

ORIGINAL ARTICLE

Old keys do not open new doors: Twenty years of restorative justice in Northern Ireland prisons: An insight into making it happen

David Eagleson

Deputy Director, Northern Ireland Prison Service

Correspondence

David Eagleson, Deputy Director,
Northern Ireland Prison Service
Email: davideagleson2021@outlook.com

Abstract

This article outlines how restorative practices (RPs) were introduced into prisons in Northern Ireland (NI) over a period of 20 years. It explains the context of how this change was introduced, using real life case examples underpinned by an approach based on praxis (Freire, 1985; Schön, 1983). Through the synthesis of relevant theory and practice experience it identifies the barriers to bringing about effective and meaningful change to practice and ways of overcoming these at the micro, meso and macro level (Bronfenbrenner, 1979). The RIPPLE model is introduced as a means of successfully implementing and sustaining innovative and creative practice within a complex and potentially hostile environment. It is the success story of an accomplishment that has never been achieved before in any prison service.

KEYWORDS

change management, crime, ecological approach, praxis, prison, restorative practice (RP)

1 | INTRODUCTION

In order to understand the nature of the barriers to change that existed within the Northern Ireland Prison Service (NIPS) during the initial introduction of restorative practice (RP), it is important to explain its unique systems. NIPS has three establishments with a fluid population

of around 1,400 prisoners in total on any given day. This includes male and female untried and sentenced prisoners. Those sentenced may be serving anything from a few days up to a sentence of life imprisonment. The largest establishment, Maghaberry, is high security and holds untried and sentenced adult males; it also has a very small number who identify as 'Loyalist' or 'Republican' and these are separated from the mainstream population and each other. The second largest establishment, Magilligan, is medium security and holds mainly adult sentenced males and a very few untried. The third establishment, Hydebank Wood, holds untried and sentenced young males between the ages of 18 and 23 years, plus all of the country's female prisoners. Prison officers carry out the supervision of prisoners and they are managed by senior officers. A variety of governor grades are in place to manage particular functions, for example, Security or Resettlement into the community, and each establishment is managed by a deputy and a governing governor. Prison Service Headquarters is staffed by civil servants and operational governors and its main function is to oversee and support the three establishments and create strategic direction. Ultimately the Minister for Justice maintains overall responsibility.

2 | PRISON – A PART OF THE COMMUNITY, NOT APART FROM IT

In many so-called democratic countries, there is a great deal of rhetoric regarding the need to take a broader and more humanitarian approach to how prisons are managed and the way prisoners are treated, but this is rarely evidenced on a consistent basis within practice. The attitudes and beliefs among any population regarding the role prison should play within society, will, by necessity, have a major influence on any proposed change; and the more liberal principles of restorative justice/practice pose a major dilemma to the generally conservative stance about prisons across the UK. In 2018, for example, in his first major speech on prison reform, the then Justice Secretary, David Gauke, referred to the threefold purpose of prison as 'protection of the public, punishment and lastly, rehabilitation' (Gauke, 2018, p.1). He viewed rehabilitation as starting with 'conformity and a rejection of further criminality'. However, he also wanted prison to be a place of 'humanity, hope and aspiration'. Gauke made it clear that prisons should be 'more secure' and while he provided specific examples of how this might be achieved, there was no mention of RP when discussing rehabilitation; instead, he referred to 'incentives' for prisoners while at the same time making it clear that 'prisoners should be under no illusions that a failure to abide by the rules will be met with 'strong sanctions' (p.2).

Having first worked as a prison officer and then taking on increasingly senior and more strategic roles over the last three decades within a variety of prison settings, my understanding of the place of a prison within society reflects the belief that prison is actually part of the larger community, and it is a mistake to see it otherwise. When someone goes to prison for their crime, the implications for them, their family and their community are immense. Once they have completed their sentence they invariably return to the same community and, they would hope, also to their families. What happens to them in prison is the main factor that determines the success or failure of their return home, and their eventual resettlement into the wider community (Cullen, Lero Jonson & Nagin, 2011). Nevertheless, received knowledge consistently portrays prison as a regime designed for punishment and retribution, where people are sent to 'pay' for their crimes. A radical and fundamental change in mindset is therefore required if the value and contribution of RP within prisons is to be recognised. In a review and evaluation of what works for victims and offenders carried out during a seven-year period in England and Wales, it was found that 70% of victims of serious crimes chose to meet the offender when this was offered to them and

provided new evidence for the impact of restorative justice (RJ) in reducing reoffending, leading to cost savings across criminal justice (Shapland, Robinson & Sorsby, 2011). The restorative literature often refers to both justice and practice interchangeably, but RP has increasingly become the more preferred umbrella term.

During the 1980s the Northern Ireland (NI) societal and political context provided major barriers to bringing about the change required for the introduction of RP; with strongly conservative views loudly espoused, often drowning out any voice that proposed a new or different perspective. This remains the case to this day, as Members of the Legislative Assembly (MLAs) cannot agree to align NI legislation with UK or even international law which would allow the gaps in equality law around disability or women's rights to be addressed (www.equalityni.org). In March 2021, out of 87 MLAs only twelve voted to allow women the right to choose abortion in line with international human rights standards. Inevitably, this conservatism directly affects the running of NIPS. It was only in 2022 when health care staff in prisons were permitted to provide condoms, lubricant and dental dams to prisoners. This practice has been commonplace in other UK jurisdictions, since 2011 (Bellass et al., 2022).

Beyond the prison system, McEvoy & Mika (2001) identified the barriers that restorative approaches faced within the community, such as lack of trust in the police and the judicial system generally, paving the way for paramilitary organisations to dispense their version of justice through punishment beatings and banishments. The attitudes of suspicion and fearfulness among the community were simply magnified within the local prison population, many of whom came from communities dominated by local paramilitary groups. Prison staff were also drawn from the local community, and many were influenced by the more conservative viewpoint espoused by local political leaders. Moreover, unlike other prison officers across the UK, NI prison officers lived with the daily threat to their lives from all sides of the community and so this had a tendency to compound their resistance to anything new. It is well recognised that under threat, an individual will go into 'fight or flight' mode (Coghlan, 1993).

3 | FROM LITTLE ACORNS, GREAT OAKS GROW

In order to address this challenge, it was essential that the principles of RP were established from the ground up, and were also reflected by the leadership provided in at least one prison setting; with the intention of expanding the RIPPLE effect. A clear and simple definition of RP was provided which was easily grasped by all:

Restorative justice brings those harmed by crime or conflict and those responsible for the harm into communication, enabling those affected by a particular incident to play a part in repairing the harm and finding a positive way forward. (see Restorative Justice website at: <https://restorative.justice.org.uk/what-restorative-justice> [Accessed 10 November 2022])

This definition illustrates the capacity of RP to empower the disempowered and to provide a meaningful alternative to the existing punitive and failing judicial system (Cullen, Lero Jonson & Nagin, 2011). Important values associated with RP have been incorporated into the approach taken within NIPS, particularly voluntary participation, empowerment, respect, healing and problem solving. The case examples will demonstrate how these were carried out in practice. No other prison system has successfully implemented (RP) to the extent that has been achieved within NIPS

over the last 20 years. The success of this endeavour lies in the understanding and commitment towards praxis, as outlined by Freire (1985) and Schön (1983). They both recognised that professionals do not simply have a collection of recognised theories providing them with all the answers to every problem they meet. Instead, through improvisation, they come up with solutions, based on a repertoire of techniques as well as their experience in using them. In order to improve, therefore, professionals must not only further develop their theory base, but also consider the ways in which they have responded to previous situations – ‘reflecting in action’ and ‘reflecting on action’ (Schön, 1983). Any professional attempting to bring about change in an individual recognises what a demanding and often insurmountable task this is. It requires a combined shift in attitudes, beliefs and behaviours to overcome the person’s natural resistance to change; and in a large organisational context such as a prison system, this resistance is even further magnified (Egan & Reese, 2018, p.4).

A fluid and creative perspective is required if change is to be successful and while the RIPPLE model may superficially appear to be a linear, step-by-step process, in practice, this was far from reality, with more of an ebb and flow methodology, where each element was interdependent.

Systems theory (Forder, 1976; Pincus & Minahan, 1973) provides a worthwhile insight into managing the change process within organisations. Also, Bronfenbrenner (1979) recognises that effective and long-term change will only come about if it is given the opportunity to flow from the micro level (individual) to the meso level (family or organisational) and on to the macro (societal) level and the interrelational aspect of these levels is recognised. It is useful to consider an organisation as a mobile hanging in the air, any change or movement in just one single part results in each element of the mobile moving in different directions relative to the other. Sometimes the movement may come from a deliberate ‘push’, and sometimes from a shift in the atmosphere or air around it. ‘Just as ripples spread out when a single pebble is dropped into water, the actions of individuals can have far reaching effects’ (Dalai Lama: from his Twitter @DalaiLama at 10.33 am 10 May 2013). The optimum opportunity for change lies in recognising when the surrounding atmosphere allows for the system’s readiness for a ‘push’ in a particular direction. The RIPPLE model for change permitted a different way of working and thinking within NIPS.

Introducing RP into NIPS was neither a straightforward nor a popular task; one step forward was often followed by several steps backwards. Maintaining a systems-based approach was a useful method of ensuring a clear and resilient perspective that kept sight of the larger picture. The socio-ecological model developed by Uri Bronfenbrenner (1979) was particularly helpful. It regards an individual as being conditioned by the five systems that create their environment – individual, micro, meso, exo and macro, and this provided useful insights into why resistance to RP existed. However, while useful in identifying barriers or problems at an individual level, the approach was not so helpful in creating solutions to overcome barriers, particularly at the cultural and policy level; hence the development of the RIPPLE model approach to identify and create ways of addressing the need for change at the macro level. Working as a prison officer in the 1980s before taking on increasingly senior management roles across all of the establishments in NIPS, and then widening that experience of prison systems across the UK, Ireland, Russia, the USA and Canada has provided me with valuable insight into what actually makes a meaningful difference at all levels of an organisation.

During the mid-1980s I first became aware of Family Group Conferencing (FGC) which originated in New Zealand as a preventive method of addressing the disproportionate representation of Māori children in the public care system. It reflects the Indigenous Māori values that emphasise the role of family and community in addressing wrongdoing and was incorporated into the New Zealand juvenile justice system in 1989. FGC reflects the theory of ‘reintegrative shaming’ of

offenders proposed by Australian criminologist Dr John Braithwaite (1989) as well as Tomkins's (1995) affect theory.

Through taking a praxis-based approach, combining knowledge and theory with evidence-based practice, the RIPPLE model developed organically as my interest in RP grew and I came to recognise that RP contained key elements of my own, person-centred style of management (Carl Rogers, 1951, 1954, 1959, 1961, 1975). Rogers recognised the power of person-centredness, which essentially allowed individuals to reach their own solutions to bringing about change in themselves and subsequently their environment. It is an optimistic approach about people's capacity for change given the right conditions, which Rogers called the 'core' conditions of 'congruence' (genuineness or being real/authentic), 'unconditional positive regard' (acceptance and caring) and 'empathy' (accurate empathic listening). Of course, any large organisation, especially an authoritarian prison service, does not easily provide the type of environment where someone can reach their full potential through appropriate nurturing and guidance. Indeed, many would scoff at this and perceive it as too simplistic and overly optimistic. However, it is far from simple to maintain a long-term and unwavering commitment to a person-centred approach in often negative circumstances. Moreover, the capacity to identify opportunities for change, however minor, at the micro, meso and macro levels, requires a leader to have credibility among staff as well as a reputation for authenticity. Managers without credibility among staff cannot exert any authority, in spite of how far up the hierarchy they may be. Through my experience in operational and strategic roles, within NIPS and the Scottish Prison Service, I continued to champion the RP process as an alternative to the status quo. This reflects the 'E' for the endurance aspect of the RIPPLE model; if any change is to be seen as worthwhile, a manager must be in it for the long haul, and recognise that fundamental change requires not only great commitment and a firm belief that the change is worth it, but also great resilience. In reality, nothing can happen within a large organisation without not only staff commitment but also the appropriate funding. A key decision maker within NIPS is the Director of Operations and it was essential that the benefits of RP were made clear to him. As a result of a very thorough and robust presentation which promoted and evidenced the efficacy of RP within custodial settings, drawing on research and practice examples across a broad range of jurisdictions, I was able to secure funding for the initial training and development of staff. It became much easier as time went on to request the continuation of funding as the success of RP grew and I was able to promote the benefits of the approach at all levels.

So, the RIPPLE model for change (see Figure 1) is based on a clear philosophy and management style that focuses first on *people* to bring about change in *practice* which will subsequently change the direction of *policy*. The attitude and beliefs of the change manager are crucial to success – they must be consistent in their attitude and be seen to genuinely believe not only in the need for change, but in the added value that change will bring. My experiences as a prison officer demonstrated that if policy requires a change in practice, but is merely regarded as emanating from 'on high' and created by those who are far removed from day-to-day practice, then successful change is not possible. No matter how senior I became within the organisation, I continued to subscribe to the 'managing by walking around' approach, making myself both visible and accessible to staff and prisoners. The 'I' for involvement flows from managing people in this way. Everyone's involvement in the change process must be meaningful rather than simply tokenistic. RP provided a clear set of standards and values to which both staff and prisoners could relate; while reflecting the Rogerian concept of the person being expert in themselves therefore it is only they who can bring about real change.

As the model illustrates, the first step towards change was identifying the right people who would subscribe to the RP philosophy, and while I had initially championed RP within NIPS

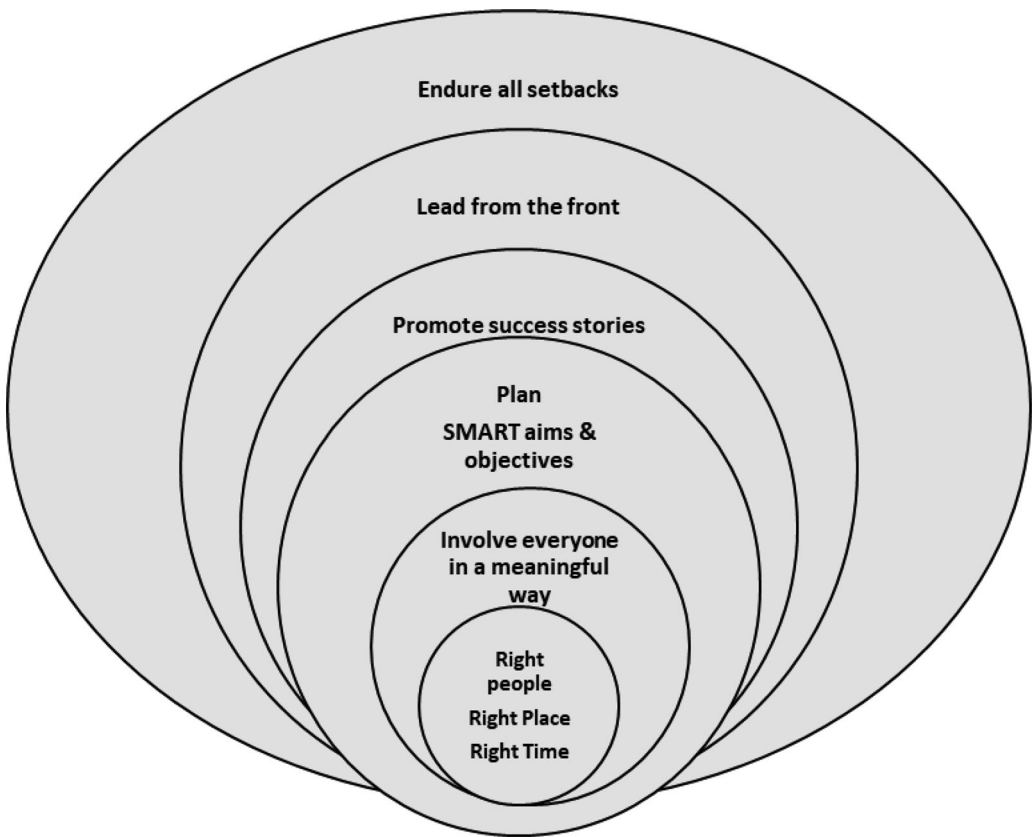


FIGURE 1 The RIPPLE model for change

prison, it was essential that other ‘champions’ were identified within a prison setting as soon as practicable. All change requires a champion who is regarded as senior enough to ‘get things done’ and initially it was down to me to undertake the Planning, Promotion and Leading elements. A key characteristic of any successful change manager is the ability and willingness to lead from the front, and I completed RP training myself. However, to achieve real and meaningful involvement across the board, it was key to involve staff members in developing this training alongside the academics. Information is power, and once staff understood the principles and practice of RP, they became the main drivers for its successful establishment within one prison, laying the groundwork for other establishments to follow. A key factor was ‘shining a light’ on all staff achievements and highlighting the success stories of RP for both prisoners and staff. My role as leader was to ensure that this was done on a consistent basis by ‘spreading the word’ at local, national and international events. It is important to start as you mean to go on and RP was included within the Induction Programme for new recruits.

As far as the right time was concerned, when the Belfast Agreement was signed in 1998 between the governments of the UK, NI and the Republic of Ireland (ROI) it provided a unique opportunity to embed RP at a deeper level across different prison establishments. It brought about an end to decades of conflict. Paramilitary prisoners were released and Maze Prison, where these prisoners were incarcerated, was closed. *The foundations, albeit shaky, were laid for ‘normalisation’ and this included security arrangements and practices.* Furthermore, the governments stated that

they recognised ‘the importance of measures to facilitate the reintegration of prisoners into the community by providing support both prior to and after release’ (Conflict Archive on the INternet (CAIN), 1997a). The right time had come to build on the momentum already engendered within the right place (namely Magilligan) where fulfilling a senior position allowed me to identify the right prison staff who were attracted to the values and principles of RP and ensure their meaningful involvement in developing relevant training. Timing was also key to the success of further funding requests and the Belfast Agreement provided the foundation of a growing political will to ‘do things differently’. This attitude and fundamental policy change has most recently been demonstrated by the publication of the first *Adult Restorative Justice Strategy for NI* (Department of Justice, Northern Ireland, 2022). This recent development confirms the importance of endurance in the face of adversity and demonstrates how worthwhile the efforts to introduce and maintain RP within NIPS have been. It is heartening to see RP becoming established across the whole Department of Justice (DOJ, NI), with the Justice Minister, Naomi Long, expressing her desire to see RP becoming ‘second nature’ within the criminal justice system:

Our vision is that the use of restorative justice becomes second nature across the criminal justice system. The strategy and accompanying Action Plan provide an opportunity for the development and implementation of restorative approaches across the whole of the justice system, including its incorporation into formal court sanctions. (Department of Justice, Northern Ireland, 2022)

The Minister also acknowledges that, based on experience both in NI and elsewhere, RP when delivered professionally and sensitively, can bring significant benefits for the victims of crime as well as those who have offended and for families and communities, as the case example will show.

The Planning, Promoting and Leading aspects of the model relied on the capacity to recognise the importance and value of a number of events coming together, some of which are outlined in more detail in the case studies. A major step forward was my own involvement in organising the eighth international conference in Belfast for the European Forum for Restorative Justice (2014). Through my encouragement and support, a woman who had been impacted by a serious crime, was able to tell her story and illustrate how RP within Magilligan had really helped her and her family (see the case studies in Section 4 for more detail). Then in 2015, in order to further encourage the idea of prison being a part of the community, I ‘opened the doors’ of Magilligan to BBC Radio Foyle for a special programme that gave a voice to the experiences of staff, prisoners and survivors of offences. This helped to establish greater openness and transparency with local political journalists and this was further enhanced when Newsline (BBC, NI, 2018) produced their follow up on how RP in Magilligan had influenced part of the Australian justice system. It was vital that not just myself, but the other key individuals involved in the RP were included in the TV programme. This then was a major help to overcoming the barrier to attaining the ongoing funding and support required to establish RP across all of NIPS’ establishments. However, the need for promoting never ends. Most recently, I was able to further promote the efficacy of RP through providing my thoughts on how peace in NI could be offered to individuals who have experienced crime (Hill, 2021).

Four key areas where RP was implemented within NIPS are provided in order to demonstrate the flavour and extent of the work that has been carried out to date. These are: Restorative Meetings/Conferences, A Restorative Landing, Restorative Circles and restorative work with so-called ‘Keep aparts’. Some of these examples maintain a very close adherence to accepted RPs such as

conferences, while others will illustrate how the approach can be adapted to very specific and unique situations such as a prison landing.

The process of 'normalisation' (Conflict Archive on the INternet (CAIN), 1997b) enabled me to build on the momentum and to encourage a fresh perspective within the prison service. This provided an opportunity to do something that had never been done before in any UK or Irish prison. Moreover, the national and international literature was increasingly providing a strong springboard which could be used to advance RP with relevant policymakers. As Zehr & Mika (1998) highlighted, in RJ the response to crime involves victims, offenders and communities as well as criminal justice professionals and at the International Institute for Restorative Practices (IIRP) in 2002 it was heartening to hear the speech by Tim Newell, a prison governor in English prisons for 37 years, where he described the powerfulness of RP in bringing about change within prisons, concluding that a less adversarial interaction with prisoners can reduce work-related stress and lead to improved relations in prisons between prisoners, as well as between staff and prisoners and also among staff. As Newell (2002) stated: 'RJ can make prisons more humane and just and less violent' an aspiration that all prison policymakers would wholeheartedly aspire to and something I was able to present to the key policymakers within NIPS.

In 2000, having been appointed as Deputy Governor of Magilligan Prison, the time and place seemed right to introduce restorative thinking into NIPS. There was the potential for prison officers to become involved in delivering practices, including mediation between serving prisoners and their victims. This led to an initially small but powerful frisson of excitement among like-minded officers, who saw an opportunity to be involved in something extraordinary. The RIPPLE effect had begun.

3.1 | Involvement

It was essential that prison staff from the ground up understood and committed to the ethos of RP and the aim was to create a dynamic so that officers could see that their involvement in this 'new' approach would be at a participatory rather than a tokenistic level (Arnstein, 1969). I initiated informal discussions around the broad topic of RPs with a range of prison service staff within Magilligan to gain their perspective. After actively listening to their views, including their worries and concerns (Rogers, 1957) about how some RP approaches might be successfully introduced, victim-offender mediation was identified as the most viable first step. The main rationale for this decision was the growing body of research supporting the efficacy of this approach, coupled with positive victim satisfaction (Dignan & Marsh, 2001). First, accredited RP training was sourced and then a trawl which outlined the ethos and process of RP was circulated. Six prison officers were selected to receive training. This training was originally sourced from the police service as they already had trainers in place who could provide the relevant and accredited level of training for facilitators of victim-offender mediation meetings.

3.1.1 | Plan

Through consultation with a range of staff at all levels within Magilligan a plan of action was formulated with the overall aim of eventually introducing RP into the other establishments across different areas. Key objectives of this plan included:

Action Plan

- To identify and fund appropriate training within two years for Magilligan staff (meso level).
- To build on early success and gain support from Directors (macro level) within five years.
- To establish links with external 'like-minded' bodies such as universities, which would build on the praxis that had already been established and lead to the development of appropriate training at higher education level for prison staff within five years (macro level).
- To identify and train staff who could deliver a range of RPs within seven years.

3.1.2 | Promote

As the originator of the idea, part of my role was to promote the ethos and process of RP at senior level and to ensure there was a corresponding 'bottom up' as well as a 'top down' approach.

3.1.3 | Lead

Successful and meaningful change within a large organisation can only be brought about through leading by example rather than just rhetoric. In 2009 a partnership was established with Ulster University which continues to this day. A variety of programmes with a restorative perspective were developed. The first of these was a Post Graduate Certificate in Restorative Practice lasting 18 months. Two cohorts of prison staff completed the programme and out of a total of 40 who started, 37 completed successfully, that is a 92% success rate. I was in the first cohort that completed the programme.

3.1.4 | Endure

This is about learning from the past and looking positively to the future. Change can be a slow, painful and arduous process. It is essential to remain open to learning from mistakes while building on successes. This epitomises the ethos of RP, as defined by the Restorative Justice Council.

4 | THE RIPPLE MODEL IN ACTION: CASE EXAMPLES

4.1 | Victim-offender mediation/restorative conferences

The first restorative conference took place in 2002 in Magilligan. It involved two trained prison officers, a victim and the offender. The process involved was based on good practice indicators for all restorative meetings (Carruthers, 2002; Zehr et al., 2015; Zinsstaag, Teunkens & Pali, 2011). This included preparation and planning, facilitating the meeting, review and evaluation. The main areas covered for all of these meetings are outlined below.

4.1.1 | Preparation and planning

- motivation of the victim and offender
- voluntary nature of participation
- establishing desired outcomes from both victim and offender
- location of pre-meeting discussion with victims
- location of meeting
- establishing and agreeing ground rules for meeting
- offender accepting wrongdoing
- no inducement nor incentive
- identifying support mechanism for victim and offender

4.1.2 | Meeting

- re-establishing ground rules
- explaining roles of participants – facilitator, note taker etc.

4.1.3 | Post meeting

- provide support to prisoner
- ensuring the victim's support is effective
- reviewing and evaluating experiences

Key issues that had to be addressed during the process include:

- ensuring the offender will not re-victimise the victim
- ensuring the victim has realistic expectations of the process and does not intend to abuse the offender
- facilitators having the skills to allow respectful flexibility while maintaining focus
- honest analysis and evaluation from all sides

We were also acutely aware of the potential impact of the power imbalance and ensured that all victims seeking a restorative approach were appropriately supported by relevant and experienced advocacy services, as Braithwaite (2002) states when there are risks of power imbalances: 'our standards should expect of us a lot of preparatory work to restore balance both backstage and frontstage during the process. Organized advocacy groups have a particularly important role when power imbalances are most acute' (p.566).

As a result of the careful preparation and planning and the approach taken during and after meetings, the outcomes from all mediation/restorative meetings were extremely positive; there was never any rancour and often on the day, there were handshakes and hugs at the end. This initiative led to over 20 restorative meetings taking place across all NIPS establishments. All of the examples speak for themselves, and the first one in particular illustrates the enormity of the power of the RIPPLE model.

4.2 | Restorative meeting: example one

A young woman named Mandy was a passenger in a car driven by her friend Peter. He crashed the car and Mandy died at the scene from her injuries. Peter was sent to prison. Both young people lived in a small village and there was a great deal of tension in the aftermath of the crash, especially as there was speculation that Peter had run off after the crash. Mandy's mother, Jean, experienced enormous trouble coping with her daughter's death and eventually sought help from Victim Support. She said that she wanted to meet Peter to let him know how she felt and get an answer to a question that was torturing her – was Mandy alone when she died?

Victim Support approached the prison on Jean's behalf and two officers were identified as facilitators. The meeting enabled Jean to express her pain and suffering. Peter took the opportunity to apologise. He described the events of that night to Jean and he was able to reassure her that her daughter had not died alone. In my follow-up meeting with Jean, she stated that the whole process had enabled her to find some peace and reassurance about her daughter's death. Additionally, as a result of Jean and Peter speaking with their families and friends afterwards about what had been achieved during the restorative meeting, tensions in the local community abated. This meant that Peter's concerns regarding his release were addressed and he could go home without fear of any repercussions.

Two years later NI hosted an International Restorative Practice conference which Jean attended. She was able to tell her story, supported by myself and one of the prison officers who had facilitated the restorative meeting. The powerfulness of what she had to say clearly impacted on the audience, among whom was a former senior and influential politician from Australia. He later approached us and said that he was so moved and impressed by Jean's experience that he was determined to introduce legislation in the state of Victoria, giving those bereaved or severely impacted by car crime, access to RJ. Three years later, in 2017, we were contacted and informed by a member of the legislature in Victoria that this in fact had happened and there was now legislation to that effect.

4.3 | Restorative meeting: example two

An elderly woman who disturbed burglars on her return home one evening made a statement to the police that led to the arrest of one of them. Once she had given her statement the retributive wheels swung into action and there was no further contact or role for her in the justice process. Understandably, like many in her situation, she retained many concerns and questions that literally kept her up at night. Eventually, after a referral from an advocacy service on her behalf, a restorative meeting was arranged. The questions she posed to the young man who had invaded her home were typical of many in her position: Why my home? Had you been watching me? Are you intending to return? Are you angry that I made a statement to the police? The young man was able to answer all these questions – he reassured her that the burglary was totally opportunistic and as he was very intoxicated at the time, he had no memory of where she lived. Also, even if he did, he had no intention of returning. He said that he completely understood why she had made her statement. After this meeting, the woman said that her mind was 'put at ease' and subsequently she had 'the first good night's sleep since the burglary'. An additional and unexpected outcome from the meeting also occurred: The young man had talked to the woman about his keen interest

in cars; and for the duration of his sentence, she arranged to have a car magazine sent to him every month.

4.4 | The landing – creating a restorative ethos for staff/prisoner communication and relationships in day-to-day living

As former president Obama said: ‘acts of sacrifice and decency without regard to what’s in it for you create ripple effects. Ones that lift up family and communities that spread opportunity and boost our economy’ (Obama, 2009). This is reflected in the comments from all involved in this particular project. Through the ongoing partnership with Ulster University established since 2009, during the Spring of 2018 a bespoke three-day training programme was created for Maghaberry officers. The programme considered the practicalities of building a restorative regime on a prison landing. Twenty-four staff successfully applied to this programme (see Appendix) and went on to implement RPs, not only on a landing but across different parts of the prison. This achieved the key aim of building practices that addressed the conflicts and disagreements that are part and parcel of prison life (Johnstone, 2014). The comments from all those involved, demonstrate the impact this had and provides a clear example of praxis and the power of reflecting both in ‘action’ and ‘on action’ (Schön, 1983).

4.4.1 | Officer 1

‘Day to day these practices are carried out almost subconsciously ... it’s a matter of approach by talking to instead of talking at, listening instead of dismissing and being approachable in my dealings with the inmates. These may sound like common sense and indeed common courtesy, but it’s not always as easy as that given the surroundings, the tension, the aggression, the ignorance and indifference that you may be routinely dealing with as an officer’.

4.4.2 | Officer 2

‘The fact that I am a uniformed authoritative figure responsible for the rule of law and implementation of prison rules can add up to hard work ... Just by taking time and applying the rules through the use of personality and relationships, other than force of law, has resulted in a turnaround in attitude and compliance that has been tangible’.

One officer provided a very good example of successfully using a restorative as opposed to a formal disciplinary approach with a prisoner who had covered his cell in offensive graffiti. He offered the prisoner the opportunity to repaint his cell rather than being brought before a governor and receiving a punishment such as losing privileges. The prisoner chose to repaint his cell. Reflecting on his decision the officer said:

this raised issues about the use of authority. In my view it did not diminish my personal authority with him or other prisoners, though I am aware that some colleagues will probably feel the more orthodox discipline process would be better. This is an area that we need to talk more about ... simply banging people up doesn’t work we have to try a different approach.

The manager in charge of the particular area within the prison where RP processes had been introduced noted a change for the better:

The way staff used conversations with prisoners was a key focus ... a new respect has developed between the officers and prisoners.

This manager pointed out that in the first six months of 2018, prior to the implementation of RP, there were nine incidents involving prisoners where staff decided it was necessary to set off an alarm; in the six months after implementation of RP, staff deemed it necessary to use the alarm on only two occasions. She believed that the impact of RP was far-reaching for both staff and prisoners, several of whom reported: 'feeling safe, respected and listened to'.

5 | RESTORATIVE CIRCLES – WIDENING THE RIPPLE EFFECT

As a result of their training in RP and the success of RP on the landing, officers decided they wanted to build a greater sense of community on the landing which would enhance relationships between officers and prisoners, as well as between the prisoners themselves. During discussions with staff regarding the best way forward, I was mindful of the words of Erwin James who spent 20 years as a prisoner in English prisons. In the foreword for *Restorative justice in prisons* (Edgar & Newell, 2006) he wrote: 'as the years passed it became clearer that the factor that had the biggest impact on what a prison sentence achieved was the quality of interaction between staff members and prisoners'. We arrived at Restorative Circles as the best way to achieve this, given that they could provide a safe space where all involved could talk and listen to each other respectfully and on an equal basis. The circles process is value driven. 'Primarily, it is designed to bring healing and understanding ... Reinforcing this goal of healing is the empowerment of the community to be involved in deciding what is to be done in the particular case and to address underlying problems ... the circle process builds on the values of respect, honesty, listening, truth, sharing, and others' (Wachtel, 2016, p.8).

Restorative circles originated in the indigenous cultures of the USA and Canada. Similar to conferencing and mediation processes, circles provide an opportunity for victim and offender to have their voices heard, but it goes further and provides a special space so that those in the community also have their say. In Maghaberry's situation, the community would consist of those who live and work on a prison landing. I attended the very first restorative circle, alongside recently trained officers and managers. The location of the circles was carefully selected so that they took place at the end of a landing in a quiet room with some windows; this allowed other staff and prisoners to see but not hear that something was happening, the hope being that people's curiosity would be piqued, and they would want to become involved, too. This is, in fact, what happened.

Ground rules were established, including confidentiality and one speaker at a time. These were reiterated at the start of every circle. A manager from the area facilitated the circle and in the early stages she was supported by the academic who had delivered the restorative training. The willingness of prison officers to share personal thoughts and feelings about their job, families and their hopes was striking; especially as just two years earlier, in 2016, a prison officer had been murdered in the local community by people who clearly knew his address, the vehicle he drove and his daily movements. In the shadow of this murder, it was both remarkable and commendable that officers were prepared to share so much, in their efforts to ensure the success of the circles. After some initial difficulties regarding the 'one person at a time speaking' rule, a 'talking piece' was produced

which ensured that all attending had an equal opportunity to be heard. Officers who took part reported feeling no sense of a loss of authority nor that their credibility and effectiveness were undermined. This was helped by the fact that outside the circle, officers routinely employed RP on a consistent basis with prisoners – they were literally walking the talk. During the evaluation phase one officer wrote:

the resulting conversations have been breath-taking in their openness and depth and have challenged my preconceptions of certain prisoners. I'm sure that the prisoners reassessed their preconceptions about us as individuals. I feel we need to keep this flame burning.

Further comments included:

The circles have been a resounding success from a restorative viewpoint. We have seen a difference in attitudes towards staff and improvements in discipline on the landing.

In my view the most progress has been the honesty, sincerity and willingness and need to talk from prisoners ... One prisoner told me 'it's great to come here and say what's on my mind – to be able to speak and get everything off my chest, because in here you always seem to bottle things up. I like coming here and saying what's in my head – it helps me'.

Of course, there was still much work to do as another officer acknowledged:

We are working hard to develop these practices on the landing but I feel it will be a challenge for others to see this as a good way to work.

Circles can be used in a variety of ways, for example, to deal with very specific conflicts and problems (Newell, 2002). A senior officer provided an example of this, where all parties involved in bullying situations were given the opportunity to shed light on the reason for the bullying and to outline its impact:

A circle has been used successfully in at least three cases as an alternative to current anti-bullying measures, directly tackling the issue that led to the harm caused. It has allowed us to move from the binary issue of 'guilty and innocent' to a third option where the parties reach an understanding of each other's perspective and come to an agreement of a better way forward.

In her overall evaluation regarding the introduction of RP on the landing, the manager of that area wrote:

One of the most effective tools was the introduction of circles – these are used to talk about issues affecting everyone working and living on the landing. Participation from prisoners and officers from the onset was amazing. There was openness, honesty and respect. A new respect has developed between staff and prisoners.

5.1 | 'Keep apart's

This final example illustrates how RPs have resonated across the broader prison context. In Maghaberry Prison in particular, there exists a constant tension in ensuring that prisoners who regard each other as enemies are kept apart. This leads to additional logistical demands that put a severe strain on the system, as people in this category cannot be in the same place at the same time. Prisoners may need to be kept apart, for example, as a result of a previous fight, a drug debt or an issue following them into prison from the community. Following the 2018 RP training programme officers were tasked with reducing the number of 'Keep apart's through restorative measures. One notable case involved two prisoners who had been 'listed' as enemies for more than eleven years. This situation had flowed from an issue arising in the local community prior to their imprisonment. A trained officer facilitated a mediation meeting with the two prisoners, during which each was given the opportunity to hear and be heard. As a result, their issues were resolved, they agreed that they were no longer enemies and were happy to move to adjoining cells. This approach overall has resulted in a 27% reduction in the number of prisoners who are deemed as 'Keep apart's. To date, those who have been taken off the 'Keep apart's list as a result of RP have not done anything to be placed back on it. A key outcome highlighted by many prisoners was the reassurance they now felt as they were no longer 'looking over their shoulders'.

6 | NEW LIGHT OUT OF OLD-WORLD WINDOWS

Long-term practitioners and proponents of RP recognise that it is not new, it emanates from ancient times and Indigenous peoples from New Zealand, America and Canada and this is perhaps one of its greatest strengths. Since its re-emergence during the 1980s through FGC, and then in the 1990s helping to create a culturally sensitive adjunct to the justice system in New Zealand (Bazemore & Schiff, 2005; Bazemore & Umbreit, 1995; Daly, 2016; Zehr, 2005) RP's ethos and methods have rippled backwards and forwards across the world. People are drawn to it because it can restore balance and provide a space for healing for those who seek it. A place for a restorative ethos and practice within NIPS has been created and maintained for the last 20 years. An approach based on praxis and the RIPPLE effect has led to the change required and this will continue to be sustained through a variety of ways, such as identifying opportunities and acting on these while maintaining connections with like-minded people within and without your organisation. Also, ensuring that you 'walk the talk' through actions and words, reaching out to different parts of society so that prison is seen as part of the community, not apart from it. An essential part of this was to bring victims and survivors from the community into the prison for the first time, as well as prisoners being brought into the community to take part in victim-offender meetings and restorative events. Key to successful implementation involved creating time and space for staff development and being ready to take an active involvement, for example in circle meetings. Spreading the word through radio and television interviews, attending and speaking at events locally and internationally and becoming meaningfully involved in 'best practice' organisations such as the Northern Ireland Restorative Practice Forum. Finally, remaining resilient and practising endurance; being prepared to voice an opinion that brings discomfort within a resistant and retributive system. Maintaining belief in the efficacy of the RP approach and making best use of evidence-based practice. While RJ and prisons continue to be seen as opposite points on a spectrum, the potential of RJ to work with serious offending will be severely restricted. The victims

of serious crime are let down when prisons are not used as places of restoration for offenders, victims and their communities. As Edgar & Newell's (2006) work demonstrates, prisons are full of people in desperate need of restoration – those most damaged and damaging in our society. A system based on punishment and retribution simply does not work.

ACKNOWLEDGEMENTS

I wish to acknowledge four groups of people who have contributed to my efforts over the years. First, those who had suffered harm but were willing to meet those who harmed them. Their dignity always shone through and ensured that the restorative process helped them come to terms with what they had endured. Second, those who had harmed others but were willing to participate in restorative work with those they had harmed. Their openness and honesty undoubtedly contributed to positive outcomes for all involved. Third, those prison officers who worked so hard during the training process and went on to use their restorative skills in many varied ways. Finally, my university colleagues who provided clear evidence-based training and support. Last but not least I am so grateful for the continuous technical, administrative and research assistance and support from my wife Helen.

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APPENDIX

NOTICE TO STAFF MAGHABERRY PRISON

SUBJECT: INTEREST NOTICE – RESTORATIVE JUSTICE MAGHABERRY PRISON		
ISSUE NUMBER: 33/18	TOTAL PAGES: 5	DATE OF ISSUE: 08/02/18 2018
CLOSING DATE: 23/02/2018		REPLACES: N/A
AUTHORISED BY: Unit Manager		CONTACT POINT: HR ext
ELIGIBLE FIELD: All substantive Discipline grades and those Custody Prison Officers who have attained their Certificate of Competence.		AREAS FOR INFORMATION: All

1. EXPRESSIONS OF INTEREST

Expressions of interest are being sought from staff currently employed in all discipline grades to get involved in Restorative Justice (RJ) within Maghaberry. Custody Prison Officers who have not completed but are working towards their Certificate of Competence may seek further guidance from Governor on ext.

The training will comprise of 3 days at the Ulster University and will include:

- Principles and Practices of RJ
- Application of RJ to interpersonal conflict
- Examining the Application of RJ approaches to the keep apart situation in Maghaberry
- RJ landing in House
- RJ, NIPS and Victims of Crime
- Training should commence in March/April 2018

2. Staff will be selected based on their application form as we are seeking individuals committed to Restorative Justice.

3. EQUAL OPPORTUNITIES STATEMENT

The NI Prison Service is an Equal Opportunities Employer. It is committed to providing equality of opportunity. It is the Services policy that all eligible persons shall have equal opportunity for employment and advancement in the Service on the basis of their ability, qualification and aptitude for the work.

4. HOW TO APPLY

You should address the following points:-

1. Outline why you are interested in Restorative Justice
2. Explain what knowledge you have of Restorative Justice
3. Describe how you think Restorative Justice could best be used in a custodial setting

Expressions of interest should be submitted by email to HR Employee Relations Team, Maghaberry by 13.00hrs on 23 February 2018.

Any applicant who does not have an acceptable conduct record will not be considered.

Those individuals who are on sick absence will be notified by HR Employee Relations Team.

Those individuals who are on annual leave should be notified by their line manager.

Signed...

Unit Manager

HMP MAGHABERRY

APPLICATION FORM

POSITION:

CLOSING DATE: (23 February 2018)

Name: _____

Grade: _____

Functional

Area: _____

Staff Number: _____

- This form is an integral part of the opportunity and must be completed clearly.

please provide a brief summary of how you meet the following:-

This should be completed within the space provided only. **No additional pages will be accepted, please remain within the confines of the boxes on this page.**

1. Outline why you are interested in Restorative Justice

2. Explain what knowledge you have of Restorative Justice

3. Describe how you think Restorative Justice could best be used in a custodial setting

Signed: Authorised Unit Manager
Date: