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# Diversifying the Restorative Sector

## *Lessons from Practitioners*

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**Abstract**

Restorative justice is increasingly integrated into government policy and services, extending beyond criminal justice to other sectors. However, as this process of institutionalisation gathers pace there is a danger that practices can become removed from their community roots and consequently becoming less representative of the diverse populations that they are meant to serve, particularly in post-colonial societies. This paper is based on research that used a participatory action framework to engage restorative practitioners from racially, ethnically and culturally minoritised backgrounds in England and Wales. The aim of the research was to centre the voices of practitioners in both identifying challenges and providing potential solutions for a more inclusive and representative sector. Practitioners identified the need for raising awareness, making the sector more accessible, the importance of language used and the cultural capital available to individuals, and the ways in which these issues often reflect the dynamics of established power relations. Practitioners also reflected on the need for better representation and training of leadership in the sector. It is clear from this research that resources need to be directed towards addressing these challenges whilst keeping in mind the specific needs of minoritised groups.

**Keywords**

race – diversity – leadership – restorative justice – restorative practice

## 1 Introduction

Restorative justice is increasingly becoming integrated into law, policy and practice across the world. However, as restorative justice becomes increasingly institutionalised, practices have become increasingly removed from their community roots and are often not representative of the diverse populations that they are meant to serve. There is ongoing criticism that restorative justice, as it is being integrated into mainstream systems, does not reflect the authentic values inherent to it (Daly, 2000; Tauri, 2009). This paper explores one of the areas of this tension between growing restorative practices and the need to ensure that those processes are representative and authentic in

their delivery. Using a participatory action framework this research centred minoritised practitioner voices in both identifying the challenges and suggesting solutions to making the restorative sector more authentically inclusive.

The paper begins by exploring some of the literature on the growth of restorative justice and the challenges that this growth presents to the authenticity of the restorative practices and representation of communities. We detail the methods used to engage practitioners in the research. We then present the outcomes of the research, highlighting the perceptions and experiences of practitioners and the suggestions made. Finally, we reflect on these issues in the discussion, pointing to potential next steps for both research and the restorative sector more broadly.

## 2 Literature Review

Restorative justice is present to varying degrees in the criminal justice systems of Canada (Roach, 2012), Iraq (Al-Hassani, 2021), China (Zhang & Xia, 2021), Australia (Daley, 2017), New Zealand (Tauri, 2009), the United Kingdom (UK) (Butler, Maglione & Buchan, 2022; Marder, Banwell-Moore, Hobson & Payne, 2023) and the United States of America (USA) (Battjes & Kaplan, 2023). It is a growing part of both the Council of Europe and European Union's policy recommendations, including the Council of Europe Recommendation CM/Rec(2018)8 and the 2021 Venice Declaration (see Marder, 2020). The United Nations, through its Common Position on Incarcerations (2021), is committed to support criminal justice reform, including restorative justice. This has included the United Nations Office for Drugs and Crime (2020), developing a handbook to support the implementation of restorative justice with practical guidance of programmes and processes. At the same time, it is important to note that institutions of the state are not value free.

Minoritised populations are overrepresented in the criminal justice system (Skiba, Arredondo & Williams, 2014). In schools, there is a recognised overrepresentation of minoritised identities in discipline referrals, including Black, low-income, male, lesbian, gay, bisexual, transgender, queer and questioning students, all of whom are more likely to be subjected to suspension, exclusion and restorative justice (Bradshaw, Mitchell, O'Brennan & Leaf, 2010; Cruz, Firestone & Rodl, 2021; Himmelstein & Brückner, 2011; Morgan, 2021; Nicholson-Crotty, Birchmeier & Valentine, 2009; Poteat, Scheer & Chong, 2016; Skiba et al., 2014). These disparities are structural and continue across the justice system (Hetey & Eberhardt, 2018); in effect, criminal and social justice systems

lead to the high representation of people who come from racial, ethnic and cultural minorities.

Disparities are also seen in positions of power and leadership, where racial, ethnic and cultural minority groups remain underrepresented across the board, including in the education and justice sectors. According to UK Government statistics (GOV.UK, 2019), only 11.26 per cent of public sector leadership roles are held by Black and Minority Ethnic people, compared to 88.72 per cent of leadership roles held by White people. Similarly, in the USA, the Building Movement Project found in a survey of over 4,000 respondents from the non-profit sector that Boards of Directors and executive recruiters were key barriers to the hiring of more people from minoritised populations as executive directors (Thomas-Breitfeld & Kunreuther, 2017). The co-founder of the Black Lives Matter movement, Alicia Garza, explained that racism 'like most systems of oppression, isn't about bad people doing terrible things to people who are different from them but instead is a way of maintaining power for certain groups at the expense of others' (Garza, 2020: 219). Goens-Bradley (2020) argues that in (White) culture, power is understood and held hierarchically, and to sustain the hierarchy, access to the top (and to resources) is limited. It is therefore not surprising that institutional racism is established, ingrained and pervasive.

This paper explores one aspect of this tension between growing restorative practices and the need to ensure that processes are representative in their delivery. This work presents the findings from a project based in England and Wales, which sought to understand how the restorative sector might broaden representation of those that remain underrepresented in terms of race and ethnicity in leadership and policy making. Data was collected through a series of learning circles style focus groups and workshops with practitioners from minoritised backgrounds.

It is clear that the social structures that affect society permeate the restorative sector. Restorative justice 'is informed by racist structures, institutions, and individual bias' (Davis, 2019: 17). The nature of restorative justice as an approach is broad, including some practices that have emerged from Indigenous populations in the Americas, Africa and Australia (Weitekamp, 2002), which makes 'the existence of all-White restorative spaces [...] difficult to justify in view of restorative justice principles, especially those that embrace inclusivity' (Wilson, 2020: 108). The ongoing inequalities of historical and institutional racism create challenges for the way in which restorative services are delivered, where the overrepresentation of 'racial, ethnic and Indigenous peoples in the justice system most directly raises the question of how these communities and individuals are to "own" the conflicts' (Wood & Suzuki, 2020: 7). In the con-

text of criminal justice practices, Georges-Abeyie (2001: 7) calls this the 'petit apartheid', where the power imbalance due to systemic racism is so pervasive that it shapes the fabric of all relationships and interactions across the criminal justice system, as it does across the entire fabric of society in post-colonial nations. Consequently, it is not possible to consider restorative justice and practice outside of this context; particularly when seeking to address inequalities for practitioners' participation in the sector which require 'addressing the balance of power inherent in and necessary to sustain Western socio-political and legal institutions' (Gavrielides, 2014: 225; see also Schiff, 2013; Yiallourides & Anastasiadou, 2016).

In the context of post-colonialism, where former colonising and settler colonial societies have emerged as highly diverse in terms of race, ethnicity and culture whilst simultaneously highly unequal, work has been done to explore ways in which restorative justice and practice can be used as a more authentic approach to overcoming harm. In the context of Australia, Daly (2000) talks about the need for restorative justice and practice implementation to be part of a more holistic engagement with the legacy of racism and classism. In New Zealand, Tauri (2009) explains the limitations of using restorative justice on the state's terms, set within bureaucratic timeframes and processes. The current form of engagement follows a top-down approach where 'Māori are asked to assist in identifying a few culturally relevant principles that are tagged to the end of pre-conceived Eurocentric frameworks' (Tauri, 2009: 17). In the UK, Crawford and Newburn (2002: 483) reflect that restorative justice still struggles to ensure that volunteers are 'socially proximate to offender populations in terms of age, place of residence, and ethnicity', a fundamental requirement of an authentic restorative sector.

Efforts have been made to mitigate some of these structural challenges. In the United States, the RESTORE project, a community-based restorative justice conferencing programme for prosecutor-referred sex crimes involving adults, made attempts to address institutional racism and racial underrepresentation. This involved working to engage

> diverse groups by soliciting input from focus groups, nurturing partnerships with community agencies representing minority groups, arranging physical accessibility of facilities, and staffing the programme ethnically and linguistically to reflect the community (Koss, 2014: 28).

Studying the use of restorative justice in Norway and Finland in cases involving migrant minorities who are overrepresented in the criminal justice system, Albrecht (2010) acknowledged the importance of including minorities for

restorative justice, calling for more research on the inclusivity of restorative justice. It is therefore important to consider how restorative justice and practice can ensure that it is a more equitable form of justice which authentically represents the populations it serves. This requires engaging with the legacies of colonialism and systemic racism, by giving voice to the people who are at the forefront of restorative practice but are often left voiceless.

This project was framed by the presumption that restorative justice and practice needs to reflect and work with the communities within which it functions. The aim of the project was to understand how to broaden representation of underrepresented racial, ethnic and cultural groups in leadership and policy making in the restorative sector, which is underpinned by a broader need for the restorative field to become more inclusive.

## 3 Conceptual Clarifications

There is no unified theory of restorative justice. Instead there is a range of contributory theoretical frameworks that span psychology, criminology, sociology and other disciplines (Asadullah, 2021; Braithwaite, 1989; McCold & Wachtel, 2012). Some of the more focused definitions tend to prescribe restorative justice to victim/offender meetings, whether they take the form of circles, conferences or panels. Broader definitions include a spectrum of restorative practices (often used within restorative justice encounters) ranging from formal to informal processes that can include developing emotional literacy in schools, learning how to express affective statements that communicate emotions, asking affective questions in a non-judgemental way, facilitating peace-making circles and conducting programme planning (O'Mahony & Doak, 2017; Umbreit, Vos, Coates & Lightfoot, 2005). This variation in definitions reflects the range of ways and fields in which these ideas are deployed: restorative justice is a fundamentally applied practice or 'a set of principles, a philosophy, an alternate set of guiding questions' (Zehr, 2003: 3). It does, however, present a challenge when seeking to engage with diverse groups, who may well use (and be passionate about using) specific terminology. In this paper, given that its focus is on practitioners and knowledge gained from their experiences, it is not the intention to define what is or is not restorative justice. Instead, the term used is 'restorative justice and practice' to capture those processes of knowing, being and acting that stem from the roots of restorative processes in Indigenous histories (McCaslin, 2005; Pranis, 2014; Van Ness & Strong, 2010) that emphasise the connection between individuals and communities. In this sense, the definition here is broad, to incorporate what Marder (2022: 2) describes as 'applications

of restorative principles and processes beyond the case-based responses to specific offences'.

Language used to describe difference between people is contested and problematic. There is no tidy acronym to capture the complex histories and cultures of Britain's racial and ethnic minorities. However, because differences of experience and opportunity for those with minoritised identities is the focus of this paper, the original choice for this project was to use a very broad descriptor of diversity; to solicit participation on a project on 'diversifying restorative justice practice – broadening cultural and ethnic representation'. This descriptor was intended to bring together a variety of individuals from racially, ethnically and culturally minoritised backgrounds without presupposing who these individuals might be, rather than to conceal the racialised structures in British society (Parmar, 2017). Notably, this description was later amended by the practitioners involved in the project to expressly include the term 'race'; several practitioners explained that a central gap in the restorative sector was Black representation, which was specifically about race, rather than ethnicity or culture. In addition, this highlighted the problems of avoiding the term 'race', which despite being an idea that is socially constructed and has no basis in biology (Rutherford, 2020), has a very real impact on individuals and communities that are racialised (Parmar, 2017; Song, 2019).

## 4 Methods

This research sought to learn from the experiences and the challenges faced by restorative practitioners from a range of diverse, and often marginalised, cultural, racial and ethnic groups. The method was informed by the work of Smith (2021) on Indigenous methodologies, which engages and centres the knowledge, experiences and voices of minoritised practitioners to empower action and change. Accordingly, a participatory action research (PAR) method was used to democratise the process of inquiry (Krimerman, 2001). PAR is particularly appropriate to use with and for communities experiencing harm and injustice (Fine, Torre, Oswald & Avory, 2021). This meant that rather than recording practitioner experiences, the skills of the researchers were combined with the knowledge of the researched, making the practitioners co-producers of knowledge (Fals-Borda & Rahman, 1991). The framing and structure of the project was broad and guided by three initial objectives:

1. To bring together a group of racially, ethnically and culturally diverse practitioners to participate in the inquiry process and for restorative practitioners to support all aspects of the research.

2. To conduct a series of events that would enable a minoritised group of restorative practitioners to engage in a discussion on participation in leadership and policy development.
3. To encourage practitioners to potentially form a group that would continue work on issues of access, inclusion and leadership in restorative justice and practice.

The population for this research were ethnically, racially, and culturally diverse restorative practitioners. A non-probability, self-selected sample was recruited using the Restorative Justice Council (RJC). The RJC is a non-governmental organisation in the United Kingdom that provides sector advocacy, sets practitioner and service standards, raises public awareness, and supports local and national government in developing restorative justice and practice policy. The RJC emailed an open invitation and call for participation, asking those receiving the email to share it with their practitioner networks. The email specified that the research was about ethnic and cultural diversity.

In total, 29 practitioners participated in the research, with various levels of engagement. All 29 participants worked as restorative practitioners in England and/or Wales, and were representatives from across the restorative sector including from criminal justice, youth work, community work, education and mediation services.

The naming of identity is complex and intersectional, particularly in postcolonial societies, requiring careful consideration in order not to be reductive (Garcia, 2017). We drew on the insight that the way 'individuals navigate their multiple and layered identities reflect their experiences and perceptions of sociocultural factors that occur in their daily lives' (Ferguson, 2007: 1). This research did not explore the differences in experiences of those of minoritised identities or to link identity to the suggestions made for change. Demographic data was not collected from participating practitioners, although many were open about their identity during the sessions. The focus, instead, was to bring together a collective of those that have felt minoritised (self-selected) and listen to what changes they wished to see in the restorative sector. The intent was to conduct what Thambinathan and Kinsella (2021: 6) call 'emancipatory research', that 'brings to light historically silenced voices' and to listen to this minoritised group of practitioners' suggestions. The study was careful not to perpetrate 'academic voyeurism on racialised bodies' (Murray-Lichtman & Elkassem, 2021: 179), instead focusing on bringing to the fore change and action. In keeping with this approach, quotes listed below are not allocated to individual participants, instead quotes were selected as illustrative of the points made by the collective.

The data collection events ran through February and March 2022 and were organised as a series of learning circle style focus-group discussions – two

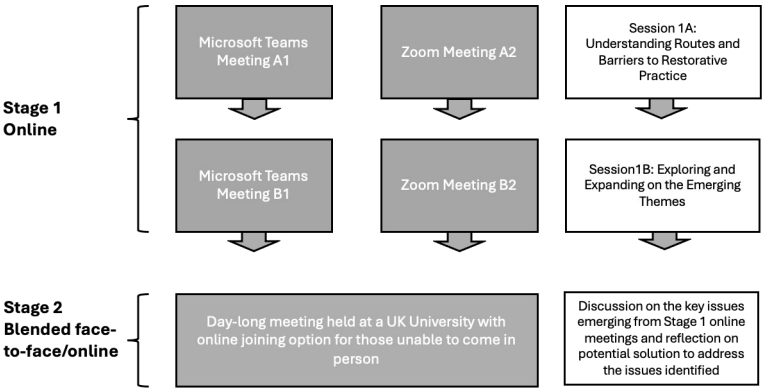


FIGURE 1 Organisation of the research process

blocks of online sessions, and one face to face all-day workshop. The intention was to use an iterative, cyclical mode of inquiry into the issues identified, where the planning and direction of the sessions was informed by the previous sessions, thus making it a reflective and self-evaluative process (Walker, 2010). Figure 1 details the research process across all three sessions.

The first two sessions were each 2 hours long and ran twice at different times of the day using different virtual conferencing tools (Microsoft Teams and Zoom) to support wider access and participation. The first of these had a focus on the barriers and opportunities for diversity in leadership and policy making. The session began with questions to help practitioners establish a relationship and a common agenda by exploring reasons for participating in the project and discussing core definitions (Kindon, Pain & Kesby, 2007). Following this, discussion prompts centred on experiences of practitioners, specifically on routes to becoming restorative practitioners, on experiences of inclusion and/or exclusion, and on perceptions of existing barriers for racially, ethnically and culturally underrepresented groups to becoming practitioners and taking leadership and policy development roles.

Reflection and feedback from the first sessions shaped the structure of the second session. This included a shift away from the anticipated conversation on exploring opportunities to discussing issues which emerged from the first session. This type of reflexivity is common with PAR, which encourages introspection and deeper exploration of issues raised (Fine et al., 2021; Kindon et al., 2007). The third session was an all-day blended in person/online event held at a UK university, and included lunch and subsidised travel to support attendance. During the day, practitioners worked together in groups to deepen understand-

ing of the emergent themes and suggested a series of recommendations for change in the restorative sector. The practitioners that attended in person used a selection of art and stationery materials to create prototype responses to the challenges; for the virtual group, one member of the research team led the online participants in a similar activity.

All of the sessions were facilitated by two members of the research team who are experienced restorative practitioners. Data was collected at each stage of the process. Discussions from the online sessions were recorded and transcribed and notes were taken during presentations of each group. In addition photographs captured the visual prototypes created by practitioners during the final session. These photographs, notes, along with the transcriptions from the online sessions were subjected to a thematic analysis (Clarke, Braun & Hayfield, 2015). A thematic analysis allowed for flexibility in meaning generation and for orientation around the research participants which was particularly well suited for this project (Braun & Clarke, 2012). The thematic analysis was built up from initial coding of data, and then developed into categories that were aggregated into the key themes (Saldaña, 2013). The final analytical themes that emerged were: underrepresentation and discrimination; awareness of and access to the sector; language; resources and structure; and leadership. These are discussed in the next section.

## 5 Findings

The key themes that emerged from the practitioners' discussions across the listening events provides insight into the experiences and suggestions from a racially, ethnically and culturally minoritised group of practitioners reflecting on the restorative sector in England and Wales. These included underrepresentation and discrimination, awareness and access to the sector, language, resources and structure, and leadership. In addition to longer quotation segments that provide detail on practitioner perspectives, we have strived to accurately represent the voices and language of the project participants by embedding the exact words of practitioners in the descriptions below (using quotation marks).

### 5.1 *Underrepresentation and Discrimination*

Practitioners defined underrepresentation as disproportionality; not representing the broader population. One participant explained that beyond cultural, racial and ethnic differences, underrepresentation reflects minoritisation 'in terms of a shared experience of not being within a mainstream' and a sense of belonging.

Practitioners felt this lack of representation was to the detriment of the field, as diversity in experience impacts on both the practitioner's ability to engage with different groups but also the group's willingness to engage with the practitioner: 'we all have our own experiences that we bring to the table and how we experience things differently because of our histories'. They stressed the importance of 'widening the offer of restorative justice' and that those on the periphery need to be brought into the mainstream to ensure that people have a voice. Whilst practitioners referred to underrepresentation and discrimination as being primarily about race and ethnicity, there was also reference to other minoritised and marginalised groups such: Europeans, particularly Eastern Europeans since Brexit; Lesbian, Gay, Bisexual, Transgender, Queer and other sexual orientations and gender identities (LGBTQ+); those with disabilities and neurodiversity; people with literacy issues. In addition, there was also concern about marginalisation along educational lines which affects the diversity of life experiences in the sector.

> All jobs that we had, you had to have a certain level of qualification and the minimum was an A-Level standard. And [...] if we're talking about having people from diverse life experiences, you know, some of those people do not have qualifications because they disengaged with education and haven't got back into it yet or, or as young adults are just starting to.

In addition, practitioners described 'offenders' as not being represented in the restorative justice sector, particularly important considering the overrepresentation of Black offenders in prisons. Practitioners identified Black people in general, and more specifically Black men, being noticeably absent from restorative sector leadership and policy making.

Several practitioners suggested that implicit bias and discrimination have led to the restorative justice sector being represented almost exclusively by 'White British senior-level management', and that this needed to be addressed with some urgency. Practitioners stressed that it is 'not just the responsibility of the marginalised' but the responsibility of everyone, including those working at senior levels within the restorative justice sector to ensure a more inclusive environment. They have 'an implicit responsibility to reach out to those people who are, who don't have a voice. Because you can't have true justice without people's opinions being heard'.

There was consensus that, if people were 'not at the table in the first place then their voices and perspectives were not there to feed into development and policy making'. This insight shifted the focus of this project from leadership and

policy development, to diversifying restorative justice and practice more generally.

> I have been to many events [...] and generally you are the only one, the only person of any colour there, at predominantly White events.

> [...] sometimes it's like just sprinkle a few Black people in there or one or two and it makes the whole thing diverse, like just sprinkle in and stir ... it is in that context that I say that diversity seems to be misunderstood and misapplied.

Practitioners identified various forms of social exclusion that created barriers to a more inclusive restorative justice community. Beyond experiences of discrimination and implicit bias, lack of cultural awareness, tokenistic approaches to the inclusion of underrepresented groups within the restorative justice sector were cited.

> I had experienced racism, but not to the extent that you could actually report it and expect anything to come out of it.

Several practitioners reflected on the recommendations proposed by the Macpherson Report (1999), which was published in the UK after the murder of Stephen Lawrence which amongst other issues, identified steps to address institutional racism in the criminal justice system and the police. Practitioners argued that much of this had not been sufficiently integrated into those institutions. One participant talked about the importance of recognising implicit bias which seeps into all areas of daily life, including the restorative sector, which leads to the lack of diversity in the field. To address this, participants felt there needed to be more understanding of implicit and institutionalised bias, through regular training, for both practitioners and management staff.

> I just feel a lot of the time the conversation just sort of gets swept under the carpet. I think that we have so many reports that highlight disproportionality but when it actually comes to actually talking about it and tabling it up, quite minimal.

Practitioners wanted leaders in the sector to be more thoughtful and creative in their recruitment and employment policies and practices to address racial, ethnic and cultural underrepresentation within the sector. This included regu-

lar training for practitioners and leaders, thinking about the locations in which recruitment occurs, the documents required for applications and the language used for communicating about restorative justice and practice.

Practitioners wanted safe spaces for practitioners and minority groups to reflect, encourage peer-support, grow awareness, support well-being, engage in professional development, and function as forums where innovative strategies and actions could emerge. Practitioners suggested the creation of support/network groups for practitioners from diverse and minoritised backgrounds. Practitioners felt that 'having people come together regularly could be powerful and would have a focus on recruiting people into restorative justice'.

### 5.2 *Awareness of and Access to the Sector*

Practitioners identified several ways that they had come to work in the restorative justice and practice sector, including routes through police services, schools, universities, working with excluded children, youth offending teams, mediation services and through RJC practitioner accredited routes. From many, it was clear that becoming a practitioner required both awareness of the sector and access to it in order to participate. For those in historically marginalised groups, this was a barrier to participation, as one participant stated: 'Demographics are quite important in terms of how people get into this and who is heard and who isn't.'

Practitioners reflected that even within sectors where restorative justice and practice is offered, such as the criminal justice system, a lack of awareness remains and 'victims are not aware that they have those services available for them'.

> RJ [Restorative Justice] isn't widely known enough. You know, even though there's the Victims Charter [Code], people, [...] when you talk to people or when you reach out to victims of crime and start talking about RJ, they're not aware of what it is.

The lack of community awareness around restorative justice work, especially within marginalised communities, has implications for who has access to restorative justice and thus contributes to underrepresentation. Many of the practitioners were clear that 'it's not reaching people from ethnic minority communities [and that] the whole area of RJ is seen as a White, middle class offer' and to change this, there is need not only for awareness raising but also of the messaging around restorative justice.

One practitioner explained that there was a 'need to share RJ with the public so that it becomes embedded in daily life'. Practitioners felt that restorative

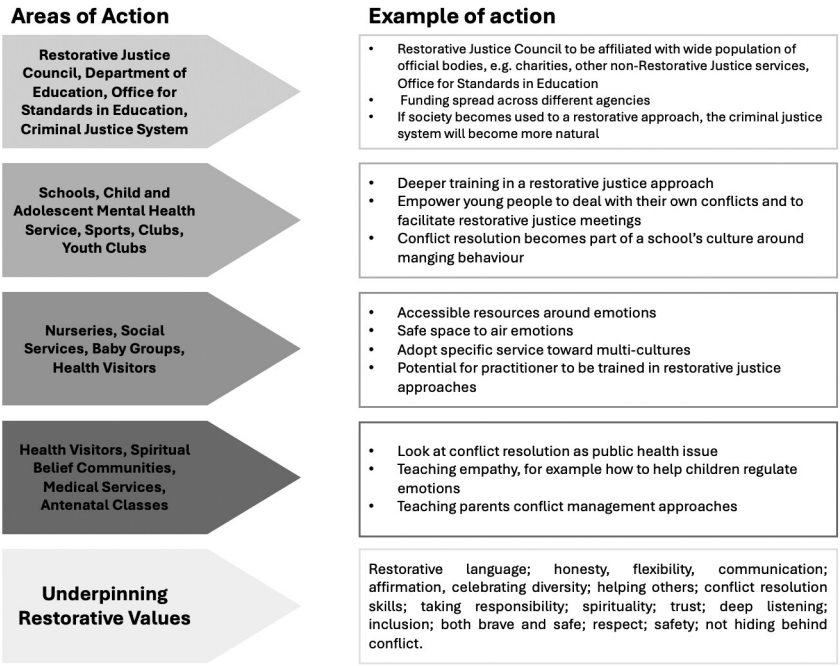


FIGURE 2 Diagram of practitioners' model of 'awareness and access across layers of society'

justice needed to 'go out into the community', particularly to underrepresented and traditionally minoritised communities where there was a lack of knowledge.

Practitioners felt that addressing this issue required a systemic approach, to ensure that the processes were diffuse across various sectors of society. In the final face-to-face session practitioners devised a representative model for this (see Figure 2 which is based on a prototype response) that illustrated their thoughts on the areas where there was a need for restorative justice and practice, and specific actions that could be taken to ensure awareness and access.

As well as the examples of actions in specific areas identified in Figure 2, the practitioners felt there were some broader strategies needed to address the underlying issues of awareness and access. This included a national awareness strategy, supported by a government appointed restorative justice minister in the UK. Such a minister would be tasked to champion an evidence-based practice, promote restorative practice as a specialist field and lobby for more paid positions in the field. Practitioners also suggested awareness campaigns that included local community leaders to champion restorative practice.

Finally, practitioners called for greater involvement from underrepresented and traditionally minoritised communities in the development of strategy, research and awareness. This type of collaborative approach would allow for strategies to be identified that accurately reflect the needs of those communities.

> We should aspire to model restorative core principles in the co-design not just delivery, working 'with'. I think too often we develop programs or write bids without listening first. I think truly restorative projects need to be co-produced with people with the lived experience of whatever the issue is. I appreciate that's not always easy.

### 5.3 *Language*

Practitioners felt that the use of specific types of language often risked creating barriers to access, and consequently contributed to underrepresentation.

> Language is a big subject … we all agreed that that's a very important part of how we reframe the whole idea of what restorative work is.

The concept of language was referred to in three areas: first, in reference to the use of terminology within restorative practice; second, with reference to the wording used in recruitment and advertising for practitioners; and third, the language used around professional standards and registration.

There were concerns on the use of the stigmatising terms 'victims' and 'offenders', reflecting a discussion which has been taking place in the field more broadly. Practitioners felt such issues needed to be addressed in a meaningful way particularly to reach those sections of society who experience challenging relationships with the police and the criminal justice sector.

Practitioners also voiced concerns about assumptions made about the relationship between poverty and diversity when it came to programmes for supporting diversity.

> Something that was really interesting […] was actually the fact of having poverty and underrepresentation in the same sentence because actually straight away that's giving a message … and actually it's not that all Black people are poor, and sorry I'm not emphasising on Black, it's just that was what was dominant in our conversation … those two headings should actually be separate.

Practitioners felt that much of the organisational language and processes involved the need for specific forms of cultural capital that was not always available to those in marginalised communities and was therefore inaccessible to many. People thought there was a middle-class approach in terms of the language and the way work is conducted in the sector. This translated into advertising and recruitment material which created barriers to access.

Practitioners saw a need to revise some of the language used in the sector to make it more accessible, to promote a shared vocabulary, to improve intelligibility and to make communication more visual. This would support underrepresented communities for whom English was a second language as well as 'people with literacy issues [who] may not be able to access RJ services'.

Practitioners called for a more active process of seeking out appropriate information on the most appropriate practices and language to be used within different communities. Another similar suggestion was that research should engage in identifying language appropriate for engaging people, breaking down concepts and framing restorative justice with potential new recruits from diverse communities.

### 5.4 *Resources and Structures*

Practitioners felt that restorative services, more than other services, relied on the use of volunteers for large parts of service delivery. The consequences of this were that it reduced participations from certain groups, including those that 'cannot afford to be philanthropic'. Practitioners explained that this resulted in 'most of the volunteers [being] middle class'; 'not many from the Black community' being involved; and 'younger generations' being excluded.

Practitioners were clear that the sector involved specialist and demanding work, and therefore those working in the field should be 'remunerated appropriately'. One participant argued that 'volunteers are not truly free' as the role comes with demands on time and expenses. Practitioners said that they felt voluntarism created a 'postcode lottery' of restorative services, due to the varying affordability of childcare, travel, accreditation, professional development fees and the ability to take time off work.

There was a call for a greater focus on career progression routes and opportunities, which would help to avoid the disparities and discrimination that currently exist between paid and unpaid practitioners. Concerns were articulated that the widespread practice of using volunteers blocked professional improvement.

> We wouldn't expect a teacher to teach free, we wouldn't expect a social worker to work for free, we wouldn't expect a counsellor to work for free; RJ should be bracketed within that strata as far as remuneration.

Participants' suggestions on addressing issues of resources and structure centred on rethinking the funding structures and ensuring more accountability and transparency in the representation of existing funders and restorative providers. Suggestions for funding structures included the need to properly fund national restorative justice services that would move the sector away from volunteering and conducting a sector fair pay review to explore how remuneration for restorative practitioners could help to address underrepresentation. Participants explained that the (re)introduction of more secure and long-term funding for restorative justice services, allowing for professional routes into restorative justice and more opportunities for roles in restorative justice management would aid representation in the sector.

### 5.5 *Leadership*

Practitioners in these sessions made it clear that conversations about broadening the representation in leadership and policy development were fundamentally underpinned by a broader need for the field of restorative justice to become more inclusive. Nevertheless, participants did provide important insight into restorative sector leadership.

Participants distinguished between two kinds of leadership: leadership by consensus which exists in communities; and leadership by appointment which exists in organisations. One participant explained that some types of 'leadership can get dismissed, and that actually people are doing leadership roles but might not be getting recognised'. Another suggested that there is a 'community of people doing great work but are unfunded and unrecognised'. Together the group agreed that there was a need for a better balance between these varied forms of leadership.

> We need to listen to existing strengths and challenges experienced by a community and their local representatives, they know their community and its diverse nuances, not us.
>
> A lot of leadership going on is not reflected/not recognised … The structure for applying for quality mark might not mirror culturally embedded problem solving and peace-making in the community.

Practitioners explained the need for a grass roots approach to leadership, which recognises that restorative justice is not new and has long historic roots in many cultures and especially in Black culture.

> I observed that among the facilitators I was the only Black person [...] and I just thought, you know, RJ is very much part of, you know, our culture as Black people and I did not know why they did not have enough people.

Practitioners felt that this type of grassroots approach would require organisations to build on existing skills at a cultural and familial level, which are developed and refined to improve existing tools, instead of proposing top-down solutions.

> [...] when you don't have that diversity and the richness ... you're missing out on that leadership level because actually in fact, many people that are from different countries, whether it's from the Caribbean or Africa ... restorative is a natural way of life. Yeah, so actually you're missing out on the richness of not having that diversity in the first place because there's a lot to learn there.

Finally, drawing on their own experiences, practitioners described gaps in cultural competence and understanding of restorative principles amongst existing leadership, skills that were seen as essential for a more diverse future of restorative justice and practice. Participants believed that training leaders and managers in the sector was essential. There was a call amongst the participants for the training of supervisors and all those in leadership roles in the fundamentals of restorative practice and in cultural competence.

> Um, we need to start at the very top [...] to be more restorative, so maybe we could train each other's senior management teams or even do a joint training approach.
>
> If BMEs [Black Minority Ethnic] are, if Africans or people Black or Black people are not included in RJ leadership and decision-making bodies, then these bodies do not reflect the increasingly multi-cultural profile of the UK.

It was also recommended that there should be regular and ongoing diversity training on cultural awareness and enhanced ability to acknowledge discrimination. This type of training should include learning skills on how to deal with existing social barriers to diversity and how to communicate with people from minoritised backgrounds. Reflecting statements on a more holistic understanding of different forms of leadership, practitioners suggested the creation of an annual leadership summit open to everyone across the sector.

## 6 Discussion

In 2020, Goens-Bradley (2020) set out a series of actions to address underrepresentation, exclusion and racism in the restorative sector. These included: drafting recruitment guidelines that embrace anti-racism and anti-oppression; running mandatory anti-racism training that recognises structural racism; creating non-judgemental spaces for practitioners to learn and grow; establishing accountability procedures that include feedback from underrepresented communities; and developing and prioritising decolonised ways of engagement that challenge current structures and focus on meaningful relationship-building.

These suggestions are reflected in the findings of this research: that *underrepresentation and discrimination* are fundamentally structural issues. Although some of these issues can be addressed at a service level, change needs to include broader actions within different communities and within society as a whole. It was made clear that *awareness of and access to the sector* is a vital step in creating more opportunities for both the use of restorative services as well as for increasing practitioner diversity. In addition, it was shown here that the *language* used and the *cultural capital* available to individuals when seeking to expand access to and awareness of services is crucial, because these reflect the dynamics of established power. In addressing these issues, it is important to involve members of underrepresented communities who can reflect on the dynamics of power and help challenge underlying assumptions within services. *Resources* need to be directed towards these challenges, keeping in mind the specific needs of minoritised groups. Change requires *leadership* that will challenge the current *structures* and embrace meaningful relationship building with underrepresented and minoritised communities, which requires ongoing training of teams and their managers. There are challenges in achieving this. It is not a simple endeavour for the restorative movement and those within it to change the public sector within which they function, whilst ensuring that the practices and language used are palatable to the existing structures (see Tauri, 2023). It is such an atomistic approach that feeds critiques of the restorative justice and practice movement as being co-opted and retrofitted, stripping restorative justice and practise away from its Indigenous roots to include only acceptable components (Tauri, 2019). The risk of the mainstreaming of restorative justice and practice, which has included the racisms that underpin the key institutions in society, is that it has lost its emancipatory nature (Tauri, 2023). Littlewolf, Armster, Paras and Stutzman Amstutz (2020: 90) have explained that the restorative community needs to acknowledge its 'complicity in perpetuating racist and sexist systems' to make space for those with minoritised

identities, and to live up to restorative ideals. The danger is that the restorative movement which promises a fairer system, will instead replicate the social divisions and injustices that have emerged in post-colonial societies (Tauri, 2018).

The hierarchical structure of post-colonial societies favour those with a university education, an education that is likely to have focused almost exclusively on the lived experiences of White bodies and minimised the oppression and the roles of those with minoritised identities (Goens-Bradley, 2020). From conversations with conflict resolution specialists of African descent, Hairston (2022) recounts the challenges of practitioners getting into professional, paid employment, with interviewees describing it as 'gig work' (see also Hoffman & Stallworth, 2008; Low, 2008). Furthermore, respondents reported that once established in roles, they experienced microaggressions by users of restorative justice, fellow practitioners, administrative staff, and from those in the legal system (Hairston, 2022). Even in cases where there is evidence of efforts to diversify teams of restorative justice practitioners, there is too often a 'recruit and abandon' approach that needs addressing (Chené, 2022). Chené (2022) argues that although workplaces often have good intentions regarding recruitment and induction of new staff, over time, the new recruits of minoritised identities encounter implicit or overt bias. Therefore 'restructuring hierarchies so as not to keep perpetuating what I call bureaucratic colonisations has to be an ongoing mission' (Chené, 2022: 47). There is a clear need for access to more high-quality training that is coupled with support for those of minoritised and marginalised groups (Winn, 2018). However, training needs to be of good quality, having fidelity of practice, focusing on the ongoing development and support of practitioners (Lanterman, 2020). The discussions captured in this project similarly recount the convergence of volunteerism, discrimination and a lack of understanding of the lived experiences of those from minoritised backgrounds. In addition, practitioners made clear that these hierarchical structures permeate in the language used in the restorative justice sector, the types of experiences and leadership which are respected, and the expectations for those seeking to become practitioners.

Homogeneity at a senior level affects the experiences of those involved in the justice system, especially those most impacted by inequality (Gavrielides, 2022). White restorative leaders, by virtue of their positions, have a disproportionate influence on institutional racial climates. However, White leaders do not automatically 'possess tidy social justice, anti-racist identities, or essential pre-requisite cultural understandings to enact policies and practices' (Irby, Drame, Clough & Croom, 2019: 196). Therefore, homogeneity is not just damaging to those excluded, it is also harmful to those in positions of power.

> If the experience of the public sector is lived exclusively within one dominant culture, then White people, lacking any alternative experience, are deprived of a lens through which to understand or protest their own oppression, as well as the oppression of others (Roy, 2022: 23).

The voices of practitioners captured in this project certainly echoed these sentiments, calling on leaders in the restorative sector to seek out diversity, not only for the benefit of minoritised communities, but also for those in the majority.

Gavrielides (2002) argues that it can be difficult for White leaders to overcome their implicit bias. Change requires more than just superficial veneer of effort, there needs to be an active culture of speaking out to 'address the historical, systemic, and continued harms from the extermination of Indigenous people and the enslavement of Africans, people and practitioners of colour' (Littlewolf et al., 2020: 90). This type of acknowledgement needs cultural competence, empathy and an awareness of implicit biases that affect the application of administrative processes and rules (Moyle & Tauri, 2015). Practitioners who engaged in this project reflected this in their experiences of the sector, calling not only for cultural competence of restorative justice leaders, but for training in implicit bias and in restorative practices to ensure that the sector embeds restorative values in its own institutions.

Restorative justice is an approach with roots in Indigenous forms of justice built on values of flattening power to enable an equalising of unbalanced relationships. As such, it is essential that restorative processes recognise where unequal power is built into a relationship. The discipline in theory and practice is adept at recognising overt conflict such as in cases of physical violence, but is less capable at dealing with covert forms of control and oppression. The sector is open to change and development. For example, much work has been done lately on the challenges of undertaking restorative work in cases of sexual and domestic violence, particularly where that entails aspects of coercive control (Keenan & Zinsstag, 2022; Mercer, Sten Madsen, Keenan & Zinsstag, 2015). The field is now better at understanding that the act of coercive control is often covert, malicious and hidden from clear view. To address this, it is growing more common for restorative services to work with experts in the domestic abuse field, who are used to interpreting the covert acts of coercive control into visible violence. Given that this covert power dynamic is understood in this context, it is important to understand where other forms of violence are covert or hidden from those undertaking a process. The racism that still pervades much of our criminal justice system, and indeed much of our everyday lives, is such a form of violence; it is visible and tangible to those that suffer from it. It is what Gal-

tung (1990) calls structural, cultural and physical manifestations of violence. However, these forms of violence are less visible to those that are not subject to that type of harm, or have not learnt to interpret/understand what they see, as violence. Given this, in the same way that the field might seek to engage with special services when dealing with sexual, domestic and coercive violence there is a strong argument that it should do the same when dealing with acts that include power imbalance based on ethnicity, race or any other form of violence.

## 7 Conclusion

As a field that is built on addressing harm, the restorative sector carries a particular responsibility in dealing with discrimination and ensuring a more equitable form of justice. This is particularly true in the context of a developing professionalisation agenda for restorative justice in diverse criminal justice systems across the world, including Canada (Roach, 2012), Iraq (Al-Hassani, 2021), China (Zhang & Xia, 2021), Australia (Daly, 2002), New Zealand (Tauri, 2009), the UK (Butler et al., 2022; Marder et al., 2023), the USA (Battjes & Kaplan, 2023), in Europe and the EU (Marder, 2020) and from the United Nations (2020, 2021).

Restorative justice is often held up as a chance to do things differently, to tackle some of the inequalities and injustices that are often part of those criminal justice systems. As this shift takes place, it is important to understand how the embedded power structures that restorative services come up against can impact on service design and delivery. In particular, and as this research has shown, it is important to ensure that an understanding of power as it relates to Whiteness is critical for the restorative sector so that some of the harms restorative justice proviso seeks to amend are not reproduced (Schiff, 2013). As Pranis (2014: xxi) argues

> a primary goal of RJ for me is the redistribution of power, but if we do not understand how power is distributed originally, we will not be able to assess whether we have distributed it in a restorative way.

One of the first steps to achieving this is to ensure that there is a recognition of the challenges faced by practitioners from minoritised backgrounds and to engage proactively in addressing the issues raised.

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