

Sarantakos, S. (2013). *Social Research*. (4th Ed.). Hampshire: Palgrave Macmillan.

Scott, S., Knapp, M., Henderson, J. and Maughan, B. (2001). *Financial Cost of Social Exclusion: Follow Up Study of Antisocial Children to Adulthood*. British Medical Journal 323: 191-194.

Sellgren, K. (2020). *Putting Pupils in Isolation 'Drives Poor Behaviour'*. BBC Online, 9 January 2020. Available at: https://www.bbc.co.uk/news/education-51034121. (Accessed 28 August 2021).

Shapland, J. (2013). *Participants' Chosen Words: A Response to Words on Words*. Restorative Justice: An International Journal, 1 (1): 62-70.

Shapland, J. (2014). *Implications of Growth: Challenges for Restorative Justice*. International Review of Victimology, 20 (1): 111-127.

Shapland, J., Atkinson, A., Atkinson, H., Colledge, E., Dignan, J., Howes, M., Johnstone, J., Robinson, G. and Sorsby, A. (2006). *Situating Restorative Justice within Criminal Justice*. Theoretical Criminology, 10 (4): 505-532.

Shapland, J., Atkinson, A., Atkinson, H., Colledge, E., Dignan, J., Howes, M., Johnstone, J., Robinson, G. and Sorsby, A. (2007). *Restorative Justice: The Views of Victims and Offenders. The Third Report from the Evaluation of Three Schemes*. London: Ministry of Justice.

Shapland, J., Robinson, G. and Sorsby, A. (2011). *Restorative Justice in Practice: Evaluating What Work for Victims and Offenders*. London: Routledge.

Sharpe, S. (2004). *How Large Should the Restorative Justice' Tent' Should Be*? In H. Zehr and B. Toews. (Ed.). *Critical Issues in Restorative Justice*. Cullompton: Willan Publishing.

Shaw, G. (2007). *Restorative Practices in Australian Schools: Changing Relationships, Changing Culture*. Conflict Resolution Quarterly, 25 (1): 127-135.

Shaw, R. M., Howe, J., Beazer, J. and Carr, T. (2020). *Ethics and Positionality in Qualitative Research with Vulnerable and Marginal Groups*. Qualitative Research, 20 (3): 277-293.

Sherman, L. W., Strang, H., Angel, C., Woods, D., Barnes, G. C., Bennet, S. and Inkpen, N. (2005). *Effects of Face-to-Face Restorative Justice on Victims of Crime in Four Randomized, Control Trials*. Journal of Experimental Criminology, 1: 367-395.

Sherman, L. W. and Strang, H. (2007). *Restorative Justice: The Evidence*. London: Smith Institute.

Sherman, L. W. and Strang, H. (2012). *Restorative Justice as Evidence-Based Sentencing*. In J. Petersilia and K. Reitz. (Ed.). *The Oxford Handbook of Sentencing and Corrections*. NY: Oxford University Press.

Silverman, D. (2010). *Doing Qualitative Research: A Practical Handbook*. (3rd Ed.). London: SAGE.

Simons, H. (2009). *Case Study Research in Practice*. London: SAGE.

Simpson, J., Humphries, W. and Bennett, R. (2018). *Exclusions from School Drive Rising Gang Crime*. The Times, 29 September 2018. Available at: https://www.thetimes.co.uk/article/exclusions-from-school-drive-rising-gang-crime-pjm5jv3hs. (Accessed 28 October 2020).

Skiba, R. J., & Peterson, R. L. (2000). *School Discipline at a Crossroads: From Zero Tolerance to Early Response*. Exceptional Children, 66: 335-346.

Skinns, L., Rose, N. D. and Hough, M. (2009). *An Evaluation of Bristol Restorative Approaches in Schools*. King's College London: The Institute for Criminal Policy Research.

Skrzypek, C., Bascug, E. W., Ball, A., Kim, W. and Elze, D. (2020). *In Their Own Words: Student Perceptions of Restorative Practices.* Children and Schools, National Association of Social Worker (Washington, DC): Advance Article.

Smith, A. and Holian, R. (2008). *Credibility Issues in Research from Within Organisations*. In P. Sikes and A. Potts. (Eds). *Researching Education from the Inside*. New York: Taylor and Francis.

Smith, R. (1998). *No Lessons Learnt*. London: The Children's Society.

Solomon, M. and Thomas, G. (2013). *Supporting Behaviour Support: Developing a Model for Leading and Managing a Unit for Teenagers Excluded from Mainstream School*. Emotional and Behavioural Difficulties, 18 (1): 44-59.

Song, S. Y. and Swearer, S. M. (2016). *The Cart Before the Horse: The Challenges and Promise of Restorative Justice Consultations in School*. Journal of Education and Psychological Consultation, 26 (4): 313-324.

Squires, P. and Stephen, D. E. (2005). *Rougher Justice, Anti-Social Behaviour and Young People*. Cullompton: Willian Publishing.

Stake, R. E. (1995). *The Art of Case Study Research*. Thousand Oaks, California: SAGE.

Standing, V., Fearon, C., and Dee, T. (2012). *Investigating the Value of Restorative Practice: An Action Research Study of One Boy in a Mixed Secondary School*. International Journal of Educational Management, 26 (4): 354-369.

Steer, A. Sir (Chair). (2009). *Learning Behaviour: Lessons Learned. A Review of Behaviour Standards and Practices in Our Schools*. Nottingham: DfES.

Stephenson, M. (2006). *Young People Offending: Education, Youth Justice and Social Inclusion*. Cullompton: Willian Publishing.

Steinberg, M. P., Ukert, B. and MacDonald, J. M. (2019). *Schools as Places of Crime? Evidence from closing Chronically Underperforming Schools*. Regional Science and Urban Economics, 77: 125-140.

Stockdale, K. J. (2015a). *Police Understanding of Restorative Justice – The Impact of Rank and Role*. Restorative Justice – An International Journal, 3 (2): 212-232.

Stockdale, K. J. (2015b). *The Implementation of Restorative Justice Police: A Case Study of One Police Force in England and Wales*. Durham Theses, Durham University. Available at Durham E-Theses Online: http://etheses.dur.ac.uk/11331. (Accessed 28 May 2018).

Strang, H. (2002). *Repair or Revenge: Victims and Restorative Justice*. London: Oxford University Press.

Strang, H., Sherman, L., Angel, C. M., Woods, D. J., Bennet, S., Newbury-Birch, D. and Inkpen, N. (2006). *Victim Evaluations of Face-to-Face Restorative Justice Experiences: A Quasi-Experimental Analysis*. Journal of Social Issues, 62: 281-306.

Strang, H. and Sherman, L. (2015). *The Morality of Evidence: The Second Annual Lecture for Restorative Justice: An International Journal*. Restorative Justice: An International Journal, 3 (1): 6-27.

Sumalla, J. T. (2013). *Restorative Justice a New View*. Restorative Justice: An International Journal, 1 (1): 70-76.

Taylor, C. (2011). *Getting the Simple Things Right: Charlie Taylor's Behaviour Checklists*. Department of Education. Available at: http://media.education.gov.uk/assets/files/pdf/c/charlie%20taylor%20checklist.pdf. (Accessed 28 October 2018).

Teacher Support Network (2005). *Violence Forces Teachers to Consider Quitting*. http://www.teachersupport.info/index.cfm?p=3393. (Accessed 28 October 2018).

Teacher Support Network. (2007). *Report on Violence and Disruption in Schools: The Impact on Teacher Wellbeing*. London: Teacher Support Network.

The Guardian. (2019). *Santa Clarita School Shooting: Teen Used Unregistered' Ghost Gun' in Attack*. The Guardian Online, 5 Nov 2019. Available at: https://www.theguardian.com/us-news/2019/nov/21/santa-clarita-school-shooting-ghost-gun. (Accessed 19 May 2020).

Thomas, G. (2011). *The Case: Generalisation and theory in Case Study*. Oxford Review of Education, 37 (1): 21-35.

Thorsborne, M. and Blood, P. (2013). *Implementing Restorative Practices in School: A Practical Guide to Transforming School Communities*. London: Jessica Kingsley Publishers.

Thorsborne, M. and Vinegrad, D. (2003). *Restorative Practices in Schools: Rethinking Behaviour Management.* Queensland: Inyahead Press.

Tillson, J. and Oxley, L. (2020) *Children's Moral Rights and UK School Exclusions.* Theory and Research in Education, 18 (1): 40-58.

Tinker, R. (2002). *The Evaluation of the Nottingham Restorative Conferencing Project*. Unpublished Paper Produced by the Nottingham City Anti-Bullying Support Team.

Toews, B. (2006). *The Little Book of Restorative Justice for People in Prison*. Intercourse, PA: Good Books.

Toor, S. (2009). *British Asian Girls, Crime and Youth Justice*. Youth Justice, 9: 239-253.

United Nations. (2003). *Glossary of Humanitarian Terms*. New York: Office for the Co-ordination of Humanitarian Affairs Policy Development and Studies Branch.

United Nations Office on Drugs and Crime. (2006). *Handbook on Restorative Justice Programmes*. New York: United Nations.

United Nations Office on Drugs and Crime. (2020). *Handbook on Restorative Justice Programmes*. (2nd Ed.). Vienna: United Nations.

Vaandering, D. (2010). *The Significance of Critical Theory for Restorative Justice in Education*. The Review of Education, Pedagogy and Cultural Studies 32 (2): 145-176.

Vaandering, D. (2011). *A Faithful Compass: Rethinking the Term Restorative Justice to Find Clarity*. Contemporary Justice Review, 14 (3): 307-328.

Vaandering, D. (2013). *A Window on Relationships: Reflecting Critically on Current Restorative Justice Theory*. Restorative Justice: An International Journal, 1 (3): 311-333.

Vaandering, D. (2014), *Implementing Restorative Justice Practices in Schools: What Pedagogy Reveals*. Journal of Peace Education, 11 (1): 64-80.

Van Ness, D. W. (1997). *Legislating for Restorative Justice*. Prison Fellowship International. Presented at: Drafting Juvenile Justice Legislation, An International Workshop, Cape Town, South Africa, 4-6 November 1997.

Van Ness, D. and Strong, K. (2006). *Restoring Justice: An Introduction to Restorative Justice*. (3rd Ed.). Cincinnati: Anderson.

Van Ness, D. and Strong, K. (2010). *Restoring Justice: An Introduction to Restorative Justice*. New Providence, NJ: Anderson.

Varnham, S. (2005). *Seeing Things Differently: Restorative Justice and School Discipline*. Education and the Law, 17 (3): 87-104.

von Hirsch, A. Ashworth, A. and Shearing, C. (2003). *Specifying Aims and Limits for Restorative Justice: A 'Making Amends' Model*. In A. von Hirsch, J. Roberts, A. Bottoms, K. Roach and M. Schiff. (Ed.). *Restorative Justice and Criminal Justice: Competing or Reconcilable Paradigm*. Oxford: Hart Publishing.

Wachtel, T. (1999). *Restorative Practices in Everyday Life*. Paper presented at: *Reshaping Australian Institutions Conference: Restorative Justice and Civil Society*. Australian National University: Canberra. 16–18 February 1999. Available at: www.iirp.edu/article_detail.php?article_id=NTAz.

Wachtel, T. (2009). *My Three Decades of Using Restorative Practices with Delinquent and At-risk Youth: Theory, Practice and Research Outcomes.* First World Congress on Restorative Juvenile Justice. Lima: Peru. 5 November 2009. Available at: www.unicef.org/tdad/2tedwachtel.pdf.

Wachtel, T. (2013). *Dreaming of a New Reality: How Restorative Practices Reduce Crime and Violence, Improve Relationships and Strengthen Civil Society*. Bethlehem, PA: The Piper's Press.

Wachtel, T. (2016). *Defining Restorative Justice*. International Institute of Restorative Practices. Available at: http://www.iirp.edu/images/pdf/Defining-Restorative_Nov-2016.pdf. (Accessed 28 October 2018).

Waddington, P.A.J., Badger, D. and Bull, R. (2006). *The Violent Workplace*. Cullompton, Devon: Willan.

Walgrave, L. (1995). *Restorative Justice for Juveniles: Just a Technique or Fully Fledged Alternative?* Howard Journal, 34: 228-49.

Walgrave, L. (2000). *How Pure Can a Maximalist Approach to Restorative Justice Remain? Or Can a Purist Model of Restorative Justice Become Maximalist?* Contemporary Justice Review, 3 (4): 415-432.

Walgrave, L. (2003). *Imposing Restoration Instead of Inflicting Pain*. In A. von Hirsch, J. Roberts, A. Bottoms, K. Roach and M. Schiff. (Ed.). *Restorative Justice and Criminal Justice: Competing or Reconcilable Paradigm*. Oxford: Hart Publishing.

Walgrave, L. (2004). *Has Restorative Justice Appropriately Responded to Retribution Theory and Impulses?* In H. Zehr and B. Toews. (Ed.). *Critical Issues in Restorative Justice*. New York: Criminal Justice Press.

Walgrave, L. (2008). *Restorative Justice, Self Interest and Responsible Citizenship*. Cullompton: Willian Publishing.

Walgrave, L. (2011). *Investigating the Potentials of Restorative Justice Practice*. Washington University Journal of Law and Policy, 36: 91-139.

Walgrave, L. (2013). *Words on 'Words on Words'*. Restorative Justice: An International Journal, 1 (1): 77-85.

Ward, T., Fox, K. J. and Garber, M. (2014). *Restorative Justice, Offender Rehabilitation and Desistance*. Restorative Justice: An International Journal, 2 (1): 24-42.

Waterton, C. and Wynne, B. (1999). *Can Focus Groups Access Community Views?* In R. Barbour and J. Kitzinger. (Ed.). *Developing Focus Group Research: Politics, Theory and Practice*. London: SAGE.

Weale, S. (2017). *Restorative Justice in Schools 'Could Help Reduce Exclusions'*. The Guardian Online, 29 December 2017. Available at: https://www.theguardian.com/education/2017/dec/29/restorative-justice-uk-schools-help-reduce-exclusions. (Accessed 28 October 2018).

Weale, S. (2018a). *300 Schools Picked Out in GCSE' Off-Rolling Investigation*. The Guardian, 26 June 2018. Available at: https://www.theguardian.com/education/2018/jun/26/300-schools-picked-out-in-gcse-off-rolling-investigation. (Accessed 28 August 2019).

Weale, S. (2018b). *Sixth Form and FE Funding has Fallen by a Fifth Since 2010, Says IFS*. The Guardian Online, 17 September 2018. Available at: https://www.theguardian.com/education/2018/sep/17/sixth-form-funding-has-fallen-by-a-fifth-since-2010-says-ifs. (Accessed 28 August 2019).

Weale, S. (2019). *Reform School Exclusions to Tackle Knife Crime, MPs Urge*. The Guardian, 25 December 2019. Available at: https://www.theguardian.com/uk-news/2019/oct/25/reform-school-exclusions-to-tackle-knife-mps-urge. (Accessed 28 August 2019).

Wearmouth, J., Mckinney, R. and Glynn, T. (2007a). *Restorative Justice in Schools: A New Zealand Example*. Education Research, 49 (1): 37-49.

Wearmouth, J., Mckinney, R., and Glynn, T. (2007b). *Restorative Justice: Two Examples from New Zealand Schools*. British Journal of Special Education, 34: 196–203.

Wearmouth, J., and Berryman, M. (2012). *Viewing Restorative Approaches to Addressing Challenging Behaviour of Minority Ethnic Students Through a Community of Practice Lens*. Cambridge Journal of Education, 42: 253–268.

Weaver, J. L. and Swank, J. M. (2020). *A Case Study of the Implementation of Restorative Justice in a Middle School*. Research in Middle Level Education Online, 43 (4): 1-9.

Weitekamp, E. G. M. (2003). *The History of Restorative Justice*. In G. Johnstone. (Ed.). *A Restorative Justice Reader, Texts, Sources, Context*. Devon, Willan Publishing.

Wenzel, M., Okimoto, T. G., Feather, N. T. and Platow, M. J. (2008). *Retributive and Restorative Justice*. Law and Human Behaviour, 32: 375-389.

Wilcox, A. and Hoyle, C. (2002). *Final Report for the Youth Justice Board on the National Evaluation of Restorative Justice Projects*. Oxford: Centre for Criminological Research, University of Oxford.

Wilcox, A. and Hoyle, C. (2004). *Restorative Justice Projects: The National Evaluation of the Youth Justice Board's Restorative Justice Projects*. Oxford: Centre for Criminological Research, University of Oxford.

Wilcox, A., Young, R. and Hoyle, C. (2004). *Two Year Re-Sanctioning Study: A Comparison of Restorative and Traditional Cautions.* Home Office Online Report 32/04. London: Home Office.

Willis, P. (1977). *Learning to Labour: How Working Class Kids Get Working Class Jobs*. London: Routledge.

Wiltshier, F. (2011). *Researching with NVivo 8*. Forum: Qualitative Research, 12 (1): Article 23.

Wong, D. S. W., Cheng, C. H. K., Ngan, R. M. H., and Ma, S. K. (2011). *Program Effectiveness of a Restorative Whole-School Approach for Tackling School Bullying in Hong Kong*. International Journal of Offender Therapy and Comparative Criminology, 55 (6): 846-862.

Wright, A. and Keetley, K. (2003). *Violence and Indiscipline in Schools*. Leicester: Perpetuity Press.

Wright, M. (1996). *Justice for Victims and Offenders*. (2nd Ed.). Winchester: Waterside Press.

Wright, M. (1999). *Restoring Respect for Justice*. Winchester: Waterside Press.

Wright, M. (2013). *Restorative Justice: The Search for the Mot Juste*. Restorative Justice: An International Journal, 1 (1): 85-91.

Yin, R. K. (2014). *Case Study Research: Design and Methods*. (5th Ed.). London: SAGE.

Zehr, H. (1990). *Changing Lenses – A New Focus for Crime and Justice*. Scottsdale, PA: Herald Press.

Zehr, H. (2002). *The Little Book of Restorative Justice*. Intercourse, PA: Good Books.

Zehr, H. (2007). *Plenary Address*. Restorative Justice Conference. Auckland: PD Seminars.

Zehr, H. (2015). *Changing Lenses – A New Focus for Crime and Justice*. (3rd/ 25th Anniversary Eds.). Scottsdale, PA: Herald Press.

Zehr, H. and Mika, H. (1998). *Fundamental Principles of Restorative Justice*. Contemporary Justice Review, 1 (1): 47-55.

Zehr, H. and Mika, H. (2003). *Retributive Justice, Restorative Justice*. In G. Johnstone. (Ed.). *A Restorative Justice Reader, Texts, Sources, Context*. Devon, Willan Publishing.

Zernova, M. (2007). *Aspirations of Restorative Justice Proponents and Experiences of Participants in Family Group Conferences*. British Journal of Criminology, 47: 491-509.

Zernova, M. and Wright, M. (2007). *Alternative Visions of Restorative Justice*. In G. Johnstone and D. Van Ness. (Ed.). *Handbook of Restorative Justice*. Devon: Willan Publishing.

APPENDICES

Appendix 1: Staff Introduction Letter and Consent Form

Dear……

I am currently undertaking research exploring the behaviour policy in this institution as part of my PhD with Middlesex University. This research is focused on understanding, experiences and implementation of the behaviour policy. I have obtained ethical approval from the School of Law ethics committee, and consent from the institution, on carrying out interviews with staff.

I would like to interview you due to your capacity and role in this institution. I wish to conduct a semi-structured interview to gain an insight into your understanding, experiences, implementation, policies and practices relating to this institution's behaviour policy. The interview will last approximately forty minutes and will be audio-recorded, once the recording has been transcribed, the audio recording will be deleted. I hope that your participation in the study will help me better understand how staff address conflicts, harm and other behavioural challenges.

I will ensure that the information you provide will be treated anonymously to protect your identity. The institutions' name or location will not be mentioned or disclosed. All information that is collected about you during the research will be kept strictly confidential. Any information about you which is used will have your name and any other personal details removed, and a unique code assigned so that you cannot be recognised from it. If I use quotes from your interview for any project report or articles, the special code or a pseudonym will be used instead of any personal details that you may be recognised from. However, Middlesex University has a Safeguarding Policy where I am required to report any information to the institution's Safeguarding Officer where a person may be at risk of serious harm or pose a risk of serious harm to others. I will always endeavour to discuss this with you first.

It is up to you to decide whether to take part. If you do decide to take part, you will be given this information sheet to keep and be asked to sign a consent form, however, you are still free to withdraw at any time and without giving a reason. If you decide to withdraw your consent, the consent form will be returned to you or destroyed in your presence, and the audio recording of the interview will be deleted in your presence or dealt with to your satisfaction.

I would be most grateful if you would allow me to interview you. Please email me at **……** to arrange a convenient time or discuss this research further.

I look forward to hearing from you.

Yours sincerely,

Abu Zaman
Middlesex University – *School of Law*

Consent Form

Thank you for agreeing to take part in this research. Before the interview, I would like you to note the following:

1. I confirm that I have read and understand the information sheet dated ..... for this study and have had the opportunity to ask questions.
2. I understand that my participation is voluntary and that I am free to withdraw at any time, without giving any reason.
3. I agree that the information I give during the study can be used in any related publications, such as reports and academic articles.
4. I understand that my interview will be audio-recorded and subsequently transcribed, once transcribed the audio recording will be deleted, the transcription will be anonymised and stored securely and safely.
5. I understand my personal details such as name, phone number and address will not be revealed.
6. I agree that anonymised quotes can be used in any publications related to the study.
7. I agree that everything I have said today will be kept confidential.
8. I agree that the research supervisors and associated examiners can review my anonymised interview transcript if required. I am assured that anonymity and confidentiality will be upheld in this case.
9. I agree that if it is selected as part of audit processes to ensure quality assurance this form bearing my name and signature may be seen by a designated auditor.

I have read the above and consent to take part in the interview.

Name of Participant: ……...

Signature: ……. Date: …….

Name of Researcher: …….

Signature: ……. Date: …….

Appendix 2: Student Introduction Letter and Consent Form

Dear……

I am currently undertaking research exploring the behaviour policy in this institution as part of my PhD with Middlesex University. This research is focused on understanding, experiences and implementation of the behaviour policy. I have obtained ethical approval from the School of Law ethics committee, and consent from the institution, on carrying out focus groups with students.

I would like you to take part in a focus group in order for me to gain an insight into your understanding, experiences, policies and practices regarding the behaviour policy in this institution. The focus group will last approximately forty-five minutes and will be audio-recorded, once the recording has been transcribed, the audio recording will be deleted. I hope that your participation in the study will help me better understand how this institution addresses conflicts, harm and other behavioural challenges.

I will ensure that the information you provide will be treated anonymously to protect your identity. The institutions' name or location will not be mentioned or disclosed. All information that is collected about you during the research will be kept strictly confidential. Any information about you which is used will have your name and any other personal details removed, and a special code assigned so that you cannot be recognised from it. If I use quotes from your focus group for any project report or articles, the special code or a pseudonym will be used instead of any personal details that you may be recognised from. However, Middlesex University has a Safeguarding Policy where I am required to report any information to the institution's Safeguarding Officer where a person may be at risk of serious harm or pose a risk of serious harm to others. I will always endeavour to discuss this with you first.

It is up to you to decide whether you participate in this focus group. If you do decide to take part, you will be asked to sign a consent form; however, you are still free to withdraw at any time and without giving a reason. If you withdraw consent, the consent form will be returned to you or destroyed in your presence. Your participation and contribution during the focus group will be omitted from being used as part of the research.

I would be most grateful if you would take part in the focus group. Please email me at **……** to discuss this research further.

I look forward to hearing from you.

Yours sincerely,

Abu Zaman
Middlesex University – *School of Law*

Consent Form

Thank you for agreeing to take part in this research. Before the focus group commences, I would like you to note the following:

1. I confirm that I have read and understand the information sheet dated ..... for this study and have had the opportunity to ask questions.
2. I understand that my participation is voluntary and that I am free to withdraw at any time, without giving any reason.
3. I agree that the information I give during the study can be used in any related publications, such as reports and academic articles.
4. I understand that my interview will be audio-recorded and subsequently transcribed, once transcribed the audio recording will be deleted, the transcription will be anonymised and stored securely and safely.
5. I understand my personal details such as name, phone number and address will not be revealed.
6. I agree that anonymised quotes can be used in any publications related to the study.
7. I agree that everything I have heard and said today will be kept confidential.
8. I agree that the research supervisors and associated examiners can review my anonymised interview transcript if required. I am assured that anonymity and confidentiality will be upheld in this case.
9. I agree that if it is selected as part of audit processes to ensure quality assurance this form bearing my name and signature may be seen by a designated auditor.

I have read the above and consent/give consent for my child to take part in the focus group.

Name of Participant: …….....

Signature: ……. Date: …….

Name of Researcher: …….....

Signature: ……. Date: …….

Appendix 3: Staff (SLT) Interview Questions

1. How does this institution address conflict, harm or other challenging behaviour?

2. Have you received any information about the behaviour policy?
    a. **Probes**: What where you given? How useful did you find it?

3. What comes to mind when you think of the behaviour policy adopted to address behaviour?

4. How do you define this approach to address behaviour?

5. Have you had any training in addressing conflicts, harm and other challenging behaviour?

6. What first interested you or this institution in this approach to address behaviour?

7. Do you think this approach to address behaviour is important in this institution? In what ways? If it is not seen as important, why is this?

8. Is this approach to address behaviour implemented fully or partially? In what ways? How?

9. How has this approach to address behaviour been used in this institution so far? Deep end/Shallow end, why?

10. What has been your involvement in the implementation process?

11. Is/was there much interest in implementing this approach to address behaviour? Amongst: Exec/staff/partner agencies/public

12. What factors do you think affect(ed) the implementation of this approach to address behaviour? For example:
    a. Practical issues/Policy (Local/National/International)/Budget
    b. Mood/opinion: internal, external, national, public

13. What do you think the biggest obstacle in implementing this approach to address behaviour is?

14. What opportunities have there been which have aided the implementation?

15. How prominent is/was this approach to address behaviour on the agenda (in recent years)?

16. What other issues were on the agenda at the time? Did these influence the implementation of this approach to address behaviour?

17. Have your ideas around this approach to address behaviour had to be adapted or refined in any way for policies to be successfully implemented?

18. Think about a recent experience where you had to address conflict, harm or other challenging behaviour, can you briefly describe what the situation was and how it was addressed?
    a. **Probe**: How did you find using this method? What were the positives? Where there any negatives? Where there any unexpected consequences? Would you have done anything differently or used a different method?

19. Is there anything else you would like to say?

Appendix 4: Staff Interview Questions

1. How does this institution address conflict, harm or other challenging behaviour?

2. Have you received any information about the approach used to address behaviour?
    a. **Probes**: What where you given? How useful did you find it?

3. What comes to mind when you think of the behaviour policy adopted to address behaviour?

4. How do you define this approach to address behaviour?

5. Have you had any training in addressing conflicts, harm and other challenging behaviour?

6. What first interested you in this approach to address behaviour?

7. Do you think this approach to address behaviour is important in this institution? In what ways? If it is not seen as important, why is this?

8. Is this approach to address behaviour implemented fully or partially? In what ways? How?

9. How has this approach to address behaviour been used in this institution so far? Deep end/Shallow end, why?

10. What factors do you think affect(ed) the implementation of this approach to address behaviour? For example:
    a. Practical issues/Policy (Local/National/International)/Budget
    b. Mood/opinion: internal, external, national, public

11. What do you think the biggest obstacle in implementing this approach to address behaviour is?

12. What opportunities have there been which have aided the implementation?

13. Have your ideas around this approach to address behaviour had to be adapted or refined in any way for policies to be successfully implemented?

14. Think about a recent experience where you had to address conflict, harm or other challenging behaviour, can you briefly describe what the situation was and how it was addressed?
    a. **Probe**: How did you find using this method? What were the positives? Where there any negatives? Where there any unexpected consequences? Would you have done anything differently or used a different method?

15. Is there anything else you would like to say?

Appendix 5: Focus Group Rules

1. WE WANT YOU TO DO THE TALKING

- Let's hear from everyone!
- One person at a time.
- I may call on you if I haven't heard from you in a while.

2. THERE ARE NO RIGHT OR WRONG ANSWERS

- Everyone's ideas and experiences are valuable.
- It's important to hear all sides – including both positives and negatives.
- We will not always agree, but we must always show respect for one another.

3. WHAT IS SHARED IN THIS ROOM STAYS IN THIS ROOM

- We will be recording this session, so we don't miss anything.
- Please keep everything that you have heard or said today confidential.
- We will summarize themes without identifying individuals by name.

(Adopted from: Eliot and Associates. (2005). Guidelines for conducting a focus group. Chapel Hill, NC: Author. Retrieved from http://assessment.aas.duke.edu/documents/How_to_Conduct_a_Focus_Group.pdf)

Appendix 6: Student Focus Group Questions

1. Tell me your name, subject you are studying and your favourite hobby.

2. How does this institution address conflict, harm or other challenging behaviour?

3. Have you received any information about how this institution addresses conflict, harm or other challenging behaviour and the consequences?
    a. **Probes**: What where you given? How useful did you find it?

4. What comes to mind when you think of the behaviour policy adopted to address behaviour?

5. How do you define this approach to address behaviour?

6. Do you think this approach to address behaviour adopted in this institution is important? In what ways? If it is not seen as important, why is this?

7. In your opinion, what are the positives of this approach to address behaviour?

8. In your opinion, what are the negatives of this approach to address behaviour?

9. If you had the option to amend the behaviour policy, what would you add or remove?

10. Can you think about a recent experience you have had where a conflict, harm or any other challenging behaviour was addressed?
    a. **Probe**: What happened? How was it addressed? Where there any unexpected consequences? What was the outcome?

11. My job is to understand how this approach to address behaviour is understood and experienced in this institution. Is there anything we should have mentioned today that we didn't?

Appendix 7: Restorative Practice Case File 1 – Restorative Conference

An incident occurred inside the college, outside the library between NK and BO. Both were amongst their friends socialising when BO brought up an incident that happened last academic year. BO reminded NK that he zipped BO's fliers for him and laughed. This infuriated NK who then lashed out at BO, NK punched BO in the face. NK's and BO's friends stopped the fight, the security guards intervened and immediately suspended the parties until the college resolved the matter.

Assess the circumstances of an incident towards identifying a restorative response / Engage with and prepare for a restorative process

I have known the parties for two academic years, and this is their third, and final, academic year. I am fully aware of their family background, emotional and learning needs and any college-based assessments for the students such as for autism, ADHD (Vanderbilt Assessment Scales, Behaviour Assessment System for Children, Vanderbilt Assessment Scales), and other reports from the Mental Health Team and GP.

I was informed about this situation by the Head of Department, who briefed me about the incident and provided me with all the statements. I read through all the statements completed by the students (this included those involved in the conflict and witnesses) and staff members who were involved in dealing with the conflict as first point of contact. I accessed BO's file on the college's system to see whether BO had any other incidence recorded. From checking these sources, it was apparent that BO and NK have had a feud since last academic year, and this feud continued onto this academic year. What makes it difficult is that they both have the same group of friends; thus, it is difficult for them to avoid each other.

I accessed NK's file on the system to see whether NK had any other incidence recorded. NK's file also stated he is autistic, which was a diagnosis I was already familiar with. This made it mandatory for me to notify my Line Manager and the Safeguarding Officer of any possible meeting and restorative processes. Therefore, I spoke to both about the situation and they both authorised a possible meeting as long as a caseworker, parent or guardian attended the initial meeting (this meeting also discussed risk assessments and recommendations, see below). They also asked me to ensure that they were informed of the outcome of the case and reminded me that I must adhere to the organisation's data protection and confidentiality policies. I agreed that the case file will only be accessible to me and all electronic files will be stored on my personal work drive.

Once I had met with NK and BO, and it seemed that they were keen to be involved in a restorative process, I had to carry out a risk assessment on whether it is safe to commence with a possible conference. I also established from the preparation meetings that there was a third party involved (X) which could add to the risk.

When I was considering the risks of this case, details about NK's needs were at the forefront of the process. Using the information, I had gained from the college system, my previous knowledge of the students and my discussions through the preparation meetings, I identified this case as sensitive and complex; and the following risks were apparent:

1. NK's difficulty with communication, if he cannot get his points, thoughts or feelings across or feels he is being misunderstood there is a possibility of NK being frustrated or angry with the other parties, which may disrupt the restorative process
2. NK's low emotional maturity, sometimes he misinterprets what others are saying which can also lead to frustration and aggression towards the other parties, again this may disrupt the restorative process
3. If X was to be involved as well, it was possible that two parties could team up and intimidate the third party, who may feel unsafe, frustrated for lack of remorse shown or revictimized.

I reviewed these issues with my Line Manager and Safeguarding Officer, we discussed the risks in length. The discussion involved whether this case should be dealt with restoratively, or a senior manager should take lead and deal with the incident. During this discussion we reviewed NK's reports from the Mental Health Team, GP and assessments of autism in-detail to assess whether a restorative process would be productive. As explained earlier, this information is available on the college's system *'Promonitor'* and can only be accessed by staff members. These reports were up to date, it is college's policy that students who have learning needs and are medically diagnosed, up to date reports are requested from all departments and agencies every term, this is to ensure funding and support is in place for the student. After reviewing the assessments and reports, we found that the benefits of moving forward with a restorative process were:

1. All parties expressed a wish to repair the friendship; all three parties are part of the same group of friends
2. BO and X have high emotional maturity; both of whom have been friends with NK for a very long time, they look out for NK
3. All participants are in their final year and are motivated to complete their studies as they do not want to be excluded and leave without a qualification, and not be able to attend university. Therefore, they had a clear benefit to take part in a respectful appropriate way.
4. An appropriate adult (NK mother) had agreed to be part of the process to support NK

From the information gathered it was decided by me, the Line Manager and the Safeguarding Officer that if the meetings are arranged and designed properly then a restorative process would be ideal. The teachers and support workers of the parties involved in this conflict were informed of the possible restorative process if the preparation meetings went well, staff did not object to this. If staff had objected to the direct restorative process, I would have discussed the idea of an in-direct process. However, if they had opposed to the idea of any type restorative process, it will then be my duty to explore the reasons why they felt it was inappropriate, which then I would explore the benefits of a restorative process and the likely outcomes.

Therefore, to manage the identified risks, I recommended verbally to my Line Manager and Safeguarding Officer; that during the preparation meeting, I will discuss with NK and his mum how we can deal with situations where we misunderstand someone feels that others do not understand our points. The ground rules of the conference will be discussed in detail, some of which include: respecting everyone, listening to everyone, waiting for your turn to speak, write your questions down and ask questions when the person has finished telling their story. I will also inform NK and his mum that BO will be attending the conference without a supporter, which is why it is important we are all respectful and treat everyone equally. I reiterated the purpose of my role, which is to facilitate and ensure that everyone abides by the ground rules and all parties are treated fairly, and if these ground rules are broken, lack of remorse shown, or the parties are revictimized, then the conference will be ended and the best way to move forward will be discussed

at a later date. In preparation of these recommendations, a note of these ground rules was made in my personal notebook, which is locked away in my filing cabinet; and, they were discussed in-depth in the preparation meeting. When dealing with complex and sensitive cases, it is the college's policy that the concerns are referred to the Line Manager, if necessary it is then referred to the Safeguarding Officer, who may then refer it to the Assistant Principal if required.

Engage with and prepare for a restorative process

An individual preparation meeting was held with BO. This was an opportunity to discuss the incident in depth from BO's perspective.

I contacted BO for an individual preparation meeting and expressed that BO can bring an appropriate adult. Due to BO's age, who is 19 years old, he is not legally required to bring an appropriate adult. I pre-booked a meeting room and displayed a 'Do Not Disturb' sign outside. I ensured there was drinking water in the room and arranged the chairs so that they were opposite each other. This was to ensure that BO was comfortable and to ensure that the environment felt safe and friendly. The sign was put up to ensure that no one would interrupt the meeting.

I commenced the meeting by asking how BO was, he expressed to be frustrated for being suspended, but was happy to be called in to discuss and resolve the matter. I expressed what the meeting was about, what my role was, and whether BO needed anything before we commenced. I also informed BO that I will be making note of the preparation meeting for my personal use, which are only accessible to me and they will be locked away in my filling cabinet to adhere to data protection and confidentiality policies. I used the 'Restorative Questions' in the discussion. Through my use of open questions and allowing BO adequate time and space, BO explained to me that their relationship had broken down. Although the incident involved BO and NK, the feud has been ongoing, and BO stated there was an instigator in the group. I expressed that I would have to verify this with a staff member, and if a third party (X) was involved I will be holding a meeting with them too. Throughout the meeting BO expressed he wanted an opportunity to express himself to the other party, explain what happened and that he did not mean to be offensive. He expressed it was a joke but went out of hand and out of control. This suggested to me that BO wanted an opportunity to meet face to face and discuss this further.

I asked whether BO would be willing to take part in a restorative conference with the parties involved, I explained the benefits and the process in detail. I explained that this will give him an opportunity to tell NK his side of the story, and NK will also have to opportunity to tell his story. BO agreed to a conference. I also explained that I will hold individual meetings with NK and X, once I have verified X's involvement, if all parties agree then we will go ahead with the conference. I asked if BO would need anything for the conference, he had no requests. I asked whether he would want a supporter there with him, he stated it was not necessary. I also asked if he would change his mind if others had supporters there, he was adamant that given his age he will be fine. I reassured him that I will be there, and my role is to be neutral, and if there is a power imbalance then I will intervene. It was paramount that I got BO to assess all the risks involved, therefore I asked open ended questions, such as how he felt about a face to face conference, and how he felt about NK having learning difficulties and being autistic. Using these questions helped BO to reflect and ensured that BO understood the importance of being respectful, understanding and sensitive. At this point I went through the ground rules and expectations of the conference, such as, being respectful, listening to everyone, being calm, asking questions, not interrupting, waiting for your turn to speak and explained my role further; which was to facilitate and ensure that everyone abides

by the ground rules and all parties were treated fairly, and if these ground rules were broken, lack of remorse shown, or the parties are revictimized, then the conference will be ended and the best way to move forward will be discussed at a later date. I asked BO if he was ok with these expectations and he confirmed he was. But he did express that he is aware of NK needs and vulnerability, and his expectations of the process is to resolve the matter respectfully and amicably. Before ending the meeting, I asked whether BO had any further questions, which he did not. I informed BO that I will be in contact with a day and time.

After the meeting I was required to verify X's involvement with the staff members who were present during the incident. The staff confirmed X's involvement. An individual preparation meeting was held with X.

An individual preparation meeting was held with NK. This was an opportunity to discuss the incident in-depth from NK's perspective.

I made contact with NK. Due to NK's needs I made the decision that it would be best for NK to have a supporter with him. During the phone call I asked NK whether he wanted a supporter with him, he requested for his mother to accompanying him, and expressed that his mother understand him better than anyone else and she can support him. I pre-booked a meeting room and displayed a 'Do Not Disturb' sign outside. I ensured there was drinking water in the room and arranged the chairs so that it formed a circle, although, because there were three chairs it looked more of a triangle. This was to ensure that all parties were comfortable and to ensure that the environment felt safe and friendly. The room was pre-booked to ensure availability on the day. The sign was put up to ensure no one interrupted the meeting.

I commenced the meeting by asking both NK and mum how they were, mum expressed giving the circumstances, she had been better, which made everyone laugh. My question and mums response helped to build rapport and lightened the mood and made all parties comfortable, and an opportunity was opened to build a rapport with NK's mum and have a dialogue. We continued to talk about the mood at home and their journey to the college, which led to why they were here. I expressed what the meeting was about, what my role was, and whether anyone needed anything before we commenced. I also informed NK that I will be making note of the preparation meeting for my personal use, which are only accessible to me and they will be locked away in my filling cabinet to adhere to data protection and confidentiality policies. I used the 'Restorative Questions' and involved both mum and NK in the discussion. From asking open ended questions NK was able to identify that there was a breakdown in their relationship since last academic year. Although the incident involved NK and BO, the feud has been ongoing, and NK also stated there was an instigator in the group. I assured NK that I am aware of X's involvement, and that I have arranged a meeting with him.

NK's mother was very grateful for being asked to attend as she was concerned of NK's wellbeing. Through my questions to her, she expressed that she wanted this feud to be resolved and made it explicit that she did not want any of the students to be expelled, or punished by any methods, which would mean the students learning and progression would be jeopardised. This indicated to me that the mother would be happy to take part in a restorative process. I asked NK's thoughts on what mum had said. NK was in agreement with his mother and stated that this has been going on for too long, which needs to be resolved. This indicated to me that NK is also willing for a restorative process between all parties.

I asked whether NK would be willing to take part in a conference with the parties involved, I explained the benefits and the process in detail. I explained that all parties will receive a fair chance

to explain and share their stories, including NK's mum. I also emphasised on the fact that this will be an opportunity to discuss the symptoms of the break in their relationship, and hopefully find a solution and move forward. Both NK's mother and NK agreed to take part, NK requested for mum to be present. I also explained that I held an individual meeting with BO who has agreed on a conference, and that I have a meeting with X the next day. If all parties agreed, then we would go ahead with the conference. I asked if NK would need anything else for the meeting, apart from wanting mum to present, nothing else was requested. I raised a similar question with mum, who had no further requests. At this point I went through the ground rules and expectations of the conference, such as, being respectful, listening to everyone, being calm, asking questions, not interrupting, waiting for your turn to speak and explained my role further; NK and NK's mum did not dispute these expectations. Before ending the meeting, I asked whether they had any further questions, which they did not. I informed NK and NK's mum that I will be in contact with a day and time soon. By including NK's mother in the preparation meeting and asking her questions about the process, I was able to assess her understanding of the process and motivations for taking part to confirm it as safe and appropriate for her to attend as a supporter for NK. For this meeting, the only agreed supporter was NK's mother - I felt that a caseworker was not necessary as I did not want BO to feel there are too many adults or that NK has too many supporters and he is by himself. I also reiterated my role as a facilitator to be neutral and intervene, as discussed above.

Whilst X agreed to attend a restorative conference during the individual preparation meeting, he was then excluded from the college, which was related to another incident before the conference took place. In my assessment, since NK and BO had shown signs of wanting to move forward, a restorative conference without X was still possible. However, I contacted all relevant parties to inform them that X will not be participating in the meeting due to mitigating circumstances. I explained to BO, NK and his mother that they had the opportunity also to withdraw from the meeting or adopt another type restorative process such as indirect communications in the form of writing a letter, or similar medium, to each other. On this occasion, all parties expressed a wish to continue without X, so we agreed that the conference would go ahead as planned. If one of the parties had decided to withdraw completely from the process, I would have explored the reasons behind this, and their needs, and discuss indirect restorative processes, such as writing a letter.

Engage with and prepare for a restorative process / Facilitate participants' interactions within a restorative process

BO, NK and his mother were invited for a restorative conference. During my preparation meetings with BO, NK and NK's mum, I enquired about how they would feel to have the meeting in the college. I felt this was a suitable venue because participants were familiar with the location as they travel here for their studies and there were private rooms available. All participants confirmed that they were happy with the college as a venue. I informed security of the conference for access purposes. The room I chose for the conference is located close to security and to the entrance. Other offices and staff are also in close proximity. The room was a decent size, I arranged the chairs so that they were in a circle, drinking water was available. I further ensured the room was safe in the sense that objects were not available to be used as weapons in a moment of frustration or anger, such as sharp objects, ceramic ups or glasses etc.

The participants of the conference arrived promptly, each party were given different times to arrive to ensure that the parties did not bump into each other before the conference. They were escorted

to the room by security, as they did not have ID cards. The parties involved were not in contact as they were suspended from college and may only be returned once the situation is resolved.

I facilitated the introduction by first welcoming everyone, discussed fire exists and other domestics arrangements, such as toilets. I also reminded everyone that X will not be joining this meeting I explained my role, and everyone introduced themselves by stating their name and something they like doing. I discussed the purpose of the meeting and I clarified the ground rules, and expectations of the meeting, which were already covered in the preparation meeting. I explained that I am the facilitator and I will be regulating the process; I also explained that I will be taking notes for my personal records, which will remain confidential. I asked whether anyone had any questions before we started. Everyone shook their head. I asked who would like to go first, NK put his hands up only. I asked BO if he was OK with this, he nodded and stated he will go after NK. I asked NK's mum if she was OK with this, she nodded her head - it was unanimously agreed that NK will go first and then everyone will go in turns. I therefore commenced the conference by using the 'Restorative Questions' with NK. After NK, BO had his opportunity and then NK's mother.

By using the Restorative Questions' script, I facilitated the meeting by making sure everyone had a fair opportunity to contribute to the discussion. Using the script, it also ensured that everyone was asked the same questions. I remained a neutral party, at one point in the meeting, BO interrupted NK – I managed this interruption by reminding BO and others of the ground rules. Due to NK's learning difficulties and autism he needed things to be explained clearly and coherently. I ensured, when needed, that things were repeated or explained differently. At times, BO needed further clarification from NK, so I would ask NK to explain further.

Throughout the meeting I made sure I monitored NK's feelings, behaviour and safety and NK's mum would regularly indicate to me when it was a good time to take a break. Other indicators were that NK will give a sigh, rock on his chair or put his head down on his knees. I picked up on these indicators as I have been teaching NK for nearly three years, which helped with facilitation. When at times in the meeting NK showed signs of distress, I would also suggest small breaks, coffee and/or drink breaks. We also took short breaks, where NK went out for a quick walk. Due to me asking open ended question (such as how, why and when question) and following the script, both parties were able to dwell on the fact that they were both responsible for the breakdown in their relationship. They both reflected on their behaviour and the impact it had on them and may have had on others.

Through the conference, NK and BO discussed the harm caused, their needs and how to move forward. I encouraged them to agree on an outcome about a way forward themselves by asking the question: *How can we move on from this?* I also ensured that my role was solely to facilitate and guide the meeting. My input was minimal. My questions and facilitation in the conference enabled the parties to discuss their relationship in-depth, and the impact it has had on them. They realised it was all down to misunderstandings and misinterpretations, which was usually accelerated and/or aggravated by others. At this stage in the conference, they agreed that a handshake and apology were the way that they wanted to repair the relationship. They also agreed that if such misunderstanding arise again, rather than resulting to violence they will talk to each other and seek my or another staff assistance. To support them with this action, I gave the parties contact details of another experienced RP facilitator within the institution in case I was not available. I also asked whether they would require further support, both requested for regular meetings with me to discuss progress of their relationship and/or any issues they may have.

I recorded this outcome on a template that I created, and this document was filed in my confidential personal file, and an electronic copy kept on my confidential personal work drive, which can only

be accessed by me. I gave each party a copy of the outcome. I also expressed the importance of confidentiality, I stated it is important that they do not show these outcomes to friends, especially in college, which may lead to further altercations and/or misunderstandings. I explained to NK and BO that the reason I have given them a copy is for them to able to have access to it whenever they want, they will be able to revisit the outcome and reflect on what they agreed to do, in order to build and repair their relationship. Both agreed that the outcomes of the conference will be kept secure and honoured. I expressed that failure to follow the agreement will result in further conference meetings, were a way to move forward and support will be discussed. I made sure that the names of the parties were omitted from their copies of the agreement.

In order to close the conference, I asked whether the parties wished to raise anything else and if they had any other issues to discuss. All parties shook their head and expressed their satisfaction of the process and outcome. I reviewed with the parties the objectives of the conference they raised in the individual and preparation meeting, and the outcomes agreed, so they understand the document of the outcomes given to them. I handed out a questionnaire on the conference and stated that it should be completed individually any time before leaving and submitted at the front desk. I also stated that this is for college's evaluation purposes and how to improve the practices.

I thanked everyone for attending and contributing in this process. I arranged for all of us to go for coffee in the colleges café. This gave everyone some informal time together and the opportunity to discuss other things and socialise. After a while NK's mum stated that it was time for her to leave as she had to collect her children from school.

Afterwards, I reported back to my Line Manager and Safeguarding Officer regarding the outcome. We arranged to meet in the staff private meeting room to provide a verbal feedback. The participants were made aware during preparation meeting that the case and the outcome will be discussed with the Curriculum Manager (my line manager) and the Safeguarding Officer, this is a college policy and all students are aware of this process for them to be reinstated. The Curriculum Manager and the Safeguarding Officer expressed the importance of regular follow up meetings to check on progress, which is part of the outcome agreement. I managed to receive authorisation to reinstate BO and NK and return their ID cards the following day.

Reflecting on my practice at the restorative conference stage of this case I felt I managed the conference well. I was organised and well prepared. I ensured that the ground rules were followed. I had assessed the risk effectively and prepared all parties to ensure the process was effective and successful. Compared to the preparation meeting, I felt my questioning style were much effective and I relied less on the script. Having said that, personally I feel I need to build more confidence and experience in facilitating; especially if there were more parties and supporters involved, a joint-facilitation would be ideal in such situation, which would require in-depth and thorough preparation.

Evaluate the outcomes from a restorative process

The next day after the conference I phoned NK and BO (separately) to discuss the conference. During the phone call I used open ended question to allow NK and BO to discuss their experience of the process and what they have learnt.

I reminded BO of the objective he wanted to achieve during the conference, which was to explain that his statement was a joke, which had gone too far. During our conversation BO explained that he was able to achieve this and discuss other things in detail. BO also explained he was not aware

how his jokes were impacting NK. I asked BO how he felt about the whole process, he said that he was able to explain himself, which empowered him.

During my conversation with NK, I asked NK whether he achieved his objective of explaining and sharing his story, as mentioned in the preparation meeting. NK stated he was able to do that, and he also understood that friends always joke around, violence is not the answer and talking is better. I asked NK how he felt about the whole process, he said that he felt he was cared for.

During these calls with NK and BO, I confirmed with them that they felt the restorative process was now complete.

I was able to speak to NK's mother as well, she expressed how thrilled she was with the process and her objective was to make sure this misunderstanding and feud was dealt with, which she thought was achieved. She stated that she was very happy that both NK and BO will be returning to their studies. I asked how she felt about the whole process, she stated that she was very impressed with how so much time is spent on students to resolve their differences, this helps them to learn how to deal with conflicts.

I asked both NK and BO if they are still happy with the agreements, both expressed their satisfaction and looked forward to our further follow ups during the year. I asked why they were looking forward to it; BO stated that he enjoys talking about his friendship with an adult to learn, and NK stated that it will help him build a stronger relationship.

If either of the parties, or both, did not comply with and follow the agreement I would initiate a further individual meeting to explore the reason(s) behind this. I would offer additional support which the college has to offer, such as mentors and student support workers. Feedback of the conference were captured in a questionnaire, but these are required to be submitted by the participants at the front desk before leaving the college after the conference. Unfortunately, the findings from the questionnaire are not communicated to the facilitators. The only feedback I received from the participants was verbally obtained during my phone call the next day, and the impression was that the process was effective and successful.

Appendix 8: Restorative Practice Case File 2 – Restorative Meeting

An incident occurred in the college involving a female (Y) and a male (X). Y was reported to a staff member and other students in the class that her ex-boyfriend put an inappropriate picture of her on his social media, she takes modesty very seriously. She also stated that her boyfriend can be aggressive towards her. I initiated a restorative meeting with Y just to discuss her performance and well-being. Y agreed to a meeting.

Assess the circumstances of an incident towards identifying a restorative response
This incident came to my attention via my Line Manager, so I set up a meeting with Y to find out more about if a restorative process was appropriate. I commenced the meeting by with introducing my role and purpose. I informed Y that I will be taking notes for my own records and these will not be disclosed to anyone. However, I also stated according to the organisation's policy, if the matter is a safeguarding issue, legally I am obliged to disclose to a Safeguarding Officer or my Line Manager. I ensured Y was comfortable by making sure there was water in the room, the chairs were arranged accordingly, and the room was pre-booked to ensure availability. I put a 'Do Not Disturb' sign up so that no one would interrupt the meeting. I asked Y if she needed anything before we start the meeting, she was adamant that she was fine. I started the meeting with the 'Restorative Questions'. During our conversation, through using open ended questions, Y expressed that X is sometimes aggressive towards her and recently put a picture of her on his social media where she is not dressed modestly. According to Y, in one occasion X physically pushed her to the floor during an argument. This heightened my concerns because Y is vulnerable in college and possibly subject to physical abuse by another student, and due to fact that an inappropriate picture of Y was shared on social media meant that the case required to be dealt sensitively. Due to what Y told me, I also recognised a power imbalance between X and Y because of X being aggressive, and physically assaulting Y. Once Y had finished, I expressed that the issues she has raised, she is entitled to support from the college and other external agencies if she requires it. I emphasised that it is ok to ask for help, and no one should ever suffer in silent. Y understood, but expressed that she wants everything to be confidential, she did not want other students who are outside her group or her family to find out. Due to her age (19 years old), parents or guardians are not required to be notified, students below the age of 18 require an appropriate adult to be present and/or informed. Due to what Y told me, I recognised that further assessments needed to be carried out, so I ensured a full investigation was carried out. This investigation highlighted there was evidence of X posting the picture and pushing Y to the floor, as well as X verbally and physically assaulting Y on other occasions. The college safeguarding and IT team were involved to ensure that the picture was removed from social media, and steps were carried out to ensure that the picture was removed from all of X's electronic devices and that he was no longer in possession of the picture. No further assessments were needed at this point, however, I arranged Y to see the colleges Health and Wellbeing Officer for further support; this is to ensure that Y feels safe in college and receives all the care and support she needs. X was suspended until the matter was resolved. I arranged another meeting with Y to discuss possible restorative practice.

Engage with and prepare for a restorative process / Facilitate participants' interactions within a restorative process

In my second meeting with Y, by using open-ended questions, we discussed how she felt now and how we can move forward. I discussed restorative conferencing with her, but Y did not wish to be in X's presence. However, through asking open ended questions it was clear that Y wanted answers to why she was treated in that manner by X, and why the picture was posted on social media when she entrusted him with it.

I suggested the possibility of indirect restorative approaches, such as writing a letter to X, I also expressed that she did not have to participate in any of the restorative practices I am suggesting, it is her choice. However, my assessment was that an in-direct process would be the best way to meet Y's needs. For me to make sure that Y understood my assessment I explained the pros and cons and what she wanted to achieve from the process. Y was open to the idea. After discussing the pros and cons of the in-direct process, she was adamant that she wanted to write to X and express herself and wanted to give him the opportunity to explain himself, these where the pros without having to meet face to face. The cons included X may not be open to the idea of writing a letter or he may expose the letter to others. It was essential that I offered ideas to Y but did not pressurise her into accepting my ideas. To achieve this, I would only propose an idea and ask her what she thought, I would also weigh up pros and cons with her. We spent time and put some ideas down on what to incorporate in the letter, how to structure it and the language style to adopt. I used prompts and 'how' and 'why' questions for Y to assess her needs and risks, this made Y raise the question whether X will take the letter home with him. We decided that it would be a good idea for X to read the letter in my presence and does not take the letter away with him to eliminate the possibility of further revictimization. At this point I discussed with Y the procedure, the process and the duration of the process. Y expressed that the best way to communicate with her was to call her mobile. Furthermore, we also decided and agreed that I will read the letters to check the content, again this is to ensure that further abuse and revictimization is eliminated. Y suggested that I contact X and see if he is open to receiving a letter from Y. Using open-ended questions and getting Y to explain what she understood, I was able to assess whether Y understood what I had explained to her.

I contacted X to discuss whether he was willing to receive a letter from Y, which he did not have to accept. X expressed his willingness, I informed him of the process, procedure, duration and the condition where he would have to come in college to read the letter in my presence and cannot take the letter away with him, and if he wishes to reply I will be checking the content. X agreed to the conditions and expressed that the best way to contact him was to call his mobile. Using open-ended questions and getting X to explain what he understood, I was able to assess whether X understood what I had explained to him.

I informed Y of X's decision. Y completed the letter, we went through it together and agreed it will be read by X. I asked Y the outcome she wanted to achieve from this process, she was aware that X is suspended, the picture was dealt with to her satisfaction (safeguarding and IT team communicated with her on how they dealt with the picture to reassure her), and that the disciplinary team will be holding a meeting to discuss whether he can return to the college or not. She made it clear that what she wanted from this in-direct process is to express to X how he made her feel and wanted to know why he behaved the way he did. She also made it clear that she did not want to see him again and she is worried that if he returns he might do something else. I informed Y that if she is ok with me communicating her feelings to the disciplinary team and my Line Manager,

she agreed. We also agreed on fortnightly follow ups to monitor Y's learning and performance. I agreed these will be recorded and I will abide by the organisations data protection and confidentiality policies. In this case I did not feel that any of the parties were under pressure, they were given the option to partake in this process, which they voluntarily agreed. If I had felt that the parties were pressurised to participate, I would have held another preparation meeting to explore their needs further.

I arranged for X to come in on a day when Y was not timetabled to be in for lessons and I knew she was working on that day. During my meeting with X, I explained my role to him and reiterated the conditions of reading the letter. I used 'Restorative Questions' and open-ended questions to understand his story. X read the letter, through asking open-ended questions, X expressed his remorse, he also stated that he did what he did because he was trying to impress his peers. X also wanted to reply to the letter to apologise and explain himself. We agreed that I will read the letter before I communicate it to Y. X wrote the letter on the same day, he requested my support to draft and structure the letter. We brainstormed what he wanted to say and the language to use. Once he completed the letter I read the content and agreed to pass it on to Y, the letter was left in my possession. In this case X did not display any challenging, oppressive or discriminatory behaviour, however if he had shown to be unremorseful in his letter I would have been obliged to cease the process, stop further communication and rearrange a preparation meeting with X.

I arranged another meeting with Y. During the meeting Y read the letter and expressed she received the answers she was seeking. I asked whether she was happy with the process and what we can do to move forward. She expressed that writing a letter was the best way of communicating, expressing her feelings and receiving answers, she would not have been able to do this face-to-face. She also stated that she did not want to respond to X's letter, she acknowledges his apology, but needs more time to accept what happened and did not wish to be in his presence in or outside college. I asked whether she wanted and happy to end the in-direct restorative process at this point, she answered yes. I informed Y that all the letters and notes taken during the process will be held in my possession and stored away in my secure filling cabinet, which is locked. I received consent to communicate Y's current feelings to X, the disciplinary team and my Line Manager. I also requested for Y to continue to see the Health and Wellbeing Officer for support. I asked Y whether she would like to add anything before we close the meeting, this is where Y suggested that X getting relationship advice would be good for him and it is his choice whether he wants to or not.

Due to the risk X posed on Y, the Disciplinary Team transferred X to another campus. I called X and discussed the process with him, and how he felt about the process. He expressed that he was satisfied with the process and was grateful to have been given the opportunity to apologise. I informed him of Y's decision, X expressed he understood and is aware that the in-direct restorative process has ended. I also informed X that all the letters and notes taken during the process will be held in my possession and stored away in my secure filling cabinet, which is locked. I asked whether X required further support, he stated that he was fine and did not need any other support. I suggested to X whether he would be interested in seeing the Health and Wellbeing officer at the campus he is attending regarding relationships, I expressed that this will help him to understand how to behave in a healthy relationship. He agreed to this suggestion and arrangements were made at the campus. The Health and Wellbeing Officer agreed to support X and was aware of the agreement X made. My assessment was that external agencies were not required to be involved, if this was the case, then the college's policy is to make a referral to the Assistant Principal (who is required to adhere to the college's data protection and confidentiality policies), who will then make contact with the correct agency.

Appendix 9: Ayodele's Restorative Justice Experience

Amongst us tutors, we wanted something to help us with challenging behaviour. Teachers, we were struggling now. RJ has only recently been used at the college here. The first time I was involved in it was about a week ago. I had a tough time with a couple of classes, which was bothering me. We had a few students who were constantly causing problems in the class. There were conflicts between students; they were coming in late, disrupting classes, and being challenging. It was getting to the point where I wasn't enjoying my work anymore. There were always arguments, and you know, and it was getting bad. And you know, they're youngsters, some of them are big strapping boys, and I don't know their testosterone or whatever playing havoc. Some students were even threatening to leave. Their phones, that was another big problem, the phones. You would be teaching them, you'll be hearing peep, peep, peep, and every minute they want to go out, "Sir, can I go to the toilet?" They go out and go on the phone. The contracts that they had signed when you want to start at college and they say all the nice things, "Oh, I want to come, I want to learn." And they tell you, "Well, these are the rules, be on time, come prepared, respect each other in class." It's all there, and it's yes, yes, yes, yes, yes, yes, yes but, two or three weeks down the road, they're swinging off the chandeliers and speaking their languages in the class, just being rude, not listening to teachers, not coming to class prepared, coming in late, very disruptive.

I spoke to my course leader, and I told her I'd had enough; I can't seem to control this class. So, she decided to have a restorative justice session. She came into the class, and all of us sat down. We went through all those rules, what was expected of them, that was the first thing. As students, what is expected of you? And they know what they're supposed to do, and then it was like, "What do you expect from the teachers?" "Yes, we expect them to teach; we expect them to respect us." Everything was written down, what they expected from us and what we expected from them. Then they were asked the question, "Well, are you keeping to your side of this?" They were very honest; in fact, the students amongst themselves were saying, "Well, you know we were supposed to do this but…" Do you understand? And it was fantastic. It was really good. So, we all sat down together and rewrote the rule book. Having that session, they could see all the wrongs, and they could see the effect it was having on us, the teachers, and other students in the class, how it was affecting their learning. And it was amazing. Based on that class, we had an agreement from our meeting.

We do know that sometimes there are problems with transport, things do happen. But don't be late because of smoking or something. We've agreed, they're going to keep their phone in a box, hand it to the teachers when we ask for them, and you know, we understand. If you're expecting a call from your social worker or your parents may not be well, hey, we understand. Put it on silent, so you've got a message, just put your hand up, "Sir, can I take this call?" It's that respect and all of that, you know? Use dictionaries instead of saying, "Oh, I want to use my phone to go on Google." We found solutions; we've now got dictionaries in there. Little things that we also probably missed out on, we need dictionaries because that was one excuse for using the phone. So, now, we've agreed we've got dictionaries, and of course, they've got to bring their books and pens, not just come in and sit there.

So, it was good. But, since that session, it's like a completely different class. The amount of work I got out of them this week and I've been struggling with them since September, just that one-and-a-half-hour session and all of them signing that new agreement. So, as soon as any of them want to misbehave, I say, "Hey, don't forget the agreement." "Oh, sorry, Sir." So, it's

like I say to them, “You signed, you signed your life away, this agreement binds you.” And you know, we laugh about it now, but it’s amazing, it really is.

Appendix 10: Sophia's Restorative Justice Experience

Interviewer: You mentioned before, you would have changed a few things in cases that you had, can you emphasis on this, please?

Sophia: There was one, really. This boy, he was smuggled out of Syria in a fridge and brought over to this country. And he presented himself at College as a very, very bright boy. I think it was Syria; it might have been somewhere else. I'm really sorry; we do have thousands of students. Anyway, he had watched both of his parents being shot and then he had been smuggled out. He'd been fostered, and then he'd moved into independent living.

He was a wonderful young man who was very, very bright, very able and extremely angry. And he had clear issues around managing his anger, and he had clear issues around his own dignity and his pride and how he felt about things.

He had a falling out with a friend of his and became implacably furious, I mean to the point of where he was so contained within it, he was so angry you just could see. He could look very threatening, and he would lose it, the glaze would come over his eyes.

They had been friends, and I worked very closely with him, and I knew him quite well, and I offered a restorative practice intervention, and they both agreed. In hindsight, I wouldn't have done it at all, or I would have had his social worker there or his key worker there. And in the meeting, they were both saying they wanted to be friends; they were both saying that they wanted to put it behind them. And they were both saying that they were sorry.

And then the one boy said something slightly off the cuff; it was clearly not meant to offend. It was a little bit of a throwaway; maybe it was a bit clumsy, I can't even remember what it was. And our man over here exploded with rage, he couldn't hear anything, he couldn't see anything, there was no telling him to breathe, and I thought that he was going to get the table and smash it through the window.

I was saying, "Just breathe, it's okay; just breathe, just breathe; it's going to be fine." To the other boy, I was shouting "You go, you go, you leave." And then I had all of these people, standing to attention ready to help, and I was saying, "It's going to be fine, it's going to be fine, you're going to be fine. Can you hear me? You're going to be fine, this is fine, you're going to be fine, everything is alright, everything is alright." It was massive. And inside, I was frightened.

And suddenly, I felt soo small**,** and I felt like his whole world of experience and the horror that he had seen and his terrible, terrible life, and the courage that he had to come here and be on his own as an unaccompanied minor and then as an asylum seeker and so on. And the fact that he had come to college and he was doing so well, and he was so proud and so fierce, he was so fierce. And I felt hopeless. I felt helpless and hopeless. I was fearful for him out in this world because I knew that he would be triggered at some point in his life. He was getting therapy, he was in therapy, and that he had such trauma, he had such trauma.

I remember now what the boy said, yes! That is what the guy said; he said**,** "I want to be friends, it's not like I'm no threat, it's not like I'm going to shoot you or anything." But this guy had watched his parents be shot in front of him. So, that was that.

He calmed down, it took a long time, a full eighteen minutes to calm down and then after that I said, “Do you want to try again.” “Never. No, I will never speak to him; I will never.” So, we were back to square one; he hated him all over again. He wouldn’t hear it that he didn’t mean it. He couldn’t hear anything; he couldn’t hear anything. He finished his course, he did well, and he’s out there in the world.

But I really was frightened because he could have really hurt me physically, apart from anything else. I’m not strong; I’m mentally strong; I’m physically useless. And I felt overwhelmed by the fact that I thought that I could make a difference to his life. Who was I? I felt as humble, and I wept afterwards.

Appendix 11: Ofsted Reports on 'Personal Development, Behaviour and Welfare'

February 2017

Personal development, behaviour and welfare	Requires improvement

- Learners' attendance at lessons, while improved from the previous year, is still not high enough. Teachers set learners targets for improving their attendance, but in too many cases they do not help them to overcome their barriers to high rates of attendance. Too many learners do not arrive punctually for lessons and ready to learn. For example, a minority of learners do not take their coats and bags off and get their folders and pens ready until well after the lesson has started.
- Learners' behaviour and conduct in a minority of lessons are not good enough. Too often they talk over each other or over the teacher. This disrupts their own learning and that of other learners. Teachers do not challenge this behaviour often enough, or set high enough expectations for learners' conduct in lessons.
- Learners have a good awareness and understanding of the importance in society of fundamental British values, but they do not exhibit or demonstrate these values consistently in lessons and tutorials. For example, when tutors discuss mutual respect and tolerance in tutorials about relationships, learners talk over each other and the tutors.
- Learners in subjects including health and social care and sport benefit from external work-experience placements, during which they can develop further their practical skills and skills for work. They extend their subject knowledge and make valuable contributions to their employer's business. For example, learners in sport organise and run football tournaments for groups of local schools. However, learners in subjects such as construction and information and communication technology do not have these opportunities, and consequently their skills for work are less well developed
- Where learners do not have the opportunity to participate in external work-experience placements, teachers successfully use a variety of methods to help them develop their understanding of the world of work. For example, learners in construction visit a range of local construction sites, and managers from local construction companies visit the college frequently to give talks about different aspects of the industry, such as managing health and safety on complex construction sites. Learners in photography work with the college marketing team to produce promotional photographs to promote the college's apprenticeship activities.
- Learners, particularly those for whom the college receives high-needs funding and apprentices, develop their confidence well. Apprentices in particular produce written and practical work to a high standard, exceeding the requirements of their course.
- Learners and apprentices receive good-quality careers advice and guidance from their teachers, assessors and specialist careers staff. This helps them plan their next steps in learning to support them to achieve their career goals. Learners aged 16 to 18 receive particularly effective support for their applications to university.
- Learners feel safe at college. Managers work effectively to ensure that the campuses are safe places to learn; those at the city-centre campus have worked particularly well with neighbouring organisations to ensure the safety of learners. Learners understand well how to keep themselves safe in their daily lives and online. Apprentices learn to work safely, particularly in high-risk industries such as heavy engineering and construction.

October 2018

Personal development, behaviour and welfare	Good

- Students' behaviour in most lessons and around the college campuses is good. They are respectful towards each other, their teachers and their environment. They work well together and support each other in lessons. Most students arrive at lessons on time and are ready to learn.
- The standard of students' and apprentices' practical work is good. For example, engineering apprentices who work with a global car manufacturer develop their skills to a high industrial standard. Construction students quickly gain the skills to prepare mortar mix and carry out trowel work to lay bricks and blocks to a good standard.
- Most adult students make good progress in improving the skills that they need in their jobs and in their personal lives. For example, on courses in English for speakers of other languages (ESOL), students who begin their courses speaking little or no English quickly gain the confidence and skills to converse in a wide range of situations. Most students who have high needs develop the social skills necessary to become more independent. Most apprentices develop the technical skills that their employers demand. Consequently, most students are better prepared for employment.
- The standard of adult students' and apprentices' written work and practical skills is good. Students on study programmes produce written work at an appropriate level. Those following vocational courses develop good practical skills.
- Most full-time students benefit from a varied and informative tutorial and enrichment programme. The student council and staff work well together to ensure that most students attend health and well-being events. Students learn about the benefits of healthy lifestyles, the risks associated with alcohol and drug misuse, and managing emotional health and stress. Students also benefit from access to specialist support, such as counselling and financial advice.
- Most students receive helpful information, advice and guidance at the start of their course. A series of well-planned events provides timely and useful information to help students opt for the most appropriate course based on their career ambitions. As a result, most students are placed on the right course at the right level.
- The large majority of students use the careers advice and guidance service very well to plan the steps they need to take to achieve their career aspirations. Dedicated careers staff are well qualified and help students to investigate a range of options linked to their future goals. Consequently, most students and apprentices continue to higher levels of study or into employment. In a few cases, apprentices are not fully aware of the transferable skills that they develop and how they might use them to move on in their career.
- Students are safe and demonstrate a good understanding of issues such as internet safety and bullying. They know to whom to report their concerns if they do not feel safe. Students know how to protect themselves from the risks associated with extremism and radicalisation.
- Many students have a good understanding of British values. They speak confidently about democracy, demonstrating very effectively freedom of speech through the student council process. Teachers create positive and inclusive learning environments, ensuring that students take account of students from different backgrounds and cultures. For example, dental nurse apprentices routinely discuss religious festivals. They learn how to adapt their working practices to respect their customers' beliefs, for example using different types of dental products and scheduling appointments outside Ramadan. Consequently, students are prepared very well for life in modern Britain.

- The large majority of students on study programmes develop their skills for work well through a wide range of activities. These include working in the college's commercial environments, such as hair salons and the training restaurant, and through trips and visits. However, too few students apply these skills in a work placement with an employer.
- Attendance has improved over the previous three years and is now high in most lessons. However, in a minority of mathematics lessons, attendance remains too low.