

PRISON SERVICE JOURNAL

November 2016 No 228

justice
prison
restorative
prisoners
prisons
crime
victim
process
COSA
core
victims
also
one
criminal
offenders
work
offender
community
members
volunteers

The truth about restorative justice in prisons

Dr Theo Gavrielides is the Founder and Director of The Independent Academic Research Studies (IARS) International Institute; the Founder and co-Director of Restorative Justice for All; Visiting Professor at Buckinghamshire New University; and, Adjunct Professor at British Columbia's Simon Fraser University's Centre for Restorative Justice.

Over the last decade, the debate on the use of restorative justice in the secure prison estate gathered momentum internationally.¹ In the UK, the interest in restorative justice practices was revived post the coalition government election. Through their 'Breaking the Cycle' Green Paper, the new administration stated their intentions for key reforms to adult and youth justice sentencing philosophy and practice.² In fact, in its 2014 Commissioning Intentions document, NOMS specifically asked its prisons to deliver restorative justice.³ This was supported by a government-led Restorative Justice Action Plan⁴ covering all parts of the criminal justice system as well as an investment of over £30 million, most of which was given to the newly formed Police and Crime Commissioners. An additional half-million was given to two organisations to provide training to prison officers on restorative justice. The biggest investment, however, is said to be the pre-sentence restorative justice provisions in the Crime and Courts Act 2013, which is already in force. These make it explicit that the courts can use their existing powers to defer sentencing to allow for restorative justice to take place before passing a sentence. There are no limits as to the age or type of offence.

As the interest in restorative justice continues to grow, this paper aims to provide the developing policy field with further evidence on the effectiveness of restorative justice in the secure estate. On many occasions, I have argued that the emphasis of restorative justice researchers should not be to prove the superiority of restorative practices, but to help develop its potential through pilots and evaluation.⁵ I have also argued that

although many claim to be using restorative justice, the practices are in fact still scant, and the evidence on their effectiveness thin.⁶

This article is based on evidence from a three-year research programme that was funded by the European Commission and focused on the use of restorative justice in the secure estate with a particular emphasis on juvenile offenders.⁷ The project was carried out by The IARS International Institute⁸ in 2009-13. It started with an overview of the extant literature. It was then officially launched with an expert three-day seminar that took place in London in November 2009. Thirteen Hungarian criminal justice professionals (i.e. prison governors, probation staff, judges, prosecutors, and researchers) attended workshops organised by IARS in partnership with the Prison Reform Trust, NACRO, Southwark Youth Offending Team, London Probation, Dr. Martin Wright, and the Register of restorative justice Practitioners.⁹

The preliminary findings from the workshops were complemented with a literature review, followed by original qualitative research that was carried out throughout the UK and combined 20 in-depth interviews with prison governors, restorative justice practitioners, policy makers and academics. The fieldwork also included observation of restorative justice practice and five in-depth interviews with young people who had received a custodial sentence and had direct experience with restorative justice.

The UK research was concluded with an expert half-day seminar that was held in London in November 2010. The seminar was organised by IARS in partnership with Open University.¹⁰ Forty experts in the field of restorative justice, policy and criminal justice attended the seminar.

1. Gavrielides, T. (2011) *Restorative Justice and the Secure Estate: Alternatives for Young People*. IARS: London.
2. Ministry of Justice (2010) *Breaking the cycle*. London: Ministry of Justice.
3. NOMS and HM Prison Service (2014) *NOMS Commissioning Intentions from 2014*, available at: <http://www.justice.gov.uk/about/noms/commissioning>, accessed 23.5.2016.
4. Ministry of Justice (2014) *Restorative Justice Action Plan: 2014*, available at: <https://www.gov.uk/government/publications/restorative-justice-action-plan-2014>, accessed 23.5.2016.
5. Gavrielides, T. (2007) *Restorative justice theory and practice: addressing the discrepancy*. Helsinki: HEUNI.
6. Ibid.
7. In England and Wales, the main custodial sentence for young people (10-17 at the time of conviction) is the detention and training order. Young people may also be sentenced to extended determinate or indeterminate sentences under Sections 226 and 288 of Criminal Justice Act 2003.
8. See www.iars.org.uk
9. Gavrielides, T. (2011). *Restorative Justice and the Secure Estate: Alternatives for Young People*, IARS: London.
10. See <http://www.iars.org.uk/content/drawing-together-research-policy-and-practice-restorative-justice-0>

Participants included public bodies such as the Ministry of Justice, NOMS, Home Office, Youth Justice Board, the Equality and Human Rights Commission and Probation, independent organisations such as Prison Reform Trust, the Restorative Justice Council and Victim Support, restorative justice community based practices and prison staff. Academics and researchers in the field of restorative justice also participated in the discussions.¹¹

Is there restorative justice in prisons?

Based on our research, there can be no doubt that restorative justice is practised in prisons. However, this practice is most of the times hidden, scatty and inconsistent. The truth is that it is difficult to map restorative justice whether practised in prisons, in the community or elsewhere. Any funder with an ambition to see a map of restorative justice practices will inevitably be faced with the fluidity of restorative justice, a notion that was born out of community's passion to find a bridge in doing justice at a local level. Nevertheless, attempts to classify restorative justice practices in prisons have been numerous.¹² These codifications tend to change depending on a range of factors such as the origin of the programmes' agencies,¹³ the programmes' objectives,¹⁴ the programmes' inclusion of all, few or none of the harmed parties, or the programmes' impact on the organisational and cultural aspect of prisons.¹⁵

The latest literature groups prison-based restorative justice projects into five broad categories.¹⁶ The first category is 'offending behaviour programmes' such as Alternative to Violence (AVP) workshops. They are attended voluntarily by prisoners, but they do not include

victims.¹⁷ The second is 'victim awareness programmes' such as the Sycamore Tree Project, developed by Prison Fellowship (see the article in this volume by Penny Parker). They are attended voluntarily by prisoners who are given the opportunity to interact (either in a direct or indirect way) with 'surrogate victims'.¹⁸ They are usually delivered in group sessions and do not include restitution to their own victims, but provide opportunities to offenders to make symbolic acts of remorse such as poems, letters and craftwork. The third is 'community service work' which includes projects that teach prisoners skills through work in the community that not only benefits the public but also prisoners' prospects for post-release success and integration.¹⁹ They do not involve interaction with the victim and are fairly prevalent in British prisons.²⁰

The fourth category is 'victim offender mediation' which includes an encounter (direct or indirect) with the prisoner and their victim. The final category refers to prisons with a complete restorative justice philosophy. This refers to institutions that have adopted restorative justice not just as a practice for the prisoners, but also as an ethos and philosophy that guides their policies and

procedures, induction programmes, anti-bullying strategies, staff disputes, race relations, resettlement and release strategies.²¹

I caste doubt as to how many of the aforementioned categories can actually be labelled as restorative justice.²² In fact, looking at the evidence from our study, there seemed to be consensus among the sample that their experience of restorative justice on the ground had little to do with the normative vision of the notion. For instance, the interviewed prison governors/ staff and restorative justice practitioners/ proponents agreed that when

I caste doubt as to how many of the aforementioned categories can actually be labelled as restorative justice.

11. To download the expert seminar report see http://iars.org.uk/sites/default/files/restorativejustice%20Seminar%20Nov%202010%20report_Final.pdf
12. Immarigeon, R. (1994) *Reconciliation between victims and imprisoned offenders: Program models and issues*. Akron, PA: Mennonite Central Committee USA, Office of Crime and Justice; Liebmann, M. (2004). 'Restorative justice and the prison system: A view from the UK'. *VOMA Connections*, 17(Summer), 3–4; and, Edgar, K., and Newell, T. (2006). *Restorative justice in prisons – A guide to making it happen*. Winchester: Waterside Press.
13. Immarigeon, R. (1994). *Reconciliation between victims and imprisoned offenders: Program models and issues*. Akron, PA: Mennonite Central Committee USA, Office of Crime and Justice.
14. van Ness, D.W. (2007). 'Prisons and restorative justice'. in G. Johnstone & D.W. Van Ness (Eds.), *Handbook of restorative justice* (pp. 312–324). Uffculme, Devon: Willan Publishing.
15. Johnstone, G. (2007) 'Restorative justice and the practice of imprisonment', *Prison Service Journal* 140, pp. 15-20.
16. Dhami, M.K., G. Mantle, and Fox, D. (2009). 'Restorative justice in prisons', *Contemporary Justice Review*, 12: 4, p. 438.
17. Bitel, M., & Edgar, K. (1998). 'Offending prisoners on alternatives to violence'. *Prison Service Journal*, 118, 42–44.
18. This is a term used to refer to victims who are involved in similar crimes but they do not relate to the offender directly.
19. Carey, M. (1998). *A voluntary organization in the prison system*. Inside Out Trust. London: Prison Governors Association Magazine.
20. Liebmann, M. (2007). *Restorative justice: How it works*. London: Jessica Kingsley.
21. Robert, L., & Peters, T. (2002). 'How restorative justice is able to transcend the prison walls: A discussion of the project 'restorative detention''. In E. Weitekamp & H. Kerner, (Eds.), *Restorative justice in context: International practice & directions* (pp. 95–122). Uffculme, Devon: Willan Publishing.
22. Gavrielides, T. (2011). *Restorative Justice and the Secure Estate: Alternatives for Young People*, IARS: London.

restorative justice is implemented in the secure estate there is little awareness about it, even by the agents implementing it. 'Most of the time, prison staff will not realise they are doing restorative justice, when they are', one policy maker said. 'One of the difficulties of identifying, measuring and rolling out restorative justice in the secure estate is that in the everyday reality of prison staff and in the chaotic lives of offenders, it cannot be pinned down as one isolated practice or phenomenon', one practitioner pointed out. The interviewee continued, 'when there is an appetite for restorative justice in a juvenile institution, it will mostly be done in bits ... some will use it for educational purposes, others for psychological support and mentoring and others for healing, whether of the young person or the affected community'. This finding resonates with many restorative justice authors who have continuously warned the movement to be cautious when claiming a practice to be restorative for funding or evaluation purposes.²³

On the other hand, some of the practitioners interviewed who were open to the idea of a consistent and identifiable model of restorative justice within the secure estate warned of a potential threat of a 'narrow version' of the practice. 'A narrow version of restorative justice will not allow us to apply the educational and other preparatory stages that are needed in order for any encounter to be attempted', one interviewee said. The interviewed practitioners and prison staff also highlighted the extremely vulnerable nature of juveniles who tend to be fragile and insecure individuals. A few interviewees also quoted examples to illustrate the fear that these individuals carry not only in relation to their environment and themselves, but also of society and their victim. A juvenile offender who was interviewed and had undergone a restorative justice programme while in a secure institution said how scared he felt when he was confronted with the idea of meeting the victim he had assaulted. According to the interviewee, the prison staff had to give him reassurances that the victim's bag was searched for a gun that he thought would be used to get revenge for his wrongdoing.

A psychologist who was interviewed stressed the significance of being able to instil a sense of hope and

confidence in young people while involving them in a restorative justice programme. The development of skills and the right attitude that will allow these convicted youngsters to be integrated back into society as successfully as possible were also highlighted. All in all, the interviewees advocated for a restorative justice model that is flexible enough to accommodate the educational, psychological and other needs of young offenders but at the same time retain the core of the values underlying the restorative justice ethos.

Overall, there seemed to be a consensus in the interviews that current restorative justice practices in prisons should simply be classified into two groups: 'preparatory' and 'delivery'. In the 'preparatory practices'

group, our research placed all practices that targeted only one party (i.e. offending behaviour programmes, victim awareness programmes and community service work). These practices were also characterised by a restorative justice *intention*, but not necessarily a restorative justice *outcome*. 'Delivery practices' referred to programmes that involve a (direct or indirect) encounter (i.e. victim-offender mediation and prisons with a complete restorative justice philosophy). Delivery practices must be run with a restorative outcome in mind — irrespective of whether this is successful or not.

Does restorative justice work in prisons?

Any attempt to answer the 'effectiveness question' assumes that there is a level of homogeneity in the development and implementation of restorative justice in the secure estate. It also assumes that there are enough scientific studies and evidence that will allow a worthwhile account of that practice. It should also be taken as a given that these evaluations are robust enough, and that they have received enough attention from funders and researchers to produce viable scientific data. However, as argued, there is lack of consistency in the delivery of restorative justice as well as scant data on their effectiveness. The interviewees stressed that it is rather common for prison staff to practise restorative justice (principally the preparatory version) without any awareness or proper training. It was also pointed out that the evidence on restorative justice's effectiveness in the

A psychologist who was interviewed stressed the significance of being able to instil a sense of hope and confidence in young people while involving them in a restorative justice programme.

23. Roche, D. (2003). *Accountability in restorative justice*, London: Clarendon Press; Zehr, H. (2005). 'Evaluation and restorative justice principles' in Elliot, E. and R. Gordon (Ed) *New Directions in Restorative Justice*, Devon: Willan Publishing.

secure estate is still accumulating. This finding chimes with the extant literature.²⁴ Moreover, as suggested by the various mapping exercises, including the one carried out by this study, 'there is currently little restorative justice intervention of any kind taking place either in YOIs or in the secure estate generally'.²⁵

Our survey interviewees who had experienced restorative justice in prisons highlighted examples to show the unique benefits that can be gained. It is important to stress that the majority of them did not believe that these benefits could be achieved via any other practice or ethos. For instance, one practitioner said:

I have been working in prisons for most of my life. The anxiety and fear that young prisoners experience prevents them from hoping for something better, while their motivation to do something for others is non-existent. It is only through a process of transformation that they can genuinely be offered a chance to change. To help them deal with their realities, prisons should be more than just punishing them. The system should be about giving hope, skills... helping them change their attitudes, educating them and yes even sometimes providing them with qualifications. I haven't come across any practice that can do all these and transform lives other than restorative justice.

Another practitioner commented:

Restorative justice is not just about conflict and crime; it is also about psychological support, learning and personal development... that is why it works with young offenders. I am not saying that all young people in prisons are appropriate for restorative justice, but those who need that break through restorative justice can develop the empathy that they are lacking and that the world has deprived them of.

Someone else said: 'by developing an understanding, you also develop compassion and emotional maturity. Their lack leads to violent crime and it is not surprising that most young offenders in institutions have no emotional intelligence or the ability to sympathise and relate to the external environment. Dialogue and restorative justice has strong potential in changing this'.

In short, the benefits of using restorative justice in prisons, as recorded by our fieldwork and triangulated

through the extant literature, can be summarised as follows:

For victims	An opportunity to ask 'why me', to understand what happened to them, express the full impact of the harm they experienced and obtain emotional relief from the process of being heard
For victims	Alleviate their fears and in some cases rage
For victims	Achieve a greater sense of closure so that they can move on with their lives
For offenders	An opportunity to express remorse and that they are trying to change since the offence
For offenders	Change their perceptions about the impact of their offence and increasing self-awareness and as a result not re-offend
For offenders	Achieve peace of mind as they feel that they have been able to help the victim
For communities	A sense of involvement and ownership of the conflict that impacted on the locality and its residents; participation and engagement in tailored problem solving and deterrence strategies.

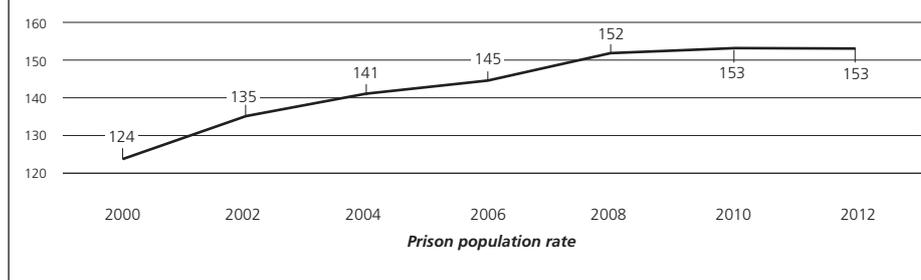
Why restorative justice appeals today?

There can be no doubt that there are benefits in using restorative justice in the secure estate. My research and policy experience, however, have made me a bit more sceptical about the true reasons that drive social policy. In the UK and internationally, the growing numbers of prisoners, the disappointing recidivism rates and the various scandals taking place within secure institutions (including the increasing suicides, rapes, drug trafficking etc.) have cast doubt on the effectiveness of incarceration. In a difficult economic climate alternatives are being sought. For example, in England and Wales, in the week ending 13 March 2015, there were 85,567 people in prisons and young offender institutions in England and

24. Francis, V. (2001). *Restorative practices in prison: A review of the literature*. London: ICPS. <http://www.kcl.ac.uk/depsta/rel/icps/downloads.html>; Curry, D., Knight, V., Owens-Rawle, D., Patel, S., Semenchuk, M., & Williams, B. (2004). *Restorative justice in the juvenile secure estate*. London: Youth Justice Board; and, Johnstone, G. (2007) 'Restorative justice and the practice of imprisonment', *Prison Service Journal* 140, pp. 15-20.

25. Williams, B. (2004). Restorative justice and incarcerated young offenders, *Youth Justice: 4*, at 191.

Figure 1: Prison population rate (per 100,000) in England and Wales (2000–2012)²⁷



Wales. It is estimated that there are three more people in prison than last week and 32 more people compared to this time last year.²⁶ Sadly, the child custody population at the end of December 2014 was 981. This represents a rise of 24 since November 2014. (see Figure 1)

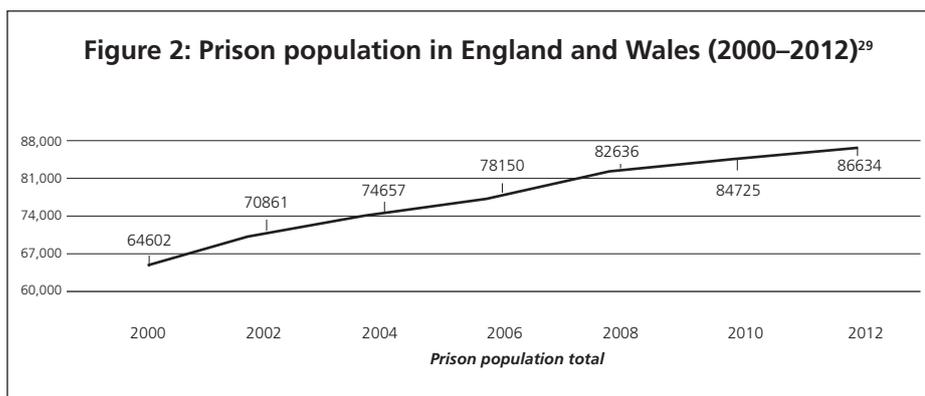
In June 2010, the justice secretary launched a scathing attack on what many newspapers called the 'Victorian bang'em up prison culture' of the past 20 years.²⁸ 'Banging up more and more people for longer is actually making some criminals worse without protecting the public' the justice secretary said in his speech at the Centre for Crime and Justice Studies in June 2010. (see Figure 2)

The Ministry of Justice as a whole receives funding of £9.5 billion per annum (as of 2010). Keeping a prisoner in custody costs £41,000 annually (or £112.32 a day). This means that the present 85,076 prisoners cost as much as £3.49 billion. According to Home Office statistics, it costs £146,000 to put someone through court and keep them in prison for a year. Putting one young offender in prison costs as much as £140,000 per year (£100,000 in direct costs and £40,000 in indirect costs once they are released).³⁰ Two thirds of the Youth Justice Board (YJB) budget, or about £300 million a year, is spent on prisons, while the money it uses for prevention is roughly one-tenth.³¹ More worryingly, according to the

145 crimes. Out of these crimes about 1.7 are 'serious' (homicides, sexual crimes or serious violent offences). Given that a prison sentence is estimated to increase the likelihood of continuing to offend by 3.9 per cent, this translates into an average of about 5.5 [additional] crimes caused, out of which about 0.06 are serious'.³² In 2010, the Justice Secretary said that prison often turns out to be 'a costly and ineffectual approach that fails to turn criminals into law-abiding citizens'.³³ He also indicated the new government's appetite for seeking new and more cost effective ways of reducing reoffending and serving justice.

For some reason, restorative justice seems to have many convinced that it is a cheaper option than prisons.

Figure 2: Prison population in England and Wales (2000–2012)²⁹



Nevertheless, true data on the financial viability of restorative justice is extremely limited let alone in its use in prison settings.³⁴ I have argued that before trying to reach conclusions or even develop our thinking about the cost-benefit analysis of restorative justice one has to ask what 'the unit costs' and the benefits that we

26. The Howard League for Penal Reform (2015) *Latest prison population figures 2015*, available at: <http://www.howardleague.org/weekly-prison-watch/>, accessed March 2015.

27. Taken from the International Centre for Prison Studies, <http://www.prisonstudies.org>, accessed March 2015.

28. Travis, A. (30 June 2010). 'Ken Clarke to attach bank' em up prison sentencing' *Guardian* accessed on 7/1/2011 <http://www.guardian.co.uk/uk/2010/jun/30/clarke-prison-sentencing-justice-jail>, p. 1.

29. *Ibid.*

30. Knuutila, A. (2010). *Punishing costs: How locking up children is making Britain less safe*. London: New Economics Foundation.

31. Youth Justice Board (2006). *Developing Restorative Justice: An Action Plan*, London: Youth Justice Board.

32. Knuutila, A. (2010). *Punishing costs: How locking up children is making Britain less safe*. London: New Economics Foundation, p. 40.

33. Travis, A. (30 June 2010). 'Ken Clarke to attach bank' em up prison sentencing' *Guardian* accessed on 7/1/2011 <http://www.guardian.co.uk/uk/2010/jun/30/clarke-prison-sentencing-justice-jail>, p. 1.

34. Matrix Evidence (2009). *Economic Analysis of interventions for young offenders*, London: Burrow Cadbury Trust; and, Victim Support (2010). *Victims' Justice: What victims and witness really want from sentencing*, London: Victim Support.

should be assessing are. One of the very few studies on the matter is the 2002 report *Economic analysis of interventions for young adult offenders* prepared by Matrix Evidence.³⁵ The report proposed the following 'unit costs':

- ❑ **The cost of diversion:** *that is the cost of diverting young adult offenders away from the criminal justice system or into different paths through the criminal justice system.*
- ❑ **The cost of the alternative sentences:** *that is the cost of community orders instead of custody, or restorative justice conferencing instead of community orders.*
- ❑ **The economic impact of changes in re-offending both during and after sentence:** *that is the cost to the criminal justice system of responding to a crime, the healthcare costs of treating the victim of a crime, the victim's financial cost of a crime, and the pain and suffering experienced by the victim of a crime.*³⁶

Looking at the 'crimino-econometrics' of restorative justice, we used the analogy of the basic economic theory whereby the price (cost) of a commodity or service affects the relationships or quantity of that commodity that people (service users) would wish to purchase at each

price. The scarce evidence suggests that the savings that flow from the contribution made by restorative justice to reducing reoffending rates are impressive; crime by former prisoners costs society more than £11 billion per year,³⁷ while restorative justice can deliver cost savings of up to £9 for every £1 spent.³⁸ According to Victim Support,³⁹ 'if restorative justice were offered to all victims of burglary, robbery and violence against the person where the offender had pleaded guilty (which would amount to around 75,000 victims), the cost savings to the criminal justice system — as a result of a reduction in reconviction rates — would amount to at least £185 million over two years'. In relation to prison related services, the 2010 Victim Support report findings are summarised in Figures 3 and 4 below.

According to Matrix Evidence,⁴⁰ restorative justice practices would likely lead to a net benefit of over £1 billion over ten years. The report concludes that diverting young offenders from community orders to a pre-court restorative justice conferencing scheme would produce a life time saving to society of almost £275 million (£7,050 per offender). The cost of implementing the scheme would be paid back in the first year and during the course of two parliaments (10 years) society would benefit by over £1 billion (2009).

Figure 3: Cost saving analysis for restorative justice

Table 1: Cost savings where restorative justice is offered to all victims of burglary, robbery and violence							
Number of offenders	Number of RJ Interventions 40% Take Up	Net cashable CJS savings over 2 years	of which Police	of which Prisons	of which Legal Aid	Net cashable NHS savings	Non-cashable net savings
75,000	29,000	£185m	£65m	£56m	£14m	£55m	£741m

Based on Victim Support / Restorative Justice Council modelling

Figure 4: Cost saving analysis for restorative justice in prisons

Table 2: Cost savings where restorative justice conferencing is used to divert some custodial sentences			
	Number diverted from immediate custody	FTE 1 year prison places saved	Saving to prison budget from diversion
TOTAL	6,540	11,000	£410m
Violence against the person	3,000	4,400	£166m
Burglary	2,300	3,300	£124m
Robbery	1,200	3,200	£120m

Based on Victim Support / Restorative Justice Council modelling

35. Matrix Evidence (2009). *Economic Analysis of interventions for young offenders*, London: Burrow Cadbury Trust.
36. *Ibid*, p. 3.
37. Prison Reform Working Group (2009). *Locked up potential: a strategy for reforming prisons and rehabilitating prisoners*, The Centre for Social Justice.
38. Shapland, J., Atkinson, A., Atkinson, H., Dignan, J. et al. (2008). *Does restorative justice affect reconviction? The fourth report from the evaluation of three schemes* (Ministry of Justice Research Series 10/08). London: Ministry of Justice.
39. Victim Support (2010). *Victims' Justice: What victims and witness really want from sentencing*. London: Victim Support, p. 29.
40. Matrix Evidence (2009). *Economic Analysis of interventions for young offenders*, London: Burrow Cadbury Trust. P.3.

Although some of our interviewees used their own practices as examples to illustrate restorative justice's cost benefit for prisons, no one from the sample was able to provide hard statistical evidence. Most of their case studies revolved around time spent on processing young offenders via traditional criminal justice practices and prison as opposed to a restorative justice encounter or practice. Time as a 'unit cost' has also been recorded in the scarce available literature. For instance, according to the 2010 Association of Chief Police Officers (ACPO) survey on restorative justice, the average time taken by Hertfordshire police officers dealing with minor crimes through 'street restorative justice' was 36 minutes as opposed to 5 hours 38 minutes spent on issuing reprimands. Translating this into cost meant £15.95 for restorative justice and £149.79 for a reprimand. Similar savings were found for Cheshire police (£20.21 vs. £157.09). All in all, the scarce financial data seems to be encouraging, but the lack of scientific evidence remains.

A word of caution

Increasing pressure is put on governments to reduce the financial cost of imprisonment and recidivism internationally. This paper is written as the UK Commons Justice Select Committee publishes its 9th Report on Prisons and Policies. There it stated that there were budget cuts of 24 per cent in prisons — equivalent to £900 million — over the lifetime of the Coalition. In other words, close to £2,000 less is being spent on individual offenders than five years ago. The Committee concluded: 'It is impossible to cut so deeply without having a damaging impact on standards and safety behind bars'.⁴¹ This was only two years after the warnings of the House of Commons Justice Committee: 'We have grave concerns about the impact of efficiency savings on practice at the frontline for both prisons and probation, which will undoubtedly undermine the progress in performance of both services. Neither prisons nor probation have the capacity to keep up with the current levels of offenders entering the system. It is not sustainable to finance the

costs of running additional prison places and greater probation caseloads from efficiency savings in the long-term'.⁴²

The belt-tightening in public spending presents restorative justice with a chance to test its cost-benefit analysis. The scarce evidence seems to be encouraging, but the lack of hard data remains. This is particularly true for restorative justice within prisons. While it appears that it is economically advantageous to society to adopt a restorative approach to crime, our research suggests that an appeal solely on this basis may undermine restorative justice in the long run. For instance, there was consensus among the interviewed practitioners that this could lead to quick fix policies, a lack of a coherent and long term strategy and high expectations.

Our fieldwork also raised concerns around the factors that drive social policy and criminal justice reform. For example, all the interviewed policy makers and the majority of interviewees made reference to the government's past commitment for a national strategy on restorative justice. The discussions were made within a climate of disappointment and suspicion. Specific reference was made to the 2003 Home Office consultation document on the government's strategy on restorative justice.⁴³ The debate and promises that were made at the time raised the restorative justice movement's expectations.⁴⁴ Soon after the publication of the draft strategy, and despite the plethora of evidence it collected through submissions from the public and individuals, the flurry of activity and interest in restorative justice waned. The restorative justice unit that was set up within the Home Office was dismantled and the majority of the strategy's recommendations were left in draft format.

The biggest strengths of restorative justice lie within the passion and commitment of its practitioners. Braithwaite⁴⁵ warned that if this passion is tampered with, there is real danger that restorative justice may lose its authenticity. The study continues to be sceptical about top down approaches that attempt to define the future of restorative in the UK as a regulated and centralised mainstream methodology.

41. <http://www.publications.parliament.uk/pa/cm201415/cmselect/cmjust/309/30902.htm> (accessed March 2015).

42. www.parliament.uk (nd) *Cutting crime: the case for justice reinvestment*. Available at <http://www.publications.parliament.uk/pa/cm200910/cmselect/cmjust/94/9404.htm>, accessed 23.5.2016.

43. Home Office (2003). *Restorative justice: the government's strategy*, London: Home Office.

44. Gavrielides, T. (2003) *Restorative Justice: Are we there yet?* Responding to the Home Office's Consultation.

45. Braithwaite, J. (2002) *Restorative Justice & Responsive Regulation*, Oxford: Oxford University Press.