



Restorative Justice & Practice Case Study Analysis

ADDITIONAL

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Introduction

This analysis looks at Restorative Justice (RJ) Cases within the UK Criminal Justice (CJ) System in relation to graffiti. It acknowledges that there are a wide range of Restorative Justice literature, practices and programmes (see, for example, Gavrielides, 2016; Sherman and Strang, 2007), which do not always fit into one definition. It is important to emphasize that a number of the cases here seem to follow a similar pathway to Gavrielides' (2016) description:

[...] restorative justice is based on the belief that it can promote human goods in the pursuit of restoration of harm and the correction of deviant behaviour. [...] Looking at the various restorative justice practices, they aim to bring to the fore states of affairs, activities and experiences that are strongly associated with well-being and higher-level of personal satisfaction and social functioning. They aim to create empathy and remorse and through constructive and honest dialogue create a sense of responsibility in the "offender" and a feeling of empowerment and justice in the "victim". (xx)

On the other hand, a number of the cases we have come across in our research seem to sit apart from the themes of 'honest dialogue' and 'empathy' with more focus on 'correctional practices' (see Sherman and Strang, 2007: 33; Rosenblatt, 2016) under the umbrella term of 'restorative justice'. Alternatively following a traditional understanding of responsibility that focuses on offender 'punishment' rather than acknowledging responsibility and repairing the harm caused. In the upcoming pages this split will be discussed in further detail. It should also be clarified that some cases lack detail, which consequently limit our understanding of the capacities of RJ as a response action for graffiti related cases.

1. Methodology

The Graffolution team has identified 13 UK Restorative Justice case studies related to graffiti from various sources - newspaper articles (7), case studies reported on the websites of restorative justice practitioner organisations (3), public sector reports (1) and books (2) written on restorative justice practices. We also have four case studies from USA (2) and Canada (2).

Most of the European sources we have been able to locate stem from the UK, linked to the evolution of this discipline and its related networks. Within the UK we contacted various organisations to reach out to a wider range of cases, however, the

results were mainly unproductive. As part of our attempts we have contacted UK Restorative Justice Council and they have directed us to Youth Offending Teams (YOT). We have contacted 12 Youth Offending teams¹ in the UK. We received one case report from Young Hackney, Children and Young Peoples Service (that we reached via Hackney YOT) and got a reply from Leeds YOT who sent us a local newspaper article on a recent case (please see the appendix). Three independent companies that work with local authorities and housing authorities within the UK on RJ issues and provide service were contacted but their replies were negative (London Community Rehabilitation Company, Confidential & Local Mediation, and Crime Concern UK). Within Borough Community Safety Services London Borough of Hackney Council and London Borough of Islington Council were contacted, but the outcome was negative. NatCen Social Research organisation that conducted research in 2014 titled "Process evaluation of the Neighbourhood Justice Panels" for the UK Ministry of Justice that included an analysis of RJ case studies was contacted, but the outcome was negative. We emailed Youth Justice Board. We also went through Crown Prosecution Service Case Studies and Freedom of Information Requests (available up to 2008) but nothing on Restorative Justice in the context of graffiti was found.

We have also contacted Dr Heather Strang from University of Cambridge (the Director of Police Executive Programme and Director of Research, Jerry Lee Centre for Experimental Criminology) who has written various publications on RJ case studies. Dr Strang was very kind to offer us guidance on the matter of RJ's capacity for graffiti related crimes, yet was not able to provide us any cases (see appendix 3).

We also went through various official publications published and/or commissioned by the UK Ministry of Justice², Home Office³ and Association of Chief Police Officers of England, Wales & Northern Ireland⁴ in order to find relevant case studies and support our analysis. Please see *section 3* for a breakdown of the case studies.

¹ These are in London Hackney, Islington, Tower Hamlets, Lambeth, Southwark and Camden, as well as Brighton & Hove, Bristol, Birmingham, Manchester, Nottingham, Leeds and Newcastle.

² "Criminal Justice Statistics Quarterly Update to June 2015: England and Wales" (19 November 2015), "Youth Restorative Intervention Evaluation Summary report" (10 September 2014), "Pre-sentence restorative justice (RJ)" (2014), "Youth Justice Interventions – findings from the Juvenile Cohort Study (JCS)" (2013) and "Youth Restorative Intervention in Surrey" (2013).

³ "Crime Outcomes in England and Wales 2014/15" (2015) and "Public attitudes to youth crime - Report on focus group research" (July 2012)

⁴ "RESTORATIVE JUSTICE GUIDANCE AND MINIMUM STANDARDS" (2011).

2. What We Have Found: RJ relevance and scope for graffiti

2.1 Restorative Justice

The details and characteristics of Restorative Justice have been discussed in D2.4. For the sake of understanding the cases analysed here, we should note that Restorative Justice provides a wide range of practices and procedures, which all have common values and principles (Braithwaite, 2002; Sherman and Strang, 2012; Sherman and Strang, 2007). These values are based on offenders acknowledging the responsibility for having caused harm (acknowledge their offending behaviour), bringing the people most affected by a crime (stakeholders including the offender) together directly or indirectly and offenders taking some form of action to repair the harm they have caused (Marshall, 1999; Zehr 2002; Zehr, 2003; Sharpe, 2007; Sherman and Strang, 2007, Rosenblatt, 2016).

There exists a discussion on whether the involvement of different stakeholders to resolve the issues in the aftermath of a crime need to be through a collective and consensual agreement (or honest dialogue) as restorative practice (see definitions by Marshall, 1999: 5; Gavrielides, 2007: 139, Gavrielides, 2008; Eglash, 1977, Gavrielides, 2016b; Rosenblatt, 2016: 41-42). However, practices that do not include such deliberation in some instances are confusingly also called restorative justice, including court-ordered community service, payments that offenders are required to make to their victims, and victim-offender mediation that excludes their families and friends (see Sherman and Strang, 2007; Strang et al., 2013). Within the broader definition some of the procedures of RJ are (see Sherman and Strang, 2007; Crosland and Liebmann, 2003: vi; Graef, 2000):

- **Direct communication:** face-to-face victim-offender mediation; face-to-face conferences of victims, offenders and stakeholders.
- **Indirect communication:** through third parties in which a mediator or facilitator may carry messages by phone or in person between victims (or victims' representatives) and offenders (or their representatives).
 - One-way communication (as part of indirect): such as letters of apology from offender to victim, or letters describing a crime's impact from the victim to the offender.
 - Restitution or reparation payments ordered by courts or youth referral panels (as part of indirect).

Strang et al. (2013) argue that within the UK via recent programmes thousands of police officers have been trained to undertake 'restorative disposals' or 'community resolutions', which "may involve negotiations on the street immediately after a

crime has occurred, in which apologies are made and no further action is taken” (Strang et al., 2013: 7). In terms of RJ related legislation in the UK in 1999 with the Youth Justice And Criminal Evidence Act we observe the creation of referral orders for 10-17 year olds.⁵ Accordingly, for a referral order to be implemented the young person needs to plead guilty (may have previous convictions). Then the court specifies the Youth Offending Team (YOT) responsible, which will implement the order for how long it may last. While the court decides on the length of the order, it is the youth offending panel (comprised of at least two community volunteers and a YOT member) that decides on the content of the order (see Rosenblatt, 2016).

As part of legislation we also see the development of Anti-social Behaviour, Crime and Policing Act 2014 that enables each local policing body to prepare a ‘community remedy’ document for its area by consulting local authorities and community representatives to consider a wide range of views. This is a list of community sanctions for low-level crime and anti-social behaviour created for a specific area and its residents, which deals with anti-social behaviours or offence without court proceedings. It aims to provide i) community justice that is more responsive to the victims, and ii) more proportionate and meaningful punishments. The extent of the utilisation of these area specific community remedies is unknown.

What is clear, however, is the increasing number of community resolutions (out-of-court, informal) with or without formal restorative justice. In 2014 within England and Wales there were 117,168 out-of-court community resolutions given out (Allan, 2015), which increased up to 118,100 in 2015 (with or without formal restorative justice) (Ministry of Justice 2015).

When it comes to sentencing we observe a decrease in community sentences. The proportion of offenders sentenced to community sentences has decreased steadily since 2005. By contrast, the use of suspended sentence orders (SSOs) increased over the same period. Through SSOs a court choose to suspend a custodial sentence for up to two years where the offender does not go to prison immediately, but is given the chance to stay out of trouble and to comply with up to 12 requirements set by the court, including doing unpaid work, taking a treatment programme and being subject to a supervision (Sentencing Council, 2016b). In 2014, while 112,638 offenders were sentenced to a community sentence, representing 9 per cent of offenders sentenced; 52,979 offenders had a suspended sentence order imposed, representing four per cent of offenders sentenced (Sentencing Council 2016a, 2016b). These changes are as a result of the Criminal Justice Act 2003, which made SSOs more readily available (Ministry of Justice, 2015).

⁵ For the updates see the Criminal Justice and Immigration Act 2008 and the Legal Aid, Sentencing and Punishment of Orders Act 2012.

As the label 'restorative justice' has been applied to a wide range of programmes there has been confusion in the way the term 'restorative' has been used. For example, Sherman and Strang (2007) suggest that when young offenders are required by a youth offending team referral panel to remove graffiti from park benches this action cannot be categorised under 'restorative justice'. The authors explain:

While it is true that in such activities offenders are in some sense "restoring" the world to the status quo before the rubbish or graffiti was there, such efforts do nothing to put the victim at the centre. That is, the restoration to the community has no connection to the restoration to the actual victims of the offenders performing such activities. From the perspective of the personal victims of these offenders' crimes, such community service per se offers little restoration of the emotional or psychological state the victims were in before the crime occurred. Even from the perspective of the offenders themselves, the experience of such "constructive" work is unlikely to cause an emotional revelation of the moral truth that harming other people is wrong. (Sherman and Strang, 2007: 33)

This explanation highlights the need to understand restorative justice not just cleaning the damage done by graffiti as, for example, we see in the Youth Graffiti Solutions programme in the UK⁶. This is an ETE (Education, Training and Employment) Intervention Programme aimed at young people at risk of offending or who have completed court orders. It provides a graffiti and chewing gum removal service. Here the sites are identified in collaboration with local companies and organisations affected by graffiti and littered gum. The sessions take place in groups and ran by a member of Youth Offending Service staff along with two apprentices (aged 16 and 18) who act as role models. At the end of each session the young people fill out a questionnaire. The YGS notes that the results demonstrate that the young people feel positively about their involvement. However, this does not reveal any kind of restoration of emotional or psychological state from the victims' side. It also does not reflect on the RJ principles of involvement in decision making, healing and empowerment (see Gavrielides, 2016b: 30). As Rosenblatt (2016) underlines "restorative justice has a distinctive aim to repair the harm caused to individuals, communities and relationships" (52), where some community service or 'community reparation' programmes seem to disregard.

Rosenblatt (2016) also makes this point in her analysis of youth offending panels in England and Wales, where the most common form of reparation is 'community

⁶ Listed under the UK Ministry of Justice Effective Practice Library by Youth Justice Board of England & Wales (see: <https://www.justice.gov.uk/youth-justice/effective-practice-library/youth-graffiti-solutions>).

reparation', which is conducted through blanket-reparation programmes with a 'set menu' of reparation activities. This takes us to the discussion whether these activities are actually focusing on the harm caused by the crime and the need to repair such harm or whether they are aimed at the 'risk' posed by the offender to commit further crimes. If it is the latter, for Rosenblatt (2016: 48-50) this cannot be considered as restorative justice as RJ's initiative should be to encourage appropriate forms of reparation by offenders towards their victims or victimised community. Such problematic uses of 'restorative justice' can also be observed in some of the cases that will be analysed here, where the term is used broadly and extensively in different contexts.

2.2 The Positive Evidence

There are two popular positive arguments put forward about Restorative Justice:

- As a procedure it is more humane than conventional justice and provides better results.

Here better results refer to aspects such as more repair of harm to victims, fewer crimes of vengeance by victims, more reconciliation and social bonding among families and friends affected by crime, and more offences brought to justice. For example, in a study the UK Ministry of Justice reports that 85% of victims and 80% of offenders were satisfied with their experience of a Restorative Justice conference (ACPO, 2011). Yet, it is key not to focus our efforts on discussion how RJ may be better than CJ, but analyse its principles and examples of implementation (see Gavrielides, 2016: xx). We should specify that there are heated debates on the outcomes of RJ (Ward, Fox and Garber, 2014). It is also important not to overgeneralise as each case tends to be very specific. What this means is that RJ is not a one-size-fits-all strategy, but rather about specificity - what works for whom. As Sherman and Strang (2007: 13) suggest, "There is far more evidence on RJ, with more positive results, than there has been for most innovations in criminal justice that have ever been rolled out across the country [UK]". This, the authors argue, supports the rollout for RJ "especially if that is done on a continue-to-learn-as-you-go basis" (Sherman and Strang 2007: 13). In addition, Graef (2000: 33-40) adds the significance of the involvement of communities for RJ processes to work.

In their analysis of RJ effects, Sherman and Strang (2007) state that "RJ is like a powerful drug that needs to be carefully tested for specific kinds of cases before it is put into general practice. Just as penicillin can cure infections, but cannot cure cancer or diabetes, RJ can reduce crime for some kinds of offenders but not others" (22). This is something we should keep in mind in considering RJ in the context of

graffiti. In terms of the effects on victims the evidence suggests that in most cases victims have high satisfaction rate when they participate in RJ than when they do not. The dissatisfaction is raised only when offenders refuse to accept responsibility, or if offenders fail to appear at a conference as agreed, or when offenders fail to complete outcome agreement (Sherman and Strang 2007: 22).

- It is more cost-effective than conventional justice (CJ).

There are several revenues that RJ can reduce government spending such as health care for crime victims, reduction of the prison population, save money in fees paid to lawyers by the government for appearances in court and at police stations (Sherman and Strang 2007: 23; Strang et al 2013: 47; ACPO, 2011).

Analysis of Youth Restorative Intervention (YRI) Programme in Surrey, UK (Mackie et al., 2014: 6) reveals that the direct costs of running the YRI (£360 per case) were cheaper than the alternative of processing the offender through the police (£600 per case plus additional costs), which was a mixture of youth cautions, youth conditional cautions and prosecution. The evaluation also reveals that the YRI provided wider savings to the public purse. For example, as the report indicates CJ “by increasing the extent to which offenders gain criminal records and reduces employment prospects, it creates potential for a loss of tax and increase in benefit payments of the order of £360 per offender” (6). The study finds a 6% higher level of re-offending in the alternative route (CJ), which equates to an extra £80 per case. Additionally, it notes a £200 victim social cost. This results in YRI per case costs £360 while the alternative route (CJ) costs £1,040.

The test of Neighbourhood Justice Panels (NJP) within the UK (NatCen Social Research, 2014) indicate “a growing awareness of the positive impacts that could result from RJ, including perceptions of reduced reoffending, increased victim satisfaction and cost savings” (10). The evidence here suggests that victims who attended the NJP explain that one of the prominent emotions they had was a sense of relief. This was due to being able to put the events that brought them to the panel behind them and being given the chance to tell their story as well as “gaining a positive outcome without needing to go through the cost, inconvenience and potential repercussions of a court case or alternative CJS route” (32).

2.3 In the Context of Graffiti

It is clear that there is limited evidence of whether RJ works or not on specific crimes considering the wide variety of RJ methods, the number of possible stages of the criminal justice process that they can be introduced, and the wide range of offender specifications (age/gender/race/prior record characteristics) (Sherman and Strang 2007: 14). This leads us to the question of which criminal cases are *appropriate* for the use of RJ practices? When we look at RJ in relation to graffiti linked crimes Sherman and Strang (2007: 8) and Crosland and Liebmann's (2003: viii) argument that RJ works differently on different kinds of people and that people respond to RJ differently can be a key guideline. Thus, in RJ's application the needs of victims, offenders and communities should be the basis for specifying when and when not to use it (Sherman and Strang 2007: 8, Crosland and Liebmann, 2003: viii, Wynne, 2000: 136).

What is helpful here in determining what works when and for whom is to specify some key positions - the attitudes/feelings of the victim and the attitudes/feelings of the offender. RJ's definition to help victims means there needs to be someone feeling as a victim (Sherman and Strang, 2007: 14, Strang et al., 2013: 9). According to Sherman and Strang (2007) in general, RJ has more potential to reduce crime effectively with more serious crimes and that it works more consistently with violent crimes than with property crimes as the feeling of being a victim is higher in the former (Sherman and Strang 2007: 8).

As discussed earlier victim satisfaction relies heavily on offender taking responsibility, attending the necessary RJ procedure and completing the agreement (Sherman and Strang 2007; Strang et al., 2013; ACPO, 2011). Restorative Justice requires emotional maturity and capacity for empathy, which some young people may lack, this then has the large potential for the RJ processes to fail. These two issues then help test the possibilities of RJ in graffiti related crime. If an offender lacks emotional capacity and a 'victim' does not actually feel as a victim of a crime and do not consider graffiti as a cause of harm then RJ practices will fail to make a difference. Strang et al. (2013) also indicate that as part of the RJ process, especially related to graffiti, it is important to include families of the offenders as they are also highly affected by the act and its aftermath.

3. Supporting Cases

There are various stages where restorative justice intervention can be implemented within the criminal justice process. These stages can be divided as (Crosland and Liebmann, 2003):

- 1) Not prosecuted/Diversion
- 2) Reprimand/ Final Warning
- 3) Preparation of Pre-Sentence Report
- 4) Serving a community sentence
- 5) Serving a custodial sentence
- 6) Post custody (on licence)

We will also use these stages in categorising the available case studies.

Breakdown of the case studies:

	Case	Stage	Practice	Source	Reference
	UK				
1	Graffiti plays a small part in a dispute between two kids and their parents.	Not prosecuted/ Diversion	Shuttle Mediation	Book	Crosland and Liebmann, 2013
2	Graffiti / Criminal Damage Offence by a young person	Not prosecuted/ Diversion	Direct Mediation and direct reparation	Case study report	Young Hackney-Children and Young Peoples Service, 2012
3	Between a young resident and other members of the community.	Not prosecuted/ Diversion	Unknown	RJ practitioner webpage	Crime Concern UK, 2013
4	Between a young person and local	Serving a community	Mediation, apology and	Book	Graef, 2000

	medical centre.	sentence	reparation via practical work		
5	Between 4 young people and the local community.	Serving a community sentence	Reparation order: practical work	Online news website	BBC, 2007
6	2 young men causing damage via graffiti	Not prosecuted/ Diversion	RJ scheme: community work	Online news website	Craig, 2014
7	6 young people causing damage via graffiti and other actions.	Not prosecuted/ Diversion	Mediation meeting, apology and community work	Online news website	Barlow, 2014
8	A young person committed graffiti vandalism	Not prosecuted/ Diversion	Community work	Online news website	Davis, 2013
9	3 young people committing graffiti vandalism in their local area	Not prosecuted/ Diversion	Community work	Council webpage	Surrey County Council, 2015 & Surrey Youth Support Service, 2013
10	2 young people committed offensive graffiti and criminal damage	Not prosecuted/ Diversion	Mediation, apology (verbal and written)	Online newspaper	Phillips, 2015
11	A 19 year old was issued a conditional caution, an out of court disposal.	Not prosecuted/ Diversion	Conditional Caution: direct reparation	Online newspaper (provided by Leeds YOT)	Casey, 2015
12	Unknown	Unknown	Mediation, apology and reparation	Police webpage	Cheshire Police, 2016
13	Offensive graffiti	On going investigation	Unknown	Online news website	Bodkin, 2015
	USA				

14	Racist graffiti	Unknown	Mediation and community service and various other requests	Online webpage	Van Liew, 2013
15	Graffiti vandalism	Not prosecuted/ Diversion	Mediation and apology letter	Online webpage	Wachtel, 2013
	Canada				
16	Racially motivated vandalism	Not prosecuted/ Diversion	Mediation and unpaid work	Online webpage	Gavrielides, 2012
17	Restorative Justice Programme	Unknown	Diversionary art programme	Online webpage	Anon, 2012

As the analysis will show some cases lack detail, which limits our understanding.

The conclusions from the analysis of the following cases are:

- a) Most of the cases refer to the pre-court stage.
- b) Most of them refer to a sense of community satisfaction after the restorative action.
- c) There is missing information on time frame and costs.
- d) As previously noted in the UK context there are a large number of RJ programmes which refer to RJ processes that lack emotional restoration (for the victims) and developed understanding about harm (for the offenders) as well as mediation and/or communication (direct or indirect), but mainly focus on community service and physical reparation.

3.1 Supporting Cases

Case 1-UK (Crosland and Liebmann, 2013: 2-5)

A 15-year-old boy Simon punched his young relative Zoe who lived on the same estate, because she was taunting him. No charges were brought however this incident ignited tension between two families. The situation got worse with neighbours and friends getting involved. In the following months the young boy and

his mother complained of name calling, insulting graffiti, rumours and shouting. Counter allegations were made by the other family. As the situation escalated both of the kids were dropped out of school - in many occasions police was called, Simon was receiving threatening phone calls and text messages, and been into fights with other relatives who supported the other family and in one of those fights his nose was broken. The police identified Zoe and her brothers as the threatening party. The police put the young boy in contact with Victim Support Restorative Justice Worker. This was after two years from the first incident. The case was referred to a local independent Mediation Service. They paid an RJ mediator and Victim Support co-ordinator. The young kids and their parents went through a shuttle mediation process, which took eleven weeks, and an agreement was typed up. Both Simon and Zoe seemed to be treating the document very seriously and they both requested to be back if the situation continued, which was seen as a very positive outcome. Six months after the agreement Simon's mother sent the victim support officer a box of chocolates, as she was very happy the way things were going. There were no ill communication or incidents. There was substantial time and money savings. The paid mediator spent 19 hours in total, the volunteer mediator spent 13 hours. The alternative would have involved the police, council, Victim Support, health service, court and Youth Offending Team, and the time and money involved in Anti-Social Behaviour Contracts, evictions and prosecutions. If the situation was referred by the Anti-Social Behaviour Officer to the Mediation Service even earlier, which would prevent the situation getting bigger and prevent re-offending.

Case 2 -UK (Young Hackney- Children and Young Peoples Service, 2012)

A young man was arrested for scratching the lifts of the housing association he lived in. As the offence was caught by camera, and he admitted to it and he was issued an out-of-court disposal and referred to a YOT in Hackney Borough of London to complete a diversion programme. The RJ worker contacted the victim – the housing association management - to check if any direct reparation could take place. The young person had agreed to repair the damage he caused by helping to paint/clean the graffiti from the communal lifts of the building. The housing association management were pleased to hear that.

Prior to completing the reparation, a mediation meeting was agreed between the young man and a representative of the housing association management, as the young man felt he should apologise for his actions in addition to helping repair the damage he caused. The housing association representative wanted to acknowledge the young person's efforts to make amends and accept his apology. In the mediation meeting the RJ worker and the YOT reparation officer were also present.

During the meeting the young man was able to apologise for the damage he caused to the lifts, and explain that there were no leisure activities around his home, and many times he felt bored, without anything to do in his local area. The housing association accepted the young person's apology and took his comments on board, telling him that they intended to create more leisure opportunities for the youths who lived in the estate. They also explained the work that would need to be completed in order for the lifts to be repaired. The reparation officer and the young person agreed on a number of hours that would take for this work to be done. An agreement was written and signed by all present. The young man completed the agreed piece of work, under the supervision of the reparation officer. As a means of acknowledging all the good work, a note was added to their newsletter, describing the success of the Restorative Justice process.

This case dates back to 2012, and Hackney Children and Young Peoples Service states that since then there were no other graffiti offences.

Case 3-UK (see Crime Concern UK, 2013)

Crime Concern UK, an independent local mediation service was commissioned by Sanctuary Housing to undertake restorative justice between a young resident and other members of the community. The main issues were damage and graffiti in the area. Time frame of the process is unknown. The RJ practice, whether it was direct or indirect, is unknown. The community agreed that on reparation work including cleaning and tidying gardens in the area and low level maintenance work on fences. The mediators note that through RJ the relationship between the parties had been rebuilt and that the community were happy as they had felt involved in the decision for reparations.

Case 4-UK (Graef, 2000: 47)

Tim has damaged the boundary fence of a local health centre. After discussions and apologies, Tim expressed his willingness to try and put things right with some practical work. It was not possible for him to do this at the health centre because of client confidentiality, so arrangements were made for him to paint over some graffiti at another public building. He was given a six-hour Reparation Order for causing criminal damage supervised by the local Youth Offending Team.

Case 5-UK (BBC, 2007)

Four young people (all under 17) responsible for graffiti at 169 sites around a Merseyside town were sentenced to a nine-month referral order for criminal damage that expected the young people repair the damage they have caused. The reparation was designed by a local referral panel made up of the local residents who felt affected by the actions - as part of a neighbourhood referral panel trial project. Information on the mediation process is missing. This lack of information on the communication/mediation between the offender (his family) and the victims makes the RJ process questionable.

Case 6-UK (Craig, 2014)

Two men aged 18 and 20 were caught after a series of graffiti damage on a number of commercial buildings, bridges, food vans and fences in Narborough, Broughton Astley and Whetstone. The police officer in charge of the case expressed that the offenders were cooperative and felt responsibility for their actions, which led the police officer to decide to offer the offenders the restorative justice scheme. As part of this scheme one of the offenders carried out community work - painting walls, doing garden work. It seems that the case only offers 'reparation' of physical harm and it may not count as RJ as the case offers little information on any mediation process or constructive work on an emotional level.

Case 7-UK (Barlow, 2014)

Six teenagers wrote offensive graffiti on the walls of an Infants School, damaged plants and musical instruments on the schoolyard, smeared excrement on windows and damaged the toys at the playground. The teenagers and their parents met with the head teacher of the school several times (number unknown) to talk and apologise for their actions. The head teacher expressed her feelings towards the mediation process: "They were genuinely sorry you could see it in their faces. I was also touched by the warmth and gratitude of the parents to our response". As part of the reparation process, the teenagers will raise money to for tree and plants to improve the area, one will undertake a sponsored swim, while others will do cake sales. Another will donate toys for tombola at the infant school's fair. The Police Constable involved in the case explained that the teenagers were known as good characters and their actions were based on 'having a bit of fun' without considering the consequences. She adds that through this approach the teenagers were able to learn about the impact of their actions. The total time frame of the RJ process is unknown.

Case 8-UK (Davis, 2013)

A 16 year-old was caught for defacing a wall in a park. The formal police warning was followed by intervention from the council's Youth Offending Service (YOS). The teenager agreed to complete restorative justice (3 hours of cleaning) by removing the paint supervised by YOS and the council's graffiti removal team. According to YOS head Barry O'Hagan, "The boy agreed to remove the graffiti, there was no resistance whatsoever. He was embarrassed about the shame his actions had brought on the family". Although this constructive work focused on direct reparation (cleaning), it does not reflect any mediation process, or emotional involvement.

Case 9-UK (Surrey County Council, 2015; Surrey Youth Support Service, 2013)

Three young people who had committed vandalism and graffiti in their local areas agreed to be involved in painting out and cleaning a nearby drop in centre for young people. The local shopkeepers who had been affected by the young people's actions requested this solution. Surrey Police and Surrey Youth Support Service supervised this activity to reach a satisfactory conclusion for all concerned. There is no other information provided (e.g. mediation meetings, time frame, etc.). This was a part of the Youth Restorative Intervention (YRI) programme.

Case 10-UK (Phillips, 2015)

Two young boys (aged 12 and 13) come forward as the Police Constable spreads the word around the estate where the offenders live that they were looking for the people responsible who wrote offensive graffiti on the walls of a Childrens Charity working with families who have children with disabilities and complex health care needs and that the charity is very upset. The young boys came down to the charity to meet the charity's founder and apologise, as well as meet the kids and spend time with them. After the meeting, one of the kids also wrote an apology letter, while the other expressed his willingness to come back and spend more time with the kids. The charity's founder expressed her satisfaction with the process and thought that by spending time at the charity and the kids, the young boys had a better understanding what the charity does.

Case 11-UK (Casey, 2015)

A 19-year-old boy who got arrested for tagging a number of walls with his initials admitted being responsible. Police Constable in charge of the case gave the young person two options, taken to court or go through a restorative justice route. The young person chose the latter and agreed to clean the damage he has caused with supervision from Leeds City Council. Police Constable explains his perspective, "Out of court disposals are a way of dealing with low level crime without burdening the courts, but they also give the victim a voice on how the offender is dealt with, which in this case has given them significant satisfaction". One important thing to consider here is that whether the young person went through any mediation process with the victims (the property owners, etc.) or had any emotional revelation through this process is unknown.

Case 12-UK (Cheshire Police, 2016)

Although this document does not give a specific case study, it explains when and how the Cheshire Police uses RJ. The Police most commonly uses RJ to deal with minor offences such as shoplifting, criminal damage and minor assault. The offender may have to: Remove graffiti and repair any property that they have damaged, meet with shop managers to hear how their crime has affected the business and employees, and write a letter of apology to the victim(s). The document expresses that in terms of conferencing, for instance someone who had defaced an area with graffiti might meet a group of people from the area and hear what they felt about it.

Case 13-UK (Bodkin, 2015)

This is an on going investigation about a number of offensive messages mentioning 'ISIS' spray painted on Indian and Chinese restaurants.

Case 14 - USA (Van Liew, 2013) involves two young people writing Nazi graffiti on the side of a synagogue who were caught and charged with felony. A meeting was arranged between the offenders (18 year old boy and a 17 year old girl) and the Rabbi as well as several members of the synagogue including Holocaust survivors. Both parties shared their stories - the harrowing memories of the Holocaust and the offenders' own unfortunate stories of childhood filled with abuse and struggle. The boy had run away from his home after being abused physically and emotionally by his stepfather. He suffered from a significant hearing loss and a speech defect. He was taunted at school. He had made his way to Alabama where members of the

Aryan nation took him in and he was indoctrinated in the ways of bigotry and hate. After coming back to Iowa where this incident took place, he tried to develop his own neo-Nazi group with his only recruit being a 17-year-old girl who became his girlfriend. At the end of the meeting, the offenders asked for forgiveness and the victims put forward requests in return. Each would have to perform 200 hours of service - 100 hours under the supervision of the temple's custodian and 100 hours under the supervision of the Rabbi, meeting weekly to study Jewish and Holocaust history. It was also agreed that the synagogue would help the young man finding a hearing specialist, that he would have the Nazi tattoos removed, and that he and his girlfriend would obtain job-seeking skills. Finally, it was agreed that a second meeting would be held in six months and, if the two had atoned in the manner agreed to, forgiveness would be given and the synagogue would recommend that the criminal charges be dropped. After six months the synagogue came to the conclusion that the offenders worked hard and a new relationship was developed between the young people and the victims. After five years of the incident they were still in touch.

Case 15 - USA (Wachtel, 2012) As part of the Victim Assistance, Youth Accountability (VAYA) programme administered by Restorative Justice Foundation and the Jackson County Juvenile Department, three boys who were involved in a graffiti incident had a meeting with the community members. The community members shared how this has impacted them, asked questions and addressed the ways in which to make things right. One of the agreements from this community dialogue was the boys agreeing to write a letter of apology to the community at large to be published in a local newspaper.

Case 16 - Canada (Gavrielides, 2012) This incident involves a young person writing graffiti on a burger shop's wall. After a mediation meeting between the young person, the owner of the shop and two mediators where both of the sides told their side of the story, the owner came up with the plan that the youth to work for him at the restaurant until the debt is paid and continue his employment and stay out of trouble if everything works well.

Case 17 - Canada (Anon, 2012) looks at RestART, which is a restorative justice art programme that provides youth who have previously engaged in illegal graffiti with opportunities to express themselves in a positive way under mentorship from established local artists and community members. It is supported by Vancouver Graffiti Management Program and Vancouver Police Department.

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Appendices

Appendix 1: Response from Leeds Youth Offending Team

Appendix 2: Young Hackney - Children and Young Peoples Service Case Study

Appendix 3: Response from Dr Heather Strang