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Abu Zaman

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Defining restorative justice: a perspective from England and Wales's further education sector

Abu Zaman

School of Law and Criminology, University of Greenwich, London, UK

ABSTRACT

Despite the lack of clarity in the literature in understanding restorative justice, scholars argue that it is rich and diverse in its meaning and application. However, a gap exists between theory and practice, and since 'practice without theory is blind, and theory without practice is meaningless' (Morrison, 2015, p. 449), a definition of restorative justice is essential, especially as the concept has now been adopted in other sectors such as education. This study defines restorative justice practices for institutions in the UK's further education sector to guide them and their practices. As these institutions regularly deal with behavioural challenges in education, they have adopted restorative justice practices to better manage and deal with such situations and to create a safer environment and help the perpetrator reflect on the impact of their behaviour. In the UK, research on restorative justice in education focuses on primary and secondary schools, but is limited and underdeveloped in the further education sector. Based on data collected over 14 months, this study explores how the staff at these institutions explain restorative justice practices and purposes and finds a consensus based on these explanations.

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Introduction

In the 1970s, a new productive system, restorative justice, was sought to support the conventional retributive criminal justice system (Barnett, 1977; Christie, 1977; Eglash, 1977). Retributive justice focuses on the criminal act, excludes the victims, and limits the offender's participation (Zehr, 2015), whereas restorative justice focuses on the victim and the offender's needs, centralising their relationship during the process, which is disregarded in the conventional approach (Zehr, 2015). Research has found several positives and negatives to this concept, and that confusion and lack of understanding of restorative justice in the criminal justice system have made it problematic in theory and practice (Stockdale, 2015a, 2015b). Nonetheless, research identifying the effectiveness of restorative justice in dealing with crime and conflicts within the criminal justice system has resulted in other sectors showing a growing interest in it, even adopting and

CONTACT Abu Zaman  A.Zaman@greenwich.ac.uk  School of Law and Criminology, University of Greenwich, Old Royal Naval College, Park Row, London SE10 9LS, UK

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implementing it, such as the education sector (International Institute of Restorative Practices [IIRP], 2012; Joseph McCatty & Hnilica, 2023; Morrison, 2007).

Challenging behaviours exist in educational institutions. Research has identified that these challenges can vary from mere disagreements to general violence, drug-related violence, and sexual offences (Hayden, 2010, 2011; Martin et al., 2011; Millie, 2009; Millie & Moore, 2011; Porteous, 1998, 2014; Squires & Stephen, 2005; Zaman, 2023), requiring staff intervention in their resolution and investment of considerable time and effort (Porteous, 1998). In such cases, restorative justice practices are adopted to manage and deal with challenging behaviours and make educational institutions safer (Braithwaite, 2002a; Kane et al., 2008; Lodi et al., 2022; Morrison & Vaandering, 2012; Vaandering, 2013). Studies have focused on the effectiveness and implementation of and satisfaction with restorative justice processes, practices, and outcomes in education; yet, research on restorative justice in education is limited in the UK (Katic et al., 2020; Lodi et al., 2022; Mas-Expósito et al., 2022; Mayworm et al., 2016; Zakszeski & Rutherford, 2021), especially in the further education (FE) sector (Zaman, 2023). Notable among the finite literature on behavioural challenges in the FE sector is the study by Parry and Taubman (2013) for the University and College Union (UCU). Thus, the behavioural challenges in the FE sector and the rationale and use of restorative justice merit further exploration and research (Zaman, 2023). As Parry and Taubman (2013, pp. 3–4) argue:

The literature review 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. 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.

For international readers in the UK, the FE sector is a complex and diverse environment (Zaman, 2023). It came into existence in 1821 but was formally established only in 1944 by the Education Act (Lobb, 2017). Most countries refer to the FE sector as high school, junior, or senior years. When the New Labour Party won the election in 1997, its principal objective was to improve the quality of education and raise educational standards. Consequently, the FE sector witnessed several reforms. Based on recommendations from the Woolf Report (Department for Education [DfE], 2010) and supported by the then-2012 coalition government, FE colleges began enrolling students aged 14 years. This enrolment change led to an increasing number of young learners in FE. Thus, the FE sector enrolls children aged 11+ from among permanently excluded students from schools, Pupil Referral Units (PRUs), Special Schools (Macnab et al., 2008), and mature students (aged 19+ and re-entering education or attempting to gain qualifications for admission to universities).

PRUs, an alternative to mainstream schools, specialise in supporting students with behavioural problems. Students in a PRU might have been excluded from mainstream school for behavioural issues or difficulties, among other reasons. Special Schools support students with tailored needs related to communication and interaction; cognition and learning; social, emotional, and mental health; and sensory and physical inputs. Thus, challenging behaviour is endemic to the FE sector (Deuchar & Ellis, 2013; Millie & Moore, 2011). Some of the behavioural concerns experienced by FE institutions include fighting,

bullying, drugs, stealing, physical abuse, vandalism, and racial abuse (Parry & Taubman, 2013; Zaman, 2023). Parry and Taubman (2013) and Zaman (2023) state that many of these students lead chaotic lives, and their learning is impacted by employment, unemployment, and other personal and social difficulties, leading to behavioural challenges. The FE sector provides alternative qualifications for these students, primarily focusing on vocational courses. Hence, like schools, FE institutions are keen to discover innovative ways to deal with such challenges, aspiring to promote discipline, reduce violence, restore good relationships when conflict or harm occurs, improve student attendance, and develop the school's ethos (Hopkins, 2011; McCluskey et al., 2008). Furthermore, the concept of responsabilisation, as developed in the criminal justice system (Garland, 1996, 2001) has permeated the education sector, where punishment is replaced with reparation, and individuals take responsibility for their actions and make amends for the harm inflicted (Martin et al., 2011). Therefore, restorative justice practices appeal to FE institutions as an appropriate response to challenging behaviours.

This study explores how the staff members explained restorative justice practices and their purposes in FE institutions with the aim to clearly define these practices to guide the institutions. In this paper, I first discuss and analyse some of the definitions available in the literature, followed by a brief discussion of the values and processes of restorative justice and then, of the methodology adopted to explore staff explanations. The Findings section discusses the data collected, which are consolidated in the Discussion section to offer a definition of restorative justice that FE institutions can adopt to guide its practice.

Defining restorative justice in the criminal justice system: 'A pool of definitions'

Attempts to define restorative justice has been problematic (Gavrielides, 2008; Pointer et al., 2023) because it 'means different things to different people' (Fattah, 1998, p. 393), as well as 'all things to all people' (O'Mahony & Doak, 2009, p. 167). Marshall's definition, which was widely accepted and used, is as follows:

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, p. 37, 1996b, p. 5)

This definition is a process/purist approach (Kirkwood, 2022; McCold, 2000; Wood & Suzuki, 2016), focusing on face-to-face negotiations and resolving criminal offences. It has attracted criticism and ignited discourse on processes/purists and the outcome/maximalist restorative justice model. Purists interpret restorative justice as a process that focuses on practices in which key stakeholders communicate and rectify issues raised by the offence, thus focusing on the process and values. Maximalists understand restorative justice based on the outcome it helps to achieve, such as taking responsibility, apologising, or forgiving. Therefore, if any outcome restores the harm caused, then the process, such as whether the parties volunteered or not, among other things, is irrelevant (see Bazemore & Walgrave, 1999; McCold, 2000; Walgrave, 2000, 2008). To simplify this purist – maximalist dichotomy, the purist model focuses on the restorative justice process and empowers stakeholders. However, the risk of non-restorative outcome(s) is higher, as 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 placed on sacrificing stakeholders' empowerment, overruling their decisions, or excluding parties from the process (Zernova & Wright, 2007). Some proponents of restorative justice values may achieve both a restorative process and an outcome (Braithwaite, 2002b, 2003; Doolin, 2007; Pelikan, 2007)

Scholars argue that Marshall's definition causes complications as it can only be applied to situations in which both the victim and the offender are present (Dignan, 2005; Stockdale, 2015a). However, this can be a prerequisite. More importantly, this definition fails to inform restorative justice practitioners of precisely what must be restored (Braithwaite, 2002a). Other proponents prefer an outcome model 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 restorative justice as a process and omitting the consideration of outcomes creates uncertainty, disproportionality, unfairness, and inconsistency between the cases dealt with by justice mechanisms.

Owing to the lack of consensus in defining restorative justice, prominent scholars in the field have offered their definitions (Braithwaite, 2004, p. 28; McCold & Wachtel, 2002, p. 113; Zehr, 2002, p. 37). Braithwaite (2004, p. 28) states:

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.

Zehr contends that the fundamental essence of restorative justice 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 as right as possible' (2002, p. 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 reparations (Hopkins, 2011).

While restorative justice's popularity grew and its values, processes, and outcomes became appealing to academics and organisations, it led organisations to contribute to the wide pool of definitions. The United Nations (2003, p. 28) defined restorative justice 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, and reparations.

According to the European Parliament,

Restorative justice is any process whereby the victim and 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, p. 1.d)

The phrases 'any process' and 'criminal offence' in the UN and the European Parliament's definitions are potentially controversial, communicating the impression that any process can come under the remit of restorative justice if the parties voluntarily and actively

participate. Furthermore, the definitions limit access to restorative justice only to matters arising from a criminal offence, that is, an act defined by law.

Her Majesty's Inspectorate of Constabulary (HMIC, HP, HMI Prisons and HMCPSP, 2002, p. 4) offers the following definition: 'A process which brings those harmed by crime or conflict and those responsible for the harm into communication enables everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward'.

Thus, with no accepted universal definition of restorative justice, and proponents' perceptions differing widely (Gavrielides, 2008; McCold, 1998), it led to 'aggregating all restorative justice understandings into a coherent whole' (Daly, 2016, p. 11). Zehr (2002) classified restorative justice as a movement, Daly (2006) labelled it as a set of ideas, and Braithwaite (2003) and Johnstone (2011) identified restorative justice as a set of values. Confusion and a lack of understanding have made restorative justice theoretically problematic in its implementation, application, and practice (Daly, 2006), resulting in a practical understanding of how restorative justice should be applied, the types of harm to be restored, and the types of practices and outcomes to be covered (Dignan, 2002; Morris, 2002).

A single, universal, and accepted definition can be a prerequisite for some for a collective understanding of restorative justice (Miers et al., 2001), yet it may be unnecessary. There should be no expectations for the concept to be defined because the restorative justice movement is neither coherent nor unified (Gavrielides, 2008; Zehr & Mika, 1998). Johnstone and van Ness (2007, p. 19) and Daly (2006, p. 35) concede that the non-existence of a universal definition is not detrimental and that it reflects the 'richness' and 'diversity' of the concept and provides an insight into its application (see also UN Office on Drugs & Crime, 2020, p. 4).

Since 2006, Daly (2016, p. 13) has changed her position and argued for an accepted definition. 'Without a definition of restorative justice that can be applied and assessed empirically', she says, 'we are bobbling on a raft in a sea of hopes and dreams', and it is pivotal that 'restorative justice must be defined concretely because its practices and outcomes must be subject to empirical inquiry' (p. 11). She views restorative justice as a justice mechanism, a 'response, process, activity, measure, or practice' (p. 18). Further, Daly (2016) distinguishes between conventional mechanisms, comprising traditional approaches such as trials, sentencing, and post-sentences, and innovative mechanisms that require 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 the umbrella of restorative justice, as against conventional criminal justice, that do not share the same aims and processes and are used in different contexts. Consequently, Daly (2016, p. 21) contributes to the pool of definitions with:

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.

Daly (2016) acknowledges that this definition may seem controversial to commentators who view 'diverse' and 'ever-increasing' practices under the restorative justice umbrella, especially those who see it as 'anything that is not conventional criminal justice mechanism or that it is "not punitive"' (p. 21). However, this definition would 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' (p. 21).

Compared to the other definitions focusing on criminal offence, harm, impact, and the process of rectifying harm, Daly's (2016) definition is specific, flexible, and applies to different contexts of crime and justice. It addresses crime, disputes, and community conflicts, and is not restricted to post-sentence initiatives or one-off meetings. In most instances, restorative justice is a one-time event focused on the victim and neglects the offender (Ward et al., 2014), which impacts the effectiveness of restorative programs and healing of the parties. Similar to Daly (2016), Mika and Zehr (2017) have defined restorative justice as repairing harm caused by crime, misdoing, or conflict by focusing on accountability and making amends, again proving the ever-changing, diverse, and expanding nature of defining it.

However, restorative justice practices appear in different shapes and forms, ranging from fully to mostly and partially restorative (McCold & Wachtel, 2002), and adopting a narrow definition (purist model) risks excluding the latter practices. A broad definition (maximalist model) risks not abiding by restorative justice's central procedures; 'restorative justice 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, p. 173).

Defining restorative justice in the education sector

In different organisations, restorative justice is referred to as restorative practices (RP), restorative approaches (RA) or restorative measures (RM) (Thorsborne & Blood, 2013). Wachtel (2016) views restorative justice as reactive, responding to a crime after it has occurred, while RP or RA precede wrongdoing and conflict because they are implemented in organisations or institutions as a framework for building relationships, creating a sense of community, and preventing conflict and transgression. Furthermore, RP and RA have roots in social science, building on individuals' social capital and discipline through participation in learning and decision-making (Wachtel, 2013, p. 1). Similarly, Fronius et al. (2019) and Pointer et al. (2023, p. 1) argue that restorative justice is a social movement aimed at transforming individuals and social structures to be in greater alignment with a more connected and relational worldview. Agreeing with Bevington (2015), Mas-Expósito et al. (2022, pp. 105–106) state:

Restorative practice has its roots in restorative justice, an alternative to the punitive paradigm within the field of criminology. Restorative Justice primarily focuses on some form of mediated encounter between the perpetrator and the victim following an incident of harm.

The principles underpinning restorative justice are now being more widely applied to practice in various non-judicial settings, including schools, where they are referred to as RP or, more broadly, as RA. (see also Thorsborne & Vinegrad, 2006)

Scholars argue that restorative justice can be too narrow to be utilised outside the criminal justice system (Song & Swearer, 2016), and especially in schools. In addition, the appropriateness of the word 'justice' is questioned as being close to penal law (Christie, 2013, p. 15). Against this, Walgrave (2013) argues that justice also means moral good, whereas Braithwaite (2013) states that justice is a holistic concept that encapsulates procedural, distributive, restorative, social, and punitive justice and Sumalla (2013) says that justice is integral to restorative justice. Evans and Vaandering (2016) offer an alternative way of understanding justice. In the conventional sense, justice is understood as a mechanism for responding to crime, but it has its roots in social justice, which 'is the condition of respect, dignity, and the protection of rights and opportunities for all, existing in relationships where no one is wronged' (Evans & Vaandering, 2016, p. 7).

Educational institutions are free to adopt, employ, or adapt the restorative justice definitions available in the criminal justice system. However, there are definitions specific to the education sector. In her book 'Just School: A Whole School Approach to Restorative Justice', a guide for schools to adopt and implement restorative justice, Hopkins (2004, p. 29) refers to Wright's (1999) definition: 'Restorative justice constitutes an innovative approach to offending and inappropriate behaviour that puts repairing harm done to relationships and people above the need to assign blame and dispense punishment.'

The above definition seems relatively more compatible to school settings because of the inclusion of 'inappropriate behaviour', which covers all types of challenging behaviours in schools. This definition focuses on eschewing blame and dispensing punishment, both of which appeal to schools. Other definitions appropriate for educational institutions include that by McCluskey et al. (2008, p. 211) as follows:

... where staff and pupils act towards each other in a helpful and non-judgemental 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.

Wachtel (2013, p. 1) defines restorative justice 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.

Although the history of restorative justice in education and the research are new and evolving, Bevington (2015, p. 106) feels that the definition proposed by the New Zealand Ministry of Education (2014, p. 4) 'captures the more holistic sense of restorative practices in the school setting', as follows:

Restorative practice is a relational approach to school life grounded in beliefs about equality, dignity, mana and the potential of all people. Restorative practice ... focuses on building and maintaining positive relationships across the school community and offers school staff best-practice tools and techniques to restore relationships when things go wrong.

Bevington (2015, p. 6) explains that when defining restorative justice, it is vital that the language focuses on the harm: staff and students understand what happened, those affected by the harm and how, what is needed to correct the wrong done, what the stakeholders of the incident learned, and how to reduce the risk of harm in the future.

Values and processes of restorative justice

Although restorative justice literature offers a pool of definitions exhibiting its diverse and evolving nature (Daly, 2006; Johnstone & van Ness, 2007; United Nations Office on Drugs & Crime, 2020), the common element is value (United Nations Office on Drugs & Crime, 2020). Pointer et al. (2023) note that restorative justice values better explain the understanding of justice, aligning with the holistic restorative justice model. A pool of values is available in the literature, which can sometimes be perplexing, affecting the understanding, application, and implementation of restorative justice. This precarious position is further aggravated because many proponents contribute their version of values that overlap (Johnstone & van Ness, 2007). Understanding restorative justice values is vital; otherwise, retributive and punitive practices are passed on as restorative, and programs defined as restorative do not encompass restorative justice's essential values (Kirkwood, 2022; Zehr & Mika, 1998). Kirkwood (2022) differentiates between ethical and prudential values, which sometimes overlap. Ethical values focus on how practitioners practice restorative justice, whereas prudential values focus on the desired outcomes when practising restorative justice. According to Kirkwood (2022), ethical values include voluntariness, safety, inclusion, dignity, respect, responsibility, accountability, truth telling, and honesty. Prudential values include mutual understanding, repair harm, agreement, truth, trust, healing, recovery, rehabilitation, reintegration, restoration, transformation, desistance, reconciliation, forgiveness, and individual choices. As explained next, these different values either overlap or are addressed as general values of the restorative justice.

Braithwaite (2002b, 2003) categorises values into three standards. The first is constraining, in which non-domination of the process, empowerment, respectful listening, and equal concern for all stakeholders are achieved. This standard aims to avoid oppression during the process. The second is maximising, where the restoration of human dignity, property loss, relationships, and emotions are met. The third standard is the emergent, in which remorse, apology, and forgiveness are achieved. According to Sherman et al. (2005), justice is restored when the principles and values violated by an offence are reestablished and revalidated by social consensus.

Doolin (2007) categorised restorative justice values into core, process, and dominant categories. The core value requires the victim to be the focal point of the process, empowered, and actively participate. As a result, the offender is made accountable, to take responsibility for their actions and the harm caused, make reparations, and their sense of belonging to the community is restored. Members of the community must also be present during the process. Process value requires all parties to consent to participate in decision-making, dialogue, and mutual respect. Finally, the dominant value requires the outcome to reflect the restorativeness. According to Doolin (2007), restorative justice's fundamental value is restorativeness, which is repairing harm; any other outcome, such as reducing recidivism, should be acceptable. For Bolitho (2012, p. 61), restorativeness comprises storytelling, respectful listening, victim support, attendance, and apology.

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

Crime is seen as a violation of interpersonal relationships; therefore, restorative processes should maximise healing, restoration, responsabilisation, and prevention (Zehr & Mika, 1998). It focuses on all stakeholders' harm and needs (Zehr, 2015); thus, the victims' and offenders' participation is vital (Marshall, 1996b). As violations create obligations and liabilities, offenders must put things right, understand the harm they have caused, and participate in addressing their own needs (Zehr & Mika, 1998). Restorative justice seeks to heal and put things right for the victim; the victim's needs are the process's focal point, and practices should provide forgiveness and reconciliation opportunities (Daly, 2016; Zehr & Mika, 1998).

Offenders' voluntary participation should be encouraged, and coercion and exclusion avoided (Zehr & Mika, 1998). An encounter is significant: a meeting between the parties to tell their stories from their perspectives (van Ness & Strong, 2006). Restorative justice brings the victim and 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 and 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 apology or reparation (Dignan, 1999).

Reintegration includes re-entering parties into community life (van Ness & Strong, 2006). Restorative justice is a healing process designed to meet the needs of victims and seek to reintegrate them into the community (Haines & O'Mahony, 2008). Repairing harm may entail face-to-face or written apologies (Crawford & Newburn, 2003). The more restorative practices conform to these values, the more significant the impact of the interventions (Crawford & Newburn, 2003). Thus, these values should be guaranteed by a neutral, trained facilitator or mediator (Shapland, 2014).

Kane et al. (2008) propose that in a school setting, the features of restorative justice include a fair process, the involvement of all parties (where possible), recognition of the rights of all parties, notion of restoration and reparation (instead of retribution), valuing the views of all parties, and developing empathy to prevent and respond to conflict and violence (Shapland, 2014). Some scholars argue that participants should decide on the restorative outcomes. If participants deem reparation unfit for the offence committed, as many victims do (Shapland et al., 2011), healing, forgiveness, and apology should not be coerced out of 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 replaced by professional judgment (Shapland, 2014). There are instances where offenders write to the victim; however, the letter is not sent because the victim cannot be contacted, or it may raise further questions, which does not promote communication (Shapland, 2014; Shapland et al., 2011).

Methods

Owing to the nature of the study, this research adopted an interpretivist exploratory case study design framework and mixed qualitative methods. It is grounded in constructionism, based on the view that there is no objective reality or truth – reality is constructed through interactions with the world. According to constructionism, there are no absolute truths, knowledge is not limited to being created by the senses alone, and research must focus on constructing meaning (Sarantakos, 2013, p. 38). Interpretivism is the epistemology underlying constructivism. Interpretivists believe that reality is created by social actors and people's perceptions (Sarantakos, 2013, p. 40), and that human understanding and experiences are subjective and contribute to the construction of reality in the social world, while social reality can change and have multiple perspectives (Hennink et al., 2011).

Data collection was conducted in three stages, from April 2018 through May 2019. Although this research was conducted some time ago, it is not unusual to use such data in academic research papers (Martinez et al., 2022; Zaman, 2023).

Research sites and participants

The journey of finding research participants, sites, and case studies to shape and form the study's research design was arduous. Finding an FE college in London as a research site proved challenging. Research sites in London or nearby are ideal in terms of accessibility and cost. I used Twitter proactively to communicate the aims of this research with restorative justice organisations and trainers in the UK. I requested organisations and trainers to forward messages or retweet original tweets. All suggestions and directions for possible research sites or other contacts were pursued; however, only primary and secondary school recommendations emerged. School and Children's Services in London Borough Council were emailed. Only one service responded suggesting a PRU.

A restorative justice trainer informed me of an upcoming conference that I utilised as an ideal networking opportunity. The conference enabled me to connect with a Sixth Form, a Special School, and FE institutions utilising restorative justice. These institutions mentioned they had only a few restorative justice facilitators willing to participate because they used restorative justice as a reactive approach. Although the institutions were utilising restorative justice, only a few staff members were trained as facilitators (McCluskey et al., 2008).

The internet is an excellent tool for researching FE institutions. The Association of Colleges (AOC), a nonprofit and a voice for the FE sector, has a database of FE colleges in the UK and their names. I contacted the AOC directly for information on FE colleges using restorative justice. It published a short statement in its newsletter on this research and its aims, asking if institutions were interested in participating.

The inspection reports of the Office for Standards in Education (Ofsted) would be a great resource for identifying the behavioural framework of FE institutions. They often inspect educational institutions, skills, and care services for children and young people. The rationale was that, if an institution used restorative justice, 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 say if they detected an institution using a particular behaviour management strategy.

Using the AOC's database of FE colleges in England, the Ofsted inspection reports for each institution were scrutinised to identify their behaviour management strategies. Regrettably, not one FE institution's recent Ofsted report mentioned restorative justice, including the FE colleges that agreed to participate in this research. This means that either Ofsted did not discover the use of restorative justice, or omitted mentioning restorative justice in their report, or the institution did not emphasise its use. Thus, Ofsted inspection reports are unreliable for determining whether institutions employ restorative justice.

Using the AOC database, cities in England accessible from London were identified, and accessible inner-city colleges were located. Their websites were accessed to download their behavioural policies, already in the public domain. The colleges that used restorative justice practices were contacted. Attempts were made to speak with the person in charge of 'Safeguarding and Behaviour'. If they were not available, their email addresses were requested. An email was sent immediately to enquire whether restorative justice was used as part of their behavioural policy and whether they would be interested in responding to this study. Emails are often a better way to monitor communication than phone calls. The rationale for speaking directly with the person in charge is that, from experience, front desk operators or 'lay staff' are usually unaware of specific internal policies. The outcome was the same: most institutions employed aspects of restorative justice in their behaviour policy as a reactive approach and a few staff members were trained as restorative justice facilitators. However, this was seen as an opportunity to interview individual staff who utilised restorative justice, and these participants were successfully pursued.

It seemed impossible to find research sites that adopted restorative justice as more than a reactive approach. To obtain rich, valuable, and holistic data, it was fundamental that the institution had a few teachers and other staff trained as restorative justice facilitators so that their understanding and experiences could be recorded through qualitative methods. Finally, Restorative College (pseudonym) from North England made contact, informing that they implement restorative justice as a whole-school approach with many staff trained as facilitators and were happy to be used as a case study. Finding the research sites and Restorative College enabled me to design a holistic methodology to answer the research questions.

The case study – restorative college

Located in West Yorkshire, Restorative College has six campuses that serves over 16,000 students aged 16–18 and 19+, providing Higher Education, Higher Skills, and apprenticeships. It offers arrangements and courses for students with special educational needs and disability (SEND). In 2017–2018, it committed to becoming a 'restorative' institution and invested in training the entire staff. Initially, the senior members of the 'Safeguarding and Behaviour' team received a three-day external

Table 1. Research sites, participants and their roles.

Name of participants (pseudonyms)	Role
Case Study: Restorative College	
<i>Sophia</i>	Manager
<i>Jack</i>	Manager
<i>Jennifer</i>	Manager
<i>Mary</i>	Manager
<i>Isla</i>	Manager
<i>Jessica</i>	Manager
<i>Maggie</i>	Teacher
<i>Bethany</i>	Teacher
<i>Mia</i>	Teacher
<i>Ava</i>	Teacher
Pupil Referral Unit (PRU)	
<i>Aroon</i>	Manager
<i>Anna</i>	Manager
Sixth Form – Special School	
<i>Damian</i>	Manager
<i>Ethan</i>	Manager
<i>Thomas</i>	Manager
<i>Olga</i>	Teacher's Assistant
FE College – NL1	
<i>Musa</i>	Manager
FE College – SEL	
<i>Oliver</i>	Manager
<i>Rose</i>	Manager
<i>Megan</i>	Manager
FE College – NL2	
<i>Lily</i>	Manager
<i>Monika</i>	Teacher
<i>Ayodele</i>	Teacher
<i>Sophie</i>	Teacher
<i>Linda</i>	Teacher
FE College – WM	
<i>Susan</i>	Manager
<i>Rhys</i>	Manager
<i>Charlie</i>	Teacher
<i>Tanya</i>	Personal Tutor
<i>Tracy</i>	Personal Tutor
Total number of participants	30

training, and then provided in-house training for the other staff. Trainers provided copies of the training materials and resources to the institution, which were available to the staff. The restorative justice policy was fully implemented, as part of the behaviour policy, using a whole-school approach, from the academic year 2018–2019 onward. Semi-structured interviews were conducted with 10 staff members; see [Table 1](#) for a list of all participants, institutions, and their roles.

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 due to ill health, behavioural issues, or other difficulties. This institution serves up to 200 students on individualised or reduced teaching timetables to meet their needs, and employs restorative justice as a reactive approach. Semi-structured interviews were conducted with two staff members.

Sixth form – special school

This Sixth Form Special School is located in North London and serves approximately 170 students aged 11–19 years with learning, emotional, behavioural, autistic, communication, medical, physical, sensory, and social issues. It institution employs restorative justice as a reactive approach. Semi-structured interviews were conducted with four staff members.

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 serves up to 9,000 students aged 14–18 and 19+ with education, apprenticeships, and arrangements and courses for SEND. It employs restorative justice as a reactive approach. A semi-structured interview was held with a staff member.

Further education college – South-East London (SEL)

This college serves up to 13,000 students aged 16–18 and 19+ at its two campuses (during the data collection process, the institution was in talks for its second merger). It provides Higher Education, Higher Skills, apprenticeships, and arrangements and courses for SEND. It employs restorative justice as a reactive approach. Semi-structured interviews were conducted with three staff members.

Further education college – North London (NL2)

This college has five campuses where it provides Higher Education, Higher Skills, apprenticeships, and facilities for SEND to up to 16,000 students aged 16–18 and 19+ annually. It introduced restorative justice in one department in 2017–2018, but not as part of the behaviour policy. The department head is externally trained to facilitate restorative justice practices and has provided internal training for the department staff to enable restorative justice. Semi-structured interviews were conducted with five staff members.

Further education college – West Midlands (WM)

The college has three campuses where it provides Higher Education, Higher Skills, apprenticeships and SEND facilities to 27,000 students aged 16–18 and 19+. It introduced restorative justice in 2017–2018 as part of its behaviour policy. The Safeguarding and Behaviour managers were externally trained in restorative justice, who then provided internal training for some of the staff to become facilitators. Semi-structured interviews were conducted with five staff members. Unfortunately, this institution did not offer permission to be part of a case study approach due to anticipated management changes, or provide a copy of their behaviour policy as it was being reviewed.

Ethics

Given the nature of this study, ethical considerations were paramount (Creswell, 2014). This study strictly adhered to the British Sociological Association (British Sociological Association [BSA], 2017) statement on ethical practices. Ethical approval was obtained from the Middlesex University School of Law Ethics Committee before data collection. The real names of all participants, institutions, specific staff roles, data, and department names

were withheld to protect participants' identities. The rationale behind conducting semi-structured interviews with the staff rather than focus groups was to minimise the inconvenience for the participants and the institution. Teachers/lecturers and other staff are extremely busy during term, and their timetables differ, making it almost impossible to bring together a group of teaching staff. Asking staff to give up their time outside of their teaching timetable could inconvenience them, especially teaching staff who usually spend that time preparing lessons, marking work, or dealing with other teaching- or student-behaviour-related issues. Asking staff to participate during holidays or outside term would also be unreasonable, and such proposals would likely be declined. Semi-structured interviews were ideal, suitable, and convenient, as appointments were made at the convenience of both sides.

To obtain consent from the participants, I introduced myself and my background and explained the purpose of the study, either face-to-face or through email. Ethical approval forms and processes were fully disclosed. The participants were invited, and asked to sign a consent form that contained my contact details, a description of the study, their role, and their right to withdraw at any time (British Sociological Association [BSA], 2017). Participants were also explicitly informed that signing the consent form and participation were voluntary (British Sociological Association [BSA], 2017; Creswell, 2014).

Semi-structured interviews and document analysis

Interviews are a popular data collection method (Sarantakos, 2013), particularly for case studies (Thomas, 2011; Yin, 2014). The duration of the semi-structured interviews for this study was 30–60 minutes. The following questions were used.

- (1) How does this institution address conflict, harm, or other challenging behaviours?
- (2) What comes to mind when you think of the behavioural policy adopted to address behaviour?
- (3) How do you define this approach to address behaviour?
- (4) Have you had any training in addressing conflicts, harm, and other challenging behaviours?

Document analysis refers to the interpretation of documents by researchers (Sarantakos, 2013). The 'Positive Behaviour Policy' (PBP) and the 'Quick Guide to Restorative Justice Practice' (hereafter, the Guide), the internal documents of Restorative College, were collected and analysed as they guide staff understanding of restorative justice.

Sampling and data collection process

A non-random and purposive sampling technique (Thomas, 2011) was used to identify the participants for the semi-structured interviews. Purposive sampling allows researchers to 'think critically about the parameters of the population we are studying and choose our sample ... carefully on this basis' (Thomas, 2011, p. 141). Stage 1 consisted of 20 semi-structured interviews with staff members from a Pupil Referral Unit (PRU), a special sixth-form school, and four FE colleges. Stages 2 and 3 involved an interpretivist exploratory

Table 2. The constant comparative data analysis process.

Process	Activity	Description
1.	Data Collection	Preliminary data analysis commenced in this stage.
2.	Transcription	Immersive study of data; created temporary constructs.
3.	Analysis: Step 1	Listened to interviews, read interview transcripts, and created important ideas or temporary constructs.
4.	Analysis: Step 2	Read through the data again alongside the temporary constructs, removed constructs and added new ones (second-order constructs), and summarised the essential themes from the data.
5.	Analysis: Step 3	Revisited the constructs and refined them, ensured the constructs captured the essence of the data, and formed the final themes.
6.	Analysis: Step 4	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.

case study of Restorative College. The case study incorporated mixed qualitative methods, including documents and 10 semi-structured interviews with staff members. Stage 2 explored the staff's initial explanations of restorative justice practices and their purposes. Stage 3 involved reinterviewing the participants from Stage 2 later in the academic year to follow-up on how their understanding had developed over time. [Table 1](#) consists a list of participants, their roles and their respective sites.

Analysis

Based on the methodological framework adopted in this study, an interpretive enquirer must study the meanings constructed by social actors to understand the social world. Thus, the ideal tool to analyse data was the constant comparative method developed by Glaser and Strauss (1967), used primarily by interpretive enquirers (Thomas, 2011), which is governed by the basic principle that researchers immerse themselves in themes that capture or summarise the essence of the data, as reflected in [Table 2](#). [Table 2](#) demonstrates and illustrates the constant comparative data analysis process.

Findings

Case study: restorative justice values

This study found that staff relied upon the internal documents and training guide in explaining restorative justice practices and their purpose at the Restorative College. Although a specific definition was not explicitly cited from the literature in these documents and training programs, they are clearly based on restorative justice literature and research. For example, the PBP is accompanied by the Guide. Thus, it is understandable why Restorative College participants' explanations of restorative justice practices at Stage 2 reverberated in Stage 3.

The Guide typically contrasts with the retributive and restorative justice found in most studies (Zehr, 2015). It refers to restorative justice's six principles or values offered by the Restorative Justice Council on their website: restoration, voluntarism, neutrality, safety, accessibility and respect (Kirkwood, 2022). According to the Guide, restorative justice is based on 'storytelling' (Kirkwood, 2022), allowing parties to describe an incident and their

feelings, in turn allowing them to understand different perspectives. It also states the four pillars of restorative justice echoing the values: respect, responsibility, repair and reintegration (Kirkwood, 2022).

The principles and values of voluntarism in restorative justice in the education sector are precarious. While the voluntary aspect of the restorative justice process in the criminal justice system is at the core (Hopkins, 2004), scholars question this voluntariness. Zernova (2007) finds that participants thought the process was mandatory or felt an informal pressure or influence to attend. Restorative College's behaviour policy does not offer an alternative approach to students who do not wish to participate in the restorative justice process; it does not mention this. It is also unclear whether students can choose to participate in the restorative justice process. It is inferred that if students decide not to be involved in restorative justice part of the process, they will bypass this stage and progress to the next, a punitive part of the process. Therefore, in the education sector, as in the criminal justice system, the voluntary aspect of the restorative justice process is absent, or a form of pressure or influence on the parties to participate may exist (Kirkwood, 2022). As Hopkins (2004, p. 164) 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.

The Guide suggests that the parties involved in the process should share what has happened, the impact of the harm on those involved, and what needs to be done to improve the situation. It also advises facilitators about managing their expectations from the process, such as 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 solutions. Although the document does not refer to specific definitions or values in the literature, these expectations resonate with restorative justice values (Bazemore & Walgrave, 1999; Kirkwood, 2022; McCold, 2000; Walgrave, 2000, 2008; Zernova & Wright, 2007). The Guide also suggests that restorative justice practices may restore, or that the outcome may result in, depending on the context, effective communication, relationships, empathy and understanding of the other parties' perspectives, respect, understanding of the impact of their behaviour on others, and reparation. In addition, the following may be restored at the individual level: sense of security, self-confidence, self-respect, and dignity, indicating that the process often results in restoring someone's sense of belonging to a community (e.g. class, college, peer group, or family), which resonates with restorative justice values (Kirkwood, 2022).

A peaceful and reflective process

A common theme among the participants was that restorative justice is a peaceful and reflective process that provides the parties with a voice to tell their story, thus

achieving responsabilisation and closure, and developing empathy and conflict-resolution skills. Ethan, a staff member from the Sixth Form, Special School, explains that the restorative justice process produces a peaceful resolution that achieves understanding and closure, 'moving from conflict to a more peaceful resolution. They (the people) can move forward and understand the other's feelings and experiences. Empathy must develop.'

Ethan's colleague, Thomas, sees the restorative justice process as an opportunity for parties to reflect on, take responsibility for, and develop conflict resolution skills. He further explained that restorative justice offers an opportunity for the parties involved to resolve, make peace, and find closure voluntarily without pressure from the authorities; thus, it is led democratically by the parties involved in the process.

What comes to my mind is how we can give the student the opportunity to reflect on things, and 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 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 to tell their story. – Thomas, Sixth Form, Special School.

Inclusivity

Being an inclusive institution, building and repairing relationships, and centralising students/parties are fundamental to the staff. Jennifer explains that her institution, Restorative College, aims to build relationships and trust among its community; thus, the parties are confident in the decisions made and the sanctions imposed.

The policy's main aspect is being welcoming and inclusive, and drawing in instead of pushing away. Building relationships underpins our behaviour policy completely. We build relationships first to feel confident (so that students) trust us with whatever sanctions or route we choose to take when the behaviour is not positive. – Jennifer, Restorative College, Stage 2.

Jack reiterates the inclusive aspect of restorative justice practices, where institutions want to work with students proactively. His understanding of restorative justice reflects 'reintegrative shaming' (Braithwaite, 1989), focusing on the behaviour rather than the individual and supporting the student in not repeating the behaviour.

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 saying, 'you've done that behaviour, this is the punishment.' It is 'you've displayed that behaviour, what can we do to help so you don't display that behaviour in the future and stop your learning?' – Jack, Restorative College, Stage 2.

For Musa, from FE College NL1, restorative justice practices restore and repair the harm caused, and prevent conflicts from escalating: it 'is a way of restoring and repairing the harm caused in a relationship. We try to repair the harm caused to the students, the teachers, and the wider community, try to prevent it from escalating.'

Developing skills

There is another dimension of the understanding and purpose of restorative justice. Institutions see restorative justice as an educational tool for developing social, emotional, reflective, and conflict-resolution skills as they find the environment and community complex. Nevertheless, there is a consensus that restorative justice is essential in these institutions because of its endemic challenges and the demographics of the students it attracts, as Rhys explains.

All the disciplinary stuff must be an educative process. It's about making people comfortable and feel safe. Work needs to be done in refining, reviewing, and assessing the climate we want in our institution. I think it differs greatly from work in schools or other tiers of education. We are in a unique environment because it involves a rapid turnaround of students. The student cohort constantly changes; staff interact with learners they haven't known for four, five, six, or 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.

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

It is a very important part of developing students' social and emotional skills. Especially for the students with learning difficulties, they must always reflect on what they have done. Only 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 be achieved only through education.

There needs to be a greater focus on teaching young students and young people problem-solving skills. The onus needs to be on the students, and they need to be given those life skills. And it is through education and whether it's education at home, 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.

Reiterating the importance of developing conflict-resolution skills in students, Megan argues that it should have the same weight or value as teaching English and math does.

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 improve their behaviour to help them evolve, grow, and develop their academic skills. – Megan, FE College, SEL.

Restorative justice practices have another purpose in a PRU, as Aroon describes.

It was something that would help our students with (developing an) 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 as a natural parenting procedure, you might adopt a similar model without calling it restorative. Our students' parents lack that kind of ability, most of them. – Aroon, Pupil Referral Unit.

Thus, Aroon argues that restorative justice practices are needed to develop students' emotional language to communicate their emotions verbally, and that this limitation is due to a skill that the parents of the students of this institution lack.

Taking responsibility, making amends and finding closure

At her institution, Anna invests time in explaining why restorative justice is essential, capturing its importance in institutions with a similar cohort, such as FE colleges. She says that students at her institution were never allowed to take responsibility, make amends, or find closure in their previous institutions.

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, why they're feeling that way, or why, 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. 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

Anna's response reflects that adopting an restorative justice policy allows parties to make amends, acknowledge, take responsibility, and find closure. Most importantly, it gives them a voice to express the reason for their behaviour, feelings, allowing them to be heard. She adds that the restorative justice process allows two people in conflict to resolve their differences, share their experiences, repair their relationships, and coexist.

Giving two people who had a conflict with each other an opportunity to sort out the conflict and to move on from it and coexist 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.

Discrepancies in defining restorative justice

Discrepancies were observed in the staff's understanding of restorative justice practices. Despite Musa's sound knowledge of the foundation of restorative justice, he demonstrates gaps in understanding the critical theories and terminologies used. For example, Musa misunderstands the concept of reintegrative shaming (Braithwaite, 1989), which can be problematic in its application.

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

Braithwaite's (1989) book, *Crime, Shame and Reintegration*, distinguishes between 'stigmatising shame' and 'reintegrative shaming' – the former fractures the relationship between parties because shame is allocated to the offender, and thus has a negative impact on recidivism. The latter, by contrast, strengthens the relationship between all parties because shame is allocated to the wrongful act, not the offender, thus reducing recidivism. Intentional shaming is problematic because it can cause victims to re-traumatise (McCluskey et al., 2008). Therefore, such misunderstandings of reintegrative and intentional shaming can cause re-traumatisation.

Furthermore, participants' understanding of the restorative process is restricted to only the identifiable parties of a victim, perpetrator, and identifiable harm, which may not be positioned well in an educational institution. This limited understanding of two identifiable parties echo in the understanding of restorative justice. As Oliver states:

When harm has been caused and (one is) trying to repair that harm, it's an instance where there's an identified victim and identified perpetrator. There is recognised harm caused, and the process is about restoring the balance, hence restorative. – Oliver; FE College, SEL

Discussion

This paper argues that many of the students in the FE sector lead chaotic lives, and their learning is impacted by employment, unemployment, and other personal and social difficulties, leading to behavioural challenges (Parry & Taubman, 2013; Zaman, 2023). Hence, like schools, FE institutions are keen to discover innovative ways to deal with such challenges, aspiring to promote discipline, reduce violence, restore good relationships when conflict or harm occurs, improve student attendance, and develop the school's ethos. Also, like schools, restorative justice practices are adopted in FE colleges to manage and deal with challenging behaviours and make educational institutions safer (Braithwaite, 2002a; Kane et al., 2008; Lodi et al., 2022; Morrison & Vaandering, 2012; Vaandering, 2013; Zaman, 2023).

This study found that FE colleges are striving to implement restorative justice practices to build relationships, create a sense of community, and prevent conflict and transgression, thus having roots in social science, building on individuals' social capital and discipline through participation in learning and decision-making (Wachtel, 2016). Furthermore, the participants referred to the purpose of restorative justice practices as to achieve inclusion, voluntariness, safety, opportunity to voice their experiences and the impact of harm, mutual understanding, responsibility, accountability, make amends, repair harm, restore and build relationships, resolution, find closure, peaceful process, learn to coexist in a safe and shared space and to develop empathy, as well as, social, emotional and conflict resolution skills (Kirkwood, 2022).

While the controversy over the definition of restorative justice continues (Gavrielides, 2008; Pointer et al., 2023), there is an argument that a gap exists between theory and practice and that restorative justice values are 'lost in translation' (Stockdale, 2015b, p. 230). Morrison (2015, p. 449) says that 'practice without theory is blind; theory without practice is meaningless'. Daly (2016) contends that a definition should drive restorative justice practices, or its practice is hopeless. Thus, it is crucial that organisations attempt to define

restorative justice or adopt a definition available in the literature to manage its practice and ensure that these practices and processes fall within the scope of the restorative justice philosophy. Vaandering (2014) suggests that, for practical implementation in schools, a broader conceptualisation of restorative justice that clearly defines its philosophies, principles, and practices is necessary, with clear and critical reflection on the core values.

While this paper may be found guilty of contributing to a 'pool of definitions' for restorative justice, it may also be acknowledged that the concept is diverse and still evolving (Daly, 2016) to meet specific needs of organisations. Thus, this paper argues that the explanation of restorative justice practices and their purpose to educational institutions in this study are based on literature and research. Participants from this study did not explicitly cite or refer to the definitions, theories, or models in the literature; instead, they illustrate a sound understanding of what restorative justice means to them by using epithets to describe its attributes that embody similar perspectives. Thus, in the FE sector, restorative justice practices and purposes can be defined as follows:

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 a resolution and closure are achieved peacefully. In addition, the process enables parties to learn to coexist in safe shared spaces and develop social, emotional, and conflict-resolution skills.

Limitation

This research used an interpretivist exploratory case study and mixed qualitative methods, albeit complemented by a literature review. A limitation of this study is that the findings cannot be generalised (Sarantakos, 2013; Thomas, 2011; Yin, 2014), as the results do not necessarily represent experiences across the FE sector. Future research could employ quantitative methods to increase the sample size and access respondents nationally through technology and online platforms to better understand restorative justice practices among staff and students in the FE sector.

Conclusion

FE colleges are seeking models to strengthen relationships and improve behaviours. The institutions in this study perceive restorative justice practices as a model for building relationships and developing social and emotional literacy. The study participants seek a model that is educative, inclusive, and democratic, based on the fact that restorative justice practices offer all parties the opportunity to voice their experiences and the impact of the behaviour or harm and make amends. This process involves repairing, restoring, and building relationships. However, restorative justice practices are still viewed as didactic approaches of teaching students how to choose between right and wrong. Thus, the restorative justice process should achieve responsabilisation, allow finding closure, and develop empathy as well as social, emotional, and conflict-resolution skills in students.

A future research issue is voluntary participation in the restorative justice process in the education sector, which is problematic as there is no evidence of a 'choice to participate'. Restorative justice policy is an integral part of behaviour policy, which takes effect

automatically when an undesired behaviour is demonstrated. If students decide not to be involved in a restorative justice process, they will bypass this stage and progress to the punitive stage. Therefore, when the voluntary aspect of the restorative justice process is absent, a form of pressure or influence may occur for parties to participate. Thus, further research on the voluntary aspects of restorative justice practices in the education sector is necessary.

Disclosure statement

No potential conflict of interest was reported by the author(s).

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