



# **The Emotion Work of Restorative Justice Facilitators**

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# Abstract

Restorative justice (RJ) has been promoted as an emotionally intelligent approach to crime (King, 2009; Sherman, 2003) and a process that can both repair the harm caused to victims (Angel et al., 2014; Strang, 2002) and help reduce reoffending (Robinson & Shapland, 2008; Sherman, Strang, & Woods, 2000). While these claims often rest on assumptions about healing, restoration, and the transformative power of emotion (Van Ness et al., 2022; Rossner, 2013), very little is known about how emotions are managed in these encounters or how restorative conferences have the capacity to be emotionally transformative.

This research draws on narrative interviews, focus groups, and ethnographic fieldnotes to explore how RJ facilitators perceive and manage emotion in conferencing, the most widely researched model in RJ (Zinsstag & Vanfraechem, 2012). In doing so, it delves into the role of RJ practitioners to understand their occupation – what they do and how they do it – exploring their daily activities, interactions, and relationships. The findings show that facilitators deploy conscious strategies to manage both their own emotions and those of participants so as to maintain neutrality and impartiality. Accomplishing impartiality and neutrality is a central part of the emotion work (Hochschild, 2012) performed by facilitators and the barometer for reflective practice. Specifically, the data reveals that through their performance of ostensibly neutral and impartial communication, RJ facilitators guide and transform participants' views and emotional displays, transporting them to “a place” where they are more aligned with RJ principles and values and, more broadly, its emotional regime (Reddy, 2001).

These findings depart from existing research and literature which has described communication in RJ encounters as predominantly “spontaneous”, “genuine”, and “authentic” (Van Stokkom, 2019). Instead, they call for a reframing of how emotion is understood and expressed in RJ, as something consciously shaped, facilitated, and cultivated over time.

## Acknowledgements

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## **List of abbreviations**

<b>RJ</b>	Restorative Justice
<b>HCAC</b>	Hate Crime Awareness Course
<b>PCC</b>	Police and Crime Commissioner
<b>SI</b>	Symbolic Interactionism
<b>GDPR</b>	General Data Protection Regulation

# 1 – Introduction

## 1.1 Rationale for this research

Restorative Justice (RJ) has attracted considerable interest over the past few decades as a promising alternative (and complement) to conventional criminal justice. Advocates often depict RJ as a more inclusive and empowering approach, enabling those affected by a crime<sup>1</sup> to communicate and address the specific impacts of the harm (Van Ness et al., 2022; Barton, 2003; Braithwaite, 2002a). Among the various RJ models, conferencing is the most commonly studied. It involves bringing together the person responsible for the harm, the person harmed, and their respective supporters to discuss the offence and its consequences, with the guidance and support of trained RJ facilitators (Zinsstag & Vanfraechem, 2012; Zinsstag, Teunkens, & Pali, 2011).

These encounters are typically praised for acknowledging emotions and creating a safe space in which participants can “freely” express themselves, fostering a climate of “authentic” and “genuine” communication, where expressions of remorse and apology often play a pivotal role (Suzuki & Jenkins, 2022; Van Stokkom, 2019; Retzinger & Scheff, 1996). Unsurprisingly, emotion has come to be regarded as a defining feature of RJ, one that lays the foundation for its success and drives its reported benefits (Rossner, 2011, 2013; 2017). For this reason, some scholars have characterised RJ as an “emotionally intelligent” approach to justice (King, 2009; Sherman, 2003).

While many of the claims surrounding RJ’s effectiveness have been grounded in assumptions about healing, restoration, and emotional transformation, very little is known about how

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<sup>1</sup> The terms crime and conflict are frequently used in the RJ literature to describe the forms of harm that restorative processes can address. Conflict is often applied to interpersonal disputes or community-based harms, particularly those involving individuals who know each other or share a social context. Yet the term can also imply a degree of mutuality or symmetry between parties that does not accurately reflect the dynamics of criminal cases, where harm is formally defined by the state and shaped by legal, institutional, and power asymmetries. Since this research focuses on RJ within the criminal justice system, the term crime is used throughout to reflect these asymmetrical dynamics.

emotions are managed in these encounters or how restorative conferences have the capacity to be emotionally transformative. To date, RJ scholarship has examined emotion primarily through the lenses of participants, treating emotional expressions as reflections of their individual needs, motivations, and interests.

Yet the success of RJ encounters appears to hinge significantly on facilitators' skills and competence (Van Ness et al., 2022; Bolitho, 2017; Bolitho & Bruce, 2017). It has been suggested, for instance, that poor facilitation can influence participants' perceptions of RJ (Choi & Gilbert, 2010) and may even increase the risk of "emotional harm" if the conference "goes wrong" (Strang, 2001, p. 192). In addition, it has been argued that facilitators use "a range of strategies to both build emotion prior to the event and bring it out during the conference" (Rossner, 2013, p. 80), underscoring their active role in shaping the emotional dynamics of the process.

Despite these observations, facilitators' own understandings of and engagement with emotion remain underexplored: How do they encourage or manage the expression of emotion in RJ encounters? How do they build trust with participants? And how do they manage their own emotions? Although numerous studies have included interviews and surveys with RJ practitioners, the focal point of attention has always been participants' individual experiences and interactions. This leaves an important gap in understanding the emotional dynamics of conferencing and how these are actively shaped by facilitators' everyday practices.

Moreover, the role of emotions in RJ has been examined primarily in relation to one stage of the conferencing process: the conference meeting. Researchers have largely focused on what happens emotionally during the face-to-face encounter (e.g. what is said, what is felt, and how it is recalled), with far less attention to what precedes that moment. This is surprising given the broad consensus that conferencing varies in its "amount and type of preparation" (Rossner, 2017, p. 974), and that preparatory work plays a vital role in shaping participants' readiness to engage, both with the process and with one another.

While some studies have offered valuable insights into pre-conference preparation and participants emotions (Rypi, 2016; Miller, 2011), they do not foreground facilitators' own perspectives, nor do they examine preparation in sustained detail as part of facilitators' everyday practice. As a result, although scholars have recognised that facilitators actively shape emotional dynamics in RJ processes, we still know very little about the fine-grained, day-to-

day emotion work facilitators perform, particularly during the preparation phase. More specifically, there has been limited empirical attention to how facilitators themselves perceive, manage, and negotiate emotions as part of their everyday practice.

This research addresses this gap by investigating, empirically, how in their daily practices RJ facilitators perceive and manage emotions in conferencing, both during preparation and conference meetings. Specifically, it explores the work of facilitators who work for a third sector organisation, Restorative Solutions, in England. In doing so, it delves into the role of RJ practitioners in order to understand their occupation: what they do, how they do it, and how this is reflected in their daily activities, interactions, and relationships. To capture these dynamics, the research draws on a combination of qualitative methods, including narrative interviews, focus groups, and ethnographic observations conducted across the stages of preparation, conference meeting, and follow-up. This is the first empirical study to examine the emotional dynamics of RJ conferencing from the perspective of facilitators, with particular attention to preparation as a core site of occupational and reflexive practice.

The role of RJ facilitators has long been taken for “granted” (Bruce, 2013, p. 517). Although there is widespread agreement that successful interactions require a significant amount of planning and expertise (Rowse et al., 2024; Martin et al., 2023; Bolitho & Bruce, 2017; Umbreit, Coates, & Vos, 2004), we still know relatively little about how facilitators themselves understand their role, how they interpret and enact RJ values or how they work with emotion. Given that RJ is premised on creating a safe space for emotional expression, and that facilitators are tasked with making this possible, it is important to understand how they achieve this in practice. As this thesis demonstrates, facilitators do not operate in a vacuum, nor is their work value free. Their practice is shaped by institutional, organisational, and cultural contexts that influence how RJ is delivered, how its values are interpreted, and how emotions are understood and managed.

As noted above, this is an empirically driven study. Therefore, the concepts, insights, and theoretical contributions presented throughout the thesis are shaped by the extensive empirical material collected during fieldwork. Rather than testing pre-existing theories or developing a new normative theory of emotion in RJ, the research seeks to offer an in-depth account of how facilitators perceive, experience, and manage emotion in conferencing processes. In doing so, it foregrounds the voices and perspectives of practitioners, allowing their interpretations, strategies, and views to shape the analytical direction of the thesis (Bryant & Charmaz, 2019;

Charmaz, 2006). While specific emotion terms (e.g. anger, shame) may appear throughout the analysis, they are introduced primarily in relation to facilitators' own descriptions and interpretations of their practice. A general working definition of emotion is provided early on, to offer a contextual anchor for the discussion, but the analysis remains rooted in participants' own meaning-making rather than in prescriptive typologies.

Similarly, the theoretical framework used in this thesis was not applied deductively to guide data collection<sup>2</sup> or analysis. Instead, theory operated as a set of "sensitising concepts" (Blumer, 1954), informing an iterative and reflexive engagement between the empirical material and the existing literature. Rather than being imposed in a prescriptive or exhaustive way, concepts were used as interpretive resources to illuminate patterns, tensions, and practices observed in the data. In this sense, the study adopted an abductive approach (Timmermans & Tavory, 2012), moving back and forth between data and theory to refine interpretations and develop empirically informed insights.

This interpretive approach draws inspiration from a range of disciplines, including sociology, criminology, and socio-legal studies. As such, the analysis engages with growing bodies of work beyond RJ, that foreground the role of emotion across a range of legal and institutional contexts. Over the past two decades, scholars across law and the social sciences have increasingly challenged the notion that law is or should be emotion-free. This shift, often referred to as the "emotional turn" (Karstedt, 2011), has prompted renewed attention to the emotional dimensions of legal practice, decision-making, and institutional life (Rossner & Tait, 2024; Field & Tata, 2023; Bandes et al., 2021; Roach Anleu & Mack, 2021; Flower, 2020; Phillips et al., 2020; Rossmanith, 2015; Karstedt, Loader, & Strang, 2011). Emotions are no longer viewed as irrational intrusions into legal reasoning but as central to how law is experienced, performed, and legitimated.

This broader shift offers important insights and conceptual tools for understanding RJ, which explicitly places emotional expression, dialogue, and reparation at the core of its practice. By examining facilitators' practices, this thesis contributes to the growing body of scholarship

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<sup>2</sup> The term 'data' is sometimes treated as a plural noun, particularly in scientific disciplines. However, in line with common usage in qualitative research, I use 'data' as a singular mass noun throughout this thesis (e.g. 'the data shows' rather than 'the data show').

concerned with the emotional foundations of justice and the skilled, often invisible labour required to sustain them.

The sections that follow introduce the study in more detail. The next section begins by setting out the aim of the research and its research questions. This is followed by a discussion of how RJ is defined in the literature, including an overview of its models, principles, and values. The chapter then reflects on the personal motivations behind the study, before concluding with an outline of the thesis structure.

## **1.2 Research aim and questions**

As mentioned above, this research examines the work of RJ facilitators, specifically how they perceive and manage emotions in conferencing processes. This aim will be addressed by examining the following questions:

- a) How do facilitators perceive their role?
- b) Are emotions welcomed by facilitators in conferencing processes?
- c) How are emotions talked about by facilitators?
- d) How do facilitators manage their own emotions and the emotions of RJ participants?

## **1.3 What is restorative justice?**

RJ is widely understood as an umbrella term encompassing a diverse range of practices and approaches aimed at resolving “conflicts or disputes” between parties (Shapland, Robinson, & Sorsby, 2011, p. 4). Over the years, scholars have made numerous attempts to formulate a universally accepted definition of RJ, but no single definition has achieved broad consensus among its proponents. There is ongoing discussion about whether RJ should be understood as a process, an outcome, a social movement, a theory of justice, an ethos grounded in values and principles, or simply a variety of approaches (Daly, 2016; Van Ness & Strong, 2010; Johnstone, 2008; Gavrielides, 2007; Walgrave, 2000; Marshall, 1999). A widely cited definition describes RJ as “a process whereby parties with a stake in a specific offence collectively resolve how to deal with the aftermath of the offence and its implications for the future” (Marshall, 1999, p. 5). This is also known as a “purist” definition of RJ (McCold, 2000, p. 12) due to its emphasis

on procedural aspects.<sup>3</sup> While not without its limitations,<sup>4</sup> this definition offers a workable starting point for empirical research, as it identifies observable features of restorative processes, such as the involvement of those affected and the emphasis on collaborative decision-making. By foregrounding these elements, it helps distinguish RJ from more conventional justice approaches and provides a practical framework for identifying RJ in practice.

A key promise of RJ lies in its potential to move beyond punitiveness and penal populism (Garland, 2022). Rather than treating crime solely as a legal violation, RJ adopts a relational perspective, viewing it as a violation of people and relationships (Zehr, 1990). This perspective encourages the active participation of both victims<sup>5</sup> and offenders in efforts to repair the harm caused (Van Ness & Strong, 2010, p. 43) and restore the normative order disrupted by the offence (O'Mahony & Doak, 2017, p. 30). However, there is considerable debate in the literature about what is actually being 'repaired' through RJ. This confusion is partly rooted in terminology, with concepts such as reparation, restoration, and healing often used interchangeably despite conveying different theoretical meanings and assumptions (Bolívar, 2010).

Reparation, for instance, is generally conceptualised in two broad forms: symbolic and material (Daly & Proietti-Scifoni, 2011; Sharpe, 2007; Retzinger & Scheff, 1996).<sup>6</sup> Symbolic reparation addresses intangible needs or gestures, such as a verbal apology, while material reparation involves tangible actions or compensation, including financial restitution. Retzinger and Scheff (1996) emphasise the importance of symbolic reparation, arguing that while conferences may appear to focus on reaching agreements about material outcomes, they are underpinned by a

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<sup>3</sup> The RJ literature has traditionally identified a divide between "purists," who emphasise RJ as a process, and "maximalists," who define it by its intended outcomes (Walgrave, 2000). A third perspective has since emerged, centred on the core values and principles said to constitute the restorative "ethos" (Gavrielides, 2007).

<sup>4</sup> For a detailed critique of this definition, see Dignan (2005).

<sup>5</sup> In the context of RJ, practitioners and scholars often use the terms 'harmer' and 'harmed' – referring respectively to the person responsible for the harm and the person affected by it – to avoid labelling participants as victims and offenders, focusing instead on the repair of harm. However, the practitioners who took part in this study used the terms 'victim' and 'offender' as well as 'harmer' and 'harmed'. Accordingly, this thesis will use both sets of terms to remain faithful to their descriptions and the language used in practice.

<sup>6</sup> This distinction between symbolic and material reparation is also reflected in international frameworks, such as the UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Violations of International Human Rights and Humanitarian Law (United Nations Economic and Social Council, 2005).

deeper, less visible process of symbolic exchange. In their view, it is this symbolic dimension – expressed through emotion, non-verbal cues, and mutual recognition – that is central to repair. For Sharpe (2007, p. 27), material reparation aims to address “specific harms”, whereas symbolic reparation acknowledges the “wrongness of the act”. This distinction illustrates RJ’s potential to respond to the varied emotional dimensions of crime (O’Mahony and Doak, 2011, p. 59) and centres on redressing past harm through an external action (Bolívar, 2010).

Another commonly used term is restoration. While sometimes equated with symbolic reparation, particularly in its emotional focus (Sharpe, 2007; Strang, 2002), restoration carries broader implications. It emphasises the social nature of harm, recognising that wrongdoing can undermine an individual’s sense of dignity, social standing, and trust in societal norms. As Bolívar (2010, p. 243) explains, restoration responds to the damage caused by injustice, indignity, or humiliation, which alters a victim’s role and identity within their social environment. It therefore goes beyond addressing individual needs, requiring the “reinstatement of the status quo ante” (Duff, 2012, p. 105) and the active participation of both victims and offenders (Green, 2007; Sharpe, 2007).

The terms ‘healing’ and ‘empowerment’ also appear frequently in the literature, particularly in relation to victim outcomes (Bruce & Bolitho, 2019), but are seldom defined. One of the few exceptions is Shapland et al. (2006, p. 519), who describe healing as “a feeling of closure, so that both parties can move on”. Empowerment, meanwhile, is often framed as a core principle of RJ participation (Braithwaite, 2002a), and more specifically, as a means of restoring control to victims (Zehr, 2014, p. 7).

Though these distinctions may appear abstract or overly conceptual, they carry significant practical and evaluative implications. As Bolívar (2010, p. 237) observes, there is a persistent gap between how RJ is understood in theory and how it is empirically measured. For this reason, several scholars have questioned whether such ideals can (or even should) be realised in practice. Not all participants pursue the same justice goals, nor do they necessarily seek restoration (Roche, 2007, p. 81). Drawing on her observations of RJ conferences, Daly (2002, p. 59) argues that participants’ justice aims often combine retributive, rehabilitative, and restorative elements. Others have cautioned that the ideal of restoration must be approached with caution, especially in cases involving gender-based violence, where survivors’ needs and safety concerns are distinct from other types of crime (Miller, 2011; Ptacek, 2009). These debates illustrate that the ideals of restoration, healing, and empowerment are not uncontested,

and their realisation depends not only on participants' goals but also on how restorative programmes are implemented in practice.

This thesis does not aim to resolve the question of whether (or how) RJ successfully 'restores'. Nonetheless, it is important to acknowledge that a substantial body of research has attempted to address this issue by measuring participants' reported experiences and outcomes. Such research has often assessed levels of satisfaction with the process, changes in psychological wellbeing, emotional expression, and reported emotional shifts (Bolívar, 2019; Bolitho, 2017; Angel et al., 2014; Strang, 2002). These debates will be revisited in chapter 3.

It is also important to note that RJ is not a fixed or uniform intervention. It takes multiple forms<sup>7</sup> and may operate either within or independently of the formal criminal justice system. The conceptual ambiguity that characterises RJ is part of what makes it so adaptable: its fluidity allows it to be applied at various stages of the criminal justice process, from early intervention and diversion to post-conviction and reintegration. It can also be used with both adults and young people and applied to a wide variety of offences.

In practice, however, RJ implementation is shaped by contextual factors, such as institutional structures, political priorities, and cultural norms. Programmes may differ in relation to the types of offences they address, who can participate (e.g. direct victims, surrogate victims, or cases without victim involvement), the models of facilitation used, and the criteria guiding referrals. For example, in Norway, RJ is delivered by trained community volunteers and centrally funded by the state under a unified national model (Mediation Hertfordshire, 2022). In Belgium, RJ operates alongside the criminal justice system and is primarily delivered by third-sector organisations through employed staff (Buonatesta, Gailly, & Van Doosselaere, 2018; Keenan, Zinsstag, & O'Nolan, 2016). In England and Wales, provision is more fragmented, with delivery split between third-sector organisations and police forces (Nascimento, 2021; Marder, 2020; Keeling, 2019).

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<sup>7</sup> As noted earlier, RJ is an umbrella term that encompasses a wide range of practices, many of which extend beyond the criminal justice context. To capture this broader scope, proponents use the term "restorative practices" for applications in non-criminal domains (McCold & Wachtel, 2003). In this sense, RJ is often described as a "subset of restorative practices" (Wachtel, 2016, p. 1).

There are a myriad of RJ programmes worldwide, all of which vary widely in terms of scope, procedures, and structure.<sup>8</sup> This research focuses specifically on RJ conferencing. The term *conferencing* is often used generically to describe a range of models operating in both criminal and non-criminal settings, including family group conferencing, youth justice conferencing, police-led conferencing, and school-based programmes (Zinsstag & Vanfraechem, 2012; Zinsstag, Teunkens, & Pali, 2011). These models differ not only in their procedural design, but also in who facilitates them, be it police, courts, social services, or third-sector organisations.

Within criminal justice, two primary models are commonly referenced: the New Zealand family group conferencing model and the Wagga-Wagga police-led model developed in Australia (Clamp & Paterson, 2017). While both are rooted in restorative principles, they differ in origin, facilitation style, and institutional context in which they are situated. The New Zealand family group conferencing model is often described as drawing on Māori whānau traditions alongside social welfare practices, emphasising family involvement and collective accountability. Conferences are coordinated by an independent Youth Justice Co-ordinator employed by the Department of Social Welfare. While the police are typically present, they do not hold a coordinating role. However, this characterisation has been challenged by Indigenous and critical scholarship (Cunneen & Tauri, 2016; Moyle & Tauri, 2016) which argues that family group conferencing is better understood as a state-designed process that selectively incorporates Māori concepts, rather than a direct expression of Māori justice practices. Critics suggest that presenting family group conferencing as an Indigenous practice risks overstating its empowering potential and obscuring ongoing state control. By contrast, the Wagga Wagga model, developed within the Australian police service, reflects a more scripted and formalised structure, often drawing explicitly on Braithwaite's theory of reintegrative shaming (discussed in chapter 3). Debate continues in the literature about the appropriate level of police involvement in such processes, an issue I will explore further in chapter 6.

In this thesis, the term conferencing refers specifically to the Wagga Wagga model – a structured process involving the direct or indirect participation of the victim, the offender, and their respective supporters, with the guidance of one or two facilitators (Shapland, Robinson, & Sorsby, 2011). This is currently the most widely used model in England and Wales and forms

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<sup>8</sup> Some well-known models and practices include, for example, victim-offender mediation, family group conferences, and sentencing circles. These fall outside the scope of this study and will not be covered in this thesis. For an overview see Zinsstag, Teunkens, and Pali (2011) and Bazemore and Umbreit (2001).

a key component of the diversionary approach underpinning contemporary juvenile justice practice (CPS, 2023). Its development in this jurisdiction is examined in detail in chapter 4, while chapter 6 explores the structure of the conferencing process.

Given this focus on conferencing as the core model examined in this study, it is important to consider the broader set of values and principles that underpin RJ practice. These shape not only how restorative processes are framed and legitimised, but also how they are enacted in practice. The following section explores how RJ principles and values have been understood and debated in the literature, and why they matter for understanding what RJ seeks to achieve.

## **1.4 Restorative justice principles and values**

Despite the lack of a universally agreed definition, RJ is, at its core, anchored in a set of guiding principles and values that distinguish it from other responses to harm. Even within the purist definition outlined above, proponents argue that RJ processes should be both informed and constrained by principles and values (Johnstone & Van Ness, 2007, pp. 14-15).<sup>9</sup> These are intended to shape “how the process should be run, the types of behaviour the process should elicit, and the outcomes that it should generate when the process has been successful”(Clamp & Paterson, 2017, p. 33).

However, the literature on RJ principles and values is often broad, ambiguous, and inconsistent. Scholars use these terms in overlapping and sometimes interchangeable ways, making it difficult to distinguish principles from values or ideals. As Pranis (2007, p. 60) aptly put it, writing about values can feel like “trying to pin down a slippery watermelon seed”. While this thesis does not aim to develop a new normative theory of RJ or provide a comprehensive analysis of its principles and values, it is important to outline some of the core principles and

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<sup>9</sup> There are numerous definitions of ‘principles’ and ‘values’ across academic disciplines. While a comprehensive discussion of this broader debate falls outside the scope of this thesis, it is worth noting that RJ scholars have engaged with it. For instance, Zellerer (2013, p. 279) defines principles as “external precepts we identify as contextually important and use to guide and evaluate behaviour and processes” – i.e. as outward expressions of values. In contrast, values are described as “our inner compass or guidance system, which inherently influence our lives whether we are conscious of them or not”.

values most frequently discussed in the literature. These will serve as a point of reference in later chapters, particularly in analysing facilitators' perceptions and experiences in practice.

With regard to principles,<sup>10</sup> there is broad consensus in the literature around three core tenets: (1) crime is fundamentally a violation of people and interpersonal relationships; (2) such violations create obligations and liabilities; and (3) RJ seeks to heal and put right the wrongs (Kirkwood, 2022; Zehr & Mika, 1998). These principles reflect the humanistic nature of RJ (Scholl & Townsend, 2024), promoting mutual responsibility between the individual and the community.<sup>11</sup> They call for active participation ('creates obligations and liabilities') and acknowledge the need for restoration ('heal and put right the wrongs'). This premise is perhaps best encapsulated by Braithwaite's observation that "because crime hurts, justice should heal" (Braithwaite, 2004, p. 28). Accordingly, it has been argued that a central aim of any RJ process should be to maximise the participation of victims, offenders, and the wider community (Bazemore & Elis, 2007).

Many theoretical justifications for community involvement in RJ rest on the idea that crime has a social dimension, one that affects not only the person harmed and the person responsible for the harm, but also the wider community. In this view, community is framed as a "collective actor with an interest or responsibilities towards a crime" (Maglione, 2017b), capable of bridging the gap between victim and offender and supporting efforts to repair the harm caused. This emphasis on community involvement is a defining feature of the RJ movement and contrasts with conventional justice models, where the community is typically treated as a passive or abstract presence (Dzur & Olson, 2004, p. 93).

Maglione (2017b) identifies two primary forms of community involvement in RJ: one through the presence of stakeholders' personal networks (e.g. family, friends), and the other through

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<sup>10</sup> Restorative principles may be shaped by theological or moral traditions and are often articulated through the lens of political or social theory. Alternatively, they may emerge from reflections on, or evaluations of, specific practices (Pavlich, 2007, p. 618).

<sup>11</sup> The concept of "community" within RJ is widely debated. For example, some scholars define it in geographical terms (Christie, 1977) while others adopt a more relational view, framing community as a network of individuals connected by shared interests or relationships (McCold & Watchel, 1998b). For further discussions, see Rossner and Bruce (2016), Rosenblatt (2015), Bolivar (2012), and Dzur and Olson (2004).

community representatives (e.g. volunteer facilitators).<sup>12</sup> In both cases, the community is placed at the heart of the conflict and assigned a distinct role that reflects a redistribution of power away from state institutions and toward individual citizens and local communities. This is seen to enhance the legitimacy of RJ processes by drawing on “social capital, solidarity and commitment to shared values” (Rossner & Bruce, 2016, p. 4).

A defining hallmark of RJ is, therefore, the active participation of lay people (victims, offenders, and communities) through which specific kinds of narratives emerge. According to Rossner (2017, p. 980), RJ encounters allow for “intertwining narratives of accountability and harm to develop”. A narrative of accountability enables offenders to take responsibility and acknowledge the harm caused, while narratives of harm allow victims and community members to articulate the impact of the offence in their own words. Unlike court settings, where community members are largely excluded and victims’ and defendants’ contributions are constrained by rigid legal procedure (Fielding, 2013; Bandes, 2009), RJ has been praised for its informality and capacity to create spaces where participants can communicate and express emotions in a “spontaneous,” “genuine,” and “authentic” way (Van Stokkom, 2019; Rypi, 2016; Rossner, 2013; Umbreit, 2001).

However, empirical research has raised important questions about whether communication in RJ is always as authentic, genuine, or spontaneous as often claimed. For instance, in her in-depth study of an American victim – offender dialogue programme focused on serious violence, Miller (2011) observed that participants were expected to express themselves within certain emotional parameters. Offenders, for instance, were discouraged from using “careless” language or adopting “victim stance” attitudes (such as “poor me” or “pity pot”) (Miller, 2011, p. 222), and from expressing remorse in ways that could potentially re-traumatise victims. These findings suggest the presence of implicit ‘emotional rules’ in RJ, which will be discussed further in chapter 3.

It is important to note that due to its emphasis on participatory decision-making, voluntariness, and the active involvement of lay people, RJ has been said to reconstruct the role of justice

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<sup>12</sup> Maglione (2017b) also outlines four dominant discourses of community in the RJ literature: (1) community as stakeholder; (2) community participation and involvement; (3) restoring communities; and (4) reintegration into the community.

professionals (Crawford & Newburn, 2002) and “de-professionalise” justice (Van Ness et al., 2022; Braithwaite, 2004).

De-professionalisation is not a fixed concept. It has been theorised in various ways across disciplines and associated both with the erosion of traditional professional autonomy and authority, and with the notion of “deskilling” – the fragmentation, standardisation, or dilution of core competencies into interchangeable tasks (Malin, 2020). In the context of RJ, de-professionalisation is often framed around the diminished role of legal professionals. The underlying idea is that those directly affected by an incident – the so-called “owners” of the conflict (Christie, 1977) – possess the greatest insight into the harm caused and the pathways toward resolution. However, as later chapters will show, this ideal does not always reflect the realities of RJ practice. First, criminal justice professionals continue to play a prominent role in the RJ delivery in England and Wales, often holding authority over facilitators and giving rise to tensions and frustrations in day-to-day practice. Second, the assumption that RJ does not “hinge on professional expertise” (Bruce, 2012, p. 175) overlooks the emotional labour and complex skillset required to effectively facilitate restorative processes. This tension between the ideal of de-professionalisation and the realities of facilitators’ daily practice runs through the data presented in this thesis and is illustrated in various ways, particularly in chapters 6 and 7.

The debate on RJ values is arguably less straightforward. Scholars tend to group values in different ways, often depending on whether they take a process-based or outcomes-based approach to defining RJ. In the UK, the Restorative Justice Council<sup>13</sup> (2016, 2020) does not clearly distinguish between values and principles. It lists six core “principles” of restorative practice: 1) restoration; 2) voluntarism; 3) neutrality; 4) safety; 5) accessibility; and 6) respect. However, it also refers to these as “values”, stating that the framework puts “the values of restoration, impartiality, safety and empowerment at the heart of practitioner casework” (Restorative Justice Council, 2020, p. 13).

Appendix 1 provides an overview of how values have been broadly categorised in the RJ literature. The table is not exhaustive and should be read as a broad, inclusive rubric. It does

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<sup>13</sup> The Restorative Justice Council is an independent third-sector membership body for the field of restorative practice in the UK. It maintains a practitioner register and provides regulatory oversight and standards for RJ services nationwide.

not seek to offer a systematic or detailed account of the normative debate, as this lies beyond the scope of the thesis. Rather, its purpose is to highlight how certain values recur across different scholarly accounts. Even without a systematic review, it is evident that values such as voluntary participation, respect, safety, empowerment, inclusion, responsibility, non-domination, and reparation are consistently emphasised. Several of these values also emerged in this study and will be revisited in chapter 7, where they are examined in greater depth through the lens of facilitators' accounts and daily practice.

The table in Appendix 1 also serves to situate the analysis that follows in later chapters, where it becomes clear that RJ values play a central role in how facilitators carry out their work, build relationships with participants, and manage emotional dynamics. Crucially, these values are not simply absorbed or passively inherited through practice. They must be actively cultivated, embodied, and enacted. Facilitators therefore carry a particular responsibility in this regard, serving as the “custodian[s] of procedural and restorative justice values” (Dignan et al., 2007, p. 14).

Nonetheless, values are not static. As Johnstone and Van Ness (2007, p. 15) argue, they require ongoing “refinement and definition” in order to remain relevant to evolving practice. Pranis (2007, p. 59) similarly stresses the need for values to adapt to new contexts and challenges. This means that values must be continually reinterpreted by facilitators as they respond to the shifting realities of their work. As Morrison (2015, p. 449) aptly puts it, “practice without theory is blind, and theory without practice is meaningless”. As RJ becomes increasingly embedded within formal justice systems, it is – and will continue to be – essential to ask how its values are being defined, enacted, and sustained in practice. This thesis seeks to contribute to that conversation.

The following section explains the personal rationale behind this research, outlining how my personal experiences and academic path have shaped my interest in RJ and the emotional dimensions of facilitation.

## **1.5 Personal rationale**

My interest in RJ began in 2014, during my postgraduate studies in criminal justice at the University of Strathclyde. At the time, RJ was offered as an elective module in the LLM/MSc

in Criminal Justice and Penal Change, something relatively novel across the U.K. higher education sector. The elective module I had initially chosen was cancelled due to low enrolment, and it was Professor Cyrus Tata (now my supervisor), and Professor Mike Nellis, who encouraged me to consider the RJ module instead.

I was hesitant at first. I had never heard of RJ before and, with my limited understanding, it seemed akin to civil mediation – something I assumed, somewhat naively, would not be particularly interesting. It took some persuasion from both lecturers, but I eventually agreed to enrol. I quickly realised that I had misjudged RJ, and something shifted. I was intrigued by the idea that someone might want to have a conversation with the person who had harmed them. It struck me as incredibly difficult, and yet, important. Something about it resonated deeply with me.

Like many people who are drawn to this field, my interest is shaped by personal experience. I grew up in an environment where harm, silence, and injustice often coexisted, where questions about accountability and healing were left hanging, unresolved. I have carried those questions with me for much of my life. In hindsight, I think the decision to study criminal justice, and later my pull towards RJ, was a way of trying to make sense of those early experiences. I wanted to understand harm, not just as an abstract concept, but in terms of how people carry it, how it shapes their relationships, and what it means to live with its emotional aftermath. For me, emotion was never separate from justice, it was the undercurrent. Studying law and criminal justice gave me a way to ask those questions intellectually. But it was only through RJ that I found a space where those questions were no longer just theoretical: they were lived, embodied, and brought into real conversations.

Shortly after enrolling in the RJ module, I attended a workshop in Germany on RJ and sexual violence, which deepened my interest further. There, I met a number of RJ researchers, practitioners, and psychotherapists - some of whom later took part in the small empirical study I conducted for my master's thesis on the same topic. After the masters, I felt compelled to do more research, particularly around RJ and emotions. Around this time, I came across Professor Meredith Rossner's book on RJ and emotions which offered a compelling framework for thinking about the emotional dynamics of restorative encounters. Her work proved especially influential in shaping my thinking and played a key role in my decision to pursue a PhD.

My initial aim was to examine the emotional experiences of victims of sexual violence in restorative processes. However, as I began to develop the proposal, I grew uncertain about whether I had the necessary resources (particularly financial) to conduct that kind of research as a doctoral student. After several conversations with other RJ academics, I decided to shift direction. The idea of researching emotion from the perspective of RJ facilitators emerged during a conversation with Dr Giuseppe Maglione, who pointed out how little scholarly attention had been paid to their work. That insight prompted a complete rethink of my proposal. It became clear that there were gaps in the literature not only around facilitators, but also around the emotional dynamics of their practice.

My PhD has not been a straightforward journey. It took me years to secure funding, and I encountered numerous logistical challenges during fieldwork, as I will outline later in this thesis. Conducting ethnographic research in RJ (at least in the UK) requires significant resources that are not always available to researchers, especially PhD students. The study of pre-conference preparation alone demanded significant investment in terms of time and finances, largely due to the methodological approach I adopted.

During my PhD, I found myself increasingly drawn to RJ practice. I completed several types of RJ training, from foundational to more specialised courses, with Restorative Solutions and other organisations. Eventually, I became a trainer in RJ practices myself, which not only deepened my interest but also gave me the opportunity to engage more directly with the challenges and nuances of facilitation. Through these experiences, and during my fieldwork observations, I developed a clearer understanding of why RJ can feel so powerful and transformative for many of those who take part.

Along the way, I also came to recognise that my own lived experience mattered more than I had previously allowed myself to believe. I realised that my experiences offered a distinct kind of insight and presence within RJ spaces. They shaped the way I taught and connected with others, not by placing my story at the centre of conversations, but by learning when and how to share it in ways that might offer meaning. This, too, was something I learned from the facilitators I met through this research, people whose work, humility, and empathy profoundly shaped my understanding of what RJ can be.

## **1.6 Structure of the thesis**

This thesis is organised into eight chapters. Following this introduction, chapter 2 explores the key theories of emotion that guided the study. Drawing on a range of conceptual perspectives, it explains how emotion is understood and navigated in this thesis.

Chapter 3 reviews existing research on RJ and emotion, mapping out the field and identifying gaps, particularly the limited attention given to RJ facilitators and the emotional dynamics of their work, which this study seeks to address. Chapter 4 then contextualises the empirical study by tracing the development of RJ policy and practice in England and Wales. It also introduces the organisational setting of the research, focusing on the work of Restorative Solutions.

The study's methodological choices, including its design, ethical considerations, and approach to data collection and analysis are outlined in chapter 5. This chapter also introduces the theoretical framework that guided the research process, noting that this was applied in a flexible, rather than prescriptive, way.

The empirical findings are presented and discussed across chapters 6 and 7. Chapter 6 presents a detailed account of the everyday work of RJ facilitators - their tasks, responsibilities, and perceptions of their role, situated within broader professional and institutional narratives. Chapter 7 turns to the emotional dimensions of their work, examining how facilitators manage emotion in their efforts to maintain neutrality and impartiality.

Finally, chapter 8 draws together the study's key findings, reflects on its theoretical and methodological contributions, considers implications for policy and practice, and discusses its limitations.

## Chapter 2 – Theories and concepts of emotion

Scholarship on emotion is vast, multidisciplinary and complex. There are nearly as many definitions of emotion as there are authors, making the field challenging to navigate. The vast use of methods, approaches, and theories in the last few decades has opened new avenues of inquiry across disciplines, and RJ research has not been an exception. The burgeoning literature on RJ and emotions has increasingly embraced an interdisciplinary approach, drawing from criminology, sociology, psychology, neuroscience, and linguistics (Moore & Vernon, 2024; Zappavigna & Martin, 2018; Gavrielides, 2015; Kelly & Thorsborne, 2014; Rossner, 2013; Ahmed et al., 2001). Consequently, a wide range of theories has been applied within RJ, broadening its research scope and enriching its analytical perspectives.

For example, Zappavigna and Martin (2018) examined discourse and communication in Australian youth conferences through the lens of Systemic Functional Linguistics (SFL). Kelly and Thorsborne (2014) developed a theory of why restorative practice “works,” drawing on Affect Script Psychology (ASP), while Rossner (2011, 2013) employed Collins’ theory of interaction ritual (Collins, 2004) to analyse the emotional and interactional dynamics of restorative conferences.

Given this diversity of approaches, it is important to clarify the theoretical perspectives guiding this study and how the term emotion is being conceptualised. As outlined in chapter 1, the study’s aim is to empirically investigate how RJ facilitators perceive and manage emotions within conferencing. To explore this, a micro-level, interpretive lens is required, one that foregrounds facilitators’ own accounts and attends to the situational, social dynamics of their practice.

Many theories and definitions of emotion are not suited to this task. For example, approaches that frame emotion primarily as a physiological or neurological response (Damasio, 1999) offer little insight into how emotions are actively managed or interpreted in practice. Similarly, macro-level perspectives that focus solely on structural or cultural forces (Barbalet, 2001, 2002) tend to overlook the subtle, moment-to-moment interactions that shape emotional expression and experience in conferencing settings.

This is not to suggest that broader institutional and organisational contexts are ignored. On the contrary, much of the data from this study demonstrates that facilitators' work is deeply embedded in, and shaped by, macro-level dynamics. However, given the focus on how facilitators perceive, interpret, and manage emotions during social encounters, this study adopts an approach attuned to micro and interactional dynamics, one capable of illuminating how emotions are experienced, expressed, and negotiated in practice. To reconcile these levels of analysis, one of the theoretical perspectives introduced in this chapter helps bridge this tension between the micro-level interactional dynamics and macro-level institutional norms, illustrating how emotions are shaped and performed at the intersection of the two.

One theoretical tradition that inspired my methodological approach is symbolic interactionism (see chapter 5). Scholars in this tradition argue that people create and interpret the social world through symbols – words, gestures, and objects imbued with shared meaning (e.g. Blumer, 1969; Mead, 1934). Rather than seeing behaviour as simply reactive or externally determined, symbolic interactionism views social reality as actively produced and continually reshaped through ongoing interaction. Individuals communicate by drawing on shared symbols to convey meaning, interpret others' actions, and adjust their own accordingly.

The theories introduced in this chapter are broadly aligned with this tradition and support the overarching aim of the study. However, it is important to note that none were applied as a formal analytic framework. Instead, they were used as “sensitising concepts” (Blumer, 1954) to help articulate and make sense of patterns identified in the empirical material. In this sense, theory did not determine findings in advance but was brought into dialogue with the data to help deepen, clarify, and contextualise the meanings, practices, and tensions that emerged through facilitators' accounts.

Accordingly, this chapter does not offer an exhaustive account of these theoretical perspectives but rather presents selected concepts that helped illuminate key aspects of my data and guide the subsequent analysis.

## 2.1 Conceptualising emotions<sup>14</sup>

The aim of my research is to examine how, in their daily practices, RJ facilitators perceive and manage emotions within the context of restorative conferencing. Accordingly, this thesis conceptualises emotion primarily as a social phenomenon, a construct that stems from relational and situational contexts (Hochschild, 2012, 1979; Blumer, 1969).

Emotions are not fixed entities or tangible objects. Instead, they are best understood as “patterns of relationship” (Burkitt, 2014, p. 15) that connect individuals to their environments and, crucially, to one another. They act as the “glue” that binds people together and sustain “social structures and systems of cultural symbols” (Turner & Stets, 2005, p. 1). From this perspective, emotions are experienced, elicited, recognised, and given meaning within social relationships, continually shaped through dynamic, interactive processes (Roach Anleu & Mack, 2021).

This approach challenges the assumption that emotions are primarily individual or internally generated responses. While emotions are individually experienced as internal states and can manifest in universal, recognisable forms (Ekman & Friesen, 1975), they are fundamentally rooted in and shaped by social structures, norms, and values (Hochschild, 2012; Barbalet, 2001, 2002; Thoits, 1985, 1989; Lutz, 1988; Averill, 1980). To fully understand how RJ facilitators perceive and manage emotion in practice, it is essential to attend to the specific social settings, relational dynamics, and situational factors in which emotion is experienced and expressed.

In everyday interactions, emotions serve as expressive tools that communicate meaning and guide action, often operating both consciously and unconsciously. They shape behaviour and influence our responses to others in varied ways. As such, emotions function not only as “signals to the self” and others but also as motivating forces behind those responses (Thoits,

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<sup>14</sup> Scholars often distinguish between ‘emotions’ and ‘feelings’: emotions are typically understood as socially constructed and relational, whereas feelings are seen as more internal and subjective. However, emotions and feelings are not always neatly separable (Roach Anleu & Mack, 2019). They may overlap, blur, or prove difficult to articulate, often involving shifting or even conflicting interpretations in social contexts. Accordingly, this thesis uses both terms interchangeably, except where drawing a distinction is analytically useful for interpreting facilitators’ perspectives.

1989, p.332). These signals are constantly interpreted and negotiated in social interaction, shaping the trajectory of relationships and events (Collins, 2004; Katz, 2001; Blumer, 1969).

This understanding provides a valuable lens for examining how RJ facilitators make sense of emotional experiences in the context of conferencing. Emotions do not arise in a vacuum – they are embedded within institutional, cultural, political, and organisational contexts, and form part of a shared social reality. In practice, facilitators’ work is shaped by their relationships with a range of actors – from RJ participants to colleagues and criminal justice professionals – all operating within broader value-laden environments. Within this setting, emotion can be seen as a dynamic “complex” (Burkitt, 2014, p. 14), unfolding through ongoing interactions shaped by identity, performance, and power structures.<sup>15</sup>

I argue, therefore, that emotion permeates both personal and professional life. It cannot be separated from the broader social, institutional, or organisational settings in which it emerges. Emotions also carry an evaluative quality and influence decision-making processes, whether consciously or unconsciously (Averill, 1980). For example, as will be discussed in chapter 7, facilitators sometimes report feeling “annoyed” or “frustrated” when participants behave in ways they perceive as “unreasonable”. Such responses are influenced by underlying expectations and norms associated with RJ. Indeed, as this chapter will further explore, both the experience and expression of emotion are mediated by social norms – that is, rules that define which emotions and responses are appropriate to feel and display in particular situations.

Consistent with this study’s focus on subjective experience and daily practice, this thesis does not attempt to construct a universal theory or taxonomy of emotions – areas already extensively covered in the wider literature.<sup>16</sup> Nor does it seek to offer a new normative framework for understanding emotion in RJ. Instead, it focuses on how facilitators themselves understand, express, and navigate emotion within the specific context of conferencing. Accordingly, discussions of particular emotions (such as anger or shame) are grounded in facilitators’ own descriptions, reflections, and interpretations drawn from practice. Throughout the thesis, the

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<sup>15</sup> While power is an important dimension of emotional expression and experience, a detailed analysis of its role lies beyond the scope of this thesis. For further discussion see Ahmed (2014) and Kemper (1978).

<sup>16</sup> For an overview of theoretical approaches to emotion, including universalist taxonomies and sociological models, see Turner and Stets (2005) who outline both classic sociological theories and broader interdisciplinary perspectives, such as evolutionary psychology and neuroscience.

quotes and examples presented point directly to how facilitators themselves perceive, articulate, and make sense of emotion in their work.

I will now delve further into the idea introduced in this section – that emotions are socially constructed – drawing on a range of conceptual tools concerned with emotion norms, labour, and interaction to support the overall aim of this research.

## **2.2 Emotional regimes**

The concept of emotional regime was first introduced by historian William Reddy (2001, 2000, 1997) to describe how emotional expressions (and their repression) are governed by social norms within specific historical and cultural contexts. Reddy argues that culture plays a pivotal role in labelling and shaping how emotions are expressed, and that any stable political regime upholds a normative emotional order through rules that dictate how emotions should be felt and displayed. He defines emotional regimes as “a set of normative emotions and the official rituals, practices, and emotives that express and inculcate them” (Reddy, 2001, p. 129).

Emotional regimes can be understood as existing on a continuum. At one end lie strict regimes, where individuals are expected to express only specific, sanctioned emotions while suppressing others, often under threat of serious social or institutional consequences. Reddy illustrates this with an analysis of pre-revolutionary France, where emotional norms demanded displays of deference, restraint, loyalty, and composure to reinforce the established social order. Emotions such as anger or dissent, which might threaten the regime’s legitimacy, were actively discouraged or suppressed. At the opposite end are more permissive regimes that allow a broader range of emotional expression with fewer repercussions. For instance, the upheaval following the French Revolution ushered in a looser emotional climate, in which emotions like outrage, hope, and solidarity became more openly expressed and socially legitimised (Reddy, 2001, 2000, 1997).

Emotional discipline is not applied uniformly across all areas of social life. Even within societies that fall somewhere between these two extremes, emotional control tends to be most stringently enforced in specific institutional settings, such as schools, the military, or courtrooms, where adherence to emotional norms is key to maintaining order and authority. Outside these spaces, individuals often enjoy greater latitude in how they express themselves

emotionally. As such, people regularly move between multiple emotional regimes in everyday life, having internalised different emotional expectations through socialisation and adjusting their expressions accordingly.

Importantly, greater flexibility does not imply the absence of state control. Even within more permissive regimes, the state continues to play a significant role in shaping and regulating emotional expression. Ultimately, the degree of emotional freedom available to individuals depends on how rigid or flexible the prevailing regime is: the more permissive the regime, the broader the scope for emotional expression and negotiation.

Reddy further observes that strict conformity to emotional norms can result in “emotional suffering” (Reddy, 2001, p. 129) when individuals’ feelings or expressions clash with regime expectations. In response, people may seek out “emotional refuges” – spaces that allow for freer emotional expression and more egalitarian forms of relating (Reddy, 2001, p. 128).

The concept of emotional regimes offers a valuable lens for examining emotion in RJ conferencing and aligns with other theoretical perspectives discussed in this chapter. In this thesis, I adapt Reddy’s framework to explore how emotional regimes are experienced and negotiated by RJ facilitators in practice. I argue that all social roles carry emotional expectations, and that institutions such as the criminal justice system and RJ are shaped by emotional regimes that differ across cultural contexts. The judiciary, for instance, has often been characterised as a regime of “dispassion” (Maroney, 2011), where emotion is viewed as a threat to objective reasoning and therefore actively discouraged. To align with this regime, judicial officers adopt strategies to manage both their own and others’ emotions, while maintaining an appearance of impartiality (Roach Anleu & Mack, 2021, 2019).

Building on this, my focus in this thesis is on understanding the emotional regime embedded within RJ, particularly the emotional norms and expectations shaped by the institutional context of the criminal justice system and by Restorative Solutions as a service provider. I explore how facilitators interpret, navigate, and respond to these expectations in their day-to-day roles. At its core, this research investigates how facilitators ‘read’ and manage the emotional rules embedded within RJ, as well as the broader organisational and institutional environment in which they operate.

In this thesis, I define an emotional regime as a set of guiding principles, values, and norms governing the expression and display of emotion, where violations may result in sanction or exclusion. I argue that the emotional regime of RJ is sustained through emotional rules that uphold its key values and principles. As will become clearer throughout the thesis, certain values (such as respect, neutrality, impartiality, engagement, listening, voluntariness, and safety) are central to this regime, shaping expectations around how emotion should be expressed and managed within the context of conferencing.

Research also suggests that emotional regimes vary considerably across jurisdictions. For instance, Swedish courtrooms are characterised by emotional restraint, whereas American courtrooms tolerate, and at times expect, more expressive displays, behaviours that might be considered disruptive or irrational in the Swedish context (Flower, 2020; Bergman Blix & Wettergren, 2016).

While Reddy's theory has seen limited application in RJ research,<sup>17</sup> some empirical studies portray RJ as a setting where emotions are not only welcomed but actively valued. As will be discussed in chapter 3, much of the literature centres on participants' emotional experiences during conferences, putting forward theories that implicitly suggest the existence of an emotional regime. For example, some scholars describe RJ encounters as "solidarity rituals" (Rossner, 2013), while others characterise them as spaces of "authentic", "spontaneous", and "genuine" communication, where remorse and apology play pivotal roles (Van Stokkom, 2019; Rypi, 2016; Retzinger & Scheff, 1996).

However, findings from this study suggest that such portrayals risk overlooking the institutional and organisational context in which RJ is practised. As this thesis will show, the emotional regime underpinning RJ establishes clear boundaries around what kinds of emotional expression are permitted, encouraged, or constrained, raising questions about how "authentic" or "spontaneous" such expressions really are in practice.

Reddy's theory reminds us that emotional expression is never effortless. It requires ongoing regulation because emotional regimes are inherently tied to values. Within RJ, neither the

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<sup>17</sup> One notable exception is Van Stokkom (2019) who engages substantively with Reddy's concept of emotional regimes to explore how RJ is underpinned by specific emotional expectations. Drawing on Reddy's framework, he argues that RJ processes promote a normative emotional order, one that privileges expressions aligned with apology, "authentic confession", and mutual respect (Van Stokkom, 2019, pp. 441-442).

process nor the role of the facilitator is value-free. Facilitators work within a framework of emotional norms that define which feelings are considered appropriate to express, and how.

This thesis investigates how these values and norms are interpreted and enacted in practice, offering insight into the emotional demands placed on facilitators and the performative nature of their work.<sup>18</sup>

### **2.3 Emotional labour, emotional management, and emotion work**

At the start of this chapter, I emphasised that emotions are best understood not as isolated objects but as dynamic “patterns of relationship” (Burkitt, 2014) that connect individuals to one another. Despite this interconnectedness, emotions often require active management to align with cultural, situational, and social expectations.<sup>19</sup> While some scholars argue that emotions are involuntary physiological or chemical responses beyond our control (Damasio & Damasio, 2022), in our daily interactions we routinely regulate both our internal feelings and outward emotional displays to align with social norms and sustain relationships. For example, in professional settings, emotions are not simply expressed or felt. They are carefully managed as we navigate interpersonal dynamics and strive to maintain a harmonious work environment.

This process of regulation involves a range of strategies that Hochschild (2012) conceptualises as “emotional labour,” “emotion work,” or “emotion management.” Her seminal study on frontline service workers, particularly flight attendants, illustrated how employees are expected to manage their emotions as part of their paid role: smiling and engaging warmly with passengers, regardless of how they may actually feel, in order to foster a positive atmosphere and promote customer loyalty.

Hochschild draws a distinction between emotional regulation in private and commercial spheres: *emotional labour* refers to the management of feelings for a wage, producing a publicly observable display of emotion within the context of paid employment, whereas *emotion work* (or emotion management) describes similar forms of regulation carried out in personal or informal settings (Hochschild, 2012, p. 7). In the context of RJ, however, this

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<sup>18</sup> The term performative will be discussed more fully later in this chapter.

<sup>19</sup> As explained above, emotional regimes demand that we regulate our emotions to comply with emotional norms.

distinction becomes less clear, as the sector often relies on volunteers who do not receive financial remuneration. Therefore, I use both terms interchangeably throughout this thesis.<sup>20</sup>

Hochschild identifies three techniques of emotion work: (1) cognitive, aimed at changing thoughts or ideas to modify emotional experience; (2) expressive, involving alteration of the emotional experience itself; and (3) bodily, focused on changing the physical symptoms of emotion. These techniques underpin different strategies of regulation, most notably *surface acting* and *deep acting*.

Surface acting involves outwardly displaying emotions that do not reflect one's internal state (e.g. forcing a smile while feeling frustrated).<sup>21</sup> This mismatch can lead to what she terms "emotional dissonance," often resulting in distress or a sense of self-estrangement. Deep acting, by contrast, entails consciously working to align one's internal feelings with the emotions expected in a given context, often by drawing on memory or imagination. Together, these strategies highlight the dual nature of emotional regulation, encompassing both outward display and inner experience.<sup>22</sup>

This raises an important question: how do individuals know which emotions to regulate and in what way? Hochschild addresses this through the concept of "feeling rules" – the socially learned norms that guide how one ought to feel in specific contexts (Hochschild, 2012, p. 7). Building on this, Ashforth & Humphrey (1993) introduced the idea of "display rules," which focus on the outward expression of emotion, shaping how workers are expected to behave emotionally in public or professional settings.

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<sup>20</sup> While RJ services often rely on volunteers, and Restorative Solutions is no exception, the facilitators involved in this study were paid professionals, making them (arguably) a relative exception within the broader sector.

<sup>21</sup> This reinforces the idea that the management of emotions can both draw upon and give rise to the emergence of other emotions (Barbalet, 2011).

<sup>22</sup> While Hochschild's distinction between surface and deep acting remains foundational, scholars have since identified additional forms of emotional labour. These include "genuine" emotional responses, where internal feelings align with organisational expectations (Ashforth & Humphrey, 1993), and "detachment," which involves emotional disengagement or the deliberate suppression of attunement (Sutton, 1991). These variations highlight that emotional labour is not always about masking or feigning feelings – it can also involve the strategic amplification or withdrawal of emotion to meet occupational expectations.

In this thesis, I employ both constructs: feeling rules refer to the expected range, intensity, duration, and target of internal emotional experience, while display rules concern the regulation and presentation of emotional expression (Thoits, 1989).<sup>23</sup> For example, as this study will show, facilitators may experience feelings such as frustration when participants resist engaging with RJ values. However, they are expected to maintain a calm and composed exterior (a display rule) in order to demonstrate neutrality and impartiality – qualities they associate with professionalism. The findings also reveal that facilitators are expected to feel empathy (but not sympathy) for participants – an example of a feeling rule that aligns with restorative values and role expectations.

A substantial body of normative and empirical research has examined emotional labour across numerous professions, particularly in criminal justice settings. Taken together, these studies have illustrated how cultural and institutional norms within organisations such as policing, the judiciary, prisons, and probation services, significantly shape the emotional labour expected of workers. For instance, studies reveal that police officers often deploy emotions like irritation or amusement strategically to assert authority and maintain a “stoic pose” (Van Stokkom, 2011, p.249). Among English police officers, humour is also commonly employed as a coping mechanism to manage occupational stress (Black & Lumsden, 2021). Similarly, judges draw on various emotional regulation techniques, such as emotional suppression, measured empathy, and managed humour, to preserve neutrality and impartiality within courtrooms (Roach Anleu, Mack, & Tutton, 2014). While police officers use emotion to reinforce control and project resilience, judges must balance detachment with emotional attunement to enable fair decision-making. These examples illustrate how emotion management serves distinct, though often complementary, purposes across different roles in the criminal justice system.

Cross-cultural comparisons further illustrate that emotional norms are not universal but shaped by cultural, professional, and situational contexts. Flower (2016), for example, found that Swedish defence lawyers express client loyalty through subtle emotional and bodily cues, reflecting a softer approach than the aggressive, anger-driven tactics often celebrated among

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<sup>23</sup> These rules function simultaneously across societal, organisational, and occupational domains (Rafaeli & Sutton, 1987). Societal rules stem from broader cultural norms, which influence organisational settings and organisational rules serve the objectives and values of the workplace. In professional environments, these layers of expectation inform the emotional attitudes, demeanour, and displays considered appropriate, often reinforced through mechanisms such as training, supervision, and internal policies.

corporate lawyers in the United States. This variation underscores how emotional expression carries distinct meanings across different cultural settings.

Despite the breadth of research on emotional labour, RJ scholarship has been slow to integrate these theoretical insights. This may be due, in part, to the field's prevailing focus on participants' individual emotional experiences and the collective dynamics of conferences, with less attention to how cultural and institutional contexts shape emotional expectations and practices (Rossner, 2013; Sherman & Strang, 2011; Harris, Walgrave, & Braithwaite, 2004; Abramson & Moore, 2002).

As will be explored in chapter 3, ritual theories have been particularly influential in RJ, framing conferences as social encounters marked by a shared focus of attention and collective emotional mood (Rossner, 2013), as well as spaces for "authentic" and "genuine" emotional exchange (Umbreit, 2001; Retzinger & Scheff, 1996). Yet, these theories often assume that emotional expressions mirror participants' internal states, needs, or interests, giving limited attention to the institutional and cultural forces that shape how emotions are displayed and interpreted. For this reason, they can be usefully complemented by normative frameworks – such as emotional labour – which highlight the structured, effortful regulation of emotions in specific settings.

This limitation has been acknowledged by leading scholars. Collins (Johannessen & Collins, 2024, p. 1496), for example, has recognised that his Interaction Ritual Chains theory, while insightful about how emotional energy circulates in social rituals, is "not enough" to account for all aspects of emotional life. His model is particularly strong in illuminating the collective and contagious nature of emotion in rituals, yet it pays less attention to the internal, often invisible work individuals do to align their feelings with social norms or suppress emotions that might disrupt the flow of interaction. This recognition supports the integration of complementary theories that focus more explicitly on emotional regulation, negotiation, and suppression within occupational and organisational contexts.

A central theme of this chapter, then, is that emotions are inseparable from their social environments. They are produced, interpreted, and managed within specific cultural, institutional, and organisational frameworks. This is especially evident in RJ, where values and principles are always enacted within broader cultural, institutional and organisational settings that vary considerably across jurisdictions. Thus, the way RJ is embedded within the criminal

justice system profoundly shapes both facilitators' daily practice and their understanding of their role.

RJ facilitators represent a particularly compelling group to study because, unlike many other professions, their work is not governed by mandatory, formalised codes of practice or mandatory standards. Instead, their practice is fundamentally guided by RJ values, principles, and expectations, as I will elaborate throughout this thesis. Consequently, emotion management theory offers valuable lenses, not only to examine how specific norms and values within RJ regulate the appropriate display of emotions, but also into how these coexist with individual expectations across different contexts.

As will become clear in chapter 7, the emotional labour of RJ facilitators is far from effortless. They must continually engage with and manage both their own emotions and those of participants, aligning emotional displays with RJ's emotional regime. This often requires surface acting, much like Hochschild's flight attendants, who maintain an outward appearance of calm and cheerfulness to create a positive emotional atmosphere (Hochschild, 2012). Because emotion is inherently relational, its expression and experience are always oriented towards others and deeply embedded in the performance of facilitation – a concept I explore further in the next section.

## **2.4 Dramaturgical approaches**

This section employs the term dramaturgy to refer broadly to Erving Goffman's seminal model (1978, 1974), which views individuals as social actors performing roles in everyday life. Goffman developed this framework to analyse face-to-face interactions and the social cues that shape behaviour. He argued that people interpret one another's actions through shared meanings negotiated in specific contexts, guided by mutual expectations and normative assumptions. These insights provide a useful lens for exploring how facilitators perform their roles and manage interactions with RJ participants, colleagues, and criminal justice professionals.

Dramaturgical approaches have previously been applied in RJ research. For example, Dignan et al. (2007, p. 2) described RJ conferencing as a form of theatrical performance and a site of social interaction, likening it to a "reality-based documentary" in which victims, offenders, and

their supporters form the cast, while facilitators act as producers and directors. From this view, RJ encounters do not simply occur – they are carefully “staged”. Similarly, Bruce (2013) draws on Goffman’s concept of “region” to analyse how RJ rituals are structured. She distinguishes between frontstage work, which involves visible tasks such as chairing meetings and “managing crisis”, and backstage work, which encompasses preparatory activities like “casting roles” and “rehearsal”.

However, data from this study challenges a strict backstage/frontstage division. According to Goffman, backstage spaces provide performers with a place to step out of character, relax, and prepare away from their audience. In practice, however, such moments of reprieve are rare for RJ facilitators. My observations suggest that even in settings considered backstage, before or after a conference, facilitators continue to perform. Facilitators are continuously required to manage impressions and navigate professional expectations, especially during pre-conference preparation. In this sense, much of what is labelled “backstage” is never truly offstage.<sup>24</sup>

While this thesis does not adopt dramaturgical theory as a guiding framework, it engages with dramaturgical approaches more broadly to reflect on how facilitators navigate their roles. Concepts such as *performance*, *impression management*, and *teams* are considered not as fixed analytical categories, but as heuristic tools that offer useful insights into the emotional labour, social navigation, and identity work involved in RJ facilitation. These will be explored further below.

#### **2.4.1 Performance, impression management, and teams**

A central concept in Goffman’s dramaturgical analysis is performance. At its core, performance refers to the idea that individuals are actors on a social stage, continuously enacting roles and presenting different versions of themselves to the audiences they encounter. Goffman (1978, p. 26) defines performance as “all the activity of a given participant on a given occasion that serves to influence in any way any of the other participants”. These performances

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<sup>24</sup> Therefore, while Bruce’s use of backstage/frontstage is helpful for thinking about how conferences are prepared and ‘staged’, it is important to distinguish between preparation as backstage for participants and preparation as frontstage for facilitators, since each invites a different analytical lens and raises different questions.

are not random or arbitrary – they are typically dramatically realised and idealised, crafted to present individuals in the best possible light according to cultural norms and values.

An important element of performance is a person’s “front” – the expressive tools they use, consciously or unconsciously, to construct a particular image of themselves. This front includes attitudes, presence, and gestures that communicate how an individual wishes to be perceived in a given situation (Fine & Manning, 2003, p. 46). Through these cues, individuals signal how the situation should be understood and, in turn, how others are expected to respond.

Goffman distinguishes between two forms of performance: the sincere and the cynical. In sincere performances, individuals genuinely believe in the roles they are enacting and aim to convince others of their authenticity. In cynical performances, by contrast, individuals do not believe in the role but perform it strategically – as a means to an end. This distinction has earned Goffman a reputation for presenting a “Machiavellian view of life” (Collins, 2004, p. 27), in which individuals manipulate false fronts for personal gain.

Crucially, the concept of performance, as used in this thesis, should not be interpreted as mere pretence or “a sham” (Tata, 2020, p. 7). My argument here is not that people are inherently deceptive, but rather that performance is a necessary and unescapable feature of social life. In our everyday interactions, we all perform in order to meet obligations and expectations that shape how we are morally bound to act toward others (Goffman, 1978, p. 60). In this sense, when RJ facilitators perform their roles, they are not pretending to be something they are not, but rather acting in line with the normative expectations, emotional norms, and display rules that define appropriate conduct in their capacity as practitioners.

For example, as later chapters will show, facilitators expect participants to engage with RJ values and principles. When these expectations are challenged, facilitators may experience strong emotions, such as frustration and annoyance, which they must actively manage to preserve an appearance of neutrality and impartiality. In such moments, frustration may be masked or suppressed. Yet, this does not make their actions inauthentic – they are simply responding in ways that align with the expectations of their role, while also navigating the realities of being human in relationally complex situations.

In this view, the concept of performance also offers a useful lens for reflection on identity. Rather than implying a singular, autonomous self beneath various social layers, identity can be

understood as multifaceted and responsive – shaped by the different roles people inhabit in professional, familial, and social contexts. These roles are not necessarily masks or false personas but situated expressions of the self that emerge through interaction. This understanding challenges the notion that identity is rooted in a fixed inner core that exists independently of context. While some scholars argue for such an essence of selfhood, others suggest that identity is constructed and enacted through social performance.<sup>25</sup> This thesis aligns with the latter perspective, proposing that what is perceived as genuine or authentic is often shaped by context and interaction. As Tata (2020, p. 7) notes, “there is no ‘essence’ of a unique individual lying within or apart from the socially constructed self. This is neither inherently a ‘good’ nor ‘bad’ thing: it is simply an inescapable fact of social life”.

In this thesis, I am concerned with RJ facilitators’ work performance and identity – i.e. how they understand and enact their role within conferencing processes. I understand performance as something that is actively accomplished: it is worked at, shaped, and sustained by facilitators through a self-conscious, reflexive process during interaction.<sup>26</sup> While facilitators did not explicitly use the word performance, many appeared to reject the idea that their work involved “putting on a performance” – interpreting the term as suggesting inauthenticity or putting on a show. Interview and observational data suggest that facilitators interpret such framings as misaligned with the informal, relational ethos they seek to uphold. For example, the conference I observed had more attendees than anticipated. The facilitators expressed concern that this would disrupt the intended atmosphere of the meeting and its overall sense of informality. The

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<sup>25</sup> For example, Goffman’s dramaturgical model (1978) suggests that individuals perform different roles depending on social context, without necessarily appealing to an inner, fixed self. Hochschild, however, expresses discomfort with this view, arguing that much of Goffman’s analysis resembles surface acting – that is, the adjustment of outward displays without regard for inner feeling. She contends that emotional labour often involves efforts to preserve, rather than obscure, an authentic internal state, and that continuity of feeling reflects a core “real self” (Hochschild, 2012, p. 34).

<sup>26</sup> The term *performance*, as used in this thesis, should not be conflated with *performative*, a concept rooted in poststructuralist theory, most notably in the work of Judith Butler (1999). While *performance* refers to the observable ways individuals present themselves in social interaction, shaped by context, audience, and role expectations, *performative* refers to the discursive processes through which identities are constituted. In this sense, performativity focuses not on what is shown or done in a particular moment, but on how social categories (such as gender) are brought into being through repeated enactments of normative scripts. While both concepts share an interest in the constructed nature of identity, my focus is on situated, embodied action rather than on the abstract conditions of subjectivity.

day before, the lead facilitator remarked: “I’m worried that this is going to look like we have an audience. This should be a relatively informal, small meeting”. This discomfort highlights a divergence between how facilitators perceive the term performance and how it is used in this thesis. Here, performance does not imply deception or insincerity – it refers to the deliberate, outward presentation of the self involved in managing one’s demeanour, language, and emotions. In this sense, facilitators can be seen, as this thesis will reveal, to engage in ongoing performative effort: adjusting tone, body language, and emotional display in line with the values and expectations of restorative practice.

These adjustments are not merely instinctive, automatic, or unconscious – they can be intentional and strategic. While performance is not inherently a form of pretence, it often involves deliberate actions about how to present oneself in order to foster a particular atmosphere and to project a certain image. For example, one facilitator explained that she often removes her coat upon entering a room or meeting a participant, aiming to appear more approachable and less formal – a small but purposeful gesture intended to build trust with RJ participants. Such embodied strategies form part of the “impression management” work (Goffman, 1978) facilitators engage in to establish rapport and display neutrality and impartiality. Chapter 7 will explore these dynamics further.

In this vein, Goffman (1978, p. 14) distinguishes between the information individuals “give” (conscious, controlled signals) and the information they “give off” (unconscious cues and expressions). In everyday interactions, people draw on both types of information to form impressions of one another. As such, impression management includes both deliberate efforts to influence others and more automatic, often unconscious behaviours.

Importantly, Goffman (1978, p. 85) observes that performances can be delivered not only by individuals but also by “teams”: groups of people working together to produce a coherent presentation of self. Although individual roles may differ within the team, their efforts must cohere in order to produce what he calls an “emergent team impression” (ibid). This is particularly relevant to the work of Restorative Solutions’ facilitators. As will be explored in chapters 6 and 7, RJ facilitation is typically collaborative. One facilitator usually leads, taking on key responsibilities, while the co-facilitator supports by taking notes, observing group dynamics, and helping guide the process. A key part of this teamwork involves “staging talk”: the conversations in which facilitators plan how they will deliver the performance (Goffman,

1978, p. 173). These exchanges often serve as informal rehearsals, helping facilitators prepare for potential challenges and coordinate strategies for managing them.

What stood out during my fieldwork was how intentional facilitators were in displaying a united front. Regardless of the internal division of tasks, they consistently work to present themselves as equals in the eyes of participants – an essential part of the team performance. This deliberate coordination highlighted how RJ facilitators are not only managing individual responsibilities but also co-constructing a shared professional identity through interaction.

Overall, dramaturgical approaches offer a useful way of thinking about how role, emotion, and identity are negotiated by RJ facilitators in their daily practice. While not applied as a fixed framework, the ideas introduced in this section (including performance, impression management, staging talk, and teamwork) have helped guide my understanding of the subtle, often invisible work facilitators undertake. These concepts have been especially valuable in making sense of recurring themes that emerged across both interviews and observational data, as will be explored in chapter 7.

## **2.5 Conclusion**

This chapter introduced the key theoretical perspectives that helped guide the interpretation of my findings. It began by conceptualising emotion as a social phenomenon – emerging through interaction, shaped by cultural norms, and embedded within institutional contexts. Rather than treating emotions as biologically fixed or universally expressed, I have approached them as dynamic, relational processes that are created, interpreted, and negotiated through social interaction.

I then introduced the concept of emotional regimes (Reddy, 2001) which offers a useful lens for understanding how RJ facilitators navigate institutional and organisational norms around emotion and its expression. This framework helps illuminate the emotional expectations embedded in RJ as both a theory and a working practice, raising questions about which emotions must be managed, elicited, or suppressed.

Hochschild's (2012) theory of emotional labour provides a complementary vocabulary for analysing the effort facilitators invest in regulating emotions – both their own and those of

others. In conjunction with the concept of emotional regimes, it offers a way of understanding the tensions that arise when facilitators' internal emotional experiences do not align with the values and emotional display rules they are expected to uphold.

Finally, dramaturgical approaches (Goffman, 1978) proved useful for exploring how facilitators enact their roles and engage with RJ participants. In this study, facilitators' accounts frequently described deliberate, thoughtful interactional strategies embedded in their daily practices. Concepts such as performance, impression management, and teamwork further illuminate the collaborative, strategic, and emotionally demanding nature of RJ facilitation – although, as noted throughout this chapter, these concepts served as interpretive tools rather than fixed analytical frameworks.

The next chapter turns to existing literature on emotion in RJ. It reviews how emotion has been theorised and studied to date, with particular focus on participants, conferencing processes, and emotional outcomes. This sets the scene for highlighting a key gap in the literature, the emotion work of RJ facilitators, which remains largely underexplored.

## Chapter 3 – Theories of emotion in restorative justice

The rapid expansion of RJ practices worldwide was fuelled by early research highlighting its positive outcomes. As RJ gained momentum, bolstered by growing empirical evidence and increasing policy interest, it was framed as a compelling alternative to conventional justice, one that places authentic dialogue, emotional expression, and relational repair at the centre of legal responses to harm. Over time, researchers and theorists have advanced five key claims about its benefits: (1) RJ delivers greater satisfaction to both victims and offenders than traditional court processes; (2) it is perceived as more procedurally fair; (3) it is more cost-effective than court-based alternatives;<sup>27</sup> (4) it facilitates emotional restoration and healing, particularly for victims; and (5) it reduces reoffending compared with conventional justice processes. These claims have been the subject of extensive empirical scrutiny, with studies evaluating RJ programmes across multiple jurisdictions (Shapland, Robinson, & Sorsby, 2011; Maruna et al., 2007; Campbell et al., 2005; Maxwell & Morris, 2001; Sherman, Strang, & Woods, 2000; McCold & Wachtel, 1998a; Palk, Hayes, & Prenzler, 1998).

One of the most frequently cited claims about RJ concerns its perceived legitimacy and fairness. Early studies assessing participants' experiences of RJ conferencing suggest that both victims and offenders viewed these processes as more procedurally fair and respectful than traditional court proceedings. Participants often reported a greater sense of agency, inclusion, and control, particularly in contrast to the adversarial nature of the criminal justice system, where their voices are typically marginalised (Barnes et al., 2015; Shapland et al., 2007; Strang, 2002). These findings were central in shaping the argument that RJ offers a more participatory and relational approach. They also resonate with broader criminological and criminal justice research on procedural justice, which shows that when individuals feel they have had a voice and have been treated with respect (even when outcomes are unfavourable) they are

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<sup>27</sup> According to an independent evaluation published by the Ministry of Justice in the U.K, RJ can deliver cost savings up to £9 for every £1 spent (Shapland et al., 2008). Strang et al. (2013, p. 2) similarly concluded that RJ conferences “cause a modest but highly cost-effective reduction in repeat offending, with substantial benefits for victims”. Their findings indicate RJ is particularly effective in violent crime cases, with stronger results among adult offenders than young people. More recently, an economic evaluation by the charity Why me? (Jones & Harry, 2022) estimated a social return of £14 for every £1 invested in RJ, including a direct return of £4 to the criminal justice system.

significantly more likely to perceive the system as legitimate and to comply voluntarily (Tyler, 2006a; Tyler, 2006b; Lind & Tyler, 1988).

In addition to enhancing perceptions of fairness and legitimacy, research has highlighted RJ's potential to support victims' emotional recovery. Several studies point to its therapeutic benefits, including emotional closure and a reduced desire for retribution (Dignan et al., 2007; Strang, 2002). Victims have reported decreased anxiety and fear, increased empathy towards offenders, and, in some cases, reduced symptoms of post-traumatic stress following RJ encounters (Nascimento, Andrade, & de Castro Rodrigues, 2023; Gustafson, 2018; Angel, 2005).<sup>28</sup> Some findings also suggest that RJ not only reduces negative emotions, like anger and fear, but also helps to transform them, offering emotional restoration in ways that the formal justice system often fails to deliver (Strang et al., 2006). Instead of festering resentment, victims left feeling heard, respected, and more willing to move on.

Notably, similar emotional effects have been observed among perpetrators. Gustafson (2018, p. 362) found that many adult offenders who had committed violent offences were able to "come to peace with much in their own traumatic histories" through participation in RJ meetings. For some, this involved recognising how their own histories of victimisation had fuelled cycles of anger and harm. For others, it involved integrating fragmented self-narratives and moving towards a sense of inner reconciliation. In both cases, participation in dialogue fostered new capacities for empathy and accountability, as offenders came to understand their actions not only in relation to their past suffering but also to the harm they had inflicted on others.

Building on this, Wood (2023) has called on RJ scholarship and practice to recognise how trauma can shape communication, emotional expression, perceptions of fairness, and behavioural outcomes, particularly when working with young people. He suggests that post-traumatic distress may help explain some of the variation in RJ processes and outcomes that has so far been overlooked, and advocates for a trauma-informed approach to RJ. This includes extensive preparation, co-facilitation, regular emotional check-ins during meetings, and

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<sup>28</sup> A systematic review by Lloyd and Borrill (2020) nonetheless found more modest evidence that RJ can reduce PTSD symptoms, particularly intrusive memories and avoidance behaviours, which involve re-experiencing the trauma and efforts to suppress or avoid reminders of it.

facilitator competence in culturally specific understandings of shame, respect, and fairness. It also requires sensitivity to cultural protocols and appropriate, context-driven pathways for making amends.

This growing body of evidence on RJ's emotional and relational impact connects closely to another key claim in the literature: that RJ reduces reoffending. Studies have found that offenders who participate in RJ are less likely to reoffend than those processed through the conventional justice system, particularly in cases involving violent crime (Ahmed et al., 2001; McGarrell et al., 2000; Sherman, Strang, & Woods, 2000). However, subsequent research has yielded less consistent results (Fulham et al., 2023; Smith & Weatherburn, 2012), suggesting that RJ's impact on recidivism may be shaped by a complex interplay of individual, contextual, and systemic factors. One possible explanation is that recidivism itself is notoriously difficult to measure. As Smith and Weatherburn (2012) point out, even in randomised controlled trials, researchers frequently fail to adequately adjust for differences between treatment and control groups. They also note that some studies apply questionable statistical techniques, rely on narrow definitions of recidivism, and lack clarity about whether their analyses include all referred individuals or only those who completed a conference.

What ties together these varied claims, from procedural fairness and emotional recovery to behavioural change, is a shared assumption: that emotion is both the driving force behind RJ's perceived success and the distinctive element that sets it apart from conventional justice processes (Bruce & Bolitho, 2019; Van Stokkom, 2019; Rossner, 2011; Harris, Walgrave, & Braithwaite, 2004; Sherman, 2003; McDonald & Moore, 2001; Retzinger & Scheff, 1996)

As Rossner (2012, p. 218) observes:

“The key distinction between restorative justice and other forms of criminal justice is that emotions are placed at the centre of the restorative justice process. For example, compared with a typical court hearing, which generally seeks to contain or suppress emotion (Sherman, 2003), a typical restorative justice conference brings strong emotions such as anger, fear, shame, and empathy to the fore”.

Unlike courtroom settings, where legal actors are expected to compartmentalise and often suppress emotion (Bergman Blix & Wettergren, 2016; Maroney & Gross, 2014; Maroney, 2011), RJ encounters create space for emotion expression. These meetings are designed to

provide a safe and open environment where victims and offenders can articulate their feelings. Through this process, participants often experience emotional release, begin to make sense of the harm caused, and develop mutual understanding (O'Mahony & Doak, 2017).

The act of telling one's story combined with active, empathetic listening plays a crucial role in this dynamic. It enables offenders to frame their behaviour within a broader interpretive context (Presser, 2009) and offers victims a sense of closure (Shapland et al., 2007). This emotional engagement has been described as "an opening of the heart through genuine dialogue, empowerment, and a recognition of each other's humanity" (Umbreit, 2001, p. 4). As a result, RJ has often been described as an "emotionally intelligent" approach to justice (King, 2009; Sherman, 2003).

Surprisingly, however, little is known about how restorative encounters actually achieve emotional transformation. Existing research remains inconsistent and, at times, contradictory. Scholars continue to debate, for instance, which emotions should be encouraged or avoided during conferences, whether there is an 'ideal emotional sequence', and whether conferences must be overtly emotional in order to be considered successful (Rypi, 2016; Rossner, 2011; Sherman & Strang, 2011; Harris, Walgrave, & Braithwaite, 2004; Retzinger & Scheff, 1996; Braithwaite, 1989).

To date, most RJ research has focused on RJ participants and their experiences, examining either the content of conferences (e.g. what was said, how people felt) or the emotional dynamics involved (e.g. how emotions are expressed, recognised, and responded to during the process).

This study does not aim to evaluate whether the current body of RJ literature sufficiently explains how emotions contribute to the success of restorative encounters, nor to propose a new theoretical framework on how emotions facilitate transformation for offenders and victims. Instead, it centres on the perspectives and experiences of RJ facilitators, exploring how they perceive, manage, and respond to the complex emotional dynamics that might unfold during RJ conferences. To provide context for this focus and to highlight a notable gap in the existing scholarship, this chapter presents a comprehensive overview of key research conducted to date, along with ongoing debates concerning emotion in RJ practice.

It is also important to note that this chapter does not present an exhaustive or standardised list of ‘theories of emotion’ in RJ. The field itself lacks a fixed or widely agreed theoretical canon. What is offered here is one interpretive synthesis – an attempt to draw together key strands of research that illuminate the emotional underpinnings of RJ practice. Other scholars may conceptualise this landscape differently. Ultimately, the approach taken here is intended to set the scene and highlight a significant gap in the literature about how RJ facilitators manage emotions in their daily practice.

### **3.1 Shame and related moral emotions**

Among the various emotions explored in RJ scholarship, shame has been the most extensively researched and debated, largely due to the influence of Braithwaite’s (1989) theory of reintegrative shaming. While not originally developed with RJ in mind, this theory has become a foundational framework in understanding the emotional dynamics of restorative encounters.

At the heart of Braithwaite’s theory is the idea that shaming can function as a constructive and effective deterrent to criminal behaviour when it promotes the reintegration of offenders into the community. He distinguishes between two forms of shaming: stigmatic shaming, which targets both the individual and their behaviour and often results in social exclusion; and reintegrative shaming, which condemns the offence while maintaining respect for the offender as a person, thus providing a path back into social belonging.

Following the publication of his work, Braithwaite observed family group conferences<sup>29</sup> in New Zealand and the early trials of youth conferencing in Wagga Wagga, New South Wales. These restorative practices were widely recognised as practical demonstrations of reintegrative shaming, reflecting the core principles of his theory in real-world settings. Since then, Braithwaite’s contributions have become foundational within RJ scholarship, providing a key theoretical framework that has informed numerous studies exploring the emotional and social

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<sup>29</sup> Family Group Conferencing (FGC) was formally introduced in New Zealand through the Children, Young Persons, and Their Families Act 1989, in response to the overrepresentation of Māori in the justice system (Morris & Maxwell, 1993). Rooted in Māori traditions of collective decision-making, FGCs involve the extended family, victims, community members, and professionals to collaboratively address harm and determine appropriate outcomes in youth justice and child protection cases (Maxwell & Morris, 2006).

facets of restorative processes (Kim & Gerber, 2011; Ray, Dollar, & Thames, 2011; Tyler et al., 2007; Harris, 2006; Ahmed et al., 2001).

While highly influential, Braithwaite's theory has also drawn criticism. A key limitation is its lack of a precise definition of shame, focusing more on the act of shaming than on the emotional experience of shame itself. This has sparked debate over whether shame is truly the central emotion driving successful RJ conferences, or whether Braithwaite places undue emphasis on it. In response, subsequent theories have sought to address this gap by drawing a distinction between the act of shaming and the internal experience of shame, thereby broadening the discussion around emotional dynamics in RJ. Building on this, several researchers have proposed that other emotions – such as guilt, remorse, and empathy – may play a more constructive role for offenders during restorative encounters (Wilson, 2022; Maxwell & Morris, 2002; Retzinger & Scheff, 1996; Tangney, 1995). For example, some argue that Braithwaite's concept of shame is often conflated with guilt, blurring important distinctions between the two. They argue that while shame involves a negative evaluation of the self, guilt focuses on specific behaviours and encourages offenders to take responsibility and make amends without damaging their sense of self-worth (Tangney, Stuewig, & Martinez, 2014; Nussbaum, 2004; Tangney & Dearing, 2002; Tangney, 1991).

Maxwell & Morris (2002) contend that remorse, rather than shame, is central to reintegration. Drawing on their research on family group conferences in New Zealand, they found that constructive outcomes were most closely associated with offenders' capacity to feel and express remorse. For them, remorse is significant because it reflects acknowledgement of harm and a willingness to repair relationships. Crucially, they argue that remorse is most effectively triggered by empathy rather than by shaming or disapproval, particularly when offenders are encouraged to understand the impact of their actions on others.

Scheff and Retzinger (2001) offer a related but distinct critique by directing attention back to shame, focusing on its internal dynamics. They distinguish shame not only from guilt but also from pride, and propose a theory of social bonding in which shame, when acknowledged, can serve a reparative function by helping to restore damaged social bonds and relationships. When left unacknowledged, however, shame can intensify and give rise to "rage" and "interminable conflict" (Scheff & Retzinger, 2001 pp. 167–168), often expressed through disrespectful forms of communication. Despite this important contribution, their work provides limited insight into the mechanism through which this transformation occurs – i.e. how the expression of shame

becomes reintegrative in practice. This gap raises important questions about how shame is facilitated, mediated, or made reparative within RJ processes.

Braithwaite and his colleagues later recognised the difficulty of isolating emotions like shame and guilt in practice (Harris, Walgrave, & Braithwaite, 2004) and admitted that his initial theory was undertheorised (Braithwaite & Braithwaite, 2001, p. 41). They acknowledged that while reintegrative shaming provides a valuable social framework for offender reintegration, the theory does not sufficiently explain the complex psychological and emotional mechanisms involved in how shame functions to influence behaviour. In response, Braithwaite called for further theoretical development and began to reframe RJ less as a mechanism for eliciting shame and more as a moral dialogue aimed at repairing social bonds and reconstructing offender identity. Later work placed greater emphasis on the relational and narrative dimensions of RJ, recognising that behavioural change may be less about the experience of shame itself and more about opportunities for reflection, empathy, and reintegration through respectful engagement.

While Braithwaite's later work begins to acknowledge the emotional complexity of restorative processes, particularly by recognising that shame often co-occurs with emotions such as guilt, empathy, and remorse (Harris, Walgrave, & Braithwaite, 2004), his conceptual framework remains largely functional and outcome-oriented. Emotions are still treated primarily as mechanisms for facilitating reintegration, rather than as dynamic, socially constructed experiences unfolding within specific relationships and contexts. Even as the theory evolves, it tends to overlook how emotions are actively performed, negotiated, and managed in real time during restorative encounters, thereby downplaying the situational, interactional, and often ambiguous nature of emotional expression in practice.

### **3.2 Ideal core sequences of emotion**

Theories of emotion in RJ also explore the possibility of 'ideal' sequences or stages through which participants' emotions might evolve over the course of a conference. These emotional sequences are often seen as central to the perceived success of restorative processes, as they help explain how so-called "negative emotions", such as anger, fear, or sadness, can be transformed into more positive states like remorse, empathy, or sympathy. Some of these theories emphasise the importance of eliciting a range of different emotions as the process

unfolds, suggesting that particular emotions should arise at specific moments to support emotional transformation. Others take a more focused approach, centring on a single emotion, such as anger, which is considered especially pivotal to the restorative process. These perspectives are discussed in detail in the following paragraphs.

Sherman and Strang (2011) identify revenge as a key emotion to be addressed in RJ encounters, arguing that its expression can act as a catalyst for emotional transformation. Drawing on case study evidence, they outline a four-stage emotional sequence: (1) an initial discussion between the parties; (2) the expression or “venting” of the victim’s anger; (3) a moment of “shock realisation” for the offender, prompted by the victim’s moral outrage and the emotional weight of the harm caused; and (4) the emergence of empathy, which can lead to a softening of the victim’s anger into more conciliatory emotions such as sympathy, pity, or even emotional acceptance (Sherman & Strang, 2011, pp. 156–157). This progression, they argue, “fosters a more positive emotional state” and lays the groundwork for mutual understanding and emotional resolution (Sherman & Strang, 2011, p. 156).<sup>30</sup>

McDonald and Moore (2001) and Abramson and Moore (2002) propose a distinct emotional sequence, drawing on Affect Script Psychology (ASP), to explain how emotions unfold during restorative conferences.<sup>31</sup> Their model builds on the theories of Tomkins (2008) and Nathanson (1996) who argue that emotions follow patterned sequences and are shaped through social interaction. Within this framework, Moore and McDonald present shame not just as a ‘negative’ emotion, but as a marker of broken connection – one which, when acknowledged, can motivate individuals to repair damaged relationships. They outline a four-stage emotional sequence: (1) contempt, anger, and fear (directed at individuals in response to past harm); (2) disgust, distress, and surprise (triggered by new information and emotional revelations shared during the conference); (3) shame (experienced individually as emotional deflation and collectively as a shared sense of vulnerability); (4) interest and relief (as the focus shifts

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<sup>30</sup> Interestingly, just a few years earlier, Sherman (2003) proposed in his widely cited presidential address to the American Society of Criminology that emotions such as anger, humiliation, fear, and disgust should be avoided in RJ contexts – a position that appears to contrast with his later work.

<sup>31</sup> Moore and McDonald (2001) and Abramson and Moore (2002) discuss the same four-stage emotional sequence. However, they approach it from slightly different angles. While Moore and McDonald focus on applying the model to RJ practice, Abramson and Moore place greater emphasis on its psychological foundations, drawing more extensively on Tomkins’ affect theory and Nathanson’s work on emotional regulation.

towards future planning and reparation) (Moore & McDonald, 2001, p. 138). For Moore, community conferences create opportunities for “empathic resonance” – a process in which participants begin to share a common emotional experience by tuning in to each other’s feelings, expressions, and embodied cues (Abramson & Moore, 2002; Moore, 1993).<sup>32</sup> This account has also been interpreted as a form of ritual theory in RJ, which will be explored further in the next section.

Harris et al. (2004, p. 199) propose an “ideal-typical theoretical construction” of how moral emotions unfold in conferencing. Their model suggests the following sequence: (1) anger, embarrassment, and shame, with victims often feeling humiliated or stigmatised by the harm they experienced and offenders feeling exposed, anxious, or defensive when confronted with their actions; (2) communication of harm, in which the victim describes the impact of the offence and the offender listens; (3) empathy and compassion as the offender begins to emotionally understand the victim’s experience; (4) guilt, shame, and remorse, triggered by empathetic recognition of harm and moral responsibility. The strength of this sequence lies in empathy, which they identify as the emotional turning point. Empathy not only enables guilt but also lays the foundation for accepting responsibility and expressing genuine remorse (Harris et al., 2004, p. 205). For this reason, they describe empathy as “the emotional root of solidarity” (Harris et al., 2004, p. 201) and the necessary gateway for offenders to truly understand the harm caused. They also emphasise that empathy may be equally significant for victims, as it can help facilitate forgiveness and reconciliation (Harris et al., 2004, p. 205).

However, the authors are careful to caution against rigid or idealistic interpretations of this model. They acknowledge “the danger of giving a naively idealistic or overly rigid description of restorative processes”, noting that conferences “do not happen in a social vacuum” (Harris et al., 2004, p. 199). Emotional dynamics, they argue, are shaped by multiple factors: the facilitator’s style, the social positions, relationships, and personalities of all participants (not

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<sup>32</sup> Kelly and Thorsborne (2014) have also elaborated on the ASP framework and the biology of emotion to explain why restorative practice works. They argue that RJ encounters “open the door for empathy” (Kelly & Thorsborne, 2014, p. 69) through the mutual and dynamic expression of emotion: “when one person expresses anger or fear or joy, those around him will begin to feel angry or fearful or joyful” (Kelly & Thorsborne, 2014, p. 68). This happens because humans are biologically driven by four rules: (1) maximise positive affect; (2) minimise negative affect; (3) minimise the inhibition of affect (4) and maximise the power to do all three (Kelly & Thorsborne, 2014, p. 30).

just the victim and offender), the nature of the offence, and other contextual conditions. These variables may contribute to successful restoration or may just as easily provoke further misunderstanding, anger, humiliation, or stigmatisation. Rather than prescribing a fixed emotional formula, they present this model as a tool to “help orient theoretical thinking” (Harris et al., 2004, p. 199) about how emotions might operate in restorative settings.

A further perspective is offered by Retzinger and Scheff (1996), who propose a more minimalist emotional sequence, centred on what they describe as the “core sequence of reparation”: apology and forgiveness. This model rests on two key steps: 1) the offender expresses genuine shame and remorse for their actions, and 2) the victim offers forgiveness, allowing for the symbolic restoration of the social bond between them (Retzinger & Scheff, 1996, p. 316). Drawing on their observations of community conferences in Australia, they contend that this cycle is central to symbolic reparation and distinguishes RJ from other forms of crime control (Retzinger & Scheff, 1996, p. 317). Nevertheless, their model has been critiqued for its simplicity and limited engagement with the emotional and relational complexities of restorative processes. Scholars have pointed out that apology and forgiveness do not always unfold in a linear fashion, nor are they guaranteed or mutually reciprocated. In response, later theorists have proposed more nuanced, multi-stage emotional models, some of which are explored later in this chapter.

Taken together, the ideal emotional sequences discussed in this section offer valuable insights into how emotional transformation might unfold in RJ encounters. However, they also present a number of limitations. Most theories rely on linear, universalised, and idealised progressions of emotion that fail to account the complexity and unpredictability of real-life practice. They often overlook the relational, cultural, and power dynamics that shape emotional expression, and tend to understate the active role of facilitators in guiding, containing, and potentially co-constructing and reshaping emotional trajectories. In addition, these sequences frequently assume a level of emotional reciprocity and resolution that is not always present in RJ, offering limited attention to emotional resistance, silence, or ambiguity – issues that Harris et al. (2004) acknowledge in their warning against overly rigid or idealised interpretations. What emerges, then, are emotionally aspirational frameworks that can guide theoretical thinking but ultimately fall short of capturing the nuanced and often messy reality of RJ practice.

The following section turns to ritual theories of emotion which look at how emotional energy, social bonding, and collective meaning-making are generated and sustained within restorative processes.

### 3.3 Ritual theories

Ritual theories have played a significant role in RJ scholarship, offering valuable insights into how emotions are developed and sustained throughout restorative encounters. These approaches emphasise the collective nature of emotional dynamics, particularly the importance of shared focus, mutual attention, and emotional mirroring between participants. Rather than viewing emotion as an internal, individual phenomenon, ritual theories conceptualise it as a relational process that emerges through interaction.

In this section, I examine three key contributions: Moore's affect-based model (Abramson & Moore, 2002; Moore, 1993, 1997), Retzinger and Scheff's theory of symbolic reparation (1996), and Rossner's application of Randall Collins' interaction ritual theory (2011, 2013). While Morre's and Retzinger's work has been already introduced in relation to ideal sequences of emotion, this section revisits them from a different angle, highlighting how they conceptualise RJ as a ritual process.<sup>33</sup>

Moore's theory, developed in collaboration with colleagues, has often been interpreted through a ritual lens in the RJ literature, with the emotional sequence outlined earlier forming its central mechanism. The model underscores that emotions are not merely internal states but are shaped and transformed through shared interaction (Abramson & Moore, 2002; Moore, 1993). The sequence functions not simply as a descriptive tool, but as a ritual framework that guides participants through a collective emotional journey. At its core are two interrelated concepts: *collective vulnerability and empathic resonance*.

Collective vulnerability refers to the shared openness that occurs when participants lower their emotional guard and express their feelings in the presence of others. Abramson and Moore

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<sup>33</sup> Braithwaite's work on reintegrative shaming (Braithwaite & Mugford, 1994; Braithwaite, 1989) could also be interpreted through a ritual lens due to its focus on ceremonial reintegration. However, I will not frame it as such as its primary emphasis lies on the broader social outcomes of shaming (crime prevention, rehabilitation, and reintegration), rather than on the emotional dynamics of the process itself.

(2002, pp. 135-136) argue that it is this openness that gives restorative encounters their transformative potential, enabling emotional shifts to take place not in isolation, but through co-regulated, relational experience. As this mutual attunement unfolds, participants begin to emotionally connect and respond to one another, a process referred to as empathic resonance (Abramson & Moore, 2002; Moore, 1993). Offenders may come to recognise the victim's distress and its impact, while victims, in turn, witness the offender's vulnerability, which can help ease their own anger or pain. This moment is described as a turning point in the conference, when the emotional tone begins to shift from tension to relief, giving rise to visible signs of emotional release and renewal. In this context, empathy emerges as the primary driver of emotional change and repair.

Retzinger and Scheff's theory (1996) can also be interpreted through a ritual lens as it frames restorative encounters not merely as emotional exchanges, but as structured, symbolic performances aimed at repairing social bonds. While previously discussed in terms of their 'core sequence' of apology and forgiveness, this model also carries ritualistic features: it relies on emotionally charged, public gestures, such as the expression of shame from offenders and the offering of forgiveness by victims, which function as moral signifiers. When offenders express shame and remorse, they publicly signal recognition of the harm caused, thereby affirming the shared norms they had violated. A sincere apology thus becomes a symbolic act of re-entry into the moral community, while the victim's decision to forgive (if it occurs) represents a collective willingness to reintegrate the offender. The presence of supporters and facilitators gives this exchange a ceremonial character – a kind of public witnessing that not only validates the emotional exchange but also re-establishes communal values through shared participation.

Despite differences in structure and emphasis, the theories of Moore and of Retzinger and Scheff share several core assumptions. First, both view RJ conferences as ritualised processes in which emotions are not only expressed but socially mediated and transformed. Second, each model highlights the idea that shame can play a constructive role, provided it is acknowledged and met with recognition rather than rejection. Third, both theories emphasise emotional bonding as a central outcome of the process, one that enables participants to recognise each other's standpoints and supports meaningful repair and reintegration. The sharing of vulnerable emotions (e.g. "genuine shame") functions as a key mechanism of emotional repair, allowing participants to attune to one another and shift from disconnection to mutual understanding.

Following earlier ritual perspectives, Rossner (2011, 2013) offered a distinct and influential contribution by focusing on the micro-level dynamics of RJ encounters. Her work builds on Randall Collins' (2004) theory of Interaction Ritual Chains,<sup>34</sup> which itself draws from Durkheim's (1995) conception of religious rituals as emotionally charged, collective performances that generate social cohesion. Starting from the premise that emotional conferences are "good" conferences (Rossner, 2013, p. 15), Rossner adapts this tradition to the RJ context, exploring how emotions are communicated, interpreted, and sustained during restorative meetings.

Using mixed methods, including a close analysis of a video-recorded conference, Rossner developed a model of interaction ritual in which shared emotion, solidarity, and synchrony play a central role. Drawing on data from Australian and UK restorative conferences, she concluded that successful conferences are characterised by emotional energy, shared morality, and behavioural synchrony. In contrast, unsuccessful conferences tend to lack synchronicity and emotional turning points – that is, "specific moments where the rhythm changes from one of conflict to one of solidarity" (Rossner, 2013, p. 12).<sup>35</sup>

She identifies synchronising behaviours and shared gestures, such as crying, laughter, or physical touch, as markers of group alignment and emotional bonding. Strong emotions, such as anger, are described as potential "turning points" that help participants develop a shared rhythm (Rossner, 2013, p. 37). For this reason, Rossner emphasises the importance of eliciting emotion, "whether positive or negative", and bringing it to the surface (Rossner, 2013, p. 81). As she puts it: the "stronger the emotions [...] the better the conference" (ibid).

Facilitators, in her view, are key to this process: they "can ensure the right ingredients are there to create a successful conference" (Rossner, 2013, p. 142) and are "trained to be attuned to

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<sup>34</sup> Collins (2004) defines a successful interaction ritual as a social encounter marked by four key features: (1) bodily co-presence, where participants are physically together and aware of one another's presence; (2) boundaries that clearly distinguish participants from outsiders; (3) a shared focus of attention; and (4) a shared emotional mood.

<sup>35</sup> Thus, Rossner argues that background variables, such as the nature of the offence or the demographic characteristics of participants, are not the primary factors in determining the success of a restorative conference (2013, p.7).

group level dynamics” (Rossner, 2013, p. 40). Their task is thus to maximise the emotional expression and energy that drive ritual success.

However, in a later article co-authored with Bruce (Rossner & Bruce, 2018), Rossner reported findings that added nuance to her earlier framework. Their analysis of pre-sentence restorative conferences revealed that many encounters lacked “intense displays of solidarity, emotional energy and other ritual elements” and did not follow a “single emotional trajectory or typology of success” (Rossner & Bruce, 2018, p. 514). Crucially, they found that less emotionally expressive conferences could still produce meaningful outcomes. These findings echo Bolitho’s (2017) research, which argues that emotional transformation in victim–offender conferencing does not depend on any specific emotion or fixed sequence. Similarly, Bruce and Bolitho (2019) found that post-sentencing conferences are not always emotionally transformative for victims, and that not all victims wish to fully express their emotions. They conclude that RJ may be better understood as a space for meaning-making rather than “emotional transformation per se” (Bruce & Bolitho, 2019, p. 403), particularly in cases of serious crime.

While Rossner’s theory offers a valuable lens for understanding the emotional dynamics of RJ encounters, certain elements of her approach raise important questions and concerns. In particular, her emphasis on emotional intensity and synchrony sets high expectations for what constitutes a “successful” conference. For example, she suggests that restorative encounters can serve as a turning point in an offender’s life by generating emotional energy that contributes to long-term desistance (Rossner, 2013, p. 145). Yet this assumption may overstate the impact of a single encounter. As Rossner herself concedes, emotional energy tends to dissipate after the event, raising doubts about its ability to sustain behavioural change without broader structural or relational support.

A related concern lies in the assumption that emotional intensity is inherently positive or beneficial. Framing ritual success around expressive, synchronised emotion risks overlooking participants who may prefer more restrained forms of engagement (Bolitho & Bruce, 2019). Moreover, encouraging the overt expression of strong emotions in RJ contexts could unintentionally pressure participants into emotional displays that feel unsafe, culturally incongruent, or even retraumatising.

Finally, although Rossner draws on data from both Australia and the UK, her analysis gives limited attention to potential cultural and procedural differences across these contexts. Facilitation styles, expectations around emotional expression, and conference design can vary significantly across jurisdictions. A more sustained comparison, for instance, through facilitator interviews or cross-contextual analysis, could have enriched her framework by clarifying how these differences shape emotional dynamics and ritual outcomes. Despite these limitations, Rossner's work stands out as one of the most thoughtful and empirically grounded contributions to the study of RJ conferencing. Her use of mixed methods, attention to the ritual and symbolic dimensions of emotion, and ability to bridge theory and practice make this a particularly promising framework for understanding what gives meaning to restorative processes.

Overall, ritual theories offer valuable insights into the emotional dynamics of RJ. Their key strength lies in showing how shared focus, behavioural synchrony, and emotional energy can foster solidarity and symbolic repair. They highlight the transformative potential of collective emotional engagement, often treating emotional alignment as a marker of success. However, as Van Stokkom (2019) cautions, these models tend to idealise emotional trajectories and overlook the messier, more uneven realities of practice. There is often a tendency to privilege emotionally expressive, synchronised interactions, which may not resonate with all participants or contexts.

As Rossner and Bruce's (2018, p. 514) research shows, even conferences that do not "achieve mythical status" or feature intense displays of emotional energy can still be meaningful for RJ participants. In practice, emotional intensity – while potentially powerful – is not inherently positive or universally desired. For some participants, particularly victims, being encouraged to express strong emotions may feel unsafe, intrusive, or culturally inappropriate. Ritual theories risk equating success with outward emotional expressiveness, which can inadvertently marginalise those with more contained responses or different emotional needs. This study both confirms and extends these insights: that RJ success does not hinge on the visible expression of emotion.

Moreover, ritual frameworks often overlook broader contextual influences, such as cultural norms, institutional pressures, and facilitation styles, all of which shape how emotions are expressed, interpreted, and received in RJ settings. While interaction rituals can indeed generate cohesion, they can also give rise to discomfort, or even resentment. Transformation

may unfold not only through dramatic emotional shifts but also through subtle, ambivalent, and at times messy experiences that resist neat categorisation. Recognising this complexity is essential for a more inclusive and realistic understanding of what emotional success might look like in RJ practice.

In the following section, I turn to theoretical approaches that foreground apology and forgiveness as central to RJ. These frameworks explore whether, and under what conditions, expressions of remorse and forgiveness can serve as emotional mechanisms of reparation, shaping how success is perceived within RJ processes.

### **3.4 Apology and forgiveness**

Apology and forgiveness have been widely regarded by some scholars as defining features of RJ. These elements are frequently understood as key emotional mechanisms through which RJ achieves its reparative potential, offering insight into how participants experience emotional resolution, accountability, and healing. Retzinger and Scheff (1996), for instance, position the apology-forgiveness sequence as central to what they term symbolic reparation, setting RJ apart from more conventional justice processes. When this exchange is perceived as genuine, it can create a relational bridge between victim and offender, allowing for mutual recognition and the re-establishment of social bonds. In this view, apologies are not simply verbal expressions but emotionally charged acts shaped by shared attention, narrative engagement, and emotional intensity (MacDiarmid, 2025; Rossner, 2019; Goffman, 1978).

Empirical research offers strong support for the centrality of apology in restorative processes. Over 90% of victims indicate they would like to receive an apology (Strang, 2002), and most appear to do so in practice. In a large comparative study, 86% of Australian victims and 96% of British victims who participated in a restorative justice conference reported receiving an apology, compared to just 19% and 7% respectively of those whose cases went through court proceedings (Strang et al., 2013).

While victims frequently expect and value apologies, their experiences are often more complex and ambivalent. Shapland et al. (2007) reported that only 45% of victims believed the apology they received was sincere, and 21% explicitly stated it was not. Similarly, Daly (2005, 2002) found that while 61% of offenders said they were truly sorry, only 27% of their victims

believed the offenders were genuinely remorseful, pointing to a significant interpretation gap. Choi and Severson (2009) further highlight this disconnect, showing that victims are sensitive to the perceived authenticity of apologies. When offenders failed to convey emotional depth or adequately acknowledge harm, their sincerity was often called into question. Non-verbal cues, such as eye contact, tone, and facial expression, played a crucial role in shaping these perceptions. While many offenders reported feeling genuine remorse, their apologies were frequently seen as insincere, pointing to a disconnect between intention and reception. The authors suggest this gap stems not from a lack of remorse, but from insufficient preparation. Meaningful apologies, they argue, require both offenders and victims to share an understanding of the apology's purpose and delivery, otherwise its emotional impact may be lost (Choi & Severson, 2009, p. 819).

Forgiveness presents a similarly complex picture. In the literature, Zehr (1990, p. 47) defines forgiveness as “letting go of the power the offense and the offender have over a person”. Brook and Warshwski-Brook (2010, p. 522) emphasise its therapeutic potential, arguing that forgiveness “helps victims to cleanse themselves from anger and vengeance, promoting emotional healing”, describing it as the natural goal of an apology. Armour and Umbreit (2018), however, offer a more nuanced view, portraying forgiveness not as a guaranteed result of an apology, nor as a singular decision, but as a dyadic, dialogical process that unfolds within facilitated interaction. From this perspective, forgiveness may emerge subtly through shifts in attitude, behaviour, and relational dynamics, even when it is not explicitly named (Armour & Umbreit, 2018, p. 17). The emphasis here is on co-produced emotional repair rather than a definitive, verbalised act. Psychological research adds further distinction by differentiating between “decisional forgiveness”, a conscious commitment to reduce negative feelings, and “emotional forgiveness”, which entails a deeper affective shift through the replacement of negative emotions with positive ones (Lichtenfeld et al., 2019; Worthington et al., 2007). The latter is more difficult to achieve and tends to unfold gradually.

Empirical studies confirm that forgiveness rarely follows a neat or uniform path. Rather than aligning with idealised notions of reconciliation, victims' experiences often reflect more subtle, ambivalent, or culturally shaped interpretations of what it means to forgive. In McDermid's (2025) study, fewer than half of the participants said they had forgiven the offender after receiving an apology. For those who did, forgiveness was often described in terms of feeling “more settled” or gaining closure, rather than through dramatic displays of reconciliation

(McDermid, 2025, p. 11). Shapland (2016, p. 110) makes a similar observation, noting that victims in her study “very rarely used the word ‘forgive’” and sometimes explicitly rejected the term, even when describing outcomes such as “closure”, “moving on” or “feeling more settled”. This raises important questions about cultural understandings of forgiveness and whether the term itself adequately captures victims’ experiences.<sup>36</sup>

Importantly, some participants have reported feeling subtly pressured to forgive or perform reconciliation (Choi & Severson, 2009), raising concerns about emotional authenticity in restorative processes. As a result, several scholars caution against positioning forgiveness as an assumed or explicit goal. Instead, it should remain one possible outcome among many, emerging, if at all, through the participants’ “genuine desire” to forgive (Braithwaite, 2002b, p. 571). Armour and Umbreit (2018, p. 17) articulate this as a central paradox: while forgiveness and reconciliation can be powerful outcomes of restorative dialogue, promoting them too explicitly can backfire. The more these outcomes are anticipated or encouraged, they argue, the more likely they are to be perceived as behavioural prescriptions or moral imperatives, ultimately deterring participation or stifling authentic emotional engagement.

A number of scholars have also critiqued the implicit emotional expectations placed on victims, particularly the pressure to suppress anger and move toward a forgiving posture. These critiques raise important questions about the emotional norms embedded within RJ practice and the extent to which they enable or constrain meaningful victim participation. Maglione (2017a), for instance, observes that restorative discourse often constructs the “ideal victim” as someone who is morally elevated by their capacity for empathy, composure, and forgiveness. Within this framing, victims who express anger, grief, or a desire for retribution risk being perceived as unreasonable, vengeful, or emotionally unprepared for the process. Expanding on this in later work, Maglione (2023, p. 257) argues that the idealised victim becomes a regulatory figure within RJ discourse, serving to responsabilise the offender through “normative expectations of remorse and the certification of its genuineness”.

Emotional expectations are, thus, intertwined with implicit expectations about how victims and offenders should speak, narrate harm, and participate in ways that are seen as appropriate

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<sup>36</sup> Suzuki and Jenkins (2024) propose four possible trajectories in the apology-forgiveness cycle: (1) apology followed by forgiveness, (2) apology not followed by forgiveness, 3) forgiveness preceding apology, and (4) forgiveness without apology. While theoretically suggestive, this typology has yet to be tested empirically.

within restorative settings. This, however, may not be equally accessible or comfortable for all participants. As Willis (2020) highlights, the requirement to speak publicly and reflectively in a conference can itself be distressing, particularly for participants who feel uncomfortable “speaking in public” and who experience anxiety as a result. Crucially, she highlights how reluctance or difficulty speaking may be socially patterned, and can be misinterpreted by facilitators as disengagement, insincerity, or a lack of emotional readiness. In this sense, emotional expectations in RJ are not only about what participants are expected to feel, but also about how they are expected to express and communicate those feelings, in ways that fit the interactional norms of the process.

Rypi (2016), one of the few scholars to examine “feeling rules” in RJ, found that victims are often expected to withhold expressions of “unjust” anger and instead demonstrate empathy or understanding, particularly when offenders show remorse. Drawing on ethnographic research in Sweden, she analyses the “emotion culture” of victim-offender mediation and highlights a central tension in practice: although emotional spontaneity is valued as a sign of sincerity, participants are simultaneously expected to manage their emotions in line with victim-centred and impartiality discourses. These expectations, she argues, shape how victims and offenders are meant to feel, display, and interpret emotion within the restorative process. In Rypi’s analysis, offenders are typically expected to show remorse, take responsibility, and demonstrate empathy toward the victim, while victims are often expected to show understanding and forgiveness. At the same time, she notes that mediators may intervene to moderate excessive offender shame, particularly where it risks creating an emotional imbalance. She also identifies situations in which victims’ anger may be permitted, provided it remains bounded by respect and does not compromise participants’ safety or the mediator’s impartial stance. Rypi reads these moments as exceptions that reveal the tensions and contradictions within the restorative emotional order, especially where victim-centred and impartiality discourses pull in different directions.

Miller (2011) similarly observes that offenders are expected to express themselves within certain emotional parameters. They are discouraged from using “careless” language or adopting “victim stance” attitudes, such as expressing self-pity (“poor me”) (Miller, 2011, p. 222), and from displaying remorse in ways that might re-traumatise victims. Instead, they are encouraged to articulate their motives, take full responsibility, and frame their account with the victim’s understanding in mind (Miller, 2011, pp. 222-223). Such expectations promote an

emotional posture that is humble, accountable, and other-oriented, reinforcing the notion that offenders must demonstrate not just remorse, but the right kind of remorse: sincere and contained. This resonates with Rypi's study (2016), where both victims and offenders are subtly steered toward emotionally appropriate modes of expression. Importantly, in both cases, RJ practitioners play a key role in shaping how participants are expected to feel and behave, often before the meeting itself.

Taken together, these studies demonstrate that emotional expression in RJ is not simply left to participants' discretion. Rather, it is anticipated, guided, and shaped through facilitation. Miller's work foregrounds participants' emotional journeys during preparation, revealing the presence of implicit emotional expectations, without theorising them explicitly. Rypi, by contrast, offers a more explicit conceptualisation of pre-mediation meetings as sites governed by "feeling rules", drawing attention to the normative regulation of emotional expression within victim-offender mediation.

My analysis extends and develops these insights by offering a different empirical and analytical account. Like Rypi and Miller, I found that emotional expression in RJ is not left entirely to participants' discretion, but is anticipated and actively shaped through facilitator intervention. Facilitators emerge as co-creators of the RJ narrative alongside participants, subtly encouraging certain dispositions and managing specific displays of emotion. However, my findings diverge from both Miller's and Rypi's analyses by offering a first-hand, facilitator-centred account of how emotion work is understood and enacted in everyday practice. From this perspective, practices such as moderating excessive shame, allowing expressions of anger within boundaries of respect, and maintaining impartiality do not represent departures from restorative norms or its display rules, as suggested in Rypi's analysis. Instead, they appear as ordinary and necessary ways of enacting RJ values and principles in context.

More broadly, the findings from this study show how facilitators work within an RJ emotional regime structured by key principles and values, such as respect and engagement, which shape what forms of emotional expression are considered appropriate within the process. Emotion work emerges as a relational and reflexive practice, in which facilitators continuously engage with and manage participants' emotional expressions alongside their own. In this way, facilitators appear not as mere 'enforcers' of emotional rules, but as active emotional actors and "the custodians of restorative justice values" (Dignan, et al., 2007, p. 13), whose work is central to making RJ conferencing possible in practice.

Importantly, the findings also show that preparation is an integral component of everyday facilitation practice and of the conferencing process itself. It is during preparation that facilitators engage in sustained relational work to encourage participants towards particular forms of emotional expression and engagement. Through subtle cues and ongoing guidance, facilitators shape how emotions are expressed, interpreted, and managed, in ways that keep the participants' engagement aligned with RJ values and principles. Notably, this active role does not extend to prompting specific acts such as apologies or forgiveness. As I will discuss in chapter 7, these gestures are viewed as meaningful only when they arise spontaneously and are experienced as sincere, rather than as outcomes of facilitator prompting or rehearsal.

Overall, the literature discussed in this section suggests that while apology and forgiveness are frequently positioned as central to RJ, they rarely unfold in straightforward or uniform ways. Emotional authenticity and sincerity, particularly from offenders, is closely scrutinised, with non-verbal cues playing a crucial role in how apologies are received. Forgiveness is also more complex than often portrayed as it is not always sought, named, or experienced in clear-cut terms. To date, we still know relatively little about how victims define or interpret forgiveness, or what renders an apology emotionally meaningful from their perspective. Crucially, there is a pressing need to better understand the emotional display rules at play in restorative settings: who defines what counts as "appropriate" emotional expression, how these expectations are communicated, and how participants navigate them in practice. Addressing these questions is crucial for developing a more grounded understanding of emotions in RJ.

### **3.5 Conclusion**

This chapter has explored the diverse ways in which emotion (and its role) has been conceptualised and theorised in the RJ literature. Overall, the scholarship reveals a fragmented and, at times, contradictory picture of how emotion works in conferencing. Part of this inconsistency stems from fundamental disagreements among scholars about which emotions are pivotal to RJ's success, how they should be expressed, and whether specific emotions, such as shame, guilt, anger, or remorse, should be actively elicited, allowed to emerge, or avoided altogether. Thus, emotional dynamics in RJ remain "underdeveloped and in need of further empirical analysis" (O'Mahony & Doak, 2017, p. 45).

This diversity is perhaps unsurprising, given that RJ operates across diverse institutional, political, and cultural contexts, all of which shape how emotion is displayed, interpreted, or expressed. This was evident in Shapland's (2016) UK study, where many victims described feeling more "settled" or experiencing "closure", yet deliberately avoided using the word "forgive", highlighting how emotional meaning is deeply shaped by context and language. In addition, participant characteristics such as age, gender, and personal history can influence how individuals engage with RJ, shaping what Harris et al. (2004, p. 200) refer to as their "emotional starting points": the emotional states and expectations they bring into the conference. For example, offenders may enter the process with feelings of embarrassment, guilt, or defiance, while victims may arrive with a mix of humiliation, anger, or a desire for reparation, all of which can shape how the restorative process develops, and the dialogue unfolds.

Importantly, most of the theories discussed in this chapter rely on strong normative assumptions about what constitutes a "successful" restorative encounter. Emotional intensity, visible remorse, or a specific sequence of emotional expression are often presented as essential to meaningful reparation. These perspectives contribute to an implicit emotional script that closely parallels the "ideal defendant" narrative in criminal justice (Field & Tata, 2023) where individuals are expected to admit guilt, take responsibility, and perform the 'right' emotions in the 'right' way. As chapter 7 will explore, there are indeed subtle and explicit expectations placed on RJ participants regarding emotional expression. However, the assumption that emotional expression is central to success may be overstated.

Notably, the literature has paid surprisingly little attention to the role of facilitators in shaping emotional dynamics. While some acknowledge that facilitators help establish the emotional tone of a conference, few studies explore in detail how this is done in practice. What strategies do facilitators use to elicit or contain emotion? How do they prepare participants to feel emotionally safe and supported? And how do they respond when conferences are not overtly emotional? These are not marginal questions. Facilitators are, as Dignan et al (2007, p. 14) put it, the "custodians" of the RJ process, responsible not only for safety and structure, but for creating the conditions in which 'symbolic reparation' becomes possible.

Moreover, most research has focused overwhelmingly on the conference meeting itself – the visible, performative event – at the expense of the quieter, behind-the-scenes preparatory work that precedes it. Few studies examine what happens before participants enter the room: how expectations are managed, how emotions are anticipated, and how readiness is cultivated over

time. Yet according to the facilitators in this study, some of the most significant emotional work occurs during this preparatory phase.

My research seeks to address these gaps by foregrounding the work of facilitators and drawing attention to the emotion work that sustains restorative processes. Rather than assuming emotional change happens in spite of facilitation, I ask how it may happen through it – and what this tells us about the practical realities, complexities and limits of emotional reparation in RJ. I argue that focusing exclusively on the conference moment risks distorting our understanding of how emotion is navigated in RJ and who enables that navigation.

To pursue these questions, the thesis investigates the work of RJ facilitators operating in England and Wales. The next chapter sets the scene by tracing the development of RJ policy and practice in this jurisdiction. It outlines how RJ has evolved, the organisational structures through which facilitators operate, and the institutional and commissioning frameworks that shape their practice. While Scotland was initially considered as a research site, the limited and inconsistent availability of RJ across the country (Butler, Maglione, & Buchan, 2022) rendered fieldwork unfeasible. In contrast, England and Wales offered more established infrastructures and a wider range of active services, making them a more viable setting for this in-depth exploration of contemporary RJ facilitation.

## Chapter 4 - The restorative landscape in England and Wales

### 4.1 The development of restorative justice in England and Wales

The development and implementation of RJ in England and Wales has historically been marked by uneven progress, always tied closely to police-led services. This ebb and flow has mirrored broader shifts in political will, funding priorities, and criminal justice policies over the years, all of which have shaped how RJ has been prioritised and embedded within the criminal justice system.

RJ was first introduced by the Exeter Youth Support Team in the early 1980s, primarily in the form of victim-offender mediation (Crawford & Newburn, 2002; Marshall, 1996). This initiative was part of several small, police-based reparation schemes but remained peripheral within the youth justice system. It was not until the late 1990s that RJ was formally and systematically implemented in England, following the efforts of Sir Charles Pollard, then Chief Constable of Thames Valley Police, who imported a scripted, police-led restorative model from Australia. The Thames Valley model was innovative for its time, comprising two types of restorative interventions: restorative cautions and restorative conferences (Clamp & Paterson, 2017). The former involved offenders and their supporters, while the latter also included victims and their supporters. Both interventions followed the Australian “Wagga Wagga” model<sup>37</sup> which was highly structured and used primarily as a diversionary approach for minor offences. Hoyle and Rosenblatt (2016, p. 33) note that the Thames Valley model explicitly incorporated Braithwaite’s (1989) theory of reintegrative shaming, thereby aligning with a coherent criminological framework.

The introduction of this model coincided with a shift in political leadership. The “new” Labour government strongly endorsed RJ, publicly committing to place restorative principles “at the

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<sup>37</sup> The Wagga Wagga model, developed in Australia, is a structured, scripted RJ approach originally designed as a diversionary option and facilitated by police. This contrasts with the New Zealand model, where RJ conferences are generally facilitated by trained, independent welfare practitioners or community facilitators without the use of a formal script. While police are involved in case referral and support, they do not typically lead or facilitate the meetings (Clamp & Paterson, 2017; Daly K. & Hayes H., 2002). These two models are the main policing approaches discussed in the RJ literature.

heart of a reformed youth justice system” (Shapland, Robinson, & Sorsby, 2011, p. 8). A range of initiatives followed, including reforming the cautioning system with an emphasis on reparation to victims (Holdaway et al., 2001). In 2001, the government commissioned a £7 million pilot RJ programme to build an evidence base for RJ. By the mid-2000s, RJ policy became formalised within English police forces through Youth Restorative Disposals and “on-street” disposals (Baxter, Schoeman, & Goffin, 2011). I will not elaborate on these terms here, as the terminology and framework surrounding disposals have undergone significant changes over the years.

The publication of the Restorative Justice Action Plan by the Ministry of Justice (MoJ, 2012) marked a critical milestone by setting out the broad framework and ambitions for RJ in England and Wales. Later iterations of the plan (MoJ, 2017, 2014) explicitly emphasised three core values: (1) equal access to RJ at all stages of the criminal justice system, regardless of location, offender age, or offence type; (2) increased awareness and understanding of RJ’s benefits and accessibility; and (3) ensuring high-quality RJ delivered by trained facilitators (Ministry of Justice, 2017, p. 2).<sup>38</sup> In 2015, the Code of Practice for Victims (MoJ, 2015) was revised to comply with the EU Directive on Victims’ Rights 29/12 stating that all victims are “entitled” to receive information about RJ services and how to access them.<sup>39</sup> Furthermore, the Crime and Courts Act 2013 and the Offender Rehabilitation Act 2014 expanded the legal scope of RJ, allowing its use in pre-sentence and post-sentence stages, respectively.

Following these legislative changes, the Ministry of Justice funded three probation trusts to develop local models for pre-sentence RJ delivery in magistrate courts. Restorative Solutions, in partnership with Victim Support, secured funding from the Underwood Trust and the Ministry of Justice to implement a 12 to 15-month programme offering pre-sentence RJ to victims and offenders in ten Crown Courts across England and Wales. This model had distinctive features: (1) adopting a ‘victim-focused’ approach, which involved placing the needs of victims at the centre of the process; (2) prioritising serious acquisitive and violent cases scheduled for Crown Court sentencing; (3) situating RJ within the prosecution process,

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<sup>38</sup> The last Ministry of Justice Restorative Justice Action Plan expired in 2018, and no new national plan has been published since.

<sup>39</sup> Importantly, the latest revision of the non-statutory Code of Practice for Victims (MoJ, 2021, articles 3-4) strengthens this provision by granting victims the “right” – not merely an “entitlement” – to receive information about RJ services.

with courts granting adjournments once an offender had been convicted (having pleaded guilty) but prior to sentencing; and (4) recruiting volunteers to act as the facilitators of RJ activities (Kirby & Jacobson, 2015, p. 9).

However, the pathfinder programme encountered numerous challenges, including issues with data access and sharing, which contributed to low completion rates of RJ activities. These difficulties prompted a public inquiry by Parliament, resulting in the decision not to ring-fence funding for Police and Crime Commissioners (PCCs) due to concerns over the reliability and sensibility of RJ budgets.

Since then, advocates and practitioners have continued to push for RJ to be a consistent option for victims and offenders. While RJ is well embedded within the youth justice system as a diversionary measure (Crown Prosecution Service, 2023), provision for adults remains patchy. Evidence suggests that the Ministry of Justice's Action Plan has not translated into tangible progress, leading to persistent barriers in access, awareness, and service capacity (APPG, 2022, p. 4). RJ provision continues to depend heavily on regional support from PCCs, who commission and allocate funding in consultation with Chief Constables. Notably, RJ funding is part of a broader victims' services budget, leaving PCCs discretion over how much to invest locally, resulting in significant disparities across regions (Watson, 2020). For example, data from the charity Why me? (2023) indicates that some PCC areas allocate as little as £6,250 for RJ, while others invest up to £397,412. As a result, a patchwork of local models has emerged, each with its own restrictions on case eligibility and access (APPG, 2022). For example, some areas offer restorative services for a wide range of offences, while others exclude cases involving serious harm, such as domestic abuse and sexual violence.

These restrictions were frequently raised by facilitators during this study, who expressed frustration about the resulting inequities. One facilitator described the landscape as “a complete mockery of the Ministry of Justice reports”, highlighting how victims and offenders often cannot access RJ services due to rigid criteria.<sup>40</sup>

Research also highlights that victim participation remains very low (Banwell-Moore, 2023), largely due to victims not being adequately informed or offered opportunities to engage with RJ. According to the Crime Survey for England and Wales (Office for National Statistics,

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<sup>40</sup> This issue will be explored in greater depth in chapter 6.

2021), only 5.5% of victims of crime recalled being offered the chance to meet their offender in 2019-2020.

Moreover, service evaluation continues to present significant challenges. Data collection methods vary widely at both national and local levels, complicating efforts to track progress, benchmark services, and demonstrate value (Nascimento, 2021). Nationally, data is often gathered through Freedom of Information requests, but the collection and analysis remain inconsistent (APPG, 2021), resulting in the absence of a comprehensive national overview of the quality and quantity of RJ services. A recent analysis of six different data reporting templates used by RJ services revealed considerable variation in the types of data collected (Fisk, 2023). Notably, there is a disproportionate focus on victim-related data compared to offender-related data. Fisk (2023, p. 18) suggests that this imbalance is likely due to the primary funding for RJ commissioning coming from the Victims' Services grant.

This overview of the RJ landscape in England and Wales provides important context for understanding the environment in which RJ facilitators operate. It highlights the evolving policy framework, funding challenges, and service provision disparities that shape RJ practice today. While this chapter sets the broader scene, chapter 6 will delve deeper into the facilitators' daily work, exploring the practical challenges they face and demonstrating that their practice is deeply embedded within - and influenced by - these wider structural and institutional factors. I will now turn to an overview of Restorative Solutions, the organisation at the centre of this research.

## **4.2 Restorative Solutions**

RJ services in England are predominantly delivered by third sector organisations. While some PCCs provide and manage services directly, many commission external providers through competitive procurement processes (Marder et al., 2023, p.4). Among the leading providers is Restorative Solutions, a not-for-profit Community Interest Company (CIC) specialising in restorative services and training.

Restorative Solutions has played a significant role in the implementation and delivery of restorative justice since its early days. Founded and chaired by Sir Charles Pollard, former Chief Constable of Thames Valley Police and a pioneer of RJ in England, the organisation

benefitted from his influential advocacy within government and justice circles. Pollard's involvement extended beyond Restorative Solutions, including prominent roles on the Youth Justice Board, the Justice Research Consortium, and the Winchester Restorative Justice Group, contributing to the development of national restorative justice legislation for the youth justice system.

This foundational work positioned Restorative Solutions not only as a key service provider but also as a recognised training organisation within the RJ landscape across England and Wales. Notably, Restorative Solutions was awarded funding to develop and implement the pathfinder programme, a flagship initiative within the Ministry of Justice's early strategy to embed pre-sentence restorative justice in magistrates' courts (Kirby & Jacobson, 2015). In addition, Restorative Solutions holds a seat on the board of the All-Party Parliamentary Group (APPG) on Restorative Justice, reflecting its continued visibility and engagement in national RJ policy discussions.

Restorative Solutions offers a comprehensive portfolio of services, including awareness courses, specialist RJ training and workshops, consultancy to PCCs, RJ provision, and case supervision. Their expertise spans all stages of the criminal justice system, covering neighbourhood justice panels, out-of-court disposals, secure establishments, and both pre- and post-sentence RJ interventions. They currently hold contracts to deliver services across six PCC areas and one Mayoral area. Additionally, they have been commissioned to implement the CARA (Cautions and Relationship Abuse) programme, a recognised intervention model targeting perpetrators of domestic abuse subject to conditional cautions. The organisation employs over 150 staff and volunteers, encompassing facilitators, managers, and support personnel.

Funding for these services is primarily secured through public procurement, with PCCs commissioning RJ providers based on competitive bidding. Each PCC independently determines how much of their allocated victims' services budget is invested in RJ locally, resulting in significant disparities in funding levels across different areas. Contracts are typically short-term - lasting up to three years with the possibility of two one-year extensions - and are governed by procurement regulations. This brief contract cycle contributes to instability within the sector, as facilitators often face uncertainty regarding contract renewals. Moreover, fluctuations in funding between contracts generate financial unpredictability for service providers.

In recent years, England and Wales have made notable strides toward the professionalisation of RJ. In 2012, the Ministry of Justice funded the Restorative Justice Council to establish and manage a register of accredited services and trainers, setting formal standards for both service delivery and individual accreditation. This move represented a significant step toward ensuring quality, consistency, and accountability within RJ practice.

Restorative Solutions is registered with the Restorative Justice Council, both as a training and as a service provider, with all facilitators either fully accredited or actively pursuing accreditation. Nonetheless, accreditation remains voluntary rather than a mandatory requirement for RJ practitioners. While accreditation is widely regarded as a mark of professionalism and credibility, debates continue over whether it should be made compulsory to safeguard service quality and protect participants or avoided to prevent compromising some of RJ's key values and principles – particularly its informality, flexibility, and emphasis on lay and community participation. This highlights ongoing tensions between the professionalisation of RJ and its grassroots. These issues, along with their implications for facilitators, will be re-addressed in more detail in chapter 6.

This chapter has provided an overview of the RJ landscape in England and Wales, highlighting its historical development, policy frameworks, funding challenges, and service provision disparities. It has also introduced Restorative Solutions, the key organisation within which the facilitators in this study operate, outlining its role, funding model, and commitment to professionalisation. Together, this contextual background sets the stage for a deeper exploration of facilitators' experiences and daily practices, which will be examined in detail in the following chapters. Understanding this broader system and organisational context is crucial for appreciating the everyday work of RJ facilitators. It influences how they receive RJ referrals, engage with other criminal justice professionals, and define the scope and boundaries of their role.

Having outlined the historical and policy context that shapes RJ in England and Wales, I will now turn to a detailed discussion of my research design and methods, including an overview of the study sample and participant characteristics.

## Chapter 5 – Research design and methods

### 5.1 Introduction

This chapter outlines and reflects on the research design and methodological approach adopted in this study. It details the key decisions made during the planning and execution of the fieldwork, including the rationale behind the chosen methods, the theoretical framework, ethical considerations, and the challenges encountered during data collection. These methodological choices were guided by the study's aims and research questions, as well as the broader theoretical perspectives underpinning the research.

The overarching aim of this research was to examine the work of RJ facilitators, with a particular focus on how they perceive and manage emotions within conferencing processes.<sup>41</sup> This objective was addressed through four interrelated research questions: (1) How do facilitators perceive their role? (2) Are emotions welcomed by facilitators in conferencing processes? (3) How are emotions talked about by facilitators? and (4) How do facilitators manage their own emotions and the emotions of RJ participants?

To address these questions, I adopted an empirically driven, abductive qualitative approach, characterised by an iterative movement between empirical material and relevant theory (Timmermans & Tavory, 2022, 2014, 2012). Abductive inquiry allowed me to remain closely engaged with the empirical material while being open to surprise and emerging questions as the study developed. Rather than treating theory as something to be tested or applied, I drew on theoretical ideas to deepen interpretation as empirical material was explored.

This approach was appropriate given the exploratory nature of the study and its focus on facilitators lived experiences and everyday practice. Rather than testing pre-existing normative theories of emotion or attempting to develop a new theory of emotions for RJ, the study sought to develop an in-depth, empirically informed account of how facilitators perceive their work, make sense of their role, and engage with emotions in the context of conferencing. For this reason, their accounts and explanations were treated as analytically meaningful in their own

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<sup>41</sup> As will become clear in chapters 6 and 7, particular attention was given to the preparation phase, which remains underexplored in existing research.

right, with theoretical concepts used flexibly to support interpretation rather than to impose pre-defined categories.

An abductive approach also enabled me to remain attentive to moments of surprise, tension, or inconsistency that arose as the research unfolded, particularly where empirical observations did not sit neatly with existing literature. As the research progressed, these moments prompted deeper dialogue with relevant theoretical work, with theoretical ideas operating as “sensitising concepts” (Blumer, 1954) that helped clarify, adjust, or extend understanding in light of how facilitation was enacted in practice. In this sense, abduction supported sensitivity to practice and to the gap between policy ideals, theoretical assumptions, and the realities of facilitation work. In practical terms, this involved moving back and forth between empirical material and relevant theoretical ideas, using each to inform and refine understanding as the study developed.

Importantly, this approach did not mean that I entered the field as a ‘blank slate’. Prior to beginning my fieldwork, I was already familiar with RJ literature and had undertaken multiple forms of RJ training, including formal practitioner training with Restorative Solutions. I had also completed an internship with Restorative Solutions, which gave me early insight into their internal policies, organisational structure, and approach to practice. Moreover, I conducted several literature reviews, including for the purposes of securing ethical approval, which enabled me to engage critically with existing theories and methodological approaches relevant to my topic. Taken together, these experiences provided a strong practical and theoretical foundation before entering the field.

Within an abductive approach, prior knowledge is not treated as a source of bias to be bracketed out, but as a resource that shapes what researchers notice, question, and find surprising in the field. As Schwartz-Shea and Yanow (2012) note, what surprises researchers depends in part on what they already know or expect about the phenomenon under study. Thus, throughout both fieldwork and data analysis, I engaged in ongoing reflexivity, continually questioning how my assumptions, positionality, and prior knowledge informed the research process. This reflexive stance was intended to ensure that interpretation remained responsive to the empirical material, while acknowledging my own role in meaning-making.

Rossner (2013, pp. 39-40) outlines two dominant approaches to studying emotion: the first treats it as an interior, individual experience – something that resides within individuals and

can be accessed through skilled interviewing; the second conceptualises it as an external, observable phenomenon – a social fact that emerges in patterned ways through interaction and can be analysed via detailed observation of gestures, expressions, and collective dynamics. While each perspective offers valuable insights, this thesis does not sit squarely within either camp. Instead, it engages with both the expressive and interpretive dimensions of emotion, drawing on observational and interview data to explore how emotion is experienced, managed, and understood by facilitators. Emotion is treated in this thesis as relational and context-dependent, simultaneously shaped through social interaction and imbued with personal meaning.

For this reason, I drew on a combination of qualitative methods (narrative interviews, focus groups, and ethnographic observations) to build a rich, contextualised picture of facilitators' everyday practice. Each method served a distinct purpose. Narrative interviews elicited personal stories and interpretations; focus groups created space to explore co-facilitation and collective sense-making; and ethnographic observations captured behaviours and interactions in situ. This eclectic mix reflects a form of “methodological bricolage” (Pratt, et al., 2020). Rather than following a single fixed template, I selected and combined methods pragmatically to explore different facets of facilitators' everyday practice. By bringing observational data into dialogue with participants' accounts, the study captures not only what facilitators do, but also how they understand and navigate their role within conferencing.

Throughout this chapter, I reflect on how my position as a researcher shaped my fieldwork experience, including my access to Restorative Solutions, the development of relationships with participants, and my engagement with the research process itself. I adopted a self-reflective approach in which emotion formed part of my methodological toolkit – both as a way of acknowledging my positionality and as a means of attuning to what my own emotional responses might reveal about the dynamics between myself and my participants (Holmes, 2010). As socio-legal scholars have noted, researching emotions requires reflexivity to take centre stage and demands ongoing engagement with a central question: how can we know what participants feel? (Wettergren, 2015).

This chapter proceeds as follows. It begins by outlining the study's theoretical framework, before detailing the qualitative methods used during data collection. It then discusses how access was obtained and negotiated, how participants were recruited, and how rapport was built in the field. Ethical considerations are also addressed, alongside a reflection on the practical

and methodological challenges encountered during fieldwork. The chapter concludes with an overview of the research sample, alongside a description of how referrals are handled within the two services in which the facilitators worked.

## **5.2 Theoretical framework**

As discussed in chapter 2, this research has been partly inspired by insights from symbolic interactionism (SI) (Becker & McCall, 1990; Blumer, 1969; Mead, 1934). While SI did not serve as a formal framework for this study, several of its core concepts offered valuable conceptual tools that guided my approach both to data collection and analysis. In particular, SI provided a useful lens for exploring how RJ facilitators construct meaning in their daily practice: how they interpret the situations they encounter, and how they navigate emotional dynamics within the context of conferencing.

At its core, SI is concerned with the ways in which individuals create and negotiate meaning through social interaction. This meaning-making process relies on shared symbols – such as language, gestures, facial expressions, and other forms of non-verbal communication. Through such interactions, individuals not only interpret others' behaviour but also take their perspective, adjusting their own actions in response. Blumer (1969, p. 2) captures this through three core premises: (1) human beings act toward things based on the meanings these things hold for them; (2) these meanings emerge from social interaction; and (3) meanings are handled and modified through interpretive processes as individuals engage with the world around them.

What drew me to SI was its ability to make sense of everyday life at a micro-level. It recognises that human behaviour is not simply reactive or pre-programmed, but rather deeply situational and negotiated. As Merrill and West (2009, p. 59) explain, SI encourages us to view the social world as a “practical, situated activity – rather than an abstract one”. Everything we see is a product of our interpretation. This emphasis on everyday meaning-making aligns closely with my research focus on how facilitators navigate the relational and emotional dimensions of their work in restorative conferencing. It foregrounds the idea that facilitators work in fluid, sometimes emotionally charged environments, where they must improvise and negotiate meaning in real time, rather than relying on prescriptive models or predetermined responses.

My approach was influenced in particular by the work of SI scholars in the 1960s and 1970s who placed strong emphasis on ethnographic methods and life histories to explore subjective experiences and everyday interactions (Matza, 1969; Shaw, 1966; Becker, 1963). For instance, Shaw's (1966) life history of a young offender, *The Jack Roller*, revealed how deviant identity is constructed over time through lived experience and social labelling, while Becker (1963) highlighted how deviance emerges not from the act itself, but from the societal reaction to it. This focus on micro-level interactions provided a useful orientation for capturing not only what facilitators do, but also how they make sense of their role, how they interact with participants, and how emotions are understood and negotiated in their practice. In a more contemporary context, Goffman's (2014) ethnographic work explores how individuals manage identity, emotion, and survival in response to institutional power. Her focus on the emotional weight of everyday interactions, and the strategies people develop to navigate structural constraints, also inspired my approach. While the structural positions of her participants (marginalised young Black men living under the constant threat of criminalisation) differ significantly from those in this study, her work remains instructive in its close attention to how imbalances of power are felt, negotiated, and managed through lived, relational experience. These insights resonate with the challenges faced by RJ facilitators, particularly in navigating institutional expectations.

One particular feature of SI that resonated strongly with my research is its attention to symbols as building blocks of meaning (Sandstrom et al., 2014; Hewitt, 2011; Goffman, 1951). Within SI, symbols are understood to structure interaction, signal social roles, reinforce group norms, and shape identity. These symbols may take many forms – objects, words, gestures, or even shared understandings – and are constantly interpreted and reinterpreted depending on the interactional context. For example, Goffman (1951) illustrates how physical objects can serve as markers of social status or identity, whether in the form of formal status symbols, such as awards or titles, or informal esteem symbols, which in contemporary settings might include social media popularity. Similarly, Collins (2004) shows how symbols may generate emotional energy within groups, strengthening collective identity and encouraging behaviours that align with shared norms and values.

This focus on symbols also resonates with many aspects of RJ practice. Symbolic elements are often embedded within the structure of RJ processes, shaping how participants engage, communicate, and interpret meaning. For example, in peacemaking circles, communication is managed through a “talking piece” or “talking stick” which is passed clockwise around the

circle, signalling the opportunity to speak (Umbreit & Armour, 2011, pp. 190-191). The talking piece can have a variety of meanings: it can be a symbol for a tradition or story, a symbol of hope or peace, or a natural object (such as a rock or seashell) that is used as a metaphor (Umbreit & Armour, 2011, p. 191). In conferencing, symbolic elements can take other forms, such as written outcome agreements, the establishment of ground rules, or the act of apology itself, which, as discussed in chapter 1, can be seen as a form of symbolic reparation.

During my fieldwork, I observed that facilitators also drew on informal, often improvised symbols to manage the process, facilitate interaction, and convey specific messages. For example, a facilitator might deliberately remove their coat to create a sense of informality and approachability, or agree with a co-facilitator on a discrete signal such as a word or gesture, to indicate when one of them needs to step out of the conference room.

Symbols also carry powerful emotional resonance in RJ, both for RJ facilitators and participants. Verbal and non-verbal actions – such as apologies, handshakes, or the way participants speak about the harm caused – can operate as symbolic vehicles through which emotions like shame, anger, guilt, or hope are expressed and negotiated. Facilitators, in turn, engage with these symbolic expressions as part of their role, helping participants navigate these emotional dynamics and, as I will explain in chapter 7, encouraging certain emotional dispositions. Emotions are deeply embedded within these meaning-making interactions (Charmaz, 2014), shaping how participants interpret one another and how facilitators manage the encounter.

As previously outlined, this research sought to explore how RJ facilitators understand, experience, and manage emotions within their everyday practice. Doing so required moving beyond normative descriptions of facilitation to focus instead on the realities of their everyday work: how they carry out their role, how they make sense of their actions, and how they respond to participants in real-time. To explore these questions, I employed a combination of qualitative methods: narrative interviews, and focus groups, and ethnographic observations. These methods enabled a rich, in-depth exploration of participants' experiences, emotional responses, and embodied interactions. Importantly, these methods aligned closely with the interpretive tradition of SI, which emphasises close attention to meaning-making in naturalistic settings (Becker & McCall, 1990; Denzin, 1989; Blumer, 1969; Mead, 1934). In this way, the methodological design supported the study's aim of capturing the complexity and nuance of facilitators' everyday practice within conferencing. The following section outlines the research

design in more detail, including how the study was carried out, with particular attention to data collection, access, and analysis.

## **5.3 Research design and methods**

### **5.3.1 Overview**

The data for this study was collected through a combination of qualitative methods: narrative interviews, focus groups, and ethnographic observations. Qualitative approaches are well suited for providing an in-depth understanding of perspectives of the study population and the context in which they operate (Hennink, Hutter, & Bailey, 2020). This made them particularly appropriate for addressing the aims of this study, which sought to explore how RJ facilitators perceive and manage emotions within conferencing processes.

In designing the study, it was important to hear directly from facilitators about their experiences and views (hence the use of narrative interviews and focus groups) but also to observe how their work unfolds in practice. Therefore, ethnographic observations served as a crucial complement, enabling me to capture facilitators' behaviours and interactions within their 'natural' occupational settings. Together, these methods offered a valuable opportunity to examine not only how facilitators talk about their work, but how they perform it in practice.

Unlike many well-established professions, RJ facilitation remains a relatively recent and still-evolving occupation. It emerged largely on the margins of the justice system, often developed by volunteers with limited or no state funding. Although some RJ programmes are now formally funded and increasingly embedded within criminal justice systems, the role of RJ facilitators remains largely unregulated, lacking the professional standards, oversight, and accreditation frameworks that typically define more institutionalised occupations.

Furthermore, the voices of facilitators remain surprisingly underexplored in the academic literature. This gap made it particularly important to adopt research methods that could illuminate not only the practical dimensions of their work, but also their personal backgrounds, career trajectories, and the broader relational dynamics that shape their work.

My fieldwork was conducted between January 2022 and June 2023 and was carried out in two distinct phases, referred to as Leg One and Leg Two. The first leg (Leg One) involved conducting narrative interviews and focus groups with RJ facilitators<sup>42</sup> The second leg (Leg Two) consisted of ethnographic observations, which included: (1) shadowing RJ facilitators in their day-to-day work; and (2) observing preparation, conferences, and follow-up meetings.

Ethnography was a method I felt drawn to from the start of my PhD. It seemed essential to understand RJ practice, to observe facilitators in action, and to explore how they approach and navigate emotion in their daily practices. However, like many researchers during the COVID-19 pandemic, I had to adapt my approach. With in-person access temporarily restricted, I set ethnography aside and turned to narrative interviews and focus groups – methods I had not initially planned to use. What began as a necessary compromise, soon proved to be a valuable addition to the study, offering rich insights into how facilitators understood their roles, articulated their experiences, and reflected on the emotional demands of their work. By the time I was able to begin ethnographic fieldwork, the interviews and focus groups had laid a strong foundation. They not only offered critical context for interpreting what I observed in the field but also enabled me to identify discrepancies between facilitators’ accounts and their actual behaviours and practices.

As Noaks and Wincup (2004, p. 163) note, “researchers need to adapt their strategy to what is feasible within their own circumstances”. Echoing this point, Halliday and Schmidt (2009) remind us that empirical research is rarely linear or predictable. Rather, it requires researchers to navigate shifting circumstances with pragmatism and reflexivity, responding to uncertainty with grounded judgement rather than rigid adherence to pre-set plans.

In my case, adapting the research sequence became an unexpected strength. Conducting the ethnographic work after hearing facilitators’ stories and perspectives gave me a sharper lens for interpreting what unfolded in the field. It enabled me to observe not only what facilitators did but how their actions aligned with (or departed from) what they had previously described. However, I remain aware that had I begun with ethnography, my analysis might have looked

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<sup>42</sup> See full ethics application form in the appendices, which includes the information sheets, consent forms, and topic guides shared with facilitators.

quite different. A reversed sequence could have illuminated other aspects of practice or led to different analytical priorities – possibilities that future research could usefully explore.

Due to the timing of data collection (which coincided with the onset of the COVID-19 pandemic) all interviews and focus groups were conducted remotely via Zoom. The online format also proved beneficial, particularly in terms of time and cost efficiency, allowing me to reach facilitators spread across different regions of England. Alongside these primary methods, I also gathered supplementary documentary materials, including training manuals and procedural templates regularly used by facilitators. These documents offered additional insight into the organisational structures and frameworks that shape their daily practice.

Ethical approval for both legs of fieldwork was obtained through separate applications to the Law School Research Ethics Committee at the University of Strathclyde. A detailed discussion of the ethical considerations relevant to this study is provided in section 5.6

Throughout the research process, I kept a dedicated field journal to record my reflections, thoughts, and emotional responses as the study unfolded. The aim was to produce a set of descriptive and reflexive notes that would enrich the analytical process and support a more nuanced understanding of the field. As Flower (2020, p. 12) notes, bringing the emotions of the researcher to the forefront can sharpen “one’s ethnographic eye”, enabling a deeper engagement with the field and the research process itself.

Before commencing fieldwork, I also undertook RJ training with Restorative Solutions. While this provided valuable professional development, my primary motivation was to gain an in-depth understanding of the specific training facilitators received. Given the considerable variation in RJ training across different conferencing programmes and jurisdictions, it was crucial to grasp the content and structure that shaped facilitators’ practice, including whether emotion management techniques were included. My reflections on this experience will be explored in detail in chapter 6, alongside facilitators’ accounts of training and its relevance to practice.

Gaining access to the field and building rapport with the organisation required careful planning. In preparation for the research, I applied for (and secured) a short three-month internship with Restorative Solutions, jointly sponsored by the Scottish Graduate School of Social Sciences. This internship proved invaluable, both for my personal development and for the fieldwork that

followed. During the placement, I produced a report outlining the challenges and opportunities likely to be faced by third-sector organisations in meeting the Scottish Government's commitment to making RJ widely available across Scotland (Nascimento, 2021). The experience enabled me to establish relationships with key personnel, including members of the senior leadership team, and to develop a deeper understanding of the organisation's internal procedures, policies, and working culture. These early connections played a crucial role in facilitating access and smoothing the participant recruitment process, which will be discussed later in this chapter.

The study involved six facilitators working across two RJ services in England. All participants took part in Leg One of the fieldwork, which includes two narrative interviews with each facilitator, as well as participation in one of three focus groups. Leg Two involved ethnographic observations with a sub-sample of two facilitators who had previously taken part in Leg one. This included a short period of shadowing and observation of preparation, conference, and follow-up meetings. Section 5.7 later in this chapter provides a detailed overview of participant characteristics and involvement across the two legs of fieldwork, offering transparency about the scope of the dataset while preserving participant anonymity.

It is worth noting that this study is based on a small sample situated within a specific jurisdiction and organisational context. As such, the findings reflect the experiences and practices of facilitators working within that particular setting. Facilitators operating in different jurisdictions, organisations, or capacities (for example, as freelancers or volunteers) may hold different views or engage in different practices, potentially giving rise to different findings. However, this does not detract from the study's originality. Its contribution lies in providing a rich and detailed account of facilitators' everyday practices and emotion work within RJ conferencing, offering a level of empirical detail and insight that extends beyond what is currently available in the existing literature. In particular, the analysis captures the full conferencing process from a practitioner perspective, with close attention to preparation and to facilitators' reflexive work.

### **5.3.2. Leg 1 – Narrative interviews and focus groups**

#### **5.3.2.1 Narrative interviews**

Narrative interviews formed the first stage of data collection during Leg one of fieldwork. I conducted two in-depth interviews with each of the six RJ facilitators, resulting in a total of twelve interviews. Each session lasted approximately two hours.

This approach provided the opportunity to explore how facilitators perceive and interpret their role, how they manage emotions such as frustration, stress, and uncertainty, and, for more experienced practitioners, how their strategies and perceptions had evolved over time (Merrill & West, 2009).

The narrative format allowed interviewees to recount their experiences in ways that felt meaningful to them, using their own language, pacing, and framing. This open-ended style was particularly valuable for accessing the emotional dimensions of their work. It shed light on the symbolic worlds they inhabit, the expectations they navigate, the emotional and practical challenges they encounter, and the strategies they employ to manage these dynamics.

Emotions were often expressed directly and spontaneously, as part of their narrative, but they also surfaced more implicitly through their accounts. Facilitators frequently drew on specific cases to illustrate their points, providing valuable, grounded examples that enriched the data and offered concrete insights into their experiences. One of the key challenges during data analysis was to unpack how these emotions were understood, recognised, and framed by facilitators – something I only began to grasp through deep immersion in the data and sitting with it long enough for patterns (and the occasional epiphany) to emerge.

Interviewing RJ facilitators required a different kind of rapport-building than might be needed when researching CJ professionals, such as police officers, judges, or prosecutors. Contrary to other researchers, I did not have to navigate status hierarchies (Roach Anleu et al., 2016), “play dumb”, or give the impression that I was an expert or knew the ins and outs of their work (Flower, 2020, p. 19). I found facilitators to be generally open, candid, and receptive. They welcomed the opportunity to share their experiences with a researcher for the first time and, while some were initially surprised by my interest in their backgrounds and life stories, they

engaged with genuine curiosity and enthusiasm. This openness facilitated rapport and created a trusting atmosphere throughout the interviews.

That said, narrative interviewing also came with its own set of challenges. This was a method I was less familiar with and one that pushed me slightly out of my comfort zone. Although I engaged extensively with the literature on qualitative, biographical, in-depth, narrative, and open-ended interviews (Rubin & Rubin, 2012; Kvale & Brinkmann, 2009; Reissman, 2008; Seidman, 2006; Wengraf, 2001; Thompson, 2000), I found that no single design or model fully aligned with my research aims, approach, or participants. If anything, the literature often raised more practical questions than it answered. Although there is a general agreement among scholars that any interview aimed at eliciting personal storytelling or narration can be classified as a narrative interview, there is considerable discussion about how they should be structured and conducted. Some scholars recommend minimal intervention, beginning with one broad opening question and avoiding further prompts (Wengraf, 2001). Others propose conducting multiple interviews, each with a distinct focus (Seidman, 2006). Some also suggest researchers should refrain from sharing any personal perspective during interviews, framing such input as a “negative form of active listening” (Wengraf, 2001, p. 129).

I found these structured approaches overly rigid for the context of this research. I wanted to approach each interview flexibly, adapting to the individual personalities of participants and responding organically to the direction of the conversation. From my prior experience conducting semi-structured interviews with professionals (e.g. policymakers, researchers, and psychotherapists), I had learned that when exploring subjective, practice-based experience, the interviewer often needs to follow the participant’s lead. Contrary to Wengraf’s view (2001, p. 125), I would argue that researchers sometimes need to gently steer the conversation, particularly when dealing with deeply personal or emotionally charged topics. Some participants require more encouragement, reassurance, and even prompting to feel safe enough to speak freely.

In hindsight, it is easy to see why so many design models exist. Narrative interviewing often requires researchers to develop skills that go beyond traditional interviewing techniques, including active listening, flexible pacing, sensitivity to verbal and non-verbal cues, and the ability to sit with silence and uncertainty. However, no model, no matter how well-crafted, should be treated as a one-size-fits-all formula, especially in qualitative research that seeks to capture the complexity of practice and lived experience.

With this in mind, I designed my interviews around my research aims and my interpersonal skills. I created a topic guide (see Appendix 3) outlining key themes and example questions, which served both as a planning tool and a kind of safety net. While this ‘guide’ helped clarify my thinking in advance, I did not use it rigidly in the interviews. Each conversation unfolded organically, shaped by the participant’s own rhythm and focus. The only consistent element across interviews was the opening invitation: “Can you tell me about your background – anything you feel comfortable sharing – including your experiences prior to, and leading up to, becoming an RJ facilitator?” Interviewees were also provided with a brief guidance note ahead of time to help them understand the scope of the interview. This document formed part of my research ethics application, included in the appendices.

The process of coding and analysing the narrative interview data is discussed in section 5.5, while sampling and recruitment are covered in section 5.7. Having outlined the narrative interviews, I now turn to the focus groups, which complemented the interview data by offering additional insights into facilitators’ teamwork, organisational dynamics, and shared professional challenges.

### 5.3.2.2 Focus groups

As part of Leg one, I also conducted three online focus groups to complement the data obtained through the narrative interviews. Insights from the interviews revealed that co-facilitation was a significant aspect of facilitators’ practice, raising important questions about teamwork, shared responsibilities, and interpersonal dynamics. The focus groups provided a valuable opportunity to delve deeper into these issues, not only by capturing individual perspectives but also by observing how participants interacted, built on each other’s responses, and co-constructed shared understandings in real time. As (Barbour, 2018, p. 8) notes, focus groups “allow researchers to look at more subtle, but potentially highly relevant understandings and behaviours”.

In preparation for the sessions, participants received a short guidance note outlining the purpose and scope of the session (see Appendix 2). One of my main challenges was to ensure that the discussions did not simply revisit ground already covered during the interviews. My aim was to push the conversation further, encouraging participants to engage with new prompts and reflect more deeply on issues that had previously surfaced.

To facilitate this, I introduced two films about RJ as stimulus material: *The Meeting* and *Mass*.<sup>43</sup> Both are widely known within the RJ field for their dramatic depictions of restorative encounters.<sup>44</sup> *The Meeting*, based on a real-life conference between a sexual assault victim-survivor and her perpetrator, portrays a formally facilitated encounter with two practitioners present. *Mass*, by contrast, presents a highly emotional exchange between the parents of a school shooter and the parents of one of his victims, unfolding largely without facilitation. These films provided a shared point of reference that allowed participants to compare fictionalised portrayals with their own experiences of practice.

The use of prompting materials in focus groups is a recognised qualitative technique, particularly effective when engaging participants with sensitive or emotionally charged topics. Previous studies across different fields have employed a wide range of such materials, from vignettes (Hunt & Churchill, 2013) to visual prompts and film clips (Upham & Roberts, 2011). These tools can act as emotional springboards, helping participants move beyond surface-level accounts and access deeper, more reflective insights. Drawing on visual elicitation approaches (Zehe & Belz, 2016; Pauwels, 2015), I used the films as researcher-generated prompts designed to elicit participants' verbal reactions, interpretations, and views. The main focus was on how facilitators responded to particular scenes, and how they compared fictionalised portrayals of restorative encounters with their own experiences.

I chose these two films because they provided complementary entry points into the topic. *The Meeting* felt especially relevant given its direct link to real RJ practice and widespread recognition in the field. *Mass*, though newly released at the time, resonated with the emotional themes central to this research. As a cinema enthusiast, I also found that film-based prompts offered an engaging, accessible, and novel route into emotionally complex discussions. To my knowledge, this approach remains relatively rare in RJ research, making it a distinctive element of the research design.

During the sessions, we watched and discussed selected scenes. In *Mass*, participants reflected on the moment when one set of parents offers a potted plant as a gesture of goodwill, only for the other couple to struggle awkwardly with where to place it – a detail some felt might have been handled differently had facilitators been present. Another focal point was a scene in which

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<sup>43</sup> *Mass* (2021) was directed by Fran Kranz while *The Meeting* (2018) was directed by Alan Gilzenan.

<sup>44</sup> This made them well suited to stimulating discussion and reflection among participants.

one of the bereaved parents breaks down and cries, prompting discussion about emotional intensity and how such moments might be managed in real-life RJ settings. From *The Meeting*, we examined the perpetrator's early declaration that he would not apologise, and a later moment in which the victim's supporter – herself a trained RJ facilitator, though not acting in that capacity in this case – insists that RJ practitioners are not morally neutral to the harm caused.

The emotional intensity of both films, especially *Mass*, served as a powerful launch pad for discussions around grief, guilt, anger, forgiveness, and emotional containment. Some questions focused on the role of facilitators (e.g. whether the co-facilitation model depicted in *The Meeting* aligned with their own experiences) or whether emotionally charged conversations like those in *Mass* could or should occur without practitioner involvement. Others centred on emotional management: how facilitators respond to distress, anger, or emotional outbursts, such as the scene in *Mass* where the bereaved father erupts in grief and shouts at the other couple.

Each focus group lasted between 60 and 90 minutes and included two RJ facilitators, a deliberate choice based on the nature of my sample.<sup>45</sup> Since participants were drawn from different services and PCC areas, keeping the groups small helped minimise the risk that facilitators from the same service might inadvertently dominate or steer the discussion, ensuring that both voices were heard equally.

It is sometimes argued that focus groups are less suited to exploring emotions, as participants may suppress certain feelings in front of others or seek consensus (Burkart & Weggen, 2015, pp. 107-108). Participants may feel reluctant to expose more vulnerable or conflicting emotions, either due to concerns about how they will be perceived by peers, a desire to avoid disagreement, or unspoken norms about which emotions are acceptable to share publicly. Additionally, dominant voices can sometimes steer discussions toward safer or more socially desirable narratives, limiting opportunities for deeper emotional reflection. However, in this research, the opposite occurred: participants engaged actively and openly, often exchanging

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<sup>45</sup> Some researchers might question whether a session with two participants qualifies as a focus group. While traditional definitions often involve larger groups, methodological literature supports the use of smaller groups, particularly when exploring sensitive topics or working with hard-to-reach participants (Morgan, 1997). In this study, small group size was a deliberate choice as explained above.

emotional reflections freely, without much prompting from me. This openness was likely facilitated by the small group size (two participants per session) and by the familiarity some already had with each other. The use of film as stimulus material may have also played a role in diffusing personal exposure, as participants were able to anchor their reflections in fictional scenarios before relating them back to their own experiences.

Bloor et al. (2001) argue that focus groups are particularly well suited to exploring how people weigh competing priorities or take situational factors into account in their decision-making. This proved relevant in my own research, as the format allowed me to examine how facilitators jointly assess readiness for a conference, conduct risk assessments, and make decisions about participants' suitability for restorative meetings. In this way, the focus groups generated rich and nuanced data that complemented the interview material.

The analysis and coding of the focus group data followed the same abductive approach used for the narrative interviews, with attention to emerging themes, contrasts, and patterns across the sessions, as well as points of convergence and divergence with interview and observational data. A fuller account of the analytical process is provided in Section 5.5.

### 5.3.3 Leg 2 - Ethnographic observations

Ethnographic methods have been widely used in previous studies of restorative conferencing (Bruce, 2013; Dignan et al., 2007) and of criminal justice professionals more broadly (Bacon, Loftus, & Rowe, 2023; Flower, 2020; Offit, 2017; Roach Anleu & Mack, 2014; Haight, Kayama, & Korang-Okrah, 2013). These studies have exposed behind-the-scenes routines, values, and practices that shape professional roles, offering valuable insights into how daily practice unfolds in everyday professionals contexts. Ethnography allows researchers to observe not just what people say they do, but how they actually perform their roles, paying close attention to the social settings where meaning is continuously negotiated and constructed.

There were several reasons why ethnographic observation was particularly valuable for this research. First, it offered a detailed and nuanced picture of facilitators' everyday work that interviews or focus groups alone could not fully capture. Second, observing facilitators directly enabled me to explore potential discrepancies between self-reported experiences and actual behaviours in practice, highlighting gaps, consistencies, or unspoken dynamics (Gobo, 2007).

Third, ethnography allowed me to explore how the physical environment itself – such as meeting locations, room layout, or seating arrangements – may subtly influence the tone and structure of restorative encounters. Finally, it provided the opportunity to witness emotionally charged situations as they unfolded in real time, rather than relying only on participants’ retrospective accounts.

As with any qualitative approach, ethnographic research raises questions of researcher subjectivity. I addressed these through a combination of methodological triangulation and ongoing reflexivity. Using multiple methods (interviews, focus groups, and ethnographic observations) allowed me to cross-reference and strengthen the credibility of my findings. At the same time, I engaged in continual reflection on my own positionality throughout the research process, as I further discuss in section 5.4.

As mentioned previously, one of the distinctive contributions of this study lies in its close attention to pre-conference preparation. While preparation is widely recognised in RJ scholarship as a distinct and important phase of conferencing,<sup>46</sup> and has been explored empirically, it has not been the focus of in-depth empirical analysis from the perspective of facilitators.

What emerged clearly from the data is that preparation involves far more than simply organising practical logistics such as booking venues. It requires skilled, sensitive, and adaptive work in which facilitators must build trust, assess emotional readiness, manage expectations, and navigate complex case dynamics. Much of the emotional groundwork of happens here – in the scaffolding that allows the conference meeting to unfold meaningfully. As will become clear in chapters 6 and 7, this phase is central to understanding how facilitators manage emotions in conferencing processes.

For this reason, the second leg of fieldwork incorporated two strands of ethnographic observation: (1) shadowing facilitators in their day-to-day work, and (2) observing preparation meetings, conferences, and follow-up sessions with participants. The following section outlines how these observations were conducted, beginning with the shadowing phase.

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<sup>46</sup> As Barton (2003, p. 79) notes, “without proper preparation a conference may be compromised from the start”.

### 5.3.3.1 Shadowing

Shadowing entails following a subject over a period of time in order to gain a close-up insight into their everyday work and routines (McDonald, 2005). In this study, it enabled me to observe facilitators' daily practices as they unfolded, while also gaining a deeper understanding of their role from their own perspective. As Van der Weele & Bredewold (2021) emphasise, shadowing offers a flexible and accessible means of inquiry, requiring little formal preparation either from the researcher or participants. It allows researchers to witness practice as it happens, without the constraints of structured questionnaires or pre-set topic guides.

This method was particularly well-suited to capturing the flow and complexity of facilitators' daily work, including the emotional and administrative demands they juggle. Over the course of five consecutive days, I shadowed one facilitator (who was also a Service Manager) allowing me to observe both their casework and broader organisational responsibilities. I attended meetings with partner agencies, listened to phone calls to victims, observed information being inputted into the case management system, and was introduced to various forms and templates routinely used by facilitators (such as risk assessment forms). The Service Manager role added an extra layer of insight, as I also observed internal supervision meetings and staff coordination. In this way, shadowing offered me an important window into both the operational context of Restorative Solutions and the broader organisational landscape in which RJ operates in England.

Throughout this period, I kept extensive fieldnotes capturing my observations, impressions, and reflections. I typically jotted down key points during the day and then revisit (and expand them) in the evening. Fieldnotes captured not only the observable features of each encounter – such as time, location, participants, activities, and non-verbal behaviours – but also my own interpretations, emerging insights, and personal reactions. As Van Maanen (2011) reminds us, fieldnotes are inherently interpretive: culture cannot be directly observed, only made visible through the researcher's written representation and analytical lens.

Beyond data generation, shadowing also played an important role in relationship-building. It helped strengthen rapport with facilitators, understand their team dynamics, and gain valuable organisational context ahead of the second strand of ethnographic fieldwork: direct observation

of preparation, conference, and follow-up meetings. The coding and analysis of observational data will be discussed in section 5.5.

### 5.3.2.5 Observation of preparation, conference, and follow-up meetings

The final stage of fieldwork involved the observation of preparation, conference, and follow-up meetings. Specifically, these observations included two preparation meetings, one conference, and one follow-up meeting, as outlined in the table below.

**Table 1.** *Overview of observations conducted during fieldwork*

<b>Stage</b>	<b>Number of observations</b>	<b>Offence type</b>	<b>Notes</b>
<b>Preparation</b>	2	Robbery and domestic abuse	Observed preparatory meetings with offenders that focused on introducing the RJ process and conducting initial assessments.
<b>Conference</b>	1	Death by dangerous driving	Observed the conference meeting, along with facilitators' preparatory work beforehand and follow-up actions and reflections afterwards.
<b>Follow-up</b>	1	Death by careless driving	Observed post-conference follow-up meetings with an offender in prison.

The objective during this phase of fieldwork was to observe and document rather than participate, adopting a non-participant observer stance (Spradley, 1980). While I continued to interact informally with facilitators between activities, I did not engage directly in their tasks. I did not take part in any facilitation during meetings, nor did I communicate with victims, offenders, or professionals as part of the restorative process. Nonetheless, some participants

occasionally engaged with me or behave during preparation meetings as if I were part of the conversation. These moments highlight how difficult it can be to remain entirely “invisible” – the classic aspiration of the so-called fly-on-the-wall observer, as often idealised in ethnographic accounts. I also occasionally found it socially difficult not to engage, particularly in moments of silence, which shows that pure detachment is rarely possible in ethnographic work.

If we understand the ethnographer’s role as existing along a continuum (Gold, 1958), my position could be best described as falling somewhere between a “complete observer” and an “observer-as-participant.” In this latter role, the researcher is often recognised within the setting but remains clearly peripheral to the main activity (Coffey, 2018). This description closely aligns with my experience: while I was acknowledged within the setting, I refrained from engaging in the facilitation process.

Written or verbal informed consent for observations was obtained from all RJ participants prior to the meetings. These meetings took place in prison, post-sentencing, and concerned a range of offences, including death by dangerous driving, death by careless driving, domestic abuse, and robbery as summarised in table 1.

Records of participants activities were kept in the form of detailed written fieldnotes, which aimed to be as comprehensive as possible (Geertz, 1973). These included contextual details of each case (e.g. where the conference was held, who attended), as well as descriptive accounts of the interactions between facilitators and conference participants, noting elements such as tone of voice, eye contact, gestures, and general demeanour. Consistent with my approach during shadowing, I also recorded personal reflections, thoughts, feelings, and insights.

The initial preparation meetings with offenders generated rich data on how facilitators begin to build trust with participants, through body language, tone, and choice of words, as well as how they explain the RJ process, conduct initial risk assessments, and manage logistical challenges, such as securing appointments in prison. In addition, these meetings also helped shed light on how facilitators engage with other professionals.

The follow-up meeting, by contrast, provided valuable insight into the last stage of the conferencing process: what facilitators look for post-conference, what kinds of questions they

ask, who typically attends these meetings, and whether formal documentation is involved before the case is formally closed.

Taken together, these observations offered access to a less visible (but no less important) dimension of facilitators' role: how they plan and prepare for meetings, navigate institutional constraints, assess risk, and steer the process from beginning to end. Ethnography, after all, is most powerful when it enables the researcher to "explore the organized routines of behaviour" (Fine, 2003, p. 41) in situ. While my access was necessarily limited – and not without its challenges, as I will discuss in the next section – I believe the methods used in this study offered a meaningful window into the daily practices of RJ facilitators.

#### **5.4 Reflections and challenges**

As I entered the second leg of fieldwork in October 2022, I looked forward to shifting from online interactions to in-person engagement with participants – though I also felt uncertain about what this shift might reveal. Having previously met the facilitator I was going to shadow gave me a sense of familiarity, but I was flooded with internal questions: Am I doing this right? What am I actually finding? What is this all adding up to? How 'neutral' or 'professional' *should I be*? *Am I asking the right questions*? It felt like I had opened a Pandora's box of worry I could not close.

Ethnography has taught me a number of valuable lessons. Perhaps the most important is that almost everything that happens in the field holds potential – not only for generating data, but for self-reflexivity and connection with participants. Early in the process, I came across a transcript of a 1989 talk by Erving Goffman at the Pacific Sociological Association, where he famously remarked:

“If you're going to do good fieldwork [...] You've got to open yourself up to being snubbed. You have to stop making points to show how 'smart assed' you are [...] Then you have to be willing to be a horse's ass.” (Goffman, 1989, p. 128)

My initial takeaway from Goffman's advice was that good fieldwork required a willingness to look foolish – to be, as he put it, a “horse's ass”. However, over time, I came to understand his words as pointing to something more profound. Ethnography demands that researchers set

aside their egos and learn how to blend in, observe, and participate without constantly seeking to assert expertise. It is in those moments that meaningful data begins to emerge.

In the field, awkward or uncomfortable moments are inevitable, and so are the occasional missteps or comments that, in hindsight, feel embarrassing or ill-judged. Yet, rather than being failures, these moments offer rich opportunities for critical reflection. They force us to confront our assumptions, biases, and blind spots. As Tracy (2014, p. 459) notes, “worrying too much about being an idiot can blind you to the opportunities that human vulnerability can create in relationships”. From my perspective, vulnerability is not a weakness in fieldwork – it is a resource and an asset.

Over time, it became clear that informal moments with facilitators often yielded deeper insights than formal, on-site observations. Whether in hotels, cafés, restaurants, cars, or occasionally their homes, these shared spaces allowed for more open and personal conversations. Facilitators spoke candidly about their emotions, feelings of nervousness, and concerns - not only about specific cases, but about their roles more broadly. Through these extended conversations, often accompanied by friendly banter, I came to know my participants on a more personal level: their private lives, professional and emotional challenges, and their general outlooks on life.

This growing closeness was invaluable for trust-building, but it also presented a tension with my role as a researcher. I felt a strong sense of loyalty towards facilitators, which occasionally made it harder to maintain a degree of analytical distance. There were moments, particularly in the early stages of analysis, when I caught myself wanting to defend them in my notes rather than critically interrogating their practice. My own beliefs about the importance of empathy in facilitation risked blurring with theirs, challenging my ability to sustain a balanced perspective. Like Hochschild (2016), I believe that ethnography involves building meaningful relationships with people, and that empathy is essential for gaining trust and access to participants’ thoughts and feelings.<sup>47</sup> Yet, as I experienced, empathy also requires careful management to avoid sliding into advocacy. Stepping back from the field, keeping a reflexive journal, and talking openly about these tensions in supervision helped me recognise when my interpretations were leaning too far towards advocacy. Over time, I learned to carry both closeness and distance,

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<sup>47</sup> By empathy I mean the ability or capacity to understand the thoughts and feelings of another (Bandes & Blumenthal, 2012; Sherman & Strang, 2011; Batson, 2009).

allowing empathy to deepen my understanding while keeping enough perspective to view their work with clarity and rigour. As Coffey (2018) reminds us, fieldwork relationships are both personal and professional, and they often carry high stakes for research success.

As my fieldwork unfolded, I also noticed a subtle shift in how I was perceived within the field. I no longer felt like a complete outsider. Instead, I began to feel more like “one of them”. This was evident in the conversations we shared and in how facilitators spoke about me to others. While they consistently introduced me as a researcher, to participants and criminal justice professionals, they also referred to me as a “colleague”. Some sought my opinions on cases, while others encouraged to contribute to meetings. This shift reflects the fluid and relational nature of positionality in ethnographic research (Dwyer & Buckle, 2009). Rather than occupying a fixed role, I found myself navigating the space between insider and outsider, depending on the context, the individuals involved, and the relationships that developed over time.

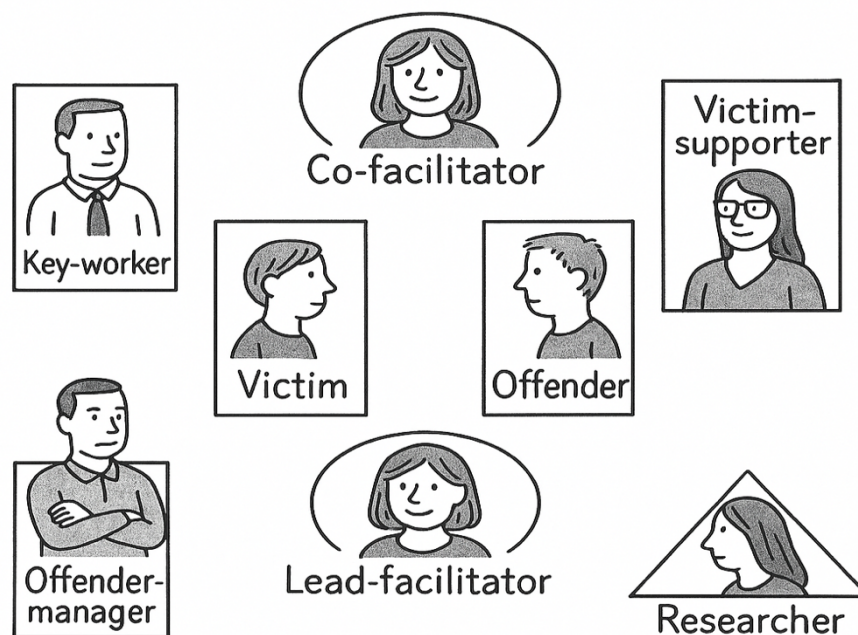
While I aimed to remain in the background during fieldwork, this was not always possible. For instance, during the conference I observed, the victim approached me both before and after the session, in a friendly manner, asking questions about my research and personal background, perhaps as a way to feel more at ease with my presence. I was entirely comfortable with this and happy to share aspects of my life. However, this exchange made me reflect on how such interactions might feel uncomfortable for other researchers. I came to realise that ethnographic work often demands more emotional labour than is typically acknowledged. At the same time, I questioned whether my presence might also have made the victim more self-conscious – aware of being observed and perhaps uncertain about how I might interpret their behaviour.

Fieldwork also involves navigating emotional navigation, particularly around what Hochschild (2012) identified as feeling rules: the implicit social norms that govern how emotions are expressed, moderated, or concealed. There were moments when I had to consciously manage my own responses to situations that felt unsettling. For example, security procedures at certain prisons felt intrusive. During one visit, I was asked to remove not only my shoes but also my socks, and to open my mouth for inspection. These moments challenged my physical boundaries, yet expressing discomfort did not feel appropriate in that context.

These tensions were not isolated to security checks. Entering prison spaces more generally often carried a heightened emotional charge. As others have noted, prisons are emotionally

charged spaces (Nylander, Lindberg, & Bruhn, 2011; Crawley, 2004), and my time visiting offenders was often emotionally intense. I experienced moments of joy while witnessing families reunite during social visits (moments that also stirred personal memories of visiting my uncle in prison as a child) but I also encountered deep discomfort when listening to participants recount traumatic personal experiences, including abuse, mental health struggles, suicide attempts, and the ongoing emotional toll of incarceration. In these moments, I became acutely aware of the need to regulate my own emotions so as not to influence the tone of the meeting or draw attention away from the participants. Managing my reactions (whether by focusing on active listening or giving myself mental reminders to address these feelings later in my fieldnotes) was essential to remaining focused and ensuring my presence did not disrupt meetings.

The conference meeting I observed was also highly emotional. The victim cried throughout much of the meeting. One of the supporters sobbed, and others were visibly moved. Although I managed to hold back tears, I was deeply affected, and, in hindsight, perhaps not as invisible as I thought. At the end of the conference, the victim approached me and said, “I saw that you were upset. Are you ok? Hope this was helpful to your research”. Her comment made it clear that my emotional response had been noticed. Though seated outside the circle, the chair’s angle gave her a clear view of me. The seating arrangement was the following:



*Figure 1. Seating plan from an RJ conference observation*

Working out where to sit was not straightforward. The facilitators were mindful of the number of people in the room and concerned about the potential impact of having too many observers present. In agreement with them, I sat slightly behind the main circle – a position also adopted by the offender manager who had requested to attend the meeting.

I also chose not to take notes during the session, opting instead to write up my fieldnotes afterwards (a strategy I used in other meetings as well). This approach minimised distraction and helped reassure facilitators, who worried that visible notetaking would disrupt the meeting's flow. Thus, my notes were often written on the train home, in cafés, or restaurants.

One advantage of being the sole researcher on this project was that all observations were filtered through a single perspective. This contributed to a degree of consistency in how the data was collected and interpreted. However, this also meant grappling with my own reactions and feelings. As I have noted earlier, ethnography can blur boundaries – it becomes easy to feel protective of participants and to want to present them in a favourable light. For this reason, staying attuned to one's own reactions and assumptions is essential, not only to maintain analytical clarity but also to recognise what may be shaping (or obscuring) the interpretation of data. Reflexivity, then, becomes crucial: it enables ongoing critical reflection and encourages ethnographers to interrogate how their values, relationships, and analytical lenses influence the research process (Pringle & Thorpe, 2017).

Nonetheless, this leg of fieldwork was not without its challenges. I had initially planned to observe more meetings and conferences than I ultimately did, but a number of logistical and practical issues made this difficult. These included the following:

1. **Being in and out of the field:** ethnography is a deeply embodied practice. It requires researchers to embed themselves in the everyday environments of those they study, observing routine activities in context (Pearson, 1993). For this reason, long-term immersion is often idealised in ethnographic research. In this study, however, sustaining a consistent presence proved challenging. While shadowing unfolded relatively smoothly, observing preparation and conference meetings was far more unpredictable, and often emotionally and logistically taxing. Many of the sessions I was scheduled to attend were cancelled at the last minute, sometimes while I was already en route, due to unforeseen developments (e.g. an offender being transferred to a closed prison overnight). Although some trips did not result in formal observations, they were

far from wasted. Facilitators often took the time to meet informally and discuss cases, and their generosity and kindness were truly remarkable. Yet, the repeated cancellations disrupted any sense of continuity. It is difficult to sustain immersion when months can pass between field visits.

2. **Geographic location:** the meetings I attended took place in prisons across England, many of which were in remote or poorly connected areas. Some sites were completely inaccessible by public transport. While several facilitators kindly offered support – from giving me lifts to inviting me to stay in their homes – the geographical spread of field sites added a further layer of complexity to the research.
3. **Financial constraints:** money is rarely discussed in research accounts, but it can significantly shape fieldwork, particularly for PhD students. I was fortunate to have been awarded a £1,000 fieldwork grant from the Socio-Legal Studies Association in 2022, but by the end of my five-day shadowing period, only £600 remained. Much of this was later spent on travel for meetings that were unexpectedly cancelled. It was a valuable (if sobering) lesson: ethnographic fieldwork in RJ can be both financially and logistically demanding, and future doctoral researchers would do well to factor this into their project planning from the outset.

This section has explored the second leg of my fieldwork, highlighting how ethnographic research is inherently messy, relational, and contingent. Reflexivity proved essential in making sense of my own position, reactions, and evolving relationships in the field. While this stage of fieldwork did not unfold exactly as planned, it nevertheless generated a rich, layered dataset and deepened my understanding of RJ facilitation. In the next section, I outline the analytical process that followed detailing how I approached the organisation, coding, and interpretation of the data.

## 5.5 Coding and data analysis

This section explains the approach taken towards organising, coding and analysing the data collected.<sup>48</sup> In total, I had approximately 30 hours of video recordings to transcribe and analyse – a process I found both engaging and unexpectedly time-consuming.

All interviews and focus groups were transcribed verbatim, including features such as laughter, hesitations, and emphasis. I listened to each interview recording twice before coding to familiarise myself thoroughly with the data (Ritchie & Spencer, 2002). Because the interviews were conducted virtually, I was also able to closely observe and review facial expressions and body language. Particular attention was paid to paralinguistic markers, such as pauses, incoherent speech, and laughter, which, in certain contexts, reflected emotional states (Bloch, 1996).

During coding, I annotated transcripts and highlighted significant quotes and passages (Saldaña, 2015), using NVivo to organise and categorise the data. Once the initial coding phase was complete, I reviewed the codes for repetition and overlap and refined them where necessary. Some transcripts required multiple readings to enable thorough thematic colouring and cross-referencing of categories.

For the main phase of data analysis, I used Atlas.ti software.<sup>49</sup> Early analysis involved the creation of analytic memos (Van Hulst & Visser, 2025; Miles, Huberman, & Saldaña, 2014; Savin-Baden & Major, 2013), organised around key themes and categories. These memos included reflections, illustrative quotes, and analytical questions. Linking different memos helped consolidate data across various sets and brought into dialogue different parts of the fieldwork.

Fieldnotes were analysed in two stages. Initially, they were coded for emergent patterns and themes. Subsequently, they were compared and contrasted with themes identified during Leg one to assess consistency and to explore discrepancies between what facilitators said they did

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<sup>48</sup> Prior to their analysis, all the documents were stored in a secure, access-restricted electronic folder on the University's secure cloud storage, accessible only by the researcher. There were no paper copies to be scanned.

<sup>49</sup> The choice of software was purely personal. I began coding in NVivo but moved to ATLAS.ti for the analysis stage because it offered a broader palette of colours for organising and visualising codes. As a highly visual thinker, I found this especially useful when writing memos and selecting codes.

(interview/focus group data) and what was observed in practice (ethnographic data). Both sets of fieldwork were then cross analysed with supporting materials, such as training manuals and templates.

Following this initial mapping, the analytic process became increasingly guided by abductive logic (Timmermans & Tavory, 2022). I returned iteratively to relevant theoretical frameworks and drew on them as “sensitising concepts” (Bowen, 2019; Blumer, 1954) to interpret the patterns and to make sense of tensions between different data sources. Particular attention was given to moments that prompted questioning or re-examination of assumptions, particularly where facilitators’ accounts or observed practices did not sit neatly with dominant representations in the literature. This ongoing dialogue between data and theory allowed me to refine my themes and bring them into dialogue with existing scholarship, while foregrounding participants accounts.

Throughout my analysis, I used memos and reflexive notes to document my thoughts and experiences of the research, including initial ideas about codes or topics that were emerging. These proved especially valuable when revisiting more ambiguous data (sometimes only months later) as they helped to capture fleeting impressions that might otherwise have been lost. They also provided a space to register moments of uncertainty, tension, or surprise that emerged during the analysis. Over time, I began to recognise that my own emotional reactions were not just background noise but part of the data itself. For instance, I often felt indignation toward criminal justice professionals who made decisions about RJ suitability without consulting facilitators. These reactions mirrored the frustration expressed by many participants, who felt their role was poorly understood or undervalued. As Wettergren (2015, p. 123) argues, failing to use emotions as “clues and sensitizing devices” leads to shallow, subjective analysis. Emotion, in this sense, became both a method and a lens through which I understood the field.

## **5.6 Ethical considerations**

As with any research involving human participants, this study required careful ethical planning to ensure that participants’ rights, welfare, and dignity were protected throughout. This section outlines the measures adopted to ensure voluntary, informed, and ongoing consent, as well as the steps taken to maintain confidentiality, anonymity, and secure data handling. The ethics application for this study was reviewed and approved by the Law School Research Ethics

Committee at Strathclyde University. A redacted version is included in Appendix 2 to protect the anonymity of the facilitators who took part in the study.

### **5.6.1 Voluntary, informed and ongoing consent**

Voluntary, informed consent was sought from all participants involved in this study. Participants were fully informed as to the nature of the investigation. The aims were explained in full on the information sheets and consent forms (see Appendix 2) and verbally at the start of narrative interviews, focus groups, and ethnographic observations.

Prior to narrative interviews and focus groups, participants also received an additional guidance note outlining the topics likely to be covered (see Appendix 2). Each participant was provided with the researcher's contact details and informed of their right to withdraw from the study or decline participation at any point, without consequence. Once participants had received the Participant Information Sheet and had time to reflect, consent was freely given and formally recorded.

During ethnographic observations, consent was verbally re-negotiated on a continuous basis. The researcher also discussed boundaries and expectations with facilitators prior to the start of the investigation to avoid potential discomforts during interactions. A letter of support from Restorative Solutions was also included in the ethical application, formally supporting the study and confirming that any facilitator's decision to participate (or not) would have no impact on their employment or professional standing.

### **5.6.2 Confidentiality and anonymity**

Confidentiality and anonymisation were especially important in this study for two reasons: first, participants shared sensitive details involving third parties (victims and offenders); and second, their reflections often touched on their employer (Restorative Solutions) or the commissioning bodies (PCCs).

To mitigate these risks and protect privacy, several safeguards were put in place:

- **Data security:** all data was transported and stored securely. Digital recordings, transcripts and other files containing personal data (e.g. consent forms) were moved onto the university server at the earliest possible opportunity and held there exclusively thereafter.
- **Participant IDs:** each participant was assigned an ID code for the purpose of record-keeping, ensuring that individuals could not be identified. Access to research material was restricted to the researcher and her supervisors, and all electronic files (including transcripts and notes) were password-protected.
- **Pseudonyms:** these codes were later replaced with pseudonyms when quoting participants in the thesis.
- **Contextual anonymisation:** any potentially identifying contextual details (e.g. location, recent role changes) were replaced with neutral descriptors like “location X” or “name of location”. This strategy was applied consistently throughout the thesis.

Confidentiality in focus groups required additional care, since participants were known to one another and present for each other’s contributions. At the start of each session, the importance of privacy was emphasised, and a non-disclosure statement was included in the consent form. Participants were encouraged to speak freely, including sharing divergent or dissenting views, and were reminded that they were under no obligation to answer every question.

Following the discussion of ethical considerations, the next section introduces the participant sample, outlining both how individuals were recruited and their key demographic characteristics.

## **5.7 Characteristics of the sample and recruitment process**

The aim of this study was to recruit a small number of RJ facilitators<sup>50</sup> with varying levels of experience, including variations in the number of conferences facilitated, years of practice, and the types of offences they had encountered in their practice. The only inclusion criteria were that participants had to be employed by Restorative Solutions, had received Restorative

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<sup>50</sup> Due to its qualitative nature, the investigation was concerned with depth of information rather than statistical representativeness.

Solutions-accredited training, and had facilitated at least one restorative conference. These criteria were designed to enable comparison between more experienced facilitators and those newer to the role.

The recruitment process was relatively straightforward. Initially, one of the Directors at Restorative Solutions circulated an email to all staff, providing a brief overview of the research and my contact details. Following this initial communication, facilitators independently reached out to me via email, and a Zoom meeting was arranged with each to explain the study in greater detail. Five facilitators expressed interest at this stage. During these early conversations, I asked participants whether they knew of any colleagues who might also be interested in participating – a strategy commonly referred to as snowball sampling (Parker, Scott, & Geddes, 2019). This led to one additional facilitator joining the study, bringing the total number of participants to six.

Before fieldwork began, participants were asked to complete a short demographic questionnaire to capture key background characteristics (see ethics documentation in the appendices). The following tables summarise the demographic and professional profiles of the facilitators who took part in this study.<sup>51</sup>

**Table 2.** *Characteristics of research participants I*

<b>Participant<sup>52</sup></b>	<b>PCC Service</b>	<b>Contract</b>	<b>Gender (self-identification)</b>	<b>Number of conferences facilitated (at time of fieldwork)</b>
<b>Anna</b>	Service 1	Full-time	Female	20
<b>Mary</b>	Service 1	Full-time	Female	9
<b>John</b>	Service 2	Full-time	Male	1
<b>Rachel</b>	Service 2	Full-time	Female	6
<b>Olivia</b>	Service 2	Full-time	Female	30
<b>Sarah</b>	Service 2	Part-time (+ another occupation outside RS)	Female	10

<sup>51</sup> To protect participant anonymity and confidentiality, individual data sources are not cross-referenced across tables or linked to specific cases. Given the small sample size and the small scale of local services, such cross-referencing could increase the risk of indirect identification.

<sup>52</sup> The identity of facilitators was anonymised, as explained above. All names used throughout this thesis are pseudonyms.

*Table 3. Characteristics of research participants II*

Age	Number of Participants
30–40	3
40–50	1
Over 50	2

*Table 4. Characteristics of research participants III*

Nationality	Number of Participants
British	5
Other	1

*Table 5. Fieldwork overview*

Leg	Activity	Details
Leg 1	Narrative interviews	12 interviews conducted (two interviews with each of six participants)
Leg 1	Focus groups	3 focus groups (3 groups of 2 participants)
Leg 2	Preparation meetings	2 meetings observed (offences: domestic abuse, robbery)
Leg 2	Conference meetings	1 meeting observed (offence: death by dangerous driving)
Leg 2	Follow-up meetings	1 meeting observed (offence: death by careless driving)

**Note:** All observed cases involved adult victims and adult offenders.

*Table 6. Summary of participant involvement across each phase of fieldwork*

Participant <sup>53</sup>	PCC Service	Leg 1: Narrative interviews and focus groups	Leg 2: Shadowing and observations
Anna	Service 1	2 narrative interviews; 1 focus group	Observed during one preparation meeting and one follow-up meeting (as lead facilitator)
Mary	Service 1	2 narrative interviews; 1 focus group	
John	Service 2	2 narrative interviews; 1 focus group	

<sup>53</sup> As previously noted, all facilitators were anonymised and the names used throughout this thesis are pseudonyms.

<b>Rachel</b>	Service 2	2 narrative interviews; 1 focus group	
<b>Olivia</b>	Service 2	2 narrative interviews; 1 focus group	Shadowed over five days
<b>Sarah</b>	Service 2	2 narrative interviews; 1 focus group	Observed during one preparation meeting and one conference meeting (as lead facilitator)

All facilitators who participated in this study were trained and employed by Restorative Solutions. Of the six participants, two were employed part-time and four full-time, and they worked across two separate PCC areas. One facilitator also held a managerial role as a Service Area Manager.

The average age of participants was in the early forties, and the group displayed limited cultural diversity: with the exception of one facilitator, all identified as white British citizens. Only one participant identified as male.

Participants reported a wide range of experience in facilitating RJ cases – from one case to over 30. Most (5 out of 6) had previous professional experience working directly with victims and/or offenders or had been employed in the criminal justice sector prior to joining Restorative Solutions.

Building on the overview of participant characteristics, the next section examines how service 1 and service 2 receive RJ referrals, outlining the procedures in place and the role facilitators play in assessing and managing these initial enquiries.

### **5.7.1 Referrals**

As outlined earlier, RJ policies and procedures vary considerably across PCC areas in England and Wales. It is therefore important to explain how referrals were received within each service in this study, and how cases were internally allocated. While RJ is well embedded within the youth justice system across England and Wales, its use in adult cases remains far less established. This disparity affects how referrals are made, who can make them, and which types of offences are typically referred.

Despite operational differences, both services in this study followed broadly similar referral criteria:

- Referrals were accepted for any type of offence, provided there was an identifiable victim and an identifiable offender.
- A wide range of professionals and agencies could make referrals on behalf of victims or offenders – including GPs, police officers, probation services, prison staff, victim liaison officers, youth offending teams, and third-sector organisations.
- Both services accepted victim-led and offender-led referrals, with the exception of cases involving domestic abuse or sexual violence. In such instances, concerns around coercion or manipulation meant that RJ could only proceed once the offender had been sentenced or the case had been finalised. In cases of domestic abuse, referrals were only accepted if initiated by the victim, not the perpetrator.
- For a case to fall within the remit of a service, the offence had to occur within its designated geographical area, or the victim or offender had to reside there. However, one facilitator acknowledged that flexibility was often required to avoid “cases falling through the cracks”. Given that funding is both limited and tied to specific service areas and eligibility criteria, victims and offenders can sometimes find that no PCC area is able to accept their case. The quotes below illustrate this reality:

“I’m currently working on a case in point: offence happened in [Area A], victim lived in [Area A] and offender lived in (area A). However, the victim was a student and now lives back in [Area B]. [Area B] policy is to work cases where the offence happened in [area B] (which would rule the victim out here), and [Area A] policy is to work cases where the victim lives in [area A] (which would rule the victim out there). Thankfully, sanity prevails, and we’ve agreed to work the case together – we’d rather be flexible in our approach and ensure that all victims have the option of RJ should they choose, rather than be rigid and deny someone something they want to explore.”  
Anna

“I really struggled a few months ago because, I was working with the prison in that area, in another case, and they said, ‘Oh, actually, I’ve got another guy who has said he would like to do RJ.’ And I was like, ‘Look, you know, I’m sorry, but we’re only

funded for [Area A]. If the offence took place in [Area A] the victim or the offender live in [Area A], then we will take it. But obviously if it's anything out of that, we can't.' So trying to get them in touch with their local RJ provider was a nightmare. And then the woman finally came back to me – and she was lovely, really helpful – but she was like, 'We won't take an offender-led referral unless he's willing to pay for it.' And I was like, 'OK. Well, do you take victim-led referrals?' She was like, 'Well, only if they come through specific funding routes.' I can't remember what their criteria was but [...] that's just mad, like, you know, it's a complete mockery of the Ministry of Justice reports that they've done about, this postcode lottery of RJ services." Olivia

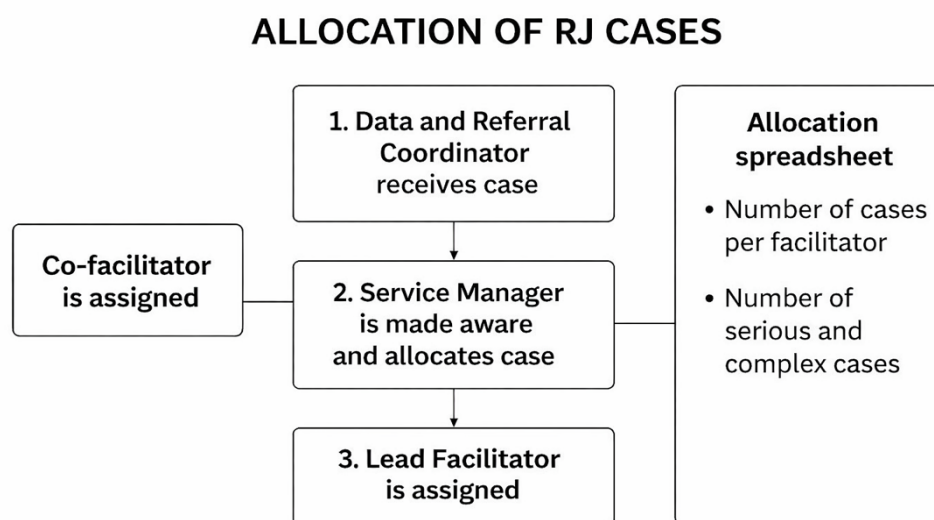
These two examples reveal the unevenness of referral pathways across different PCC areas. In Anna's case, bureaucratic rigidity was briefly overcome by goodwill and flexibility between services, allowing the case to move forward despite jurisdictional grey zones. The fact that both services agreed to cooperate underscores the willingness of some practitioners to prioritise the needs of participants over procedural red tape. However, such flexibility appears to be the exception, not the rule.

Olivia's account, by contrast, highlights how systemic inflexibility can block access to RJ altogether. Here, even a motivated offender was unable to participate in a process he expressed interest in, purely due to funding boundaries and restrictive local criteria. The notion that an offender would be asked to pay for RJ participation, in a system that publicly promotes the availability and benefits of RJ, deeply troubled the facilitator, exposing the gap between policy rhetoric and service delivery. Her reflection on the "postcode lottery" echoes broader concerns in the literature about the inequitable distribution of RJ opportunities across geographic regions. Together, these accounts demonstrate that referral criteria are often inconsistent, contingent on interpretation, and vulnerable to the politics of commissioning and local funding constraints. For facilitators, this generates a tension between wanting to uphold restorative principles, such as accessibility and participant-led engagement, and having to navigate inflexible institutional structures that dictate who may access RJ and on what terms.

In practice, referral forms typically include a wide range of details, from the type and date of the offence, to whether the victim and offender know each other (and in what capacity), and

the sentencing stage. They also capture details about the harm caused and information about potential risks, specific needs, and equality and diversity data.

The internal allocation of cases varied across services, with each employing its own systems and processes. For example, Service 2 had a dedicated Referrals and Data Coordinator who, with support from the area manager, was responsible for assigning cases to facilitators. In contrast, Service 1 did not have such a role. Instead, Lead Facilitators could receive direct referrals and, to some extent, select which cases they wished to take on. The diagram below provides an overview of how cases were allocated in one of the services (Service 2):



*Figure 2. Allocation process for RJ cases in Service 2*

Overall, victims and offenders could be referred to Restorative Solutions through multiple pathways. Referrals may originate from a range of individuals and agencies, including GPs, police, probation services, prison staff, victim liaison officers, youth offending teams, and third-sector organisations. In some cases, referrals are made directly by victims or offenders themselves. While both services accepted victim-led and offender-led referrals, cases involving domestic abuse or sexual violence were treated with caution due to concerns around coercion or manipulation from perpetrators. All referrals are subject to geographical eligibility criteria, which at times requires flexibility to avoid cases being excluded on technical grounds. Internal allocation procedures varied between services, but both followed a basic structure: cases were

assigned a lead and co-facilitator, either through a Data and Referrals Coordinator in collaboration with a Service Manager, or by direct allocation allowing facilitators to self-assign cases (subject to management oversight). These referral and allocation processes were not only shaped by practical considerations and funding arrangements, but also reflected deeper institutional dynamics around access, legitimacy, and risk management in the delivery of RJ.

## **5.8 Conclusion**

This chapter has outlined and discussed the research design and methods underpinning this study. Since the aim was to understand how RJ facilitators perceive and manage emotions in their daily practice, it was necessary to adopt a combination of qualitative methods that would allow access to the lived realities of this group of practitioners. Narrative interviews, focus groups, and ethnographic observations enabled me to explore not only what facilitators do, but how they make sense of their work, capturing their daily routines, practical challenges, and the relational dynamics they must constantly negotiate. Through these methods, I gained rich, contextual insights into the meanings, frustrations, and ambiguities that underpin RJ facilitation in practice – something which will be discussed in more detail in the next chapter.

In addition to outlining data collection and analysis strategies, the chapter has examined how facilitators were recruited, the characteristics of the sample, and the operational structures that shape their work – particularly how cases are referred, screened, and allocated. These insights revealed that while RJ services may appear to operate under standardised principles, much of their functioning is shaped by structural inconsistencies. Despite these constraints, facilitators frequently go beyond rigid frameworks in an attempt to uphold restorative values and ensure access for those seeking RJ. As the next chapter will show, this tension between restorative ethos and institutional reality becomes especially visible in the way facilitators navigate their roles.

## Chapter 6 – Understanding facilitation

This chapter examines the role of RJ facilitators, drawing on both existing literature and the experiences of practitioners who work for Restorative Solutions. It considers their responsibilities, daily tasks, training, and the skills and qualities they regard as essential to their practice. In doing so, it highlights facilitators' positioning within the conference process and critically assesses how their role has been represented and overlooked in the literature.

Despite their centrality to restorative processes, the work of RJ facilitators has received limited empirical attention (Bolitho & Bruce, 2017; Suzuki & Wood, 2017). To date, much of the literature has concentrated on RJ's philosophy, outcomes, and effectiveness, as well as the experiences and perceptions of victims and offenders, often sidelining the everyday practice and views of those who help bring these processes to life. Where facilitators are mentioned, they are frequently cast as neutral, secondary figures, and impartial third parties rather than skilled, attuned professionals who actively shape the process (Zehr, 2014; Van Camp & Wemmers, 2013; Shapland et al., 2011; Strang, 2002). This chapter addresses that gap by offering a more grounded, practice-oriented account of facilitation, informed by facilitators' training, professional trajectories, and first-hand perspectives.

The chapter begins with a review of existing literature on RJ facilitators, focusing on how their role and training have been theorised and described by scholars. It then turns to the views of the facilitators who took part in this study, examining their professional backgrounds and motivations for working in RJ. From there, the chapter moves into their reflections on training, complemented by my own fieldnotes from Restorative Solutions' training.

Building on this, the chapter explores how facilitators define and describe their role in practice, including the skills, qualities, and personal traits they see as essential to effective facilitation. The discussion then shifts to the principles of neutrality and impartiality, first considering how these concepts are framed in the literature, and then how facilitators interpret and apply them. The latter part of the chapter focuses on the structural realities of RJ work, including the challenges, frustrations, and constraints facilitators routinely navigate. It concludes with a close examination of the conferencing process itself, drawing on both scholarly perspectives and practitioners' insights to unpack its three core stages: preparation, the conference meeting, and follow-up.

## 6.1 How is the role of restorative justice facilitators described in the literature and research?

As noted in chapter 1, RJ is often framed as an empowering, community-based alternative to conventional justice. Central to this framing is the idea that decision-making, voluntariness, and active participation by lay people should be at the heart of RJ practice. RJ processes are frequently portrayed as “informal,” “consensual,” and “participatory” spaces (Johnstone, 2002, p. 138) where victims and offenders are no longer “onlookers in a game played by lawyers and other professionals” (Johnstone, 2002, p. 139), but active participants empowered to reclaim their conflicts (Christie, 1977). For this reason, RJ advocates often argue that the process does not “hinge on professional expertise” (Bruce, 2012, p. 175) and “de-professionalises” justice (Van Ness et al., 2022; Braithwaite, 2004).

Accordingly, RJ facilitators have largely been depicted as non-expert community representatives who are trained to facilitate restorative processes. Yet, the literature assigns them significant responsibility, portraying them as the “custodians of restorative justice values” (Dignan et al., 2007, p. 13).

The terminology used to describe RJ practitioners varies across jurisdictions, with terms such as “coordinator,” “convenor,” or “facilitator” all commonly used (Votruba, Blankley, & PytlikZillig, 2024; Bolitho & Bruce, 2017; Dignan et al., 2007; Maxwell & Morris, 2001). Nomenclature choices are not arbitrary or incidental – they reflect underlying differences in how RJ is implemented and operationalised across justice systems. In some countries, RJ may be administered by police, in others by youth courts, social services, or community volunteers.<sup>54</sup> These variations have implications for practice, influencing, for example, how core concepts and values, such as neutrality and impartiality, are interpreted and enacted across jurisdictions.

Across both academic literature and policy instruments, the role of RJ facilitators is consistently described as neutral, impartial, and non-directive. For example, the United Nations (United Nations Economic and Social Council, 2002, article 5) defines a facilitator as “a fair and impartial third party whose role is to facilitate the participation of victims and offenders in

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<sup>54</sup> For example, youth justice family group conferences in New Zealand are facilitated by “youth justice coordinators” who are employees of the Department of Child, Youth and Family Services.

an encounter programme”. This definition is echoed in other international instruments. The Council of Europe (2018, Section II.3), for instance, describes facilitators as “a trained and impartial third party” that help those harmed by crime, and those responsible for that harm, to voluntarily and actively “participate in the resolution of matters arising from the offence”. Other definitions place greater emphasis on facilitator competence and safety. The European Forum for Restorative Justice (European Forum for Restorative Justice., 2021, p. 13) for example, defines an RJ facilitator as “a person who is competent to engage, prepare and enable people to participate safely and effectively in restorative processes”.

In practice, the role and responsibilities of facilitators may vary depending on the model or type of process facilitated and its goals. Nevertheless, there is broad agreement in the literature that the role of conference facilitators entails running a restorative process, guiding stakeholders through the process, empowering them to speak for themselves and assisting them in reaching an outcome agreement (Van Ness & Strong, 2010; Raye & Roberts, 2007; Barton, 2003; Hayes & Daly, 2003). Facilitators are expected to “keep the process on track” (Walgrave, 2012, p. 7) and ensure “the meeting achieves a restorative outcome” (Johnstone, 2002 p. 116), without offering their own opinion and suggestions.

The literature also reveals overlap (and occasional conflation) between victim-offender mediation and conferencing facilitation, leaving some uncertainty as to whether the role of facilitators and mediators are identical or simply share similarities. For example, McCold (2001, p. 44) describes the role of mediators as being responsible for facilitating dialogue, scheduling separate pre-mediation meetings or sessions with each party, building rapport and trust, and not taking sides. Maxwell, Morris and Haynes (2006, p. 93) describe the role of facilitators in a similar manner, adding that facilitators are not “meant to play an active role in the substantive discussions”. In similar vein, Umbreit (2001, p. 10) suggests that mediators should intervene sparingly and only to comment or redirect.

What emerges clearly is a conceptualisation of RJ facilitators as impartial third parties, rather than representatives, advocates, or decision-makers (Van Ness & Strong, 2010; Johnstone, 2002). They are expected to remain in the background – non-directive and unobtrusive. As Umbreit and Armour (2011, p. 95) observe, facilitators should ideally “go unnoticed”, adopting a backstage role in the conference meeting.

Despite their frequent portrayal as background figures, research shows that facilitators play a critical role in shaping restorative processes. Poor facilitation can negatively influence participants' perceptions of RJ (Choi & Gilbert, 2010) and even cause emotional harm when poorly handled (Strang, 2001, p. 192). Rossner (2013, p. 142) argues that facilitators “can ensure the right ingredients are there to create a successful conference”, reinforcing Bruce's (2013) view that facilitators are not merely passive observers, but rather active parties whose role can make or break a conference.

In addition to running the conferencing process, facilitators are also responsible for ensuring participant safety. Sawin and Zher (2007, p. 54) emphasise that facilitators must cultivate “the safety and space to engage people in the hearing and telling of stories”, while Dignan et al. (2007, pp. 13-14) argue that facilitators have a “general duty of accountability”. This includes taking action if anyone behaves improperly or unfairly (e.g. use of coercion) and ensuring the process adheres to key restorative and procedural justice values: fairness, inclusiveness, and equality of standing. It also requires addressing power imbalances related to gender, race, language, or social status (Van Ness et al., 2022, p. 37). In short, facilitators are responsible for creating a safe and emotionally responsive environment, a task that requires constant vigilance and effort.

These responsibilities raise a key tension: how can facilitators address power imbalances while remaining neutral and impartial? How should they prioritise competing values, such as safety versus non-intervention?

Umbreit and Armour (2011, p. 95) acknowledge these dilemmas by noting that facilitators may occasionally need to intervene for safety reasons. In doing so, they implicitly recognise that strict non-intervention is not always tenable in practice. Bruce (2013, p. 521) similarly highlights the need for facilitators to manage unexpected crises or conflicts during conferences, while Umbreit (2011, p. 14) suggests they remain “actively involved” when necessary. This illustrates the messy realities facilitators must navigate, constantly balancing restorative ideals with the unpredictable dynamics of face-to-face interaction.

Sherman et al (2003, p. 231) hint at some of the uncertainties faced by facilitators in conferencing by liken their role to that of a “sea captain”, who is in charge of a sailing vessel (i.e. conferences) and is likely to face “winds of variable direction and intensity in the attitudes and conduct of the offenders and others participating in the conference”. Other scholars have

likened the work of RJ facilitators to orchestra conductors (Barton, 2003) or theatre directors (Dignan et al., 2007), highlighting their pivotal role in managing the conference meeting.

Barton (2003), for instance, describes facilitators as orchestra conductors who coordinate the emotional rhythm of a conference and draw out participants' contributions in a meaningful sequence:

“A well-prepared and well-facilitated conference is not unlike the performance of a choir or orchestra. Just as the conductor is able to elicit and bring together different tunes and sounds from members of the orchestra at the right time and in the right order in the performance of a great symphony, the facilitator of a restorative conference can elicit and bring together at the right time and in the most efficient order, the most constructive contributions from the various stakeholders.” (2003, p. 84)

While evocative, this metaphor raises further questions: how do facilitators know the “right” time or order? How do they develop the skill to do so? And how can they ensure these contributions align with restorative values?

Dignan (2007, p. 7) offers a more comprehensive analogy, describing facilitators as theatre producers or directors responsible for the “mise en scène”. They manage casting, rehearsal, staging, and atmosphere, guiding participants, establishing tone, and ensuring emotional safety. While this model captures the breadth of facilitation more fully, it too glosses over how facilitators reconcile competing demands, like upholding neutrality while safeguarding wellbeing.

Taken together, these metaphors reinforce the view of facilitation as skilled, demanding work but leave open key questions about how facilitators actually should and do manage tensions in their daily practice. If, as Dignan et al. (2007, p. 14) suggest, the role is indeed “pivotal, demanding, and exacting”, then deeper exploration is needed into how facilitators navigate these expectations in practice. Some of the answers may lie in what is often treated as a procedural footnote: the preparation stage. Barton (2003, pp. 81-83), for example, acknowledges the importance of preparation, but frames it largely in logistical terms: organising the venue, briefing participants, arranging seating, and planning for crisis

management. This focus on practicalities risks obscuring the emotional, strategic, and relational work facilitators perform long before participants ever meet.

Having explored how facilitators are represented in the RJ literature, the next section turns to their training, considering how it is framed in research and policy, and how facilitators themselves experience it.

## **6.2 Restorative justice training in the literature and research**

Practitioner training is widely recognised in the RJ literature as a cornerstone of good practice. Proponents generally agree that RJ practitioners should receive high-quality training before taking up cases (Lantermann, 2022; Bolitho & Bruce, 2017; Bruce, 2012; Umbreit, 2001) and undertake some form of mentoring to ensure services are delivered to a high standard (Chapman et al., 2022). However, there is some controversy in the field about what effective training should look like, who should deliver it, and whether facilitators should undertake different types of training.

Some scholars argue that facilitators should receive specialist training to facilitate certain types of crime, such as sexual violence (Keenan & Zinsstag, 2022) though these calls often lack specifics about its delivery (e.g. who should provide it and at what stage). Others emphasise that facilitators should be trained to identify issues of race and trauma as they are critical to “crime-related harm” (Lantermann, 2022, p. 200) but have not explained how training should prepare facilitators to tackle these issues at different stages of the RJ process. Furthermore, few studies provide detailed insights into the techniques taught by organisations to prepare facilitators for practice. Given the diversity of RJ models and their implementation across different jurisdictions, it is likely that values, principles, and techniques are interpreted and applied in a wide variety of ways.

Van Ness et al. (2022, p. 69) propose five core components for basic RJ facilitator training: (1) restorative values, principles, and theory; (2) skills; (3) basic information on the criminal justice system and how the restorative process works within the jurisdiction, as well as its limits; (4) the impact of crime on victims/people harmed (especially trauma) and best practice to engage with participants; and (5) needs of the parties and knowledge of other services that might be available to them. Umbreit (2001, p. 34) recommends 32 to 40 hours of victim-offender

mediation training and asserts that training should include information on the experiences of victims, referral sources, appropriate communication skills, victims' rights, and guidelines for victim-sensitive mediation. He also suggests screening applications to assess mediators' suitability, including through training and an interview, because "attitude and perspective are vital to effectiveness" (Umbreit, 2001, p. 152). Despite this, facilitator screening is rarely (if ever) discussed in RJ scholarship.

In the context of complex and sensitive cases, Keenan and Zinsstag (2022, p. 122) argue that foundational skills are not sufficient. They contend that, in cases of sexual violence specifically, facilitators must possess additional knowledge, including (1) an understanding of sexual trauma, (2) insight into offender psychology, (3) familiarity with patterns of sexual offending, and (4) a working knowledge of due process and relevant legal frameworks. The question, they argue, is not whether RJ can be used for certain types of harm, but how it can be delivered safely and ethically in such cases (Keenan & Zinsstag, 2022, p. 269). Thus, while foundational training is crucial, it does not provide practitioners with the level of sensitivity and cultural awareness required to understand the context within which sexual violence occurs, including its dynamics, the law, perpetrator strategies, and the impact of trauma (Keenan & Zinsstag, 2022, p. 295).

At the international level, guidance varies. The UN Resolution 2002/12 on Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters (United Nations Economic and Social Council, 2002) chose to delegate decisions of training content and requirements to individual states. In contrast, the Council of Europe Recommendation CM/Rec (2018) 8 concerning restorative justice in criminal matters (Council of Europe, 2018) has listed detailed prerequisites for facilitators, managers, and training providers. Article 42 specifies that training should provide facilitators "with a high level of competence, taking into account conflict resolution skills, the specific requirements of working with victims, offenders and vulnerable persons, and basic knowledge of the criminal justice system", and article 43 asserts that facilitators should receive advanced training in sensitive, complex or serious cases. The UN Handbook on Restorative Justice Programmes (UNODC, 2020) echoes these recommendations, stressing the need for additional training in RJ, particularly when delivering RJ in sensitive, complex, or serious cases:

“Other kinds of training are also necessary, including training in the relevant laws and policies that must guide their work, as well as gender sensitivity. Most importantly, before delivering restorative justice in sensitive, complex or serious cases, facilitators should be experienced and receive mentoring and advanced training.” (UNODC, 2020, p. 59)

For this reason, approaches to RJ training often vary across jurisdictions: practitioner courses may cover individual models (e.g. like conferencing, healing circles, or offender-mediation), specific skills and/or types of crime, and use different learning methods, including didactic teaching and interactive exercises like role plays.

In their research and thematic analysis of RJ policies and practices in five European countries, Keenan and Zinsstag (2022, p. 267) found three primary approaches to training: (1) The Five Question Approach - known as “the scripted method” for containing five standardised questions for each party; (2) the Balanced Model Approach - underpinned by a narrative approach, and (3) the Eclectic Approach - characterised by a broad range of approaches to training.

In England and Wales, training is supported by guidance on best practice, issued by the Restorative Justice Council (Restorative Justice Council, 2016, 2020).<sup>55</sup> The guidance recommends a minimum of 20 hours of foundational training, including at least one observed role play. Required topics include restorative principles, safety and risk assessment, co-facilitation, national standards, and supervision agreements. For sensitive or complex cases,<sup>56</sup> an additional two days of training is recommended, covering trauma-informed practice, vicarious trauma, and enhanced risk management. This, however, is limited to practitioners at the intermediate level or above (Restorative Justice Council, 2020).

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<sup>55</sup> As mentioned previously, the Restorative Justice Council acts as an independent membership body in England and Wales, responsible for the oversight of restorative practice, training and accreditation.

<sup>56</sup> The Restorative Justice Council (2020, p. 6) defines a sensitive and complex case as any case involving actual, or threats of, serious or sexual violence, vulnerable participants (e.g. physical disability, age or mental impairment), domestic abuse, harm caused over a substantial period of time (over three years), more than three perpetrators and/or more than three victims, risk of continuing harm or intention to cause further harm, and/or multiple agencies.

Despite national efforts to standardise RJ training and encourage accreditation (APPG-RJ, 2022), it remains voluntary for trainers and providers across the U.K. Importantly, research shows that financial and resource constraints often deter facilitators and providers from pursuing accreditation (Nascimento, 2021), raising concerns around quality assurance and consistency.<sup>57</sup> Conversely, such initiatives have attracted criticism. Scholars caution that making training and accreditation mandatory risks “professionalising” RJ, potentially eroding its grassroots ethos of informality, community ownership, and lay participation (Maglione, Marder, & Pali, 2024; Pali & Maglione, 2021; Aertsen, Daems, & Robert, 2006).

More than two decades ago, McCold (2001, p. 54) warned of a bifurcated trajectory: one towards professional expertise, the other entirely lay-led. As RJ becomes increasingly integrated into formal justice systems, this tension has become harder to sideline. On the one hand, it is arguably unrealistic and risky to expect unpaid volunteers (without specialised training) to facilitate high-risk or complex cases such as domestic abuse or sexual violence. On the other, it remains vital to ensure RJ retains its grassroots character and does not become an extension of the traditional criminal justice system. As will become clear later in this chapter, the latter concern is particularly relevant in the context of England and Wales. Still, as Keenan and Zinsstag (2022, p. 265) warn, “not doing anything about training standards is not an option [...] as it leaves open room for bad or incompetent practice that can become part of another problem”.

Importantly, some scholars have noted that the idea of RJ as a wholly community-led process, free from professional involvement, has been somewhat idealised.<sup>58</sup> As Rossner and Bruce (2016, p. 20) note, professionals have long played a central role in both the delivery and integration of RJ within legal systems. Zernova (2007) similarly challenges the rhetoric of de-professionalisation, arguing that facilitators still wield substantial influence. Their power may not be overtly repressive but is still exercised through subtle techniques that shape participants’ attitudes and behaviour (Zernova, 2007, p. 122). She cautions that the concern is not simply

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<sup>57</sup> In other countries, namely New Zealand, membership bodies are funded by the Ministry of Justice to provide RJ training and accreditation (Resolution Institute, 2019).

<sup>58</sup> Throughout this thesis, and particularly this chapter, it will become clear that criminal justice professionals play a critical role in RJ and often constrain the scope of facilitators’ work. This creates frustration among practitioners and raises questions about the ideal of de-professionalisation outline above.

whether facilitators hold power, but how that power aligns with (or reinforces) dominant justice paradigms.

In short, the literature reflects persistent tensions around facilitator training, standards, and the risks of professionalisation. These debates are essential for understanding how RJ is practiced in England and Wales, and how facilitators perceive and enact their role. As chapter 7 will demonstrate, facilitators are far from passive or peripheral figures. They play a central role in shaping the process, including how participants communicate and display of emotion. Moreover, they hold clear views about their responsibilities and identify as professionals – a stance that may sit uneasily alongside strands of the literature cautioning against professionalisation. The next section introduces the facilitators who took part in this study, starting with their professional backgrounds and motivations before turning to their reflections on training.

## **6.3 Restorative Solutions facilitators**

### **. 6.3.1 Professional background and motivation to work in RJ**

The facilitators who took part in this study joined Restorative Solutions with significant life and professional experience. Four Facilitators had university degrees, either in psychology, criminology, or history (BA level) and nearly all (5/6) had previous experience working directly with victims and offenders or had worked in the criminal justice sector prior to joining Restorative Solutions, including as police officers, investigators, support workers, volunteers, and counsellors. One facilitator decided to switch careers upon joining Restorative Solutions, after working in the same profession for over 20 years. Several also expressed a long-standing interest in working with victims and offenders or, as some described, “in helping others”.

Facilitators also recognised that their personal backgrounds had played a key role in shaping their career choices. Some shared past struggles with mental health and/or bereavement, while others referenced difficult childhoods, marked by violence and substance misuse. Two facilitators mentioned their parent’s career in the justice sector as a potential influential factor.

Motivations to work in RJ were often rooted in dissatisfaction with previous roles, particularly within the justice system, combined with a desire to do work that felt meaningful, impactful, and aligned with personal values. The voluntary nature of RJ also emerged as a particularly attractive feature:

“I realised the police wasn't for me. I'm not interested in the confrontation part, and I always felt like I was just putting out fires rather than helping people. When I started this job, I was just so elated that everything was voluntary – it wasn't something that I had to battle with people to get them in the police station. If they don't want to do it, they don't want to do it, and that's it. And even if someone was a bit irked or angry - fine, it's voluntary, you don't have to do it. Bye. Cheerio.” Rachel

“I think the thing with restorative justice was that it was voluntary and reparative. You're treating people equally. It's not rocket science but it's really powerful. And I think that's what attracted me.” Sarah

Sarah and Rachel highlight the appeal of RJ's voluntary and reparative ethos, in contrast to the more coercive dynamics of their former roles. Their motivations were rooted not in career progression, but in personal values and the desire to do work that felt personally meaningful.

Two facilitators described entering the RJ field “organically”<sup>59</sup> while another two shared they had entered the field “accidentally.” In the first group, one facilitator was already working for another organisation providing RJ services, and their contract was transferred to Restorative Solutions. Two others held roles within the police, partly funded by Restorative Solutions, and were later invited to join the organisation directly when their contracts ended.

Only two participants had previous experience as RJ facilitators, and one had experience with RJ practices in school settings. With one exception, all facilitators in this study worked full-time for Restorative Solutions and did not have a second occupation. The only exception worked part-time as a counsellor alongside their RJ role. As such, the facilitators who took part in this study hold a unique quasi-professional position: while they were not unpaid volunteers, they also did not possess full professional status, though they were remunerated for their skills

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<sup>59</sup> i.e. did not actively look or apply for a job at Restorative Solutions.

and expertise. This is both noteworthy and relevant to wider debates about professionalisation in RJ and who should facilitate conferencing processes.

The next section focuses on RJ training, beginning with facilitators' views on their training experiences, followed by my own reflections based on fieldnotes from my participation in Restorative Solutions' training.

### 6.3.2 Restorative Solutions training

#### 6.3.2.1 Facilitators' views on training

Facilitators were highly reflective of their initial training, even when considerable time had passed since they first entered the field. Most participants had received some form of RJ training prior to joining Restorative Solutions, including from Restorative Solutions itself while working for other organisations. One facilitator, Olivia, who had undertaken substantial training, noted that the courses she attended were all distinct in focus yet equally valuable to her practice. Some emphasised RJ skills more broadly, while others concentrated specifically on conference facilitation.

In general, facilitators described the training provided by Restorative Solutions as “good”, “professional”, “engaging”, and “life-changing”. Their training consisted of a three-to-four-day foundational course incorporating both didactic and interactive methods. They vividly recalled the role-play exercises, often describing them in greater detail than other elements of the training. Most facilitators remembered training alongside professionals from diverse backgrounds, including teachers and criminal justice professionals.

Two key areas of knowledge gaps emerged from facilitators' accounts. The first related to internal operational procedures, such as referral processes, case management systems, and administrative platforms. Given the variation in service delivery across PCC areas – with differing referral criteria and software platforms – it is understandably impractical for Restorative Solutions to address every procedural variation within a single training programme. Furthermore, the training cohort often includes participants from outside the RJ sector (e.g. teachers), meaning that much of this procedural content would be irrelevant to some attendees. Even Service Managers receive the same training as practitioners, which can result in gaps

relating to management responsibilities. In both instances, these knowledge gaps are generally addressed through practical experience or supplementary training once in post.

The second gap concerned pre-conference preparation. While facilitators agreed that conference facilitation was covered in considerable depth, several noted that the preparatory phase, which they regarded as central to successful conference processes, received comparatively little attention during training.

“That would be my one observation of the training, I think: it can give slightly false impressions of what RJ is actually all about. The conference is really the icing on the cake as opposed to, you know, everything. People often assume it’s just, ‘Oh, there you go, we’re together, we’ll have the conference.’ But there’s so much more to it than that. And, yes, the conference is, obviously, hopefully is going to be, you know, the ultimate brilliant bit and the success, as we found on the training, but in some cases, there are months and months of build-up that people aren’t aware of.” John

John suggests that an overemphasis on conferences can inadvertently give false impressions of the overall process, particularly to those with limited experience who facilitate cases only occasionally (i.e. volunteers). As he put it, the conference is only the “icing on the cake”. Similarly, other facilitators described pre-conference preparation as the most important stage of conferencing processes. Their accounts indicate that the skills required to facilitate preparation are developed primarily through practice rather than formal training, underscoring the need for further research in this area.

Facilitators transition into practice by initially shadowing colleagues and co-facilitating cases. This phase allows them to familiarise themselves with internal systems, consolidate their learning, and gain confidence before assuming lead facilitator roles. Sensitive or complex cases remain off-limits until facilitators have completed additional specialist training. Facilitators also undertake periodic specialist training as part of their ongoing professional development, in line with the Restorative Justice Council’s accreditation standards.

All Restorative Solutions’ facilitators are assessed according to the Restorative Justice Council’s Registered Practitioner Framework, which outlines performance expectations across three levels of accreditation: foundational, intermediate, and advanced (Restorative Justice Council, 2020). Upon completing their initial Restorative Solutions training, facilitators begin

working toward foundational accreditation, managing basic casework under the supervision of intermediate or advanced practitioners. To progress to intermediate status, facilitators must demonstrate competence in independently leading restorative processes (excluding sensitive or complex cases). At the advanced level, facilitators are authorised to manage complex cases, employ a wide range of techniques in challenging contexts, mentor less experienced colleagues, and supervise casework.

This shows that, although RJ facilitators do not hold a fully formalised professional status comparable to traditional criminal justice or therapeutic professions, their commitment to ongoing training and adherence to national standards nonetheless situates them within a “quasi-professional” practice framework (Rossner & Bruce, 2016). This reflects an increasing formalisation of RJ practice, where competence, accountability, and quality assurance are becoming progressively central to the field. Yet, the financial responsibility for fulfilling these accreditation requirements lies entirely with Restorative Solutions, which must independently absorb these costs due to the absence of public or government funding for RJ accreditation and professional development. This funding structure places additional strain on service providers and may limit access for smaller organisations or independent practitioners who lack the financial resources to pursue or sustain accreditation.

I now turn to my own reflections on the RJ practitioner training course I undertook with Restorative Solutions, drawing on fieldnotes to consider how my experience compares to that of the facilitators I interviewed.

### 6.3.2.2 Reflections from fieldnotes on training

I undertook RJ training with Restorative Solutions in 2021. The three-day practitioner course was delivered online due to Covid-19 restrictions and led by three trainers with extensive experience in both RJ practice and training. The training group included individuals from a range of professional backgrounds, including several Restorative Solutions employees, reflecting the diversity that facilitators described when recounting their own training experiences. Prior to the course, we were sent preparatory materials, including a conference script and a detailed handbook that served as the core training guide.

The training programme integrated both theoretical and practical components. The first day focused on introducing RJ principles, theoretical models, and key concepts, while the following two days were primarily dedicated to practical exercises, including role plays.

One of the first activities involved dividing participants into small groups to discuss expectations, needs, and concerns regarding the course. In retrospect, this seemed to serve a dual purpose: act as an icebreaker and as a demonstration of how a preparation meeting might unfold in practice.

A significant portion of the first day was devoted to RJ principles, namely voluntarism, respect, inclusion, safety, responsibility, dignity, and inclusion. Both the training and the handbook closely followed the framework set out by the Restorative Justice Council which, as discussed in chapter 1, does not differentiate between principles and values. The manual also covered RJ models, its historical development, modes of communication (e.g. direct vs. indirect), and its potential benefits.

According to the Restorative Solutions training guide (2021, p. 25), the facilitator's role is to "assist participants" in communication and to help them work toward "resolution and reparation in a safe setting". The definition is broad, reflecting the blending of concepts that often characterises the RJ field.

The second day turned to preparation and participant needs. This included practical considerations such as logistics, risk assessment, and understanding participants' emotional responses to harm. Risk assessment was framed as a dynamic and ongoing process. Trainers emphasised the need for facilitators to assess participant motivations for engaging with RJ and explained that court reports – when available – might offer limited value due to being outdated or lacking sufficient detail. Thus, we were encouraged to gather additional information from other professionals, including prison staff, support workers, and victim services.

A consistent emphasis was placed on the importance of signposting: facilitators must recognise the limits of their role and know when to refer participants to specialised services for issues such as trauma, addiction, or mental health concerns. This theme, echoed facilitators' own reflections in this study, where many stressed the importance of maintaining professional boundaries and avoiding the temptations to step into roles beyond their remit. This tension will be explored in greater depth later in this chapter and in chapter 7.

The training also addressed emotional reactions to harm. In one exercise, we were asked to identify emotional barriers and protective factors that might hinder or support a person's recovery. However, there was little concrete guidance on how facilitators should manage emotional responses as they arise during real-time interactions. This is a notable omission, particularly given that facilitators described using a variety of techniques to manage their own emotions and those of participants. This shows that much of these competencies are developed on the job, rather than being taught formally during training.

Likewise, the training offered limited guidance on how to conduct the preparation phase itself. There was no substantial discussion of how to approach participants, build rapport, or manage disclosures. These omissions are understandable given the time constraints of a three-day course, but they highlight an area where additional training and research would be particularly valuable, especially since facilitators repeatedly stressed preparation as the most critical phase of the process.<sup>60</sup>

The third day centred on role plays, guided by a scripted conferencing model. While we were encouraged to use the script during the exercises, trainers emphasised that flexibility is crucial in practice. Facilitators are expected to adapt (or even depart entirely from) the script depending on the needs of the case. This emphasis on adaptability is echoed in the Restorative Solutions' training guide (2021, p. 48), which states:

“There are times when it is not possible to completely adhere to the format of the script and sometimes the facilitator will need to make a judgment call on how best to proceed in a situation while still maintaining the ethos and philosophy of the restorative process”

What is less clear is how facilitators are expected to maintain this “ethos and philosophy” once the structure of the script is loosened. How do they know when to adapt the script and when to abandon it altogether? At what point in their practice do they learn to make these judgements?

The script itself contained opening words, a number of standard questions (e.g. What happened? What have your thoughts been since that time? Who else has been affected? Who

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<sup>60</sup> Notably, the training guide also states that “the key to a successful conference is sound preparation” (Restorative Solutions, 2021, p. 48).

do you think has been affected by your actions?) and a closing section, which we followed during the role plays.

Trainers frequently shared insights from their own practice, and some comments prompted reflection. Two stood out in particular. One emphasised that RJ is not about forgiveness, but rather about responsibility, reparation, and reintegration. The other underlined the importance of non-verbal communication, stating that in RJ, communication is “20% verbal and 80% non-verbal”. This emphasis also appears in the training guide (Restorative Solutions, 2021, p. 66), which encourages facilitators to incorporate gestures and silence into their practice. Although the facilitators in this study did not reiterate this, it was clear that non-verbal communication plays a significant role in how they perform neutrality and impartiality. This will be discussed in chapter 7.

In summary, Restorative Solutions training aligned closely with facilitators’ accounts, particularly in its emphasis on conference facilitation and the use of role plays to develop practical skills. However, important gaps remain, particularly concerning preparation and emotion management. These omissions reflect a broader gap in the RJ literature itself, where little attention has been paid to the everyday practice of facilitation. A closer examination of the preparatory stage – consistently described by facilitators as the most “important” – provides valuable insights into how facilitators manage emotions, enact restorative values, and navigate competing demands during the process.

The next section explores facilitators’ perceptions of their role, examining how their views have evolved with experience, which aspects of the work they find most meaningful, and how they interpret the expectations placed upon them. This analysis contributes to a deeper understanding of how facilitators understand and experience their role, and how these perspectives compare to representations in the existing literature.

### 6.3.3 How do restorative justice facilitators describe their role?

There was a clear consensus among research participants on what their role entails and the expectations associated with it.<sup>61</sup> The role was broadly described as facilitation of, direct or

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<sup>61</sup>These tacit expectations are not limited to RJ participants, as will be further explored in chapter 7.

indirect, communication between a victim (person harmed) and an offender (harmer) with the intent to repair the harm caused.<sup>62</sup> One facilitator noted that any definition of the role is inevitably broad because “the outcomes are very different” and the process “looks different for everybody”. For this reason, it was emphasised that facilitators should focus on supporting participants in achieving what they want to gain from the conferencing process – a task that, as I will explain later in this thesis, is neither straightforward nor effortless.

Some facilitators shared that, while their view of the role had not dramatically changed over time, experience had deepened their confidence and knowledge. For example, Anna reflected on the importance of relinquishing control and empowering people:

“So, increasingly what I realise is this is not my conversation and it's not my conflict. My role is to make sure these two people are prepared, and then to let it go and let them have the conversation that they want to have, have the meeting they want to have, or have the outcome they want to have. And it's not up to me after that point. It's not up to me to make them like each other, it's not up to me to get them that outcome, that's down to them. And that, it sounds really trite, but that's really hard, because I hear things from both sides, and I can find myself going, ‘God, I really sympathise with you. Yeah, I can completely see where you're coming from.’ But ultimately it doesn't matter what I think, you've got to tell them.” Anna

Experience taught Anna to take a backseat which she describes as something that can be “really hard” to do as a facilitator. She also reflects on her evolving understanding of the role, recognising that it is not her responsibility to achieve the outcome people desire or try to alter participants’ perceptions of one another. While Anna describes her role has as largely passive, the findings of this study suggest otherwise: the facilitator’s role is both active and complex, both during conferences and preparation meetings. As chapter 7 will show, facilitators employ a range of techniques to guide and encourage specific forms of communication in conferencing.

Another facilitator, echoed similar views, explaining that experience had allowed her to adopt a more confident and less controlling stance:

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<sup>62</sup>As mentioned previously, facilitators used the terms victim/offender and person harmed/harmer interchangeably.

“I’ve got experience under my belt now, and I think initially you’re very careful, very worried about trauma [...]. I was probably sceptical when I started, whereas now I’m trying to empower people. And so, what I try to do is really progress cases a bit faster, if you like, to not become a service that is looking or trying to control every single element of that conversation. We are here to try and allow them to communicate, and make sure that it’s safe to do so based on our risk assessments – which is absolutely true, and we do. But I don’t think that needs to extend to the point that we know every single thing that is going to be discussed.” Rachel

This reflection underscores a central tension within the conferencing process: the balance between ensuring participants’ safety, through measures such as risk assessments or timely intervention, and empowering them to communicate and make decisions independently, with minimal input from facilitators. Interestingly, Rachel’s account indicates that her role is far from passive: “what I try to do is really progress the cases a bit faster”. This points to a proactive and engaged approach to facilitation, rather than the passive stance of someone who simply remains “in the background”.

Participants identified a range of responsibilities they believe are expected of them within the conferencing process. These included actively listening to stakeholders, explaining and presenting available options, giving them sufficient time and opportunity to speak, being equally accessible, and demonstrating honesty.<sup>63</sup> These responsibilities align closely with the core tasks undertaken by facilitators during the pre-conference preparation phase, which will be examined in detail in chapter 7. Importantly, these expectations demand active engagement, purposive input, and sustained effort from facilitators which, once again, shows that their role is not passive.

Notably, it became clear throughout my fieldwork that the role of RJ facilitators shifts dynamically across different stages of the conferencing process.<sup>64</sup> During the pre-conference preparation phase, facilitators adopt a proactive stance, engaging in deliberate and sustained efforts to achieve a specific goal. In contrast, their role during conference meetings involves comparatively less direct intervention, though it remains active rather than passive.

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<sup>63</sup> The question of who imposes these expectations (and their tacit nature) will be explored in chapter 7.

<sup>64</sup> This will be discussed further in chapter 7.

Nevertheless, some facilitators describe their role during conferences as largely passive, echoing portrayals commonly found in the literature. They described adopting an “invisible” presence, rooted in the belief that the conference is “not their meeting” and that their input should be minimal and unobtrusive. This is because preparation should bring participants to a “stage” where they are able to engage and communicate as if facilitators were not in the room:

“For facilitators certainly, it's kind of, ‘It's not my meeting.’ I always think it's a bad sign if you're hearing a lot of me [...] I want to get participants to a stage where they're having that conversation, and in an ideal world you could get up and wander off and know that they'd be fine. Obviously you wouldn't get up and wander off. But in an ideal world, your prep should've got you to a place where they can get on with it and you're just there to occasionally nudge if needs be.” Anna

Another recurring theme concerned the most and least rewarding aspects of the role. In facilitators’ accounts, the most valued aspect was the potential for RJ to positively impact individuals, regardless of whether the case progressed to the conference stage. As one facilitator succinctly put, “the best part is when it works”. In contrast, the more challenging elements of the role were described as “frustrating” or “difficult”, with three key challenges emerging consistently across accounts. These challenges will be examined in detail later in this chapter.

An important key finding emerging from this study is that facilitators consistently identified themselves as professionals and articulated a clear understanding of what “professionalism” entails in their occupation.<sup>65</sup> Central to this was the importance of maintaining appropriate boundaries with participants. Most facilitators emphasised the need to avoid forming or sustaining personal relationships with RJ participants, viewing this boundary-setting as a fundamental aspect of ethical and effective practice.

“To be a professional, I think it means getting a balance between being one step removed and remaining one step removed, so you don't get involved in it – so you're not part of what happened. You're part of the restorative justice process, of course, but not part of what happened. [...] You need to show understanding and empathy

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<sup>65</sup> It is important to recall that almost all participants worked full time for Restorative Solutions (5/6).

towards people without getting into a personal relationship with them. By that I mean, we're not going to be ringing each other up on an evening and saying, 'How are you? What are you doing tonight?' – that sort of thing, you know [...] Our involvement in the conference is to facilitate it, not to be involved in it as such. So, yeah, it's keeping that professional boundary.” Mary

“Being professional for me is about making sure there is a clear boundary and that the relationship is a professional relationship. This isn't that I'm a friend – I'm the restorative justice practitioner who will do what I can to help them get to facilitation. You know, people in these stages can be very vulnerable and there is a risk of becoming more than just a practitioner. They may become sort of dependent on you [...] and that's not what we're here to do, and it's not what we're trained to do. And so, there is a risk, and we don't go there. So being professional means making sure that there is a clear boundary and a clear understanding about what we are here to work towards– what we can do and what we can't do.” Rachel

Rachel highlights the importance of ensuring that participants do not become “dependent” on the facilitator while Mary underscored the need to avoid becoming “part” of someone’s story or personal narrative. These reflections place neutrality and impartiality at the core of facilitators’ role – a theme that will be examined further later this chapter and in chapter 7. Furthermore, they highlight a persistent challenge within RJ practice: balancing the necessity of demonstrating empathy (“still being able to show understanding and empathy towards people”) with the imperative to maintain appropriate professional distance and avoid becoming too close (a “friend”). The conception of professionalism articulated by facilitators in this context appears, thus, to be deeply interwoven with RJ values, particularly those of neutrality and impartiality.

Facilitators also highlighted that professionalism in RJ encompasses a thorough understanding of both RJ and criminal justice procedures, including risk assessments and court disposals. Additionally, it involves demonstrating respect for other professionals, possessing specialised knowledge of working with victims, and cultivating a strong sense of self-awareness to navigate the complexities of their role effectively.

“It's understanding your risk assessments, understanding the procedures that you have to go through, being respectful of the multi-agency working, so that you are maintaining that whole professional bracket that we all come under. I think your professional boundaries are first and foremost because this is a piece of work. And in any of those, there is that thing about, ‘OK, this is about the case,’ – it's [about] being really mindful of your own personal judgements, or your, you know, personal take on stuff, or how you personally feel.” Sarah

“It doesn't mean being an expert, it doesn't mean having, you know, a degree or having years of experience in one certain field. But for someone to come into this role and not to have any knowledge and not to do anything to have any knowledge of working with those individuals [...] would be completely unprofessional.” Rachel

Both Sarah and Rachel emphasise the importance of possessing knowledge of relevant procedural and substantive issues and identify this knowledge as a critical component of professionalism within RJ facilitation. However, they also highlight the complex balancing act facilitators must perform – navigating the boundaries between their own professional responsibilities, the distinct roles of other practitioners involved in the process, and the influence of their personal judgments and emotional responses. This interplay requires facilitators to engage in continuous reflective practice to critically examine their actions, assumptions, and emotional involvement. As will be explained in chapter 7, reflective practice, management of emotions, and self-awareness are essential for maintaining neutrality and impartiality.

Beyond knowledge and reflection, professionalism was conceptualised as an enacted practice.<sup>66</sup> One facilitator noted that professionalism manifests in every dimension of their work, from their physical presentation and attire to the tone, manner, and style of communication with both participants and colleagues. This comprehensive perspective frames professionalism not simply as a cluster of skills or theoretical knowledge but as an integrated

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<sup>66</sup> According to Vanassche et al. (2019, p. 486), professionalism, from an enacted view, is about how individuals “go about their practice and why”.

mode of being – one that fundamentally shapes the facilitator’s interpersonal interactions and dispositions throughout the restorative justice process.

“I think it's from relatively small things, like how you dress, how you appear, how you speak to people, how to write to people. I mean, we have templates for letters and, you know, we can obviously amend them, but...just that sort of sense, ‘Yeah, that's the best quality letter I can send,’ without typing mistakes or spelling errors or whatever in it [...]. Also, you know, going on a journey with people, treating them with respect, explaining what we do, creating that partnership, but also managing their expectations, and not leading them up the garden path and saying, ‘Yes, we can do X, Y, Z for you,’ when we might not be able to, and so creating that sense of false expectation. And, yeah, just providing, I think, the best possible service that we can.”

John

John highlights that professionalism is reflected not only in their conduct but also in how they present themselves both as individual practitioners and as representatives of the RJ service to participants. This dual dimension of professionalism – personal bearing and institutional representation – serves to establish trust, credibility, and legitimacy in the eyes of RJ participants. John further identifies respect and honesty as foundational qualities underpinning effective RJ practice, stressing their role in cultivating a “partnership” between facilitators and participants.

This section has explored the multifaceted and dynamic nature of the facilitator’s role in conferencing, as understood and articulated by the participants in this study. There is a clear consensus among facilitators regarding the core responsibilities and expectations associated with their occupation. In general, they defined their role as facilitation of communication between a victim and an offender, with the intent to repair the harm caused. They also described their role as passive, particularly during conferences, which aligns with depictions commonly found in the literature. However, the findings from this study indicate that this view may be overly simplistic. Facilitators’ own reflections reveal a more proactive and responsive practice than is typically acknowledged – a theme that will be explored in greater depth in chapter 7. Moreover, facilitators consistently emphasised the centrality of professional identity to their work – something which may surprise some RJ proponents. The need to maintain clear professional boundaries and avoid developing personal relationships with participants – i.e.

maintaining a neutral and impartial stance – was highlighted as crucial for effective practice. In this regard, professionalism was conceptualised not merely as an array of skills or theoretical knowledge, but as an integrated, embodied practice that shapes all aspects of their work. From physical appearance and communication style to overall demeanour, facilitators’ professionalism was portrayed as a consistent quality underpinning every interaction. This embodied understanding of professionalism, coupled with an ongoing commitment to reflective practice, allows facilitators to uphold key restorative justice values – such as respect, neutrality, and honesty – throughout the entire process.

In the following section, I provide a detailed discussion of the essential skills, characteristics, and personal qualities that facilitators must cultivate to effectively facilitate RJ processes. The analysis will be informed by both the established literature on RJ facilitation and the views gathered from the participants of this study. In doing so, I will explore the alignment and discrepancies between academic conceptualisations of the facilitator’s role and the views of the facilitators in this study, shedding light on how these attributes manifest in practice and are essential to the conferencing process.

#### 6.3.4 Facilitators’ skills, characteristics, and traits

Facilitators’ skills are often discussed in the RJ literature within the context of victim-offender mediation rather than conferencing. As noted previously, there is some ambiguity in the literature regarding whether the roles of facilitators and mediators are identical or simply share overlapping features. Despite this limitation, a review of the literature reveals that RJ scholarship has generally conceptualised facilitation skills as consisting of generic communication skills, negotiation and conflict resolution, knowledge of conference procedures, commitment to RJ values, and specific knowledge and/or techniques (Umbreit & Armour, 2011; Dignan et al., 2007; Barton, 2003; Maxwell & Morris, 2001).

In the U.K, the Restorative Justice Council (2016, p. 10) has identified five “effective practitioner skills” to deliver restorative approaches: (1) respectful practice, which encompasses skills such as neutrality, confidentiality, impartiality, active listening, empathy, and cultural and diversity awareness; (2) preparation, which involves the ability to assess and tailor restorative practices to meet the needs of participants; (3) effective communication, the capacity to articulate ideas clearly and foster confidence in others; (4) reflective practice, a

commitment to continual self-assessment and professional growth; and (5) building and maintaining relationships, including skills in information-sharing, peer support, teamwork, and establishing trust with participants in restorative processes.

In addition to the skills mentioned above, Umbreit and Armour (2011) have highlighted essential qualities of an effective victim-offender facilitator. These qualities include a willingness to listen to all sides, the ability to remain victim-centred and offender sensitive, capacity for deep listening, respect for intuitive decision-making, tolerance for uncertainty, understanding the process, being non-directive, ability to maintain confidentiality and discretion, and knowing what not to do (Umbreit & Armour, 2011, p. 248).

For Bolitho and Bruce (2017), effective facilitation requires a combination of knowledge, skills and personal attributes. Central to their argument is the view that high-quality conference facilitation is not merely a procedural or technical task, but one that demands a distinctive cluster of characteristics shaped by the facilitator's core beliefs, worldviews, and fundamental "ways of being" (Bolitho & Bruce, 2017, p. 342). Among these, they identify an "optimistic worldview" regarding both the restorative process and each individual's capacity for transformation; an "inherent curiosity about people"; a capacity for empathy; "congruence" – the ability to remain authentic and genuine, resisting the impulse to retreat behind a professional or expert façade; and "unconditional positive regard" – an acceptance of participants as they are, without imposing prescriptive expectations about who they ought to be (Bolitho & Bruce, 2017). Drawing on empirical research conducted within victim-offender conferencing programmes in New South Wales, Bolitho and Bruce argue that facilitation competence is grounded in a practitioner's ability to respond intuitively to the shifting relational and emotional dynamics of each encounter. This relational intelligence – what they term the "alchemy" of restorative justice – is reflected in a facilitator's capacity to discern, in real time, when to intervene, when to listen with attentiveness, and when to embrace silence (Bolitho & Bruce, 2017, p. 352).

In this study, participants identified a number of core skills and competencies they regarded as essential to their role and acknowledged that not everyone is innately suited to the work. They emphasised that the role of an RJ facilitator requires a blend of qualities and traits (and even a specific mindset) that some individuals may lack. For instance, it was mentioned that facilitators cannot be "egotistical", "judgmental", or "lack empathy and patience", which

reinforces the idea that effective facilitation depends as much on the facilitator's intrinsic qualities as on their acquired expertise (Bolitho & Bruce, 2017).

A few participants reflected on how their previous personal and professional experiences had significantly contributed to their ability to facilitate restorative processes, endowing them with transferable skills critical to their practice. For instance, a background in policing equipped some facilitators with a strong understanding of the criminal justice system, while experiences of living abroad enhanced others' intercultural communication skills and confidence in engaging with individuals from varied walks of life. One facilitator notably stated that their life experience had offered more practical value than their formal university education. These reflections highlight a significant dimension of RJ facilitation: the value of embodied knowledge (i.e. insights and capacities developed through lived realities rather than solely through formal education or theoretical instruction).

Although Restorative Solutions' training covers foundational qualities, skills, and principles – such as impartiality, empathy, open-mindedness, and effective communication – participants emphasised that these attributes are truly learned through practical experience. While formal training provides foundational knowledge, the complex, relational nature of facilitation demands continuous learning and experiential practice.

Among the competencies addressed in Restorative Solutions' training, communication and listening are particularly foregrounded as central to effective facilitation. These skills are reinforced in their guide through the CAMEO framework, which promotes a mindful and critical approach to listening: Listen *Critically* and *Attentively* for *Meaning*, with *Empathy* and an *Open Mind*. This acronym underscores that effective facilitation involves more than simply hearing words – it requires a deep understanding of participants' perspectives, emotions, and needs. Facilitators echoed this emphasis, frequently identifying “soft skills” as essential to the role:

“I think it's mainly soft skills. I think you need to be able to talk to people, listen to people, and you need to make people feel comfortable very quickly. So, in my role, I go to people's houses, I sit in their houses, and the older I get, the more I think, ‘That's a big deal’. I think about, ‘Who would I let into my house and who would I talk to? And what would I need to do in order to make me happy for that?’ So that's a really

big one, of going, ‘You're going to go into someone's house and you're going to ask them about a time that was potentially really traumatic and upsetting, and you're not going to be able to fix it. Can you do that?’ So that for me is a skill of listening to that person, understanding them pretty quickly, making them feel alright about what they're talking about, and then trying to do something about it. Whilst also all the way through it going, ‘These are your decisions. I will not fix this. But if this is something you're interested in, I will help you do that, but you'll be the main person doing it. I can set it up for you, but you'll have your own conversation.’” Anna

Anna identifies several key interpersonal skills – namely listening, verbal and non-verbal communication, and empathy. These skills underscore the importance of communicating clearly and effectively and establishing rapport with participants. For many facilitators, mastering such competencies requires the integration of honesty, self-awareness, and empathetic listening, and the ability to maintain a non-directive approach. However, as I will explore in greater depth in chapter 7, adopting a truly non-directive stance is far more complex than it may appear. Facilitators often employ subtle and nuanced techniques that, while presenting an appearance of neutrality, can nevertheless shape the direction of dialogue. Anna also reflects on entering the intimate and personal space of participants – their homes – underscoring the relational dimensions of facilitation work. The facilitator’s awareness of this dynamic reflects a deepening sensitivity to the power inherent in their role, and a process of self-reflexivity.

Facilitators also recognised that, while familiarity with the criminal justice system can enhance their capacity to navigate institutional procedures and communicate effectively with other agencies, such knowledge is not deemed essential – particularly for those working in a voluntary capacity. In contrast, safeguarding was regarded as of paramount importance. Ensuring the emotional and physical safety of all participants (especially those who may be vulnerable) was seen as a core responsibility and a foundational aspect of facilitation.

“I always remember one of the first volunteers I worked with. We went out and we met a young lady who had been assaulted in a nightclub. She had epilepsy and had had a fit as a result of the assault and had only just got back her driving licence before this had happened, and then obviously, because of the fit, lost it again, which limited her work and her social contact. So it had a pretty big knock-on effect. During the

conversations, we explored that with her and what support she did have in place and things. I can't even remember the question I asked, but she said, 'Oh, yeah, I was in hospital three weeks ago.' And I said, 'Oh, right, can you tell me a little bit more about that?' And she sort of, 'No, I don't really want to.' And I said, 'OK, that's fine, but, you know, part of what we do is making sure that you're OK.' And she said something, and...I just knew. I asked 'Have you ever tried to commit suicide? Have you ever tried to harm yourself?' And she just looked at me and went, 'Yeah, that's why I was in hospital.' So we explored that, and I was able to offer some more signposting. When I left, the volunteer said, 'I didn't think we were social workers. How's that our role?' He's very old-school, bless him, but he's very eager to learn. So I explained to him that sometimes participants have been through a traumatic event and if we want them to engage in a restorative process, they have to be ready and able to do that. If we don't explore those support needs, then they're never going to come together with the offender." Olivia

Olivia's example illustrates how participants' needs often extend far beyond the formal remit of the RJ service. In such cases, signposting to appropriate external services becomes an essential part of the facilitator's role, particularly when emotional or mental health issues may affect participants' capacity to engage with the process or place them at risk of further harm. While facilitators are not "social workers," as Olivia herself points out, they must remain attuned to the broader contexts of participants' lives and recognise when additional support is necessary.

In this example, the participant mentioned having recently been in the hospital but was hesitant to share details, prompting Olivia to respond with reassurance and carefully assess the situation: "OK, that's fine, but, you know, part of what we do is making sure that you're OK." This exchange was not simply about gathering information but about identifying potential risks. Understanding why the participant had been hospitalised was critical, as unresolved mental health issues or trauma can impact their emotional stability and ability to engage meaningfully with the RJ process. Without this knowledge, proceeding with the restorative process could inadvertently cause further harm. Her reflection also underscores the importance of assessing readiness. As she puts it, "if we want them to engage in a restorative process, they have to be ready and able to do that." This raises important questions around facilitators' responsibilities

and their neutral role during pre-conference preparation – issues that will be explored in greater depth in chapter 7.

“I don't think you need to have an all-encompassing knowledge of everything. But I do think you need to be aware of different things affect different people in different ways, and you should ask people about what works for them.” Anna

Anna's reflection underscores that facilitators are not expected to have in-depth knowledge of every issue they may encounter. Instead, she highlights the importance of recognising that people's experiences and reactions vary widely: “different things affect different people in different ways”. This places strong emphasis on the need for sensitivity within facilitation, indicating that facilitators should focus on engaging directly with participants to understand which approaches best suit their individual needs. By emphasising the practice of asking participants “what works for them,” Anna advocates for a flexible, person-centred approach that responds to each individual's unique experiences, rather than applying a uniform, one-size-fits-all method. However, as will be demonstrated later in this thesis, this person-centred ethos coexists with the reality that facilitators inevitably shape and influence the restorative dialogue.

Finally, facilitators highlighted neutrality and impartiality as fundamental to their practice. Given the ongoing debate in the literature surrounding the meaning and application of these concepts, the next section offers a critical analysis of both, weaving together relevant normative theories with the perspectives and reflections of facilitators.

### 6.3.5 Neutrality and impartiality

#### 6.3.5.1 Literature overview

Neutrality and impartiality are widely cited in the RJ literature as foundational principles and hallmarks of good practice (De Mesmaecker, 2013; Braithwaite, Jowitt, & Newton, 2010; Barton, 2003; Umbreit, 2001). Proponents often stress the importance of having a third party facilitating the process who does not know the parties involved, does not take sides, and lacks a personal agenda. These principles are thus equated with evenhandedness: facilitators are

expected to guide the process while maintaining an objective stance regarding its content and outcome.

This emphasis is mirrored across various policy frameworks and international instruments. The Venice Declaration on the Role of Restorative Justice in Criminal Matters (Council of Europe, 2021, Rule 2) asserts that RJ processes should enable “those harmed by crime, and those responsible for that harm, if they freely consent, to actively participate in the resolution of matters arising from the offence, through the help of a trained and impartial third party”. Similarly, the United Nations (2002, p. 57) defines the role of a facilitator as a person “whose role is to facilitate, in a fair and impartial manner, the participation of the parties in a restorative process”. The Council of Europe (2021, Rule 15) further encourages the creation of “a neutral space where all parties are encouraged and supported to express their needs and to have these satisfied as far as possible”. In the U.K., neutrality is enshrined as one of the six core principles of restorative practice, with the Restorative Justice Council (2016, p. 8) asserting that “restorative processes are fair and unbiased towards participants”. Collectively, these references frame neutrality and impartiality as essential not only for establishing RJ’s legitimacy but for defining the very role of the facilitator.

Despite this widespread endorsement, the literature presents a more contested picture regarding how these principles are understood and applied in practice. Much of the ambiguity stems from inconsistent (and at times conflicting) definitions. Some scholars treat neutrality and impartiality as separate concepts, while others do not draw a clear line between them (Pali, 2017; Barton, 2003). Such conceptual fluidity is perhaps to be expected, given that concepts such as neutrality are often employed as broad, umbrella terms (Jacobs, 2002, p. 1406).

Barton (2003, p. 88) attempts to disentangle these ideas, defining neutrality as “not having a stake in the outcome” and impartiality as “not taking sides”. Mackay (2006, p. 207) offers a similar interpretation, suggesting that impartiality means refraining from taking sides “on the basis of irrelevant criteria” while neutrality is better understood as a perceived status or stance.

Nevertheless, many scholars have questioned whether neutrality is either achievable or appropriate in the context of RJ. Wachtel (1997) and Coker (1999), for instance, argue that facilitators should aim to be fair as they cannot be entirely neutral. Similarly, Zernova (2007) contends that facilitators relinquish their neutrality the moment they agree to operate within

the normative framework established by the CJS – one in which victims and offenders are not treated as equal parties:

“Although facilitators may present themselves as “neutral” parties and may succeed in making participants believe that they are not taking sides, it is far from obvious that the role they play is indeed neutral. Facilitators (tacitly) adopt the framework pre-established by the criminal justice system, and this framework presupposes that the victim and the offender are not equal parties: one of them is innocent and the other culpable [...]. By agreeing to facilitate a case within that framework, facilitators have implicitly surrendered their neutrality” (Zernova, 2007, p. 117).

Zernova argues that even if facilitators project an image of neutrality – and may successfully persuade participants of their evenhandedness – this outward display does not guarantee actual neutrality. The very act of facilitating within the bounds of a criminal justice framework entails a tacit endorsement of its foundational assumptions, most notably the binary distinction between victim and offender, and the moral asymmetry it imposes. By accepting these roles as the starting point for dialogue, facilitators are not neutral observers but are instead participating in the reproduction of a particular normative order.

Her use of the term “tacitly” underscores the subtlety of this alignment: facilitators may not consciously intend to reinforce systemic hierarchies, but their position within an institutionally sanctioned framework means that neutrality is compromised at a structural level. From this standpoint, neutrality is not a fixed or inherent attribute in RJ, but rather a constructed position, one shaped by institutional norms, professional expectations, and the moral framing of the criminal justice system. Zernova (2007, p. 112) further argues that facilitators employ techniques such as “skillful questioning, encouragement and praise, rephrasing statements”, and other psychological tools to subtly “pressure” participants to conform to the objectives of the criminal justice system (e.g. by encouraging offenders to become law-abiding citizens). While the data from this study does not corroborate Zernova’s assertion that facilitators exert “subtle pressure” on participants to align with criminal justice goals, the findings do indicate that facilitators actively guide and encourage participants to exhibit dispositions conducive to RJ goals. This will become clear in chapter 7.

It has also been argued that if facilitators were to adopt a strictly neutral stance, they would be unable to challenge victim-blaming or gender-biased expectations, which could inadvertently reinforce offenders' existing beliefs and value systems (Coker, 1999). However, this position has been contested by some scholars who regard it as a "misunderstanding of the concept of neutrality" (Hoyle, 2007, p. 295). From this perspective, neutrality is not about indifference to harm but about creating the conditions for equal and respectful participation. Bolívar's research (2019), drawing on the experiences of victims, reinforces this interpretation. Her findings suggest that neutrality is experienced as an active practice of ensuring that all parties are heard, respected, and given equitable space to speak.

Hoyle (2007, p. 295) conceptualizes neutrality as dispassion and freedom from bias, asserting that facilitators should "not allow any personal or professional biases or pre-judgments to influence his or her behaviour during the conference". However, dispassion can be problematic in RJ. A dispassionate facilitator may struggle to foster the empathy and trust that are central to the success of RJ processes (Umbreit & Armour, 2011, p. 243). Indeed, recent scholarship has increasingly drawn attention to the constructive role of emotions – particularly empathy – in supporting impartiality, neutrality, and objectivity in professional practice. For example, empirical research shows that judges integrate emotion to uphold impartiality (Roach Anleu & Mack, 2021) while prosecutors engage with emotions to enhance objectivity (Wettergren & Bergman Blix, 2016).

For this reason, Dyck (2006, p. 543) suggests that RJ practitioners should not be perceived as "detached, emotionally distant impartial but as bi-partisan helpers who are deeply connected to all sides and partial to giving expression to their core values in all that they do". Expanding on this perspective, Karp (2019, p. 48) introduces the notion of "multipartiality" which emphasises the facilitator's active and balanced support for all parties, without "preference or taking sides".

In England and Wales, institutional constraints complicate the picture further. As discussed in chapter 4, access to restorative justice remains inconsistent and geographically uneven. This patchy provision raises concerns about RJ's ability to uphold its core commitments to inclusivity and voluntariness. Further complicating this landscape is a strong policy emphasis on a 'victim-centred' approach. Marder (2020) offers a compelling critique of this trajectory, arguing that the rhetorical centrality afforded to victims may unintentionally shift the focus of

RJ toward outcomes that prioritise victim experience above all else, thereby marginalising the role of the offender and undermining the balanced facilitation central to restorative principles.

This policy orientation can compromise the perceived neutrality and impartiality of facilitators in several ways. First, it risks creating an implicit expectation that facilitators should prioritise the needs and preferences of victim which can lead to imbalances in how the process is structured and conducted. Offenders, in particular, may perceive facilitators as aligned with victims, especially when the process is initiated at the victim's request or delivered through services explicitly framed as 'victim-led'. This concern was explicitly raised by one of the facilitators in this study. Second, this framing may constrain facilitators' discretion to respond flexibly to the needs of both parties. When restorative processes are operationalised through a victim-centred lens, facilitators may become hesitant to validate an offender's narrative or express empathy, fearing such actions could be perceived as biased or inappropriate. This, in turn, narrows the emotional and relational space within which facilitators operate, making it more difficult to cultivate the kind of authentic, reciprocal dialogue that the RJ literature often idealises. As a result, neutrality and impartiality become not only more difficult to enact in practice, but also harder to be seen to enact, potentially undermining participants' trust in the facilitator and the process itself.

A closely related and ongoing debate concerns the suitability of police officers serving as RJ facilitators. Given their formal role within the criminal justice system and their symbolic authority, doubts persist regarding whether they can be perceived as neutral third parties (Roche, 2003). Critics of police-led conferencing express concern about the consolidation of too much power within a single institution (Shapland, 2009),<sup>67</sup>warning that police facilitators may dominate proceedings in pursuit of institutional objectives (Young, 2001), or lack the sensitivity required to engage with the emotional and moral complexities of participants' experiences. Myers (2011, p. 411) for instance, argues that many police officers lack the training required to appreciate victims' perspectives – morally, emotionally, or in terms of the offence's lasting impact. From this standpoint, embedding RJ within the framework of street-level policing can appear "antithetical" to restorative principles (Hoyle, 2007, p. 301).

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<sup>67</sup> This argument appears to be particularly relevant in jurisdictions like England and Wales, where the police is responsible for commissioning and funding of RJ services (Nascimento, 2021).

Generalised critiques of police involvement in RJ have been challenged by some scholars who call for a more nuanced understanding of the diverse ways in which police can engage with RJ. Braithwaite (1994, p. 207), for instance, asserts that “well trained and sophisticated community police officers do not seek to maximise control”. In similar vein, Clamp and Paterson (2017, p. 186) caution against analyses that rely solely on generalised assumptions about police culture, arguing that such approaches often overlook the complexities and nuances inherent in contemporary policing practices. Building on this perspective, Dignan et al (2007) argue that, despite legitimate concerns, the involvement of criminal justice personnel in RJ may offer distinct benefits. Their institutional knowledge and familiarity with the justice system can facilitate more effective coordination with rehabilitative services (e.g. referrals for offender support) while simultaneously providing reassurance to victims, particularly those who might otherwise be reluctant to participate in RJ.

Empirical research on police-led RJ practices remains limited and presents mixed findings. McCold and Wachtel (1998a) found that programmes facilitated by police officers were rated highest in terms of perceived fairness while Turley et al. (2014) observed that perceptions of legitimacy were stronger in volunteer-led RJ schemes, due in part to the perceived independence of these processes from the police. Similarly, Young and Hoyle (2003) identified considerable variation in the facilitation styles adopted by police officers; while some embraced restorative principles, others adhered to a more traditional, enforcement-oriented approach. Hipple and McGarrell (2008) likewise found that although police officers tended to assume a more directive role, they were also more likely to conclude sessions with concrete reparation agreements.

The debate surrounding neutrality and impartiality is not unique to the RJ field. These concepts have also been widely discussed and contested in other disciplines, such as civil mediation. As in RJ, neutrality is widely regarded as a foundational ideal in mediation practice. However, its meaning remains contested and multidimensional (Astor, 2007). Early mediation literature framed neutrality as a passive and objective quality – one that required the mediator to remain outside the substance of the dispute and refrain from influencing its outcome. Authors such as Fisher, Ury, and Patton (1991) echoed this view, portraying the mediator as a neutral practitioner who creates space for dialogue but does not shape its content. In their view, mediators should avoid “appearing committed to any given idea” and instead encourage participants to develop and assess their own proposals (Fisher, Ury, and Patton, 1991, p. 34).

Their framing implies that the effectiveness of mediation relies on the mediator's ability to remain neutral and non-directive.

Rifkin, Millen, and Cobb (1991) offered an influential reconceptualisation, distinguishing between impartiality – the suppression of personal bias – and equidistance, the equal treatment of participants within the process. Yet, equidistance has been criticised for ignoring how power, identity, and social position affect participation. As Astor (2007, p. 227) argues, equidistance is inevitably shaped by perspective and lived experience. Rather than abandoning neutrality, she proposes that practitioners acknowledge the influence of their own views and engage actively with power dynamics. Mulcahy (2001) develops a similar critique, arguing that mediators shape the process through the ways they manage interaction, frame issues, and respond to power differences between participants.

More recent scholarship has built on this critique, advancing a more interactional and context-sensitive understanding of the mediator's role. Garcia (2019), for example, demonstrates how mediators manage topic transitions and introduce interpretations that can subtly steer the direction of the dialogue. Drawing on conversation analysis, she shows that mediation is not a neutral platform, but a discursive space co-constructed by all participants (including the mediator) whose actions carry interpretive and procedural weight. In particular, she highlights how mediators at times come to represent disputants by extending or elaborating their positions, sometimes even constructing new arguments on their behalf. This occurs through interactional techniques such as “revoicing” or “replacement”, which blur the boundary between mediation and advocacy. Although the facilitators in this study did not overstep into advocacy, their interventions bear similarities to those described by García in that they become co-producers of participants' narratives.

Overall, while neutrality and impartiality are widely upheld as core principles, in both RJ and mediation, their meaning, application, and practical attainability remain deeply contested. Debates persist over whether true neutrality is possible, particularly in contexts marked by structural inequalities, interpersonal harm, and power imbalances. In RJ, practitioners and scholars have questioned whether striving for neutrality risks detachment, or even complicity, in situations where empowerment and active support is needed. These debates are further complicated by questions of institutional alignment, particularly when RJ is embedded within justice structures that carry symbolic and practical authority, such as the police.

At the heart of the neutrality and impartiality debate lie two key questions: how can facilitators, as neutral and impartial third parties, support participants in constructing their own narratives in situations marked by power imbalances? And how can they do so without compromising other core restorative values and principles, such as empowerment? These questions highlight the constant balancing act facilitators must perform, juggling ethical commitments, institutional expectations, and the often unpredictable realities of restorative encounters. The next section delves into facilitators' own understandings of neutrality and impartiality, examining how they interpret and reconcile these principles in practice.

### 6.3.5.2 Facilitators' understanding of neutrality and impartiality

Facilitators consistently emphasised the importance of impartiality and neutrality, portraying these principles as fundamental to their role and the legitimacy of restorative processes. In the first leg of fieldwork, the terms were used interchangeably, suggesting that facilitators did not seek to draw a conceptual distinction between them. This conflation points to a distinctive practitioner perspective, in which neutrality and impartiality are understood not as separate theoretical constructs, but as potential overlapping concepts.

“As much as we're neutral, we have to challenge people in order for them to consider the other point of view.” Olivia

“Impartiality, as well [...] Well, it is a victim-led process, and we're here, really, for them to get what they want out of it. Nevertheless, we don't take sides. We're not on their side, and sometimes we find that victims think that we are, that we're there just for them.” Mary

These quotes reveal the subtle and often paradoxical ways in which facilitators enact what they describe as neutrality and impartiality. Olivia's comment illustrates that neutrality, in practice, does not equate to detachment or non-intervention. Her statement – “As much as we're neutral, we have to challenge people in order for them to consider the other point of view” – suggests that facilitators see part of their role as actively encouraging participants to engage with perspectives they may otherwise dismiss or resist. In this sense, neutrality is not a passive stance, but an active, dialogic practice that enables critical reflection and reciprocal

understanding. The need to challenge participants implies a willingness to intervene in potentially defensive or one-sided narratives, as I will elaborate further in chapter 7.

Mary's account offers a complementary perspective, highlighting the tensions that arise when impartiality is exercised within a victim-led framework. She notes: "It is a victim-led process, and we're here, really, for them to get what they want out of it. Nevertheless, we don't take sides". The juxtaposition of these two claims points to an important ambiguity. While facilitators are expected to be guided by the needs and experiences of victims, they are also tasked with maintaining a balanced and non-partisan role. Mary draws attention to the potential for misinterpretation that arises from this dual positioning, noting: "Sometimes we find that victims think that we are, that we're there just for them." Her observation highlights the challenges facilitators face in navigating how their role is perceived by participants, given the victim-led nature of the process discussed previously.

This difficulty is not limited to victims. Rachel, another facilitator, describes a similar concern from the perspective of offenders:

"There are some offenders [...] they think that we are probably victim representatives. In the manner of how they come in, you know, the victim's made contact, we're making contact only because of that, it's going to come across like that." Rachel

Here, Rachel highlights how the structure of the process (particularly when initiated at the victim's request) can lead perpetrators to perceive facilitators as acting on behalf of the victim, rather than as neutral third parties. In practice, facilitators must anticipate and respond to these perceptions, acknowledging that neutrality and impartiality is not only an "ethical" stance but a relational task. One way facilitators do this is by clarifying their role early and often. This includes explicitly stating to both parties that their presence does not imply alignment with the victim, but rather a commitment to holding a space in which both voices can be heard without judgement.

Facilitators also invoked the notion of neutrality in a spatial or environmental sense, emphasising the significance of where restorative meetings take place. The choice of venue was not seen as incidental but as central to maintaining the legitimacy and perceived fairness of the process.

“We don't do them in police stations, we try and keep it very neutral, in the community” Rachel

“A police station is a neutral, safe space for a police officer but it's not for an offender.” Anna

These reflections show a deliberate effort to situate restorative encounters in settings that do not carry associations with institutional authority or punitive control. Anna's comment highlights the relational and symbolic dimensions of space, suggesting that physical environments are not neutral in themselves, but interpreted differently depending on participants' experiences and identities. What may appear neutral from an institutional standpoint may in fact be experienced as alienating or intimidating by others, particularly by offenders. In this context, spatial neutrality becomes a subjective and negotiated construct, rather than an objective condition. However, facilitators also acknowledged that such ideal conditions are not always feasible. In certain cases – particularly when the offender is held in closed prison conditions – conference meetings must inevitably have to take place within the prison itself, as movement to external locations is restricted.

Across these discussions, three key themes emerged in facilitators' understandings of neutrality and impartiality:

1. The need to uphold a fair process.
2. An ongoing effort to recognise and manage personal biases - including thoughts, opinions, and attitudes.
3. The necessity of and capacity for empathy.

Neutrality and impartiality were commonly framed in relation to fairness, which facilitators interpreted as a commitment to ensuring that all participants (regardless of their role in the harm) are given equal opportunities to speak, be heard, and feel safe within the process. Fairness, in this sense, was described not as moral equivalence, but as procedural equity. As Rachel explained:

“The point of being fair in the process is about both individuals having a fair chance to speak, to be given the opportunity to speak, to feel safe, to be given a space which

is safe. That's what we're there for, for being fair for the purpose of restorative justice, which is communication. The fairness isn't about what I think about what has happened, and who was right and who was wrong. It's about being fair to them, to this process, and really my opinions go aside. I'm there just to try and maximise their communication to repair the harm between them.” Rachel

In this account, Rachel identifies two core aspects of neutrality and impartiality in practice. First, she stresses the importance of creating an environment in which both parties can engage meaningfully and safely, highlighting procedural equity as the bedrock of restorative processes.

Second, she draws attention to the internal work facilitators must undertake to remain impartial and neutral, actively bracketing their personal thoughts and judgments. Although she does not explicitly refer to “bias”, her assertion that her “opinions go aside” shows an acute awareness that internal beliefs or assumptions, if left unchecked, can interfere with the process. She elaborates:

“Are you being fair on what questions that you're asking them? in how you respond, and in where you challenge them? is it fair or is it [...] because of something else? So I do think it's important to be impartial.” Rachel

This reflection reveals how impartiality and neutrality are far from being passive or static qualities, but rather an ongoing practice of reflexivity. Rachel acknowledges that facilitators must question their own actions during a restorative process: are their questions fair or are they subtly shaped by preconceptions, or allegiances? In this way, impartiality and neutrality entail continuous self-monitoring – an attentiveness to the subtle ways that personal orientations may surface in dialogue. Her account demonstrates that impartiality and neutrality demand active engagement with their own positionality, to interrogate the possible influence of personal beliefs or implicit allegiances, and to ensure that their conduct does not inadvertently reproduce imbalances of power in the process. Importantly, this framing shows that neutrality and impartiality are not something that facilitators are, but something that must be continuously enacted, questioned, and recalibrated in context.

Another facilitator, Sarah, elaborated on the importance of recognising and managing one's own internal responses in order to maintain this stance. She described impartiality and neutrality as requiring continuous self-awareness and active reflection:

“It's about being really mindful about your own personal judgements [...] your personal take on stuff, or how you personally feel. You won't stop that, but you need to be aware of it. And manage it with your supervision or whatever [...]. You've got to be mindful to engage your internal monitor. It's hard to explain, but I think one of the rules that I work by is [...] I always have to check out with myself internally my motivation for doing something [...] "OK, I want to go down this road. Why? Why am I wanting to go down this road? Is it for my benefit? Is it for their benefit? “Sarah

Sarah draws attention not only to personal judgments and opinions as possible sources of bias, but also to the more subtle influence of her emotional responses. Her reference to the “internal monitor” conveys a process of ongoing internal dialogue (an internalised form of supervision or ethical check-in) through which she interrogates her own motivations and emotional impulses. Sarah's insights align with Rachel's reflections discussed above, together reframing neutrality and impartiality not as passive stances but as practices that are enacted, questioned, and recalibrated over time.

In addition to reflexivity, several facilitators connected impartiality to empathy, challenging the conventional dichotomy between neutrality and emotional engagement. Sarah, once again, articulated this relationship:

“I do think if you can really engage empathy, then that kind of neutrality comes off the back of that. 'Cause if you can empathise with somebody, then you're being impartial. I also think empathy is what enables that communication to open up, you know. If you want to engage with somebody, if you can really display empathy, then you will... rather than meet them on this level [gestures low] you'd meet them on that level [gestures high].” Sarah

Here, empathy is not portrayed as compromising neutrality but as foundational to it. Rather than suggesting that impartiality requires detachment, Sarah argues that it is through empathetic

engagement that facilitators are able to maintain a fair and responsive position. Her use of the term “display” signals that empathy is not only felt but can be intentionally expressed – performed, in Goffman’s sense (1978) – as a relational strategy. This does not render empathy disingenuous. Rather, it reflects an intentional use of emotion as part of their relational toolkit. As I explore in greater depth in chapter 7, empathy serves both as an emotional resource and as a strategic tool, allowing facilitators to foster trust and engagement within the restorative process.

Facilitators were also careful to distinguish neutrality in process from neutrality in relation to the harm itself. As several explained, it is neither feasible nor ethically desirable to adopt a neutral stance on the harm caused. Instead, their responsibility lies in ensuring that the process unfolds fairly, and that both parties are equally supported and heard. This positioning also meant distancing themselves from any perception of advocacy. As discussed earlier, facilitators explicitly rejected any characterisation of their role as one of advocacy – either for victims or for offenders. Instead, they emphasised their commitment to maintaining equidistance, acting not as representatives of individual parties but as stewards of the process itself. In holding this position, facilitators also see themselves as the “custodians of restorative justice values” (Dignan, et al., 2007, p. 13).

The next section shifts focus to the practical dimensions of facilitation, exploring what RJ facilitators do in their everyday work – i.e. the tasks they undertake and the decisions they make in their daily practice.

### 6.3.6 Everyday work of restorative justice facilitators

The everyday work of RJ facilitators takes place within a broader institutional, organisational, and cultural landscape. It is not carried out in isolation but shaped by the structures and demands of the criminal justice system, the expectations and political priorities of PCCs, and Restorative Solutions’ internal structures. These overlapping layers of influence impose specific expectations and limitations around what facilitators do, how they do it, and when. In addition, facilitators’ tasks are often dependent on the actions of other professionals and agencies, such as police officers, probation staff, and support services. As a result, their practice is marked by contingency and interdependence.

Despite these constraints, facilitators described their role as flexible and varied. A strong theme that emerged from both interviews and observations was the value placed on flexibility – not only in how they manage their day-to-day tasks, but also in how they pace their work, determine their workload, and choose where they work from. Many also viewed these features as conducive to a healthy work-life balance. The ability to take breaks, work from home, or step away from their desk when needed was described as essential to their wellbeing.

Flexibility often comes hand in hand with unpredictability. Facilitators often juggle multiple responsibilities within a single day – from coordinating meetings and responding to new referrals, to updating case notes and preparing for restorative conferences. These tasks are not uniform and can vary significantly from week to week, depending on external factors such as referral rates, case progression, and participants’ availability. As a result, facilitators are required to continually reassess and adapt their schedules in response to shifting demands.

Despite this variability, participants emphasised that certain tasks must still be completed on a weekly basis. Although there is no strictly defined “typical day”, facilitators are expected to ensure consistent case progression, which requires the regular completion of specific key activities. These include keeping case records updated, maintaining contact with participants, and carrying out routine administrative and follow-up duties.

The daily responsibilities of RJ facilitators can be broadly categorised into three areas: (1) administrative tasks, (2) delivery of training, awareness courses, and community awareness events, and (3) case coordination and management (see Appendix 4).<sup>68</sup> Within both administrative and case management domains, facilitators are often required to exercise professional judgement and make decisions that directly influence the trajectory of the restorative process. These may involve, for example, assessing a case’s suitability for a conference or evaluating and mitigating potential risks. While such decisions are often informed by consultations with colleagues, offender managers, or other professionals (such as

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<sup>68</sup> Service managers undertake a range of tasks and responsibilities, including supporting and supervising their team. This involves overseeing team workload, assessing capacity, and scheduling both team supervision and one-to-one meetings. They are also responsible for ensuring that the service aligns with best practice guidance, such as the standards set by the Restorative Justice Council. In addition, they write and present performance reports and attend meetings with the PCC to discuss contracts, targets, and performance on a quarterly basis. While they also facilitate RJ cases, their caseload tends to be smaller due to these additional managerial duties.

counsellors or support workers), the ultimate responsibility for steering the case and shaping its direction rests with the facilitator.

“I do have that power, ultimately, to say, ‘This isn't appropriate. I don't feel that it's safe. I haven't got enough mitigating factors to mitigate the risk that's currently present from bringing you together, but we can do stuff indirectly if you want to do that.’” Rachel

Rachel's quote illustrates that facilitators hold the authority to determine whether a case can proceed to a conference, with risk assessment emerging as a key consideration. Although this thesis does not seek to analyse the specific content of those decisions, it is important to stress that they are not arbitrary. Rather, they are informed by a combination of structured risk assessment tools, professional judgment, and reflective practice. The facilitators who took part in this study were acutely aware of the weight of their decisions and consistently emphasised the need to balance the parties' wishes and needs with a firm commitment to safety and safeguarding.

Operationally, all decisions related to a case must be documented in the case management system, a digital platform that stores essential information about each RJ case. Facilitators are responsible for ensuring that all relevant materials are uploaded and kept up to date, including offence details, participant information, records of meetings and communications, consent forms, and any outcome agreements. This administrative work forms a core part of their role.

A distinctive feature of RJ practice within Restorative Solutions is the use of co-facilitation, whereby each case is facilitated by two practitioners. According to the Restorative Solutions training guide (2021, pp. 27-28), co-facilitation brings five core benefits: (1) it enables one facilitator to lead the conversation while the other focuses on observation and note-taking; (2) fosters shared responsibility and professional support; (3) enhances safety and introduces a diversity of identities and perspectives; (4) allows for immediate debrief and reflection following each session; and (5) promotes peer feedback and collaborative learning .

The assignment of co-facilitator varies across services, and their division of tasks is typically shaped by mutual agreement, taking into account each practitioner's experience and style. In preparation meetings, both practitioners are involved: the lead facilitator usually initiates

contact and steers the conversation, while the co-facilitator listens actively, observes verbal and non-verbal cues, and takes notes. Importantly, the co-facilitator is not a passive observer – they intervene when necessary and draw attention to subtle shifts in tone, body language, or emotional engagement that the lead might miss during conversation. This will be discussed in detail in chapter 7.

“Sometimes it can be body language. I've worked with, say a volunteer, someone with less experience sometimes [...] letting them have a lead in talking to someone. ‘Tell me about what happened,’ or whatever. And while they're talking, I've watched the other person start to squirm or get defensive even. Just in their mannerisms, or maybe the way they've suddenly changed the way they're answering. And that other person [facilitator] hasn't necessarily picked up on that at all. A couple of times, I've felt the need to come in and kind of stop that conversation or steer it away, because I'm aware we're about to lose that person's trust or engagement, but someone else might not have noticed it.” Sarah

Sarah’s account highlights the subtle but vital contributions co-facilitators make. Her ability to detect shifts in engagement and intervene strategically illustrates how co-facilitation enhances not only the quality of interaction but also rapport. This reflective, responsive teamwork dynamic allows practitioners to hold each other accountable, fill in perceptual gaps, and strengthen the overall process. As I will explain in chapter 7, there is a team performance at play in conferencing processes, one where facilitators try to display a united front and an image of equal standing towards the parties as part of their team performance.<sup>69</sup>

Facilitators consistently described co-facilitation as necessary and beneficial for sustaining safety, reflective practice, and supporting their own learning. One important “rule” in their practice consists of avoiding forming separate, individualised relationships with participants (e.g. one facilitator exclusively supporting the victim, the other the offender). This is seen as vital to maintaining impartiality and neutrality. However, facilitators acknowledged that

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<sup>69</sup> In Choi and Gilbert’s study (2010, p. 222), practitioners also acknowledged the importance of “mediators staying on the same path”.

participants may gravitate towards one facilitator, forming a stronger rapport or “finding more affinity” with them:

“Sometimes you find that there's an offender who has a particularly good rapport with, for example, facilitator A, and a victim who has a particularly good rapport with facilitator B. [...] If for whatever reason one party goes, ‘Do you know what, I need five minutes to gather myself or think about this,’ or, ‘I just need time out of this room,’ there's an automatic decision of, ‘Well, you'll go with them and I'll stay with this person.’” Anna

Anna’s reflection illustrates how affinity can be used strategically during a conference (e.g. to decide who accompanies a participant when a break is needed) without undermining the overall balance of roles. Facilitators emphasised the importance of consciously managing this dynamic to avoid dependency and preserve neutrality and impartiality.

During conferences, the lead facilitator typically opens and closes the session, while the co-facilitator records the discussion and drafts the meeting summary. Despite these distinct functions, facilitators described their roles as equally important. Both are responsible for supporting the participants, maintaining emotional safety, and ensuring the integrity of the process. While the literature has paid little attention to co-facilitation, the findings from this study suggest that it is a critical element of good practice, with important implications for training, supervision, and reflective development.

Another distinctive feature of RJ work in England and Wales is the delivery of Hate Crime Awareness Courses (HCAC) which are offered as a form of Community Resolution Disposals for low-level, first-time hate crime offences.<sup>70</sup> These sessions are structured to prompt the harmer to reflect on the motivations behind their behaviour, as well as to consider the broader impact of their actions – not only on the person harmed but also on bystanders, the wider community, and themselves. Participants are then invited to consider how they could have acted differently, and crucially, how they might avoid similar behaviour in the future.<sup>71</sup>

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<sup>70</sup> Community Resolutions are out-of-court disposals used for low-level offences where the individual accepts responsibility and the matter is resolved without formal prosecution, typically with the victim’s agreement.

<sup>71</sup> HCACs are not delivered uniformly across all RJ services. Their availability depends on decisions made by individual PCCs within each local area.

Although victims do not typically attend these sessions, they may choose whether to be informed about the outcome.

While formally situated within the broader umbrella of restorative approaches, many practitioners regarded HCACs as distinct from RJ processes, both in structure and intent. While RJ processes typically involve voluntary engagement, careful preparation, and facilitated dialogue between the person harmed and the person responsible for the harm, HCACs function as one-off time-limited interventions. Their primary aim is to raise awareness and prompt reflection among participants, often without the direct participation of victims.

Given these differences, practitioners felt that HCACs required a distinct set of skills. Three facilitators admitted adopting a more directive and assertive stance in these sessions – directly challenging discriminatory beliefs and drawing clear boundaries around acceptable language and conduct. As one practitioner noted, “you have to be clear and firm. It’s not a space where people can use slurs or deflect responsibility without being challenged”.

Nonetheless, facilitators expressed concern that the highly structured and compressed nature of HCACs limited their potential to generate personal change. While they recognised the value of raising awareness and encouraging reflection, they also questioned whether such brief interventions could truly shift participants' moral reasoning or produce lasting behavioural transformation in relation to hate-motivated offences. Olivia, for instance, described the task as a “fruitless challenge”:

“Hate crime awareness courses are just so polar opposites of the people that you might come across. The thing I hear so often [is], ‘I’m not racist. My friend's cousin's sister's black and I get on with her.’ And it is that challenge– that fruitless challenge– of knowing I’m never going to change that person's morals or whatever in a two-hour course, you know? Which is frustrating.” Olivia

Olivia’s reflection encapsulates a tension shared by several facilitators between the aspiration to facilitate meaningful reflection on the harm caused by hate-motivated behaviour, and the practical constraints of time and format. The challenge, as Olivia suggests, lies not only in confronting prejudice but in doing so within a context that does not lend itself to sustained

reflection. Despite these constraints, facilitators did not perceive HCAC participants as disengaged. On the contrary, most were described as being open to discussion and cooperative.

In addition to the unpredictable nature of their day-to-day responsibilities, the facilitators who took part in this study also face considerable employment insecurity, as outlined in chapter 4. Their roles are frequently dependent on short-term contracts tied to external funding arrangements. This structure leaves facilitators acutely vulnerable to contract renewals, which are often communicated with little notice. As a result, facilitators endure periods of uncertainty regarding the future of their employment, a condition that significantly impacts their sense of stability. This persistent state of precarity surfaced repeatedly across interviews, focus groups, and ethnographic observations. Facilitators described how the lack of job security inhibited long-term planning and contributed to a sustained sense of professional vulnerability.

“It's not good for team morale. At the end of the day, it's not good for motivation. I know there have been a lot of conversations at a higher level about RJ services and having longer contracts, in order to keep that stability for everyone and, therefore, provide a better service. I'm just hoping that is something that will come at some point.” Olivia

This comment reveals the broader implications of employment insecurity beyond the individual level. Olivia links the precariousness of her contract not only to team motivation and morale but also to the overall quality and sustainability of RJ services. Her hope for longer-term contracts speaks to a widespread desire for institutional stability – both to support staff wellbeing and to ensure consistency for those participating in restorative processes.

Equally prominent were concerns about the lack of a formal career structure within the sector. Many facilitators noted that progression opportunities are limited with very few avenues for promotion. Pay was also a frequent concern. While most accepted that RJ work tends to attract those motivated by values rather than financial reward, there was a widespread feeling that the work is undervalued. As one facilitator remarked, “whoever does this job doesn't do it for the money” – a sentiment echoed repeatedly across both services.

In conclusion, the everyday work of RJ facilitators in England and Wales is marked by complexity, variety, and uncertainty. The inherently flexible nature of the role means that

facilitators must routinely navigate a shifting landscape of demands, often moving between divergent tasks and responsibilities. In general, their work spans three interconnected domains: (1) administrative duties, (2) delivery of training, awareness courses, and community outreach, and (3) case coordination and management. This remit requires a high level of adaptability, autonomy, and strong organisational skills. Some of their tasks (e.g. hate crime awareness courses) illustrate how their roles extend beyond restorative processes, encompassing a broader restorative approach that seeks to influence behaviour and raise awareness at a preventive level.

What stands out most from the data is that their role is performed within a context of ongoing precarity. Employment is often tied to short-term or insecure contracts, typically dependent on time-limited funding streams. As a result, facilitators may face job uncertainty with little advance notice, creating a backdrop of instability that influences their ability to plan for the future and makes them feel secure in their roles. This structural vulnerability is compounded by the absence of a formalised career pathway.

Taken together, these findings provide a grounded account of what RJ facilitation involves in day-to-day practice. They reveal a role that requires flexibility, resilience, and dedication – yet one that remains under-supported and precariously positioned within the wider system. The following section explores how these conditions shape facilitators’ experiences of tension and frustration in practice.

### 6.3.7 Challenges, frustrations, and barriers

As outlined in the previous sections, the work of RJ facilitators unfolds within a broader landscape shaped by institutional, organisational, cultural, and political dynamics. These structural conditions impose significant constraints on what facilitators can do in practice. While facilitators are deeply committed to RJ, they frequently encounter systemic barriers that limit their ability to deliver meaningful interventions.

The participants in this study identified a range of challenges that hinder their work and expressed ongoing frustrations, particularly regarding systemic barriers and the practical realities of delivering RJ within the wider criminal justice system. One recurring theme concerned the high turnover of probation and police staff. Facilitators described having to repeatedly explain RJ principles, aims, and process to incoming personnel, often every three to

six months. This constant need to re-educate criminal justice professionals was not only time-consuming but also emotionally draining. Several facilitators noted that just as a professional began to understand RJ and started referring suitable cases, they would be reassigned or leave the role, forcing facilitators to “start from scratch” yet again. This revolving door dynamic made it difficult to build consistent inter-agency relationships and undermined the stability of referral pathways.

Compounding this frustration was the fact that facilitators often encountered persistent misconceptions, or even outright indifference, about RJ among professionals in the criminal justice system. These misunderstandings not only impeded meaningful collaboration but also contributed to the broader marginalisation of RJ within the system.

“I always say this about the police, because the police are obviously our biggest referrers. But I guarantee 50% of them don't really know what they're referring to – they just want to get it off their case. And a lot of them will say, ‘I'm referring it for mediation.’ And it's like, ‘Well, it's not mediation 'cause it's a one-off incident.’ Whereas ‘yes, that one is mediation 'cause it's a neighbourhood dispute.’ Even they don't get their head around that.” Olivia

Olivia's quote reflects a broader concern about the limited understanding of RJ among key referring agencies. As she points out, referrals are often made without a clear grasp of the distinctions between RJ, mediation, and other conflict resolution processes. Some professionals lack a basic understanding of how or when to refer cases, while others misconstrue the aims and scope of RJ entirely. These knowledge gaps can lead to inappropriate or misdirected referrals and perpetuate systemic misunderstandings of RJ practice.<sup>72</sup>

The referral system itself was also a source of frustration. Facilitators highlighted the uneven provision of RJ services across the country, as well as inconsistent referral criteria set by individual PCCs. This patchwork approach often excludes participants based on geography or technicalities rather than need or willingness. Olivia recounted one experience with a case in

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<sup>72</sup> Similar barriers have been identified in other jurisdictions. For example, research in Queensland (Rossner et al., 2024) highlights how limited understanding of RJ among referrers, resistance from organisational “gatekeepers”, and weak inter-agency information sharing can result in fewer referrals.

which the offence occurred outside the catchment area of the service. Because the offence had not occurred within her service area, and neither party resided there, she was unable to proceed with the case. She attempted to liaise with the local RJ provider linked to the offender, only to encounter further obstacles:

“I really struggled a few months ago because, I was working with the prison in that area, in another case, and they said, ‘Oh, actually, I’ve got another guy who has said he would like to do RJ.’ And I was like, ‘Look, you know, I’m sorry, but we’re only funded for [Area A]. If the offence took place in [Area A] the victim or the offender live in [Area A], then we will take it. But obviously if it’s anything out of that, we can’t.’ So trying to get them in touch with their local RJ provider was a nightmare. And then the woman finally came back to me – and she was lovely, really helpful – but she was like, ‘We won’t take an offender-led referral unless he’s willing to pay for it.’ And I was like, ‘OK. Well, do you take victim-led referrals?’ She was like, ‘Well, only if they come through specific funding routes.’ I can’t remember what their criteria was but [...] that’s just mad, like, you know, it’s a complete mockery of the Ministry of Justice reports that they’ve done about, this postcode lottery of RJ services.” Olivia

This example demonstrates the fragmented nature of RJ provision in England and Wales. Services are often funded according to geographically bounded contracts with strict eligibility criteria, which prevent participants from accessing restorative processes. Olivia’s frustration speaks to what she described as a “postcode lottery”, whereby access to RJ is contingent on locality rather than on need or interest of victims and offenders. In this instance, the offender’s willingness to participate was insufficient: the RJ provider required a specific referral route tied to funding schemes. These constraints not only limit access but also contradicted the principle of voluntary engagement that underpins RJ. Descriptors such as “nightmare” and “mad” underscore the toll these systemic challenges take on facilitators. These are not merely logistical or bureaucratic hurdles – they represent enduring structural barriers that facilitators must navigate on a regular basis. The burden of managing these challenges often falls to practitioners, who must reconcile their commitment to restorative values with a system that frequently undermines them in practice. In this context, institutional constraints not only restrict access to RJ but also diminish facilitators’ ability to deliver it in a coherent and participant-led manner.

Data protection regulations, particularly those arising from the General Data Protection Regulation (GDPR), also emerged as a significant source of frustration for facilitators. One case observed during fieldwork starkly illustrated these difficulties. The referral was initiated by a young adult in custody who had committed multiple thefts while intoxicated and had threatened the shop staff with a knife. The facilitator visited him in prison to discuss his motivations and willingness to participate in RJ. However, problems arose when trying to contact the victims. Although the offender provided a list of affected stores, the police case file did not match it. Due to GDPR, the police could not share victim information, only confirm or deny individual store involvement. This created a logistical deadlock. With support from the offender's manager, the facilitator eventually obtained a partial list of relevant stores. Yet, when the police contacted those listed, none agreed to participate. The facilitator tried reaching out to another store but could not make contact with a suitable representative. Often, the listed victim is a store manager or security guard, not necessarily the person most directly affected, making personalised resolution difficult. Although store managers can participate on behalf of businesses, this is not always appropriate, particularly when, as in this case, the offender explicitly wishes to apologise to the individual they harmed.

After several months of effort, the facilitator had no choice but to close the case. The decision was especially difficult due to the harmer's vulnerability, which included a history of mental illness and self-harm. The facilitator tried to arrange a final in-person visit but was told the individual could not be moved due to a near altercation. In response, the facilitator wrote a letter, delivered by the Offender Manager. The letter aimed to provide reassurance, clarifying that the case had been closed because the stores declined to participate, not because the harmer's effort to make amends was unappreciated:

“We know that you were hoping to be able to speak with someone, and that this is not the result that you were hoping for. However, we hope you are able to take some pride and comfort in the knowledge that you have seen an opportunity to make things right. Not everyone would do that, and it speaks to the person that you are, that you tried to help by explaining what was going on for you as a way of helping fix what has happened.”

Facilitators' frustrations were further compounded by the introduction of Re:hub's<sup>73</sup> 2023 policy framework (Ministry of Justice & HMPPS, 2023) for RJ in England and Wales. This new policy, which outlines the responsibilities of offender managers, probation staff, and Victim Liaison Officers in the referral and suitability assessment process, generated significant concern among facilitators. One major issue was the decision that Victim Liaison Officers are no longer required to inform victims about the availability of RJ – an apparent contradiction of victims' rights under the Victims' Code of Practice. Under this framework, Victim Liaison Officers can only explore RJ if the victim broaches the subject. Since evidence shows that victim awareness of RJ is low (see chapter 4), it is unclear how victims will know about RJ in the first place to ask. In addition, the framework mandates that sensitive or complex cases must first be referred to Re:hub for further assessment, rather than directly to RJ services. Notably, the policy imposes no time limits on this stage, creating delays and uncertainty in case progression. These developments left many facilitators feeling sidelined and frustrated, as their ability to initiate and manage cases was increasingly constrained by external bureaucratic structures.

Taken together, these accounts illustrate how facilitators' daily practice is shaped (and often constrained) by structural conditions beyond their control. While their commitment to restorative values remains strong, they must operate within a fragmented and frequently unsupportive system. These findings echo existing scholarship highlighting the difficulty of embedding RJ in criminal justice systems driven by different priorities (Maglione, Marder, & Pali, 2024; Crawford & Newburn, 2003). For facilitators, the challenge is not merely to do RJ work, but to keep doing it meaningfully despite conditions that constantly undermine it. If RJ is to flourish in England and Wales, it requires not just passion and skill from practitioners but coherent, well-funded infrastructure and sustained, consistent policy support.

Having examined the broader institutional challenges that shape facilitators' practice, the next section turns to the structure of the conferencing process. It examines the three core phases – preparation, the meeting, and follow-up – demonstrating that conferencing is not a single event but a complex, multi-stage process shaped by careful planning.

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<sup>73</sup> The Re:Hub serves as a centralised assessment and coordination body within the wider government framework for RJ, particularly under the Ministry of Justice and His Majesty's Prison and Probation Service (HMPPS).

## 6.4 The conferencing process

In the RJ literature, conferencing is typically conceptualised as comprising three<sup>74</sup> distinct phases: preparation, conference meeting, and follow-up (Barton 2003; Umbreit and Armour 2011). Scholarly focus has largely centred on the conference meeting, with good reason. This is the point at which participants come face-to-face to explore three core questions: “What happened?”, “Who was affected by it?”, and “How can the harm be repaired?” (Sherman, 2003). It is also the stage where many of RJ’s anticipated benefits, such as restoration, are expected to emerge most clearly.

However, this emphasis often comes at the expense of the other two phases. Preparation and follow-up are not peripheral or secondary. On the contrary, they provide the structure, groundwork, and continuity that make meaningful dialogue possible. Preparation helps participants engage with the process safely and intentionally, while follow-up ensures reflection and accountability beyond the meeting itself.

In the sections that follow, I explore each phase of the conferencing process, drawing on both empirical data from facilitators and the wider literature.

### 6.4.1 Preparation: laying the groundwork

Although preparation is widely acknowledged as a crucial component of the RJ process, it remains relatively underexplored in the existing literature. Keenan and Zinsstag (2022, p. 116) argue that preparation should be considered a core element of RJ, noting that “the preparation process alone can have significant positive outcomes for victims in terms of healing and justice, regardless of whether a meeting ever takes place in the end with the offender”. Similarly, Barton (2003, p. 80) observes that “good preparation lays the foundation for a successful conference”. Nonetheless, most scholarly discussions provide limited detail or explanation on how this foundation is constructed in practice.

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<sup>74</sup> Keenan and Zinsstag (2022, p. 116) offer a more detailed breakdown of the RJ process, proposing five distinct parts: preparation, the meeting, the agreement, follow up, and evaluation. This extends beyond the more commonly cited three-phase model by separating follow-up and evaluation into distinct stages.

In general, the literature tends to frame preparation predominantly in practical terms: facilitators are expected to undertake logistical tasks such as securing a venue, scheduling the meeting, and arranging seating plans, while also “creating a hospitable environment for the conversation” (Pointer, 2021, p. 65). Some scholars, however, have highlighted the interpersonal dimensions of this phase, noting that facilitators must also build rapport and trust with participants (Rossner, 2013, pp. 76–77), support them in expressing any fears or concerns about the process, manage expectations, and co-develop ground rules for the conference (Umbreit & Armour, 2011, p. 97).

Empirical studies further confirm that participants, particularly victims, place significant value on the quality of preparation (Armstrong, 2012) with researchers emphasising the importance of managing expectations carefully (Wemmers & Canuto, 2002). Bazemore and O’Brien (2011, p. 63) argue that reparation begins during this stage, as facilitators invite participants to reflect on what they hope to achieve through any potential agreement. In line with this, Umbreit (2011, p.38) and Shapland et al. (2011, p. 89) underscore the value of educating participants about RJ principles and values during preparation, thereby supporting informed consent and voluntary participation.

Despite these contributions, empirical insight into how facilitators actually undertake this work remains limited. Much of the literature outlines what facilitators should do but offers little detail on how these tasks are carried out in practice, or how facilitators navigate the emotional and relational complexities during this critical stage of the process. To date, one of the few studies to have shed empirical light on this dynamic is Rypi’s (2016) work, which examines pre-conference meetings as sites where emotions are expected to be managed and regulated according to particular “feeling rules”. However, there remains limited empirical insight into the fine-grained, day-to-day emotion work through which facilitators carry out this management, as well as how they manage their own emotional responses in practice.

The facilitators who took part in this study consistently described preparation as “the most important stage of the conference process”. While this stage does not follow a fixed structure or linear sequence, facilitators nonetheless identified several core tasks:

1. Meeting the participants and obtaining consent – introducing, explaining the process and securing agreement to proceed.

2. Listening to participants' accounts – exploring what happened, identifying hopes and concerns, expectations, and discussing what participants wish to express or avoid discussing during the conference.
3. Clarifying discrepancies – working through differences in perception, narrative accounts, and preparing participants for the other side's perspective.
4. Outlining the conference process and setting expectations – explaining the conference structure, discussing possible ground rules, and asking key questions.
5. Organising logistics – confirming venue details, arranging seating, and offering visits, beforehand, to the location where the meeting is going to take place.

Preparation was described as both structured and adaptive, requiring facilitators to be responsive to participants' emotions, relational dynamics, and levels of readiness. It was argued that some participants need multiple preparatory meetings to build trust or articulate what they needed from the process, while others may require only one or two preparatory sessions.

Facilitators also spoke about the emotional intensity of some cases, noting that preparation could be deeply affecting, particularly when dealing with distressing stories or complex interpersonal dynamics. Many emphasised the importance of reflective practice and peer support to help process these experiences. As chapter 7 will explore in more detail, facilitators regularly engage in self-reflection and informal dialogue with colleagues to make sense of the cases they handle and to evaluate their own responses. That chapter will also delve into the subtle work facilitators do to help participants become “ready” for a restorative encounter, including the strategies they use to steer communication toward certain values and outcomes. In doing so, this thesis addresses a significant gap in the literature, offering an in-depth empirical account of facilitators' preparatory work. Rather than positioning preparation as a peripheral stage, it reframes it as a central component of conferencing, where much of the process' transformative potential is actively fostered.

#### 6.4.2 The conference meeting

The conference meeting represents the focal point of the RJ process, the pivotal moment where those responsible and affected by the harm come together to engage in dialogue. As previously

noted, this stage has attracted the greatest scholarly attention because it is where many of the anticipated outcomes of RJ are most visibly materialised. The primary aim of the conference is to bring the key stakeholders into a shared space – victims, offenders, and, where appropriate, members of the wider community (supporters). With the guidance of one or two facilitators, participants engage in a structured dialogue designed to explore the offence, its impact, and to collaboratively come up with a meaningful agreement to address the harm caused.

The United Nations Draft Declaration of Basic Principles on the Use of Restorative Justice (2002, I.3) describes a restorative outcome as “an agreement reached as the result of a restorative process”. In other words, it is whatever the participants collectively determine to be appropriate in light of the specific circumstances and needs. The Council of Europe Recommendation CM/Rec (2018, article 51) further underscores that parties should have the freedom to decide whether the dialogue itself has sufficiently met their needs and interests, stating that “agreements do not have to include tangible outcomes”. This reflects the distinctiveness of RJ as a relational process, setting it apart from the adversarial structure of conventional criminal justice system.

Facilitators described successful conferences as those where: (1) their input is minimal, (2) the parties reach the outcome they hoped for, and (3) participants are able to “connect” and “see each other for who they are” (i.e. human beings), despite the formality of the process. One facilitator, Sarah, recounted a rape case she had facilitated between two young people to illustrate this:

“We did 18 months of preparation between the two of them. Her only question was why. And the whole process – they didn't talk about what happened – it was about what had led up to it and why it might have happened and all of that [...] And we worked with him so long and hard about how he could articulate it... He didn't want anything to sound like an excuse, 'cause it wasn't. But we kept saying, ‘No, she wants to understand, so let's try to put some context around it.’ And eventually we brought those two together in the prison for a meeting, and it was amazing. It moves from a formal part of the process –the formal questions [...] – and then it goes into more sort of general conversation. And it became more general. And all of a sudden, they became these two friends. They were talking like the two friends they used to be.

Like, he said to her something about a mutual friend, and she said, ‘Oh, yeah, he's gone to so and so.’ And he was like, ‘Oh, really? So what's he doing there?’ They started this normal conversation, and we were just sitting there [...] it was amazing.”

Sarah

This account underscores several important features of conferencing and its perceived success. First, it reveals a profound shift in how the participants came to perceive one another. Sarah’s observation that they spoke “like the two friends they used to be” highlights a return to familiarity and captures how their way of relating transformed over the course of the encounter. Second, the phrase “we worked with him so long and hard” points to the extensive and intensive preparation that precedes such encounters. This was not a “spontaneous” exchange, but the culmination of a carefully scaffolded process designed to support both parties in approaching the dialogue with intention. The depth of this preparatory work, and its implications, will be discussed in more detail in chapter 7.

While outcomes like these were seen as especially meaningful, facilitators also acknowledged that not all conferences led to a sense of resolution. Although such instances were described as rare, they often prompted critical reflection on whether participants’ expectations had been effectively managed during preparation. As chapter 7 will explore, reflective practice emerged as an essential mechanism through which they processed these experiences, regulated their emotional responses, and identified areas for improvement.

### 6.4.3 Follow-up

Follow-up constitutes the final stage of the restorative conferencing process. Although scholars have acknowledged its importance as a distinct and meaningful phase (Suzuki & Wood, 2017) much like preparation, it remains under-researched. In particular, there is a notable lack of empirical insight into what facilitators actually do during follow-up meetings and how participants experience this stage.

In practice, follow-up serves several critical functions. It offers participants an opportunity to reflect on the encounter, voice any questions or concerns, receive additional support, or be signposted to further resources. For facilitators, it also provides a chance to collect feedback on the process itself. Follow-up becomes particularly important when outcome agreements

involve concrete actions, such as writing letters or completing agreed tasks. As Umbreit & Armour (2011, p. 101) observe, “there can be considerable slippage between what was agreed and what actually happens”, making this phase critical for ensuring accountability and providing closure. Nonetheless, it is important to recognise that, in most jurisdictions, outcome agreements are not legally enforceable given the voluntary nature of RJ (Shapland et al., 2022, p. 68).

The facilitators in this study emphasised that follow-up timelines are flexible and responsive to the specific needs and circumstances of each case. Typically, it takes place within a week of the conference, either in person or by phone, though timing and format can vary considerably.

The follow-up meeting I observed was described by facilitators as “positive”. It was held in prison and involved two facilitators, an offender manager, and the offender, in a case of death by dangerous driving. The session began with the lead facilitator gently asking how the participant was feeling. He responded that he was “well” and disclosed that he had stopped taking antidepressant medication since the conference. Reflecting on the day of the conference, he admitted he had felt “terrified” to face the victim, but also “pleased” that he had done so. He described the experience as helping him “move on” and “close a chapter.” A moment of silence followed, filling the room with a shared, though unspoken, recognition of the weight of that moment.

Towards the end of the session, the facilitator invited the participant to reflect on the overall process and his future plans. He acknowledged that, while the experience had been meaningful for him, it might not be suitable for everyone. Both facilitators expressed satisfaction with the outcome, particularly in light of how well he appeared to be doing and noted a sense of completion in being able to formally conclude the case and “tick it off their list”.

Taken together, these insights demonstrate that conferencing is far more than the face-to-face meeting. While the conference itself often receives the most attention, it is the preparatory phase and, to a lesser extent, the follow-up -that provide the structure, continuity, and emotional scaffolding that make the process meaningful. It is during preparation, in particular, that much of the transformative work is initiated and shaped. By bringing these less visible stages into focus, this thesis contributes to a more grounded understanding of the conferencing process and the complex, often-invisible emotion work carried out by RJ facilitators.

The concluding section that follows synthesises these insights and introduces chapter 7, which turns to the empirical findings and examines how these dynamics are enacted in practice.

## **6.5 Conclusion**

This chapter has provided an analysis of how RJ facilitators have been portrayed in the literature and how the participants in this study understand and describe their role. Their insights address an important gap in existing research, which to date has offered limited understanding of how practitioners perceive and perform their work. By exploring the characteristics, qualities, traits, skills, experiences, and training of RJ facilitators, it becomes clear that their role does not exist in a vacuum. Rather, it is shaped by the cultural, organisational, and institutional contexts within which RJ operates. Crucially, the findings show that navigating institutional demands is not only logistically complex but also emotionally taxing, as facilitators work to uphold RJ values in a system that frequently undercuts it – generating ongoing frustration.

Longstanding institutional and cultural challenges continue to shape the provision of RJ in England and Wales. These factors directly impact facilitators' structural working conditions, placing them in an uneven professional position relative to other criminal justice practitioners. Facilitators are particularly vulnerable to power imbalances, persistent instability, and doubts about their occupational credibility. The absence of mandatory accreditation or formalised training contributes to the limited recognition of their role and sustains ongoing debates regarding their legitimacy. Combined with the precarious employment conditions often associated with third sector organisations (e.g. short-term contracts), these factors create a complex and bureaucratically constrained working environment. These systemic issues are further compounded by cultural misunderstandings of RJ, particularly within the criminal justice system. Limited awareness among criminal justice professionals frequently leads to gatekeeping practices that hinder the delivery of RJ in practice. Indeed, the facilitators in this study voiced frustration over the lack of understanding, engagement, and institutional support from other professionals.

Previous research has noted that facilitators value collaboration and the guidance of other professionals (Shapland et al., 2022), a view strongly echoed in this study. Participants consistently expressed a desire to build and sustain multi-agency partnerships and reported

devoting significant time and effort to engaging with external agencies. However, they also emphasised that such efforts cannot be sustained unilaterally. Collaboration, they noted, cannot be a one-way street.

At the same time, facilitators articulated a clear understanding of professionalism in RJ – a view that may challenge some of the field’s more traditional, community-based, driven ethos. They identified a range of core competencies they view as essential for effective facilitation and emphasised that not everyone possesses the “mindset” or attributes required for the role. Interpersonal skills such as listening, verbal and non-verbal communication, and the ability to establish trust were described as paramount. These are supported by a broader set of personal qualities, including honesty, self-awareness, empathy, non-directiveness, and, importantly, neutrality and impartiality.

Neutrality and impartiality were consistently presented as foundational to their practice. In facilitators’ accounts, these principles meant ensuring equal participation for all parties, creating safe spaces where participants could speak and be heard, while actively setting aside personal judgments and remaining open, present, and empathetic. Although facilitators often described their role during conferences as relatively passive or unobtrusive, their understanding of neutrality and impartiality did not equate to emotional detachment. On the contrary, empathy was seen as integral to maintaining neutrality and impartiality. Fairness, for these facilitators, involved recognising participants’ emotions, engaging in active listening, and offering understanding without directing outcomes or taking sides.

As the following chapter will demonstrate, neutrality and impartiality are not just abstract ideals – they shape how facilitators manage emotion, support participants, and perform their roles within the emotionally complex setting of conferencing. Yet, they also present a paradox to their performance.

## **Chapter 7 – Impartiality, neutrality, and emotion work**

### **7.1 Setting the scene: impartiality, neutrality, and emotion work**

The work of RJ facilitators has been described so far as an occupation that does not take place in a vacuum. It is embedded within broader institutional, socio-cultural, and organisational contexts that shape practice and impose various demands and expectations on their role. Despite the lack of formal mandatory standards, ethical frameworks, and accreditation protocols, their work is still guided by informal obligations: expectations, values, and principles. For example, facilitators are expected to be “the custodians of restorative justice values” (Dignan, et al., 2007, p. 13), as well as neutral and impartial third parties.

In this study, facilitators were also accredited by the Restorative Justice Council and therefore expected to adhere to its standards and ethical guidelines. In addition, Restorative Solutions, their employer, was contracted by PCCs to meet specific obligations, which may include the achievement of defined targets. This, in turn, required facilitators to align their work with institutional and organisational priorities and demonstrate accountability through measurable outcomes. Beyond these institutional obligations, facilitators recognised that participants also bring their own expectations to the process. As practitioners, they believe they are expected to be equally accessible to all parties, to ensure balanced opportunities for participants to speak and be heard, and to provide honest and transparent guidance about the options available:

“What I think they need from me is that I listen, that I give them options, that I'm honest about those options, and that I do what I say I will do. And if I can't, I'll tell them why.” Anna

“I think they expect me to be equally accessible. You know, that I could answer their queries as much as the other person. That they both have an opportunity to speak and are given a fair opportunity to speak [...]. In terms of a conference, they expect to have the details of what's going to happen, that we haven't lied to them, that we haven't kept any information away from them, and that they both feel safe within the process.” Rachel

These informal obligations (or unwritten rules) are upheld by facilitators because they believe both in the restorative process and in the value of their work (Bolitho & Bruce, 2017, p. 343). As this chapter will illustrate, facilitators care deeply about RJ participants and regularly reflect on their practice, role, and approach to ensure these informal obligations are met.

As discussed in chapter 6, both the RJ literature and facilitators place particular emphasis on neutrality and impartiality as key qualities and principles that guide practice. Academic scholarship has long grappled with what these concepts ought to entail and whether they can realistically be achieved in RJ practice. Some define neutrality and impartiality as separate concepts while others appear to not make a sharp distinction between them (Barton, 2003; Pali, 2017). Yet, much of the literature conceptualises neutrality and impartiality as relatively passive qualities (e.g. not taking sides, unbiased) which do not require action. Whilst normative theories remain valuable and serve an important role in the RJ field, they do not adequately account for how neutrality and impartiality are enacted in practice, how they are perceived by RJ facilitators, or how they are assigned meaning in relation to their daily work. In practice, impartiality and neutrality must be construed, enacted, and realised in relation to facilitators' everyday work (Goffman, 1978, p. 81).

This research takes a different point of departure. First, it does not seek to define neutrality and impartiality in objective or universal terms. Since it foregrounds the views of RJ facilitators, the analysis is informed by their perspectives. As emphasised in chapter 6, facilitators perceive neutrality and impartiality as key qualities (understood in relation to fairness, empathy, and self-bias) and they did not seek to distinguish them. This understanding will serve as a basic point of reference. Consequently, the terms neutrality and impartiality will be used interchangeably throughout this chapter.

Second, this thesis adopts a different analytical stance. To date, the literature has largely framed impartiality and neutrality as external static qualities, something that can be possessed or adopted by facilitators as traits existing in themselves. However, I argue that to understand how these qualities are enacted in practice (i.e. how facilitators maintain and achieve neutrality and impartiality in everyday work), they must be approached differently. As Roach Anleu and Mack have observed from their in-depth study of the work of Australian judicial officers (Roach Anleu & Mack, 2021, p. 54), neutrality and impartiality can also be understood as a goal and a process, something that “must be displayed and performed, perceived and understood by others”. Therefore, rather than asking whether facilitators can or should be

impartial or neutral, this study explores how these qualities and principles are manifested by facilitators in their daily tasks and practices.

The dramaturgical tradition introduced in chapter 2 is central to this analytical stance, particularly the concept of performance. Focusing on performance draws the attention to facilitators' outward display and presentation of self and interaction with others. In this framework, qualities such as neutrality and impartiality are not understood as internal attributes but as actions that must be actively enacted and made visible (Goffman, 1978). From this perspective, role performances aim to express the "characteristics of the task" rather than the "characteristics of the performer" (Goffman, 1978, p. 83).

A central argument of this chapter is that impartiality and neutrality are performed by facilitators to fulfil a specific goal, which has been pre-established by RJ. This illustrates that neither RJ nor the work of facilitators is value-free. Like other professionals, facilitators are working towards particular outcomes, and their practice is underpinned by normative commitments and assumptions about what RJ entails, what it should achieve, and how participants ought to engage with the process. At the same time, these performances must remain within RJ's emotional regime – a framework of values, principles, and emotional norms that shape what is considered appropriate expression and behaviour. This regime not only informs what facilitators aim to achieve but also sets the parameters for how they can go about achieving it. When facilitators act outside these boundaries, they risk being perceived by participants<sup>75</sup> as non-impartial and non-neutral, and consequently, as unfair or biased.

To enact and achieve neutrality and impartiality, facilitators must engage in significant emotion work, engaging not only their own emotions but also those of RJ participants. As discussed in chapter 2, emotions are not merely internal experiences. They are experienced, recognised, and given meaning through interaction. In the context of conferencing, emotions surface and evolve throughout the process, beginning in the preparatory phase. Their expression and display are not static events but rather dynamic, interactive processes which are in constant need of management.

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<sup>75</sup> This perception may be shared not only by RJ participants but also by facilitators and criminal justice professionals.

In this regard, facilitators' commitment to impartiality and neutrality entails acknowledging a place for emotion in their everyday work and using it as a resource. Their performance entails actively engaging with, and managing, participants' emotional displays to align with RJ's emotional regime. In doing so, facilitators engage in a form of emotion work that deliberately seeks to shape participants' dispositions towards the process. Like neutrality and impartiality, emotion must be enacted and brought to life through performance. This demands subtle strategies and adaptiveness as will be explained below.

A key argument put forward in this thesis is that emotion work<sup>76</sup> cannot be separated from the broader tasks and responsibilities involved in conferencing. Emotion is a pivotal aspect of RJ facilitation, woven through every dimension of the role. As will become evident later in this chapter, the performance of neutrality and impartiality involves a range of techniques, including the management of emotions. Yet, emotion work is not confined to this technique alone – it permeates all the others as well as every facet of practice. It is the thread that runs through facilitators' everyday work and is embedded in everything they do, from body language and tone of voice to the strategic use of silence. This does not mean that every aspect of facilitation automatically constitutes emotion work. While emotion is always present in interaction, emotion work is treated in this thesis as analytically relevant only in situations where facilitators are required, as part of their professional role, to actively engage with, manage, or regulate emotions. Accordingly, the presence of emotion work cannot be determined in advance by the nature of the task itself. Instead, it depends on what that task comes to demand within a particular interaction. As a result, there are instances in which emotions are present but do not require active management by the facilitator, alongside others in which seemingly routine or logistical activities involve substantial emotion work.

Another important argument and key finding from this study is that the emotion work of RJ facilitators cannot be well understood aside from the preparation stage. Indeed, emotional

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<sup>76</sup> As discussed in chapter 2, the term *emotion work* is used in this thesis as a sensitising analytic concept, rather than as a fixed or strict classificatory category. In Hochschild's framework, the distinction between emotion work and emotional labour rests on the commercialisation of feeling – i.e. whether emotion management takes place within paid work. In the context of RJ facilitation in England and Wales, however, this boundary is not always clear-cut, largely because practitioners may be paid employees or volunteers. For this reason, the thesis uses the terms emotional labour and emotion work in a flexible and overlapping way, to capture the emotional regulation involved in facilitation regardless of employment status.

dynamics do not simply emerge in the conference meeting. They begin well before, during preparation, and undergo a journey before participants finally meet face to face. Throughout preparation, facilitators help participants navigate (and often reshape) their emotional responses, guiding them to a point where they are ready to engage with one another. From this perspective, facilitators can be likened to “sea captains”, as described by Sherman and colleagues (Sherman, Strang, & Woods, 2003), steering the process through uncertain waters toward a meaningful destination. Thus, it is only through the study of preparation that one can explain how emotions are produced and expressed in conferencing.

It is important to note that this chapter does not aim to offer a definitive explanation of the emotion work performed by RJ facilitators. Studying emotions, particularly in restorative settings, is inherently open-ended and deeply contextual. It is shaped by a range of factors, including institutional structures, organisational dynamics, and wider cultural conditions. What this chapter does offer is an empirically informed contribution to this wider debate: an exploration of how emotion work, neutrality, and impartiality are understood and enacted by facilitators working within a specific cultural and organisational context. In what follows, I will explore how facilitators accomplish neutrality and impartiality in the specific context of conferencing in England, both during preparation and conference meetings.

## **7.2 How do facilitators perform neutrality and impartiality?**

### **7.2.1 Starting point: maximise communication and help repair the harm caused**

My starting point is that facilitators perform neutrality and impartiality with a goal in mind: maximise communication between the parties to help repair the harm caused. As Rachel put it:

“I’m there just to try and maximise their communication to repair the harm between them.” Rachel

This goal shapes the role of RJ facilitators in conferencing processes and brings into focus the idea of an ‘RJ agenda’ or vision oriented towards enabling some form of reparation between the parties. As discussed earlier, RJ is guided by overarching principles and values. These not

only shape facilitators' pursuit of the goal outlined above but also inform how neutrality and impartiality are enacted in practice. Values such as engagement, respect, and non-domination will come into sharper focus in the sections that follow.

Importantly, facilitators are not aiming to maximise just any form of communication. As will become evident throughout this chapter, they aim to foster particular kinds of communication that are aligned with RJ values and principles. In this sense, we might speak of a kind of *RJ justiciability*. In legal theory, "justiciability" refers to whether a legal dispute is suitable for judicial resolution (Tribe, 1988). In the context of RJ, however, this concept can be usefully reinterpreted. Rather than referring to the suitability of a case for court adjudication, RJ-justiciability refers to the emotional and relational readiness of participants. It concerns whether the parties are in a position to engage with each other in ways that could maximise communication and make reparation possible.

From this perspective, and in the eyes of facilitators, RJ-justiciability hinges on participants reaching a "place" where they are willing to engage with the process in ways that reflect RJ core values and principles, such as openness to dialogue, active listening, and a capacity to acknowledge the harm caused. These ways of engaging with the process are not neutral or universal behaviours. Rather, they are expressions of specific emotional and moral dispositions, shaped by RJ's underlying values and emotional regime.

Facilitators play a critical role in supporting this readiness. Through the preparation phase, they actively help participants become 'RJ-ready', not only by managing emotional expression, but also by reframing narratives and gently guiding participants towards certain dispositions. To achieve this, facilitators must build rapport and trust with the parties, laying the groundwork for participants to engage voluntarily and respectfully with the process.

In practice, readiness requires careful and ongoing assessment. Facilitators must gauge participants' willingness and capacity to engage meaningfully with RJ values and principles, while also identifying and mitigating potential risks. This risk assessment is not a one-off step but a central, continuous aspect of the conferencing process, essential to ensuring both emotional and physical safety. It involves consideration of a wide range of factors, including participants' expectations and motivations, their accounts of the incident, their openness to dialogue, and any topics they are unwilling to discuss. Facilitators must also assess the potential for re-victimisation, power imbalances, the level of responsibility accepted by the person who

caused harm, participants' understanding of the process, any support needs, and the ground rules required to maintain a safe and respectful space.

“In general, for [a] conference process, a risk assessment looks at: what does the victim want? Can the offender give them that? Is the story that both of them are telling roughly the same? And if it's not, are they aware of that?

If I have a victim who is saying, ‘There was a guy, he broke into my house, he stole my stuff, he set fire to my sofa, he ran away.’ It's all right if the offender says, ‘I did break into that house, I did steal that stuff, I did set fire to the sofa, I did run away.’ It's probably also all right if the offender says, ‘I did break into the house, I set fire to the sofa, I didn't steal his stuff, but I ran away.’ That's fine as long as what the victim wants to know about isn't about the stuff that was stolen. If the offender goes, ‘I wasn't even there. I was in France. I've never set anything on fire in my life.’ Then that's probably not a good meeting. Also, is there anything that would prevent those two parties engaging to their fullest? So, that can be down to a number of things, like life circumstances or medication.” Anna

“My manager, she had a sex offence case in [name of prison], and one the ground rules was the victim had said, ‘I don't want to hear about how I got raped.’ ‘That's fair, that's entirely legit, no problem at all. What happens if he starts talking about that?’ And then that became, ‘If he starts talking about that, I'm going to leave. I'm going to get up and I'm going to leave.’ So the ground rules then became about... [...] there's the general respect each other and listen to each other and stuff, but also, ‘If you do this, the consequence will be this, and there's no coming back from that.’ So then the risk assessment also becomes about, ‘What have they said that they need? And what has it become my role to enforce?’” Anna

These examples illustrate the point about facilitators' goal of maximising communication while shedding light on two key aspects of preparation: readiness and risk assessment.

In the first quote, Anna emphasises the importance of assessing whether participants' accounts of the event are broadly aligned. To maximise communication between participants and help them repair the harm caused (in a safe manner) facilitators need to understand whether their

story is “roughly the same”. If the stories are too far apart (“I was in France, I’ve never set anything on fire”) the conference is unlikely to be safe or meaningful. However, if the differences are minor or peripheral to what the victim wants to address, the meeting may still hold reparative potential. This underscores the relational and interpretive nature of risk assessment, which is not just about safety but also narrative compatibility.

The second example highlights the importance of participants’ willingness to engage with RJ values, particularly respect and active listening. Here, Anna recalls a case involving sexual violence, where the victim clearly communicated a boundary: “I don’t want to hear about how I got raped.” This boundary was formalised through ground rules, which included specific consequences for breaching them (“If you do this, the consequence will be this, and there’s no coming back from that”). In this context, Anna’s quote shows that risk assessment also becomes a tool to encourage realignment and engagement with RJ values and, at times, a mechanism of enforcement (“So then the risk assessment also then becomes about, ‘What have they said that they need? And what has become my role to enforce?’”). This, again, indicates that facilitators are not passive agents, but actively guiding participants to display certain dispositions.

Taken together, these examples show that facilitators are not simply gathering information or explaining the process, they actively shape how participants think and behave. Respect for ground rules and openness to dialogue do not simply emerge – they are cultivated. In this sense, preparation involves a subtle but deliberate process of encouraging specific orientations which, as will be discussed later, raises important questions and creates a paradox for how facilitators perform neutrality and impartiality.

From this perspective, one may question whether such an approach does not implicitly call for a model of the ‘ideal’ RJ participant – one who is able and willing to express certain behaviours and dispositions aligned with RJ values and principles, and ultimately, with its emotional regime. For example, would a participant be deemed ‘ready’ to meet the other party if they were unwilling to listen to them?

My argument in the following sections is that the conferencing process contains structures that uphold such a model. Participants are often expected to adjust their behaviour and emotional display to conform with RJ’s emotional regime, with the guidance and encouragement of facilitators. Indeed, the data from my study shows that communication in RJ might not be as

authentic and genuine as portrayed in the literature. At the same time, facilitators are also expected to display certain behaviours and attitudes to maintain neutrality and impartiality and, ultimately, maximise communication between the parties.

The examples and quotes provided throughout this chapter will illustrate how the ideal RJ participant must show respect, engagement, non-domination, as well as willingness to change or “move on”, whereas the non-ideal participant displays opposite dispositions. In practice, participants are evaluated on the extent to which they perform in accordance with this ideal – i.e. they can be deemed “ready” or “not ready” to meet the other party, or to engage with the process once a referral has been made, based on the nature of the dispositions displayed. Furthermore, their display of emotion is also evaluated according to this model. For example, any emotion that is displayed against the values of respect and non-domination must be realigned or transformed to conform with the display rules. To this end, this implicit model of the ‘ideal RJ participant’ bears clear parallels with the model of the “ideal defendant” (Field & Tata, 2023) who must display certain characteristics (i.e. admit guilt, accept individual responsibility for the alleged crime).

The model I am proposing in this thesis may seem, on the surface, similar to Nils Christie’s concepts of “ideal victim” and “ideal offender” (Christie, 1986) which are interdependent and must meet a number of preconditions to achieve their status.<sup>77</sup> However, my analytical focus is different. Whereas Christie’s theory is focused on exploring what characterises the ideal victim (and offender) archetype on a societal level – i.e. what are the societal attitudes towards victims and offenders and how their identity is idealised in a given culture (macro level) – I am interested in the work and expectations of practitioners and how they shape participants’ interactions in conferencing (micro level). Consequently, I will discuss RJ participants’ alignment with RJ ideals in conferencing and how they must be displayed, using facilitators’ views and practice as a starting point.

Significantly, on a micro level, my findings challenge the idea that victims must be perceived as vulnerable, blameless, strangers, or relatively powerless by practitioners to obtain the status of victims in RJ. In fact, some of the historical examples that Christie used in his seminal work

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<sup>77</sup> The “ideal victim” is envisaged as someone respectable, blameless, relatively powerless, and a stranger to their offender, while “the ideal offender” is, “a dangerous man coming from far away. He is a human being close to not being one” (Christie, 1986, p. 26).

to illustrate “non-ideal” victims<sup>78</sup> (e.g. witches) encapsulate characteristics and behaviours that are encouraged and valued by RJ practitioners (e.g. strength and power). As will be illustrated in this thesis, the facilitators who took part in this study often empower victims (and perpetrators) to speak in specific ways and encourage future-oriented perspectives.<sup>79</sup>

More recently, Maglione (2023, 2017a) revisited these concepts to elaborate on the model of the “ideal offender” and “ideal victim” in RJ. With regard to offenders, he argues that, in England and Wales, RJ law and policy characterise the ideal offender as an “emotionally immature harm-maker” and “a subject voluntarily engaged in expressing remorse and taking responsibility for the wrong/ harm caused to a material victim” (Maglione, 2023, p. 249). He postulates that RJ law and policy embrace overall a stereotypical view of offenders as being agentic, harmful, immature and remorseful (ibid, p. 259) which has implications for RJ practice. Victims, conversely, have 6 key features (Maglione, 2017a, p. 408): they are (1) embodied; (2) emotional; (3) disempowered; (4) vulnerable; (5) resilient; and (6) exclusive. Maglione (2017a, p. 410) concludes that the “ideal victim” of RJ is a “two-faced subject”: one which represents someone with agency, capable of acting independently, and resilient, “constitutively striving for practices of choice and self-empowerment”; and another which renders a disempowered image of an individual who is in search of safety and recognition.

Whilst Maglione’s discussion is relevant for RJ policy and practice, it is overall focused on approaches to wrongdoing by state institutions, law enforcement, and society in general, which, like Christies’ work (1986), is not the focus of this thesis. Nevertheless, he raises important questions, such as whether these ideals might play a role in orienting practitioners’ work and shaping their expectations towards participants. Although the facilitators in this study did hold certain expectations of RJ participants, these differed from those suggested by Maglione. For example, facilitators did not perceive all victims as “emotional” or “vulnerable”. In fact, one facilitator emphasised that victims do not always need to express or display emotions because RJ “isn't about getting the emotions out” but rather “getting a result to a process”.

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<sup>78</sup> While ideal victims are “rooted in social stereotypes and falsehoods, holding a ‘hero like public status’”, real victims represent “what one finds in the real world” (Fohring, 2018, p. 195).

<sup>79</sup> In the literature, Christie’s ideals have been criticised for being largely based on his personal experiences and ignoring “research-based knowledge on victim’s needs” (Van Dijk, 2009, p. 21).

The model of the ‘ideal’ RJ participant, which I am presenting in this thesis, is different from Maglione’s because it is shaped by practitioners’ expectations and interpretations of RJ values and principles (micro view). While policy and contractual obligations limit the work of this group of RJ practitioners, there is no evidence to suggest that they constrain or shape their view of the ‘ideal’ participant. Nevertheless, RJ values and principles are ultimately defined and shaped by cultural, institutional, and organisational settings, meaning that, ultimately, the work of RJ facilitators is never value free.

Before explaining the techniques used by facilitators to perform neutrality and impartiality, two separate notes should be made on risk assessment.<sup>80</sup> Throughout this study, facilitators emphasised that risk assessment templates are always used as guides rather than “scripts” during meetings with participants. This means that risk assessment is not a box-ticking exercise, or a checklist. Dialogue is important and the focus should be on building a relationship (i.e. trust) with participants. Moreover, risk assessment templates do not contain fixed risk assumptions or pre-determined scores. It is often an intuitive exercise, one that relies on professional judgement. One facilitator described it as a “gut feeling”:

“It's that gut feeling. And I say this to my volunteers when I'm training them: in terms of risk assessment, your gut is probably one of the best tools for a risk assessment, because you just get a feel for people when you're in a room together. And that's why it is difficult virtually because that is lost. But I think you can quite often just tell if somebody is genuine or whether they're telling you what you want to hear.” Olivia

Olivia’s reflection highlights how “genuineness” is perceived as a desirable and meaningful quality in participants (“you can quite often just tell if somebody is genuine or whether they're telling you what you want to hear”). It is something that, in her view, can be “felt” in the room, a subtle indicator of whether someone is truly engaging or merely performing what they believe the facilitator wants to hear. Conversely, being disingenuous may be a (risk) indicator that the person is not willing to fully engage with the process. Once again, the idea of upholding RJ

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<sup>80</sup>While Restorative Solutions has developed formal risk assessment tools, individual services often create additional screening and assessment processes. One service, for instance, used several types of risk assessments – including separate assessments for victims, offenders, venues, and sensitive or complex cases, as well as a dedicated risk assessment for the conference itself.

values is put at the forefront of the process, particularly when analysing participants' level of readiness to engage with the process and meet the other party. This is something that will be discussed further later in this chapter.

Genuineness holds particular significance for facilitators for two main reasons: first, they wholeheartedly believe that their 'method' or approach can achieve some form of reparation and expect participants to respect their work. Like other professionals, facilitators do not want their efforts to be dismissed as superficial, nor do they want to feel manipulated or deceived.<sup>81</sup> Second, they care deeply about the work they do and genuinely hope the process will lead to some form of healing or closure for the parties involved. For this reason, facilitators place great importance on the authenticity of communication, particularly apologies, which they often describe as needing to be "spontaneous" or "sincere". However, as I have been gradually suggesting, the data in this study indicates that communication in RJ is not as raw, authentic, or unfiltered as it may seem. In practice, facilitators play a significant role in shaping how participants express themselves, often guiding them toward displays that align with RJ's values principles.

In what follows, I outline three key strategies that facilitators use to perform neutrality and impartiality, while guiding participants toward becoming aligned with RJ ideals.

### 7.2.2 Strategies used to perform neutrality and impartiality

The data shows that facilitators draw on three key strategies to perform neutrality and impartiality:

1. Management of emotions
2. Active and empathetic listening
3. Verbal and non-verbal communication

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<sup>81</sup> For example, research has shown that defendants are expected to show respect for sentencing processes and the work of legal (Roach Anleu & Mack, 2023; Van Oorschot, 2023).

The following sections explore how these strategies are enacted in practice and how they frequently overlap. Separating them is ultimately an artificial task as they may be used simultaneously, even strategically, to display impartiality and neutrality. Nonetheless, a distinction will be made for analytical clarity. In doing so, a number of examples will be provided to illustrate how these performances unfold in RJ practice.

### 7.2.2.1 Management of emotions

One of the most significant themes to emerge from this study is that emotion work runs through every aspect of facilitation: RJ facilitators must continually engage with both their own emotions and those of participants. Crucially, this ongoing emotional engagement serves as a resource in performing and sustaining neutrality and impartiality in conferencing. For example, maintaining a neutral and impartial stance often demands not only a capacity for empathy but also the ability to regulate one's own feelings in order to preserve appropriate boundaries. In this sense, all of the techniques examined in this chapter require some degree of emotion work.

This section examines how facilitators perceive, interpret, and manage emotions in practice – both their own and those of others – and how display rules shape which emotions can be expressed, and in what form, within conferencing contexts. It also considers the strategic dimension of emotion management: how it is deliberately deployed to support, and indeed enable, the ongoing performance of neutrality and impartiality.

While all emotions are, in principle, welcomed into the RJ process, and are both acknowledged and validated by facilitators, there are nonetheless constraints on how they can be expressed by participants. The data suggest that emotions are not always acceptable in their raw, unfiltered form. Rather, they need to be managed (and at times transformed) to align with RJ's emotional regime and facilitators' overarching imperative to maintain neutrality and impartiality. This emotional calibration is a key element of facilitators' preparatory work, as they support participants in becoming ready to engage face-to-face.

At the same time, facilitators must also deploy a number of strategies to manage their own emotions in ways that maintain and reinforce their performance of neutrality and impartiality. The data shows that facilitators often suppress or display emotion in strategic ways, aligning their emotional expressions with RJ principles and the situational display rules that govern

conferencing contexts. Some emotions are considered inappropriate to express altogether, while others must be carefully managed to preserve a balanced, non-directive stance.

The following analysis focuses on two interrelated dimensions: the regulation of facilitators' own emotional expressions and their management of participants' emotions. While this is an analytical distinction, as both forms of emotion work often occur simultaneously within the fluid and relational dynamics of conferencing (Roach Anleu and Mack, 2021), it nonetheless offers a useful framework for unpacking the breadth of emotion work facilitators undertake across the different stages of the conferencing process.

#### 7.2.2.1.1 Facilitators' own emotions

A close analysis of facilitators' emotion work reveals that their commitment to impartiality and neutrality entails recognising, not denying, a place for emotion in conferencing. In general, experiencing emotion was described by facilitators as appropriate, even "natural" or "normal" within the role. However, there is an expectation of what or how much emotion is appropriate to display. Too much emotion or uncontrolled emotion is not well perceived as it may take away the attention from RJ participants:

"It's human nature, isn't it? If you see someone upset and hurting, unless you've got serious, you know, psychopathic tendencies or, you know, very severe autism – somewhere where you can't empathise – if you see another human being in pain and crying, it's very difficult to not react to that. It's different if you become a huge sobbing heap of a mess, then it's, you know, hm, not very practical or professional and maybe you need to kind of address what's going on for you if you get into that state. But I think it also just shows that we're human beings. And like I say, if people don't respond to hearing or seeing that emotion, then alarm bells would ring." Olivia

Olivia acknowledges that it is natural to feel emotional during a restorative process ("it's human nature"), affirming that facilitators are not, and should not, be dispassionate figures. However, she also frames overt expressions of emotion, such as "sobbing," as "not very practical or professional," suggesting that such displays fall outside the acceptable bounds of conferencing behaviour, potentially compromising neutrality and impartiality. In doing so, she

demonstrates acute awareness of the feeling rules that govern this context and the importance of emotional regulation (“maybe you need to kind of address what's going on for you if you get into that state”). Her reflection highlights a key tension: emotion is accepted, even expected, but its outward display must be carefully managed.

This unwritten rule is widely acknowledged by facilitators, who emphasise that excessive emotional expression can inadvertently draw focus away from participants. As many put it, “it’s not our meeting” or “our conflict”. Similar reflections have been echoed in other RJ studies, where facilitators have described the need to be “colourless,” “beige,” or “the ultimate poker face”, and “akin to being in the eye of the storm” (Bolitho and Bruce, 2017, p. 350).

In practice, acknowledging a place for emotion means facilitators must remain attuned to participants’ emotions from the very start of the process. One facilitator describes their preparatory work as a form of “emotional tennis” by listening to each party’s story and juggling different emotions:

“On a human level, you bounce between... When you listen to one person's story, you go, ‘Oh.’ And then you listen to the other, and you go, ‘Oh.’ And so you do this kind of emotional tennis.” Sarah

This description illustrates that facilitation involves exposure to emotionally demanding interpersonal interactions. Facilitators must continually balance competing emotions, needs, and expectations, while anticipating how participants might respond to each other’s narratives. As I will show in the next section, this balancing act requires a range of strategies and emotional resources. The data from this study also shows that facilitators are emotionally invested in their work. They recalled details from old cases, showed concern about people’s wellbeing, during and after the conferencing process, described feeling “excited”, “elated” and “buzzed” when conferences had a good outcome, and reminisced on cases where participants were not completely satisfied with the process, even when their stated objectives had been met.

This mirrors findings in Rossner’s (2013, pp. 138-139) study, where facilitators were so emotionally invested in delivering high-quality conferences that they sometimes teared up when recalling particular cases and expressed pride in their work. While such overt displays of

emotion were less common in my study, facilitators often spoke of a deep sense of reward, accomplishment, and relief when a case came to an end:

“When you shut a case, it's like, ‘Yes! Another one done.’” Rachel

“It takes a lot of energy to hold all the bits of a conference together and then go, ‘Ah, it happened. Thank goodness! So tired!’” Anna

As illustrated by Anna’s quote, conferences can be emotionally draining for facilitators. Indeed, most participants described feeling “tired” or mentally depleted after the conference meeting, often unable to concentrate for hours afterwards due to the intensity of the emotional engagement and cognitive effort required. This demonstrates the depth of emotional work involved as well as the physical toll that sustained emotional investment can take.

This is partly consistent with Bolitho and Bruce’s research (2017, p. 356), in which facilitators reported feeling “quite exhausted and flat” and required a short period of adjustment after conferences. However, in the current study, facilitators did not express a need for time off or raise concerns about burnout. A key difference may be that, unlike in Bolitho and Bruce’s study, facilitators at Restorative Solutions have regular opportunities to debrief and reflect on their practice – a point I will elaborate further below. In what follows, I explore some of the strategies and tools facilitators use to manage their emotions, including how they navigate their personal responses while maintaining a neutral and impartial stance.

#### 7.2.2.1.1.1 Reflective practice

The concept of reflective practice gained prominence largely through the work of Donald Schön (1983) who introduced the ideas of reflection-in-action and reflection-on-action. The former occurs while practitioners are engaged in practice, and entails thinking about what they are doing, while the latter requires a retrospective review of the action, aimed at influencing future actions in their practice. Schön’s distinction was aimed at challenging the traditional view of professional work as a purely technical, rational activity used to apply rules and expertise to problems. He argued that professionals often use reflection to deal with the

uncertainty that pervades their work, to shape their thinking and actions and learn from experience:

“In some professions, awareness of uncertainty, complexity, instability, uniqueness, and value conflict has led to the emergence of professional pluralism. Competing views of professional practice, competing images of the professional role, the central values of the profession, the relevant knowledge and skills-have come into good currency” (Schön, 1983 p. 17)

In this vein, he described reflective practice as the capacity to critically examine one’s actions in order to support ongoing learning and development (Schön, 1983). One major critique of Schön’s model, however, is its focus on individual reflection at the expense of social context (Boud, Cressy, & Docherty, 2006; Wenger, 1998). This limitation is particularly relevant to the facilitators in this study, whose reflection is always embedded within specific organisational, institutional, and cultural settings. Indeed, reflective practice does not occur in a vacuum. While it demands individual commitment and self-awareness, its interpretation relies on organisational and institutional norms, and situational display rules. It is socially negotiated.

For RJ facilitators, this means making sense of their experiences both individually and in relation to their organisational context (Lishman, 1998). Thus, reflection is rarely a solitary exercise. It often takes shape through conversations with peers, supervisors, and managers – a dynamic explored further below.

Research has consistently shown that reflective practice is strongly shaped by its organisational and institutional setting. For example, in her study of child-care social workers, Ruch (2007, p. 659) found that they needed to operate within “safe containing contexts characterised by: clear organisational and professional boundaries; multifaceted reflective forums; collaborative and communicative working practices; and open and ‘contextually connected’ managers”. She argues that professionals require spaces to discuss their practice, including its emotional dimensions, with peers and supervisors, as such environments support development through shared learning.

In the RJ literature, several studies have highlighted the value of supportive organisational environments for debriefing and supervision. For instance, Shapland et al. (2022, p. 83) found

that reflective practice can help facilitators (especially those with less experience) process the emotional impact of their work and work through doubts or concerns. Conversely, other studies have reported that, when such support is absent, facilitators can feel isolated and even angry (Bolitho & Bruce, 2017, p. 356). These findings suggest that structured opportunities for reflection, including supervision and peer support, are vital for helping practitioners evaluate their performance, emotional responses, and decision-making in practice.

Crucially, the findings from this study show that RJ facilitators' reflective practice is geared to display neutrality and impartiality by bringing about change (i.e. help RJ participants get to "a place" where they can maximise communication that is aligned with RJ values and principles) and helping facilitators make sense of emotionally demanding situations. In practice, emotional engagement needs to be managed by facilitators to avoid crossing the impartiality and neutrality line. This can translate into treating participants unfairly (i.e. give more attention to one person than the other) or becoming too emotionally attached or involved in a case. For this reason, reflective practice, supervision, and peer reflection are paramount to keep RJ facilitators accountable and able to maintain boundaries. They reflect regularly on their cases, including what went well, what they could have done better, their emotions and potential biases. This is done in their own time but also in supervision and team meetings.

"It does bring up emotions sometimes. You know, a lot of the DV [domestic violence] cases are totally different from what I've ever experienced, and so, you know, they don't bring up any emotions for me at all. But other ones, they do because they are close to home. And so, yeah, sometimes I need to talk through that." Mary

"Sometimes you don't quite know what will get under your skin until it got under your skin. And sometimes there's no rhyme or reason for that. You can have 50 burglary cases and not one of them will take any skin off your nose, but sometimes there's just a turn of phrase, or a particular person, or a thing that's happened where you go, 'Oh. that must have been particularly awful.' And I don't know why that's the thing that's suddenly taken me aback [...]. But I have good supervision, and I have fairly good self-awareness. I talk to the team, I talk to my co-facilitators, I talk to my manager."  
Anna

Both Mary and Anna highlight self-awareness, debriefing, and supervision as ways of dealing with their emotions, which can be understood as core tools of reflective practice. They acknowledge that some cases can “take skin off their nose” or bring up complex emotions when “close to home”. This illustrates how emotions can catch facilitators off guard, recognising the need not only to recognise them but also to actively manage them. Facilitators’ awareness of the emotional states they bring into the process – their feelings about the conflict, the parties involved, and the emotional responses elicited during facilitation – all shape their performance. Olivia, for example, described a specific case in which she felt her neutrality was being compromised, and how supervision played a key role in helping her confront and resolve that tension:

“In that case he had Asperger's, he was adopted – again, lots and lots of things going on, but not much support for him. I made safeguarding referrals, I made social care referrals, I did a mock draft letter to his GP so that he could change GP because he was not getting the right help. I did a lot of stuff for him which definitely crossed my boundary in terms of facilitator. And [I] noticed that. I talked to my co-facilitator who was really new – it was her second case – so she didn't know the best thing to do. So I took it to case supervision with my team, and said, ‘Part of me feels I've crossed that boundary, and perhaps I need to withdraw and have a different facilitator.’ So, the suggestions that came out of the case supervision were ‘when you do the next meeting with him, have the co-facilitator lead on it and you take a step back. Physically take a step back and let them lead.’ The very fact I was mindful of it, they were like, ‘ It shows that you've thought about that, and so when you come to conference, we've no doubt that you'll be able to maintain your neutrality.’ Because when you come to the conference, it's about the conference, whereas here [preparation] it's about getting them to the right place. For me, that was quite helpful. And I did still feel a little bit uncomfortable because I thought, ‘Well, if the victim knew the level of support I was giving the other party, how would they feel about that?’ But I guess the difference is that, you know, at the end of the day, in the conference, I wasn't on one side or the other, I was there in a neutral capacity.” Olivia

Olivia’s involvement in the case prompted her to question her boundaries, concerns she brought to her colleagues and supervisors. She even considered withdrawing from the case out of

concerns that her neutrality and impartiality might be compromised. She described feeling “uncomfortable,” particularly around how the other party might perceive the level of support she was providing to the perpetrator. With the support of her supervisor, Olivia felt confident to stay on the case but switched roles with her co-facilitator. She was advised to “step back” during the next meeting, allowing the participant to develop a stronger rapport with the co-facilitator while she adopted a more passive role. In this instance, reflective practice was actively enabled through supervision, offering Olivia a different perspective, a sense of shared accountability, and a supportive space for reflection.

Olivia also described preparation as a stage focused on getting participants to the “right place” (i.e. ready to meet the other party), which shows how facilitators’ performance is oriented toward enabling transformation. Ultimately, this example shows how reflective practice functions as a form of emotion work, demanding a continuous, conscious effort to perform neutrality and impartiality, as well as a collective endeavour.

In addition to supervision, facilitators also described having specific team meetings where they regularly “brainstorm” and reflect on cases together:

“We have team meetings where we will talk about cases that we want to talk about. It's totally up to us which cases [...]. And sometimes they're a good opportunity to talk about cases you're not quite sure where to go with something. We can sort of brainstorm, if you like. Don't like that term, but, yeah, we can do that and come out with some ideas, you know, build on other people's experiences or use other people's experiences.” Mary

“Although there's supervision and there's case supervision and people talk about cases, there's not a ‘we have to do it this way’. It tends to be, ‘Well, what do you need? What do you need to talk about? OK, we'll do that.’” Anna

Mary highlighted the importance of “brainstorming” in team meetings, where facilitators are encouraged to raise concerns or questions about cases. She emphasised the value of learning from others, either by “building on” or “drawing from” their experiences. Anna similarly noted that these meetings are tailored to the needs of the team and the specific cases at hand. This collaborative environment aligns with Restorative Solutions’ emphasis on teamwork,

particularly through co-facilitation. As discussed earlier, co-facilitation is considered central to RJ practice, not only as a form of accountability but also as a catalyst for reflection.

“After the meeting, as soon as they've left, I debrief with my co-facilitator. I talk about what went well, review the notes, and kind of pick out some of the good stuff, any questions or concerns, agree our follow-up of what's going to happen next.”

Olivia

This facilitator explains how co-facilitation can aid reflection after a conference meeting has taken place. Facilitators review their notes together, raise any lingering questions or concerns, and coordinate how and when to follow up with participants. During my observations, I witnessed a similar process unfold after the conference. After the facilitators and I left the location, we spoke at length about the meeting on our journey back. They invited my impressions and openly shared theirs, discussing key moments and emotional dynamics. For example, the lead facilitator acknowledged that at one point she was worried that the victim was going to start “preaching” about youth culture and alcohol/drug misuse<sup>82</sup> – which she effectively did (in her opinion) – but not unduly or excessively, which prevented her from intervening. Both facilitators agreed that the meeting remained emotionally “up” throughout, without significant fluctuations in intensity. We also spoke about the perpetrator’s visible nervousness, his hands shaking at one point, and his careful choice of words, repeatedly prefacing statements with phrases like “from my perspective” or “in my opinion.” We also talked about his apology and its acknowledgment by the victim who said “thank you”. The facilitators then discussed between them who was going to do the follow up which, in this instance, needed to be conducted over the phone as the victim was traveling abroad for several months.

Overall, reflective practice strengthens facilitators’ ability to think systemically and respond dynamically to the complexities of restorative work. It is a collective endeavour through which facilitators collaboratively analyse their experiences, fostering a culture of support and continuous development. Reflection, in this context, is not merely a cognitive activity, it also includes feelings, which should be used and acknowledged to display neutrality and

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<sup>82</sup> Previous research has identified “lecturing and berating” as challenges in conferencing, and as factors that can foster a sense of defiance (Maruna et al., 2007).

impartiality. Reflective practice, in this sense, is a pivotal tool for facilitators to uphold RJ values and principles, and the foundation of their practice.

I now turn to the theme of reflective self-awareness to highlight the ongoing role of individual critical reflection in facilitators' daily practice. While reflective practice is embedded in organisational contexts, it also demands that facilitators critically assess their own thoughts, actions, and assumptions.

#### 7.2.2.1.1.2 Boundaries and reflective self-awareness

Facilitators also emphasised the importance of cultivating self-awareness, recognising their own emotional triggers, and maintaining clear boundaries in order to maintain a neutral and impartial stance. They identified individual strategies to maintain boundaries, including being strict with time spent on each case, ensuring they do not respond outside working hours, and not maintaining any contact with people once the process has been "closed". One facilitator also described using what she referred to as a "a self-regulator" tool:

"I think one of the rules that I kind of work by – in both roles<sup>83</sup> – is if I'm going to do something, or if I am asking something, I always check in with myself internally about my motivation for doing so. I think that's something that I use a lot – that self-regulator where I go, 'OK, I want to go down this road, why? Why am I wanted to go down this road? Is it for my benefit? Is it for their benefit?' So I try to use that internal monitor that way, I think, to regulate myself." Sarah

Sarah explains how she assesses her motivations to ensure she remains impartial, neutral, and within professional boundaries. Her use of a "self-regulator" reflects a form of internal boundary work, an ongoing internal dialogue aimed at checking her motivations and maintaining alignment with the values and principles of RJ. In doing so, she engages in internal "dialogical reflexivity" (Burkitt, 2012), balancing the competing identities of counsellor, facilitator, and private individual. Reflective self-awareness, then, becomes a form of

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<sup>83</sup> As an RJ facilitator and a counsellor.

emotional labour, one that involves constant monitoring and evaluation of one's own emotional positioning and professional conduct.

This strategy is not unlike the emotion regulation strategies described by Roach Anleu and Mack (2021) in their study of Australian judicial officers. Judges, they note, often rely on internal "self-talk" as a mechanism to manage their emotions and uphold judicial impartiality. This internal conversation functions as a dialogue between "the judge as ordinary person" and "the judge qua judge" (Roach Anleu & Mack, 2021, p. 83). Similarly, Sarah's "internal regulator" acts as a compass, guiding her behaviour across overlapping roles and responsibilities.

A similar strategy was described by another facilitator:

"I need to recognise where my role begins and ends, and when to bring other people in, and when to signpost other people. And that's hard because there's lots of bits and pieces along the way where I think, 'Oh, I could help with that.' I had a woman who phoned me last Saturday, and she told me the police had finished their investigation – she had been a landlady, renting out her property, and the people in that property had turned her flat into a cannabis farm. And the police had gone in and essentially destroyed the flat 'cause it was a cannabis farm. And she was now looking at all this devastation and going, 'This is awful. What do I do about this?' I had signposted her to various places, but she was very frustrated and made it very clear that she didn't want restorative justice. Which was fine. But she kept going, 'Well, what am I supposed to do now? how can you help with that?' And the image that I have in my head is: I am a bookshop. If someone comes in looking for sausages, it's not my job to provide sausages – you go to a butcher's for that. So I find myself putting myself back into that scenario and going, 'Is this something I should be providing? I can completely see why you need this, but I'm not the person you're looking for. And it's OK that I'm not the person that you're looking for.' So that's a very long-winded way of saying recognise the limitations of the role." Anna

Anna shows through her analogy of a bookshop and a butcher how she engages in self-reflection in order to draw boundaries between her and RJ participants and, consequently, maintain impartiality. Knowing where her role "begins and ends" is paramount to neutrality

and impartiality and requires both self-awareness and reflective practice.<sup>84</sup> Importantly, Anna's reflection cannot be reduced to her as an RJ facilitator – it also involves considering her position in relation to RJ participants, who bring their own needs and expectations to the process (“I find myself putting myself back into that scenario and going, ‘Is this something I should be providing?’”).

Anna's reflection reveals a fundamental tension between balancing the internal and external needs of those who engage with the service, maintaining a relationship-based practice,<sup>85</sup> and recognising the boundary spanning nature of the work (“that's hard because there's lots of bits and pieces along the way where I think, ‘Oh, I could help with that’”). Thus, it is clear that the lack of protocols, mandatory standards or frameworks in the field, combined with its implementation in formal, institutional settings (often with very little resources), leave facilitators continuously self-monitoring and negotiating the remit of their role (“I need to recognise where my role begins and ends, and when to bring other people in, and when to signpost other people”).<sup>86</sup>

Interestingly, during my ethnographic observations, facilitators referred to RJ participants as service users (a term commonly used in healthcare and therapeutic settings) and described their practice as a short-term intervention, aimed at helping individuals manage a difficult situation or event in their life. This framing was described as a double-edged sword: on the one hand, it helps them set boundaries around what they can and should do in their capacity as RJ facilitators; on other hand, it can leave them feeling “helpless” in some situations (e.g. when service users are signposted to other services but fail to receive the support they need, as in Anna's example).<sup>87</sup> This feeling of helplessness underscores how emotionally invested they

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<sup>84</sup> The relationship between self-awareness and reflective practice will be discussed below.

<sup>85</sup> There are many definitions and views of what constitutes a relationship-based practice. Ruch (2009, p. 350) argues that “in essence, relationship-based practice emphasises the centrality of relationships and the principles informing it are relevant to the range of relationships encountered in professional contexts, e.g. with service users, colleagues, managers and other professionals”. Thus, it can be described as “an approach within human services which centralise inter-personal relationships—either those between clients and workers or between clients and their own network—as a way to achieve positive service outcomes” (Meltzer et al., 2022, p. 107).

<sup>86</sup> This suggests that while there is a need for ongoing collaboration with other organisations, further delineation of roles and tasks is needed to practice “democratic professionalism” (Dzur, 2008; Dzur & Olson, 2004).

<sup>87</sup> From this perspective, RJ facilitators can be described as street level bureaucrats (Lipsky, 1980). They have a degree of independence in their workplace interactions, yet they face numerous challenges due to limited resources

are in the role and how much they want to help those who come in contact with the service, whether they ultimately pursue RJ or not.

This raises an important question about how permeable facilitators' boundaries should be. A certain degree of permeability is undoubtedly necessary: facilitators are expected to be empathetic, responsive, and attuned to participants' emotional needs and anxieties. Without this openness, relational trust would be difficult to build. However, excessive permeability can result in facilitators internalising participants' emotions which risks blurring personal and professional lines and, ultimately, compromising impartiality and neutrality. As discussed in chapter 6, facilitators often adopt specific dispositions and behaviours to communicate and maintain these boundaries. For example, they do not add "X's" at the end of a text message and switch off their phones after working hours (with some exceptions). Whether such strategies (alongside reflective practice) are sufficient to regulate emotional permeability remains open to debate. Further research could usefully explore whether more structured guidance or support is needed to help facilitators navigate this delicate balancing act.

Sarah, also reflected on how self-awareness and reflective practice have helped her maintain boundaries, and used a rape case she had recently facilitated to illustrate how she managed to control her emotional response:

"He'd never had a criminal history, he was 18. We went down to [name of prison] where he was being held in a sex offenders' unit. He was like a 12-year-old that was so out of his depth in prison [...] and so mortified by what he had done. You know when you describe someone as a shell of themselves? He was just a shell of a person. He couldn't even speak, couldn't articulate. He was under an act in prison, which is a suicide watch. He'd tried to take his life. He'd been in prison for a year by the time we had gotten down there. He had refused all visits from his family, including his mum, because he was so ashamed about what he'd done. He was getting bullied in prison. Badly. He didn't know how to manage himself in there [...]. I really, really felt for

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and lack of confidence from criminal justice professionals (see chapter 4). At the same time, there is a degree of ambiguity around how their performance should be managed as expectations from different actors (e.g. PCCs, service users, public) can diverge. They are active agents, who have to respond to varying circumstances (due to changes in policy, institutional or organisational structures) in order to bring meaning to their role and to normalise what they do in a pressurised, under-resourced climate.

him. And her, of course. More so for him, for some reason. He was really struggling. And being a mum with a boy the same age.... I wanted to rescue him. I know I did at one point. But I knew I couldn't, you know. And all we did afterwards was just a lot of affirmation [...] but it was difficult. Yeah, there are times when it's hard.” Sarah

In this example, Sarah reflects on the impact of a case and how she could relate to it on a personal level. She described wanting to “rescue” the offender, acknowledging this impulse as “difficult.” However, by engaging in reflective self-awareness (“but I knew I couldn’t”) she was able to recognise and regulate her emotional response. Reflective self-awareness is a form of reflection that enables practitioners to disentangle the dynamics of their role. It helps ensure that actions are guided by the needs of the service-user, rather than the practitioner’s own emotional impulses, and encourages recognition of the potential impact of their behaviour on others (Lishman, 1998, p. 94). Sarah reflected on the relational dynamic she had developed with the perpetrator and acknowledged becoming emotionally involved: “being a mum with a boy the same age, you know, one of my boys was that age at the time.” Yet, through this reflective process, she was able to evaluate her position and manage her feelings in order to maintain professional boundaries. This example illustrates how facilitators can become emotionally invested in their cases, and how that investment requires ongoing emotional regulation to preserve neutrality and impartiality.

A similar pattern emerged in one of the cases I observed during fieldwork. The offender we met for an initial assessment during preparation was in a vulnerable state due to mental health difficulties and had attempted suicide in prison. The lead facilitator expressed concern for his wellbeing and kept in regular contact with his Offender Manager to monitor the situation. She also sought the Offender Manager’s view on his mental state and capacity to engage with RJ. When her efforts to contact the victim led to a dead end, she asked the Offender Manager to personally deliver a letter to the offender and to sit with him afterwards, as he was not permitted legal visits. She later expressed hope that he was doing okay, underscoring her ongoing concern for his wellbeing.

These examples highlight the emotional complexity of RJ facilitation and the importance of reflection in maintaining professional boundaries. Elaborating on this, Sarah explained her process of reflection, specifically how she accesses and evaluates her motivations:

“It's about being really mindful about your own personal judgements [...] your personal take on stuff, or how you personally feel. You won't stop that, but you need to be aware of it. And manage it with your supervision or whatever [...]. You've got to be mindful to engage your internal monitor. It's hard to explain, but I think one of the rules that I work by is [...] I always have to check out with myself internally my motivation for doing something [...] "OK, I want to go down this road. Why? Why am I wanting to go down this road? Is it for my benefit? Is it for their benefit?” Sarah

This reflection demonstrates what Schön (1983) conceptualised as reflection-in-action: the ability to engage in self-awareness and reflexivity in the midst of practice. It involves recognising, in real time, whether one's response is shaped by personal judgement rather than professional reasoning. Sarah explains that this is achieved by being “mindful” and by consciously engaging her “internal monitor” to examine her motivations: “I want to go down this road. Why? Is it for my benefit? Is it for their benefit?” Through this internal dialogue, she is actively self-evaluating her actions and checking for potential bias.

As discussed throughout this chapter, this group of facilitators described their work as dynamic and case specific. In this context, self-awareness enables practitioners to respond sensitively to the uniqueness and unpredictability of each situation. It supports their ability to distinguish personal emotions and perspectives from those brought by RJ participants. This reflective exercise is supported by organisational practices such as supervision, co-facilitation, and team debriefs, which help reinforce shared accountability and introduce different perspectives.

A concept often discussed in the academic literature in relation to self-awareness is critical reflection: a form of reflection focused on power and its complex expression (Fook & Askeland, 2007). Power is not something people have or can possess but rather something they exercise (Foucault, 1990). It exists in relationships, both at a macro and micro level. In practice, critical reflection invites practitioners to reflect on the impact of their own background, assumptions, positioning, feelings, and behaviour while also attending to the impact of the wider institutional, discursive, ideological and political context.

Within RJ, this includes reflecting on power dynamics between facilitators and participants (especially in relation to their respective positions within the criminal justice system), as well as between participants themselves – for example, differences in race, class, gender, or age. In

cases involving sexual violence, for instance, facilitators must be alert to the presence of “rape myths” and how these may shape the perspectives of victims, perpetrators, and wider communities (Keenan & Zinsstag, 2022, p. 284). They must also consider how their own positioning within these dynamics might influence the process.

In this way, critical reflection and reflective self-awareness are not separate but closely intertwined. Both are essential for enabling facilitators to recognise the limits of their neutrality and impartiality, uphold RJ principles, and navigate the emotional and relational complexities of their work with integrity.

This section has examined how facilitators strive to maintain neutrality through reflective practice and emotional regulation. The next chapter considers what happens when these efforts are tested, particularly in moments of frustration with participants.

#### 7.2.2.1.1.3 Facilitators’ “annoyance” and “frustration” with RJ participants

I have argued so far that in order to display neutrality and impartiality, facilitators must engage with their own emotions and align with RJ’s emotional regime. Interestingly, the data shows that facilitators often feel “frustrated” when participants do not comply with that same regime and its display rules.<sup>88</sup>

“I get annoyed when people aren't reasonable. I get annoyed when people aren't prepared to make reasonable adjustments to what they want, or they want things that are insane. That's what makes me really mad. Obviously not to their faces, but I find myself really frustrated with those. We had a case last summer – it was a neighbour dispute – with two sets of neighbours. Two husbands, two wives. And they were really frustrated that their neighbour kept watering all of their plants. They also got annoyed if he was in their garden, so they kept phoning the police and getting really angry and really frustrated. But the guy had dementia. He was in his 40s, he had Alzheimer's, he was frequently very frustrated. But they didn't care. So they kept saying, ‘We want to meet with him, and we want him to promise that his behaviour

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<sup>88</sup> What these display rules entail will be discussed in more detail later in this chapter, in the section on ‘management of others’ emotions’.

will never impact on us, and that he will just stay in his house, and he will not say anything to us.' You're like, 'Stop being so weird. That's not reasonable.' A lot of our initial assessments had been about, 'Do you understand what dementia is? Do you understand what Alzheimer's is?' And they were like, 'Yes. Oh, how convenient that he's now just got this diagnosis which means that he can do whatever he wants. How nice for him.' I'm like, 'Yeah, he got Alzheimer's on purpose. That's what happened, wasn't it?' So, yeah. Very, very occasionally you get that level of unreasonableness that you go, 'I can't match. Even if I try really hard.'" Anna

Anna speaks candidly about her “annoyance” when participants refuse to engage with RJ values and principles. In this case, one of the parties was unwilling to make “reasonable adjustments” or show empathy towards their neighbour, who had been diagnosed with Alzheimer’s. She describes this behaviour as “unreasonable” and fundamentally at odds with the ethos of RJ.

In an attempt to shift their perspective and prompt reflection, she asks: “do you understand what dementia is?” Her intention is to help the parties reach a “place” where they are able to adjust their expectations and adopt a more empathetic, flexible stance, one aligned with RJ principles and values. In this way, she is not merely facilitating dialogue but actively working to move participants toward dispositions that support restorative aims.

When such a shift proved difficult, it triggered a strong sense of frustration. This level of frustration is not displayed or mentioned to the parties (“obviously not to their faces”) as it would not only undermine the trust needed for the process to proceed but also compromise her neutrality and impartiality. Therefore, frustration is an emotion that cannot be displayed by RJ facilitators and needs to be managed (in this case suppressed) to portray an emotionally neutral display. The same facilitator also reflected on another case she found frustrating:

“The offence, very broadly, was an assault. It was a guy in his 60s who was in prison for the first time for assault. He had glassed a barman. I can't even begin to imagine what it's like to go into prison for the first time in your 60s and during Covid lockdown. That's just mind-blowing to me. So, there's a big age difference between the two. The offender was in their 60s, the victim was in their 20s. They had very different outlooks on life. The offender apologised a lot, looked remorseful, he talked

about the impact there had been on him, he talked about the impact there had been on the victim. The victim showed him this massive scar that he now has as a result of this assault. The offender had his head in his hands and was just horrified and so apologetic. And although he wasn't repeatedly saying he was sorry, everything about him just screamed it. And they parted company, and the victim was like, 'He didn't really seem that bothered.' Like, what were you seeing? that offender gave that victim every single thing that the victim had wanted all the way through the prep work. It was all there, on a plate. But he didn't see it and he didn't want it. So... it's frustrating, 'cause that was such a good conference – such a good meeting. That was amazing. 'Why don't you think it's amazing?'" Anna

Her frustration in this case stems, once again, from participants' lack of alignment not only with RJ values but also with its underlying display rules. The offender visibly displayed remorse, yet the victim failed to acknowledge or respond to it. She also expresses disappointment when the victim was unwilling to see the work the other person has put in to meet their needs. In this case, the offender had engaged with RJ values ("had his head in his hands and was just horrified and so apologetic") and had given the victim what they wanted "all the way through the prep work". However, the victim did not acknowledge it. She explains that while the offender "wasn't repeatedly saying he was sorry, everything about him just screamed it". Yet, the victim believed "he was not even bothered" which made Anna feel frustrated ("it's frustrating, 'cause, like, that was such a good conference").

This exposes a deeper tension in the facilitator's role: while they must remain neutral and impartial, they also develop expectations about how participants should behave, and act towards each other. Such feelings do not sit easily with their performance of neutrality and impartiality, showing a paradox. Underneath the neutral and impartial display there is, in fact, a facilitator who feels frustrated when the parties do not behave in 'RJ-justiciable' ways.

#### 7.2.2.1.1.4 How do facilitators manage personal emotional responses?

Facilitators described employing a range of conscious strategies to manage their emotional responses. I mentioned previously that certain emotions (such as frustration) must be suppressed when they conflict with the expected emotional display rules. In doing so,

facilitators engage in various techniques, including self-talk or internal reminders (e.g. “this is not about me” or “this is not my conflict”), deliberately breaking eye contact, taking a few deep breaths or blinking repeatedly, lowering their heads, and, when necessary, agreeing in advance with their co-facilitator on a course of action or signal should they need to leave the room or take a break. These strategies represent forms of emotion management, specifically surface acting.<sup>89</sup>

“With the death by dangerous driving, we managed to hold it together, mostly. The mum wanted to show us the montage of her daughter that they showed at the funeral, and I had to look away because I could feel... I was holding in my emotions, but I knew that if I let them go it wouldn't just be quiet. It would be a snotty, sobbing mess, and that's not what any victim needs to see. And during that meeting, you know, I was able to kind of manage my emotions, mostly.” Olivia

In the example provided above, Olivia described deliberately “looking away” when her emotions began to surface, explaining, “that is not what any victim needs to see.” She had emotionally engaged with the situation but consciously appraised that showing her feelings (“it would be a snotty, sobbing mess”) would not align with the expected display rules. To maintain “professionalism”, she suppressed her emotional response by diverting her gaze, a form of surface acting. This illustrates how emotion work in RJ can be both effortful and largely invisible. Olivia’s strategy served a dual purpose: it helped her conform with the emotional display rules while projecting the calm, neutral, and impartial front expected of facilitators.

To articulate facilitators’ balancing act, Olivia used the analogy of a swan, serene on the surface, but paddling furiously below:

“I always give the analogy of a swan. On the surface, as facilitators, we're very cool and calm, and asking our open questions. But in our heads, we're like, ‘Oh, my God, what's the next question? What did they just say? Do I need to reflect on that? Do I

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<sup>89</sup> In Bolitho and Bruce’s study (2017, p. 350) facilitators described using similar strategies to manage their emotional responses, including internal reminders (“their stuff, it’s their hurt, it’s their emotion, it’s their sorrow, let it be theirs”) or biting their tongue.

need to summarise? Who's going to be doing that next bit? Are they taking notes?' So you've got all of that going on, but for the participants, you're like, 'Yes, yes.'" Olivia

Hiding beneath the swan-surface is an uneasy, worried facilitator, mentally juggling the emotional and practical demands of the conference space. This kind of surface acting is performed to present a calm, serene image and instil confidence by pacifying participants and making them feel at ease. Calmness is, thus, an important quality for facilitators to generate and to display as part of managing their own emotions but also manage the emotions of others. In doing so, they are trying to control the impressions made during the course of interaction while also conveying a specific message: everything is fine and under control.

Overall, the data shows that facilitators' commitment to neutrality and impartiality requires them to engage actively with their own emotions. Rather than denying emotion, they acknowledge its presence and use it carefully – as a resource for empathy, connection, and rapport – while regulating their responses to preserve professional boundaries. Contrary to what has been argued in the literature, neutrality and impartiality do not demand dispassion (Hoyle, 2007). Instead, they call for emotionally literate and skilled facilitators who can connect with people and respond empathetically to participants' needs, while managing their own emotional responses.

However, not all emotions can be openly displayed. Some must be masked entirely, while others must be carefully managed to fit the expected emotional display rules. Frustration and annoyance, for instance, often arise when participants appear unwilling to engage with RJ's values or emotional expectations. This highlights that facilitators hold expectations about how the parties should behave and act towards each other, which presents an interesting contradiction to their need to display neutrality and impartiality. Accordingly, such feelings cannot be displayed, as doing so would compromise rapport with the parties and undermine perceptions of neutrality and impartiality. Overt emotional displays (e.g. sobbing) are also discouraged, as they risk shifting attention away from participants and cross the neutrality and impartiality line. Consequently, facilitators described using various surface acting strategies to manage their emotional responses, including self-talk or internal reminders, looking away, and agreeing a course of action with their co-facilitator.

While previous research has highlighted the potential adverse effects of surface acting, such as burnout, stress, or insomnia (Jeung et al., 2018; Westaby et al., 2020; Zhang & Liu, 2024), this study did not find a clear correlation between emotion work and facilitators' well-being. This may be due to the organisational structures in place that support reflection and debrief. Participants emphasised the value of co-facilitation, supervision, debriefs, and "brainstorm" meetings with peers as essential tools for maintaining boundaries, ensuring fairness, and avoiding bias. Importantly, these reflective spaces also provide opportunities to process emotionally charged experiences and concerns.

In this context, reflective practice emerges as a pivotal strategy for sustaining neutrality and impartiality. It helps facilitators assess their thoughts, feelings, and responses throughout the conferencing process. For example, through reflective self-awareness facilitators are able to self-evaluate and understand whether their actions are driven by the needs of those who engage with the service or their own. In parallel, critical reflection allows facilitators to consider how their background, assumptions, positioning, and language intersect with broader institutional, discursive, ideological, and political contexts. This involves ongoing awareness of how power is exercised, both overtly and subtly, in the room.

Having explored how facilitators manage their own emotions, I now focus on how they manage participants' emotions.

#### 7.2.2.1.2 Managing others' emotions

As discussed in chapter 3, the role of emotions in RJ remains a point of contention in the literature. Scholars disagree not only on which emotions should be elicited (or avoided), but also on whether conferences must follow an ideal-type emotional sequence, or whether overt emotional expression is necessary for a conference to be considered "successful".

Another ongoing debate concerns how facilitators should navigate participants' emotions. Rypi (2016, p. 83-84) argues that facilitation entails "coaching and encouraging people to use, express, and work with their emotions" whereas McDonald (2012, p. 170) contends that the role of the facilitator is not to "worry about how participants behave or feel, but to ensure that their preparation and facilitation are correct". Rossner (2013, p. 11) similarly maintains that the "expression of emotions plays an important role in restorative conferences but, in order for

these emotions to have an impact on the success of the conference, they need to be carefully managed”. Despite these differing views, there is broad agreement that emotional communication in RJ should be “spontaneous,” “genuine,” and “authentic” (Van Stokkom, 2019; Rossner, 2013; Harris, Walgrave, & Braithwaite, 2004; Umbreit, 2001; Retzinger & Scheff, 1996).

Facilitators in this study echoed these ideals to some extent, describing emotional expression by participants as both “healthy” and “normal” within the conferencing process. There was broad consensus that RJ encounters often elicit strong feelings, regardless of the nature or seriousness of the case, and that it is important for participants to be able to express these emotions “freely.” To encourage this, facilitators reported asking specific questions during the preparation phase to invite the expression of emotion from participants, including: “How were you feeling at the time?” “How are you feeling now?” and “How do you feel about the response that’s coming your way?”

However, the notion that participants should be able to express their emotions “freely” is more complex than it initially appears. A closer analysis of the emotion work performed by facilitators reveals that not all emotions can be expressed or displayed in their raw, unfiltered form. Instead, facilitators engage in subtle, strategic work during preparation to shape and guide emotional expression in ways that reflect RJ values and principles (i.e. in ways that are more ‘RJ-justiciable’).

#### 7.2.2.1.2.1 Conferencing success does not hinge on the display of emotion

According to this group of facilitators, emotions play a meaningful and important role in RJ. Yet they stressed that the “success” of a conference does not depend on overt emotional displays. In their view, a successful RJ process is not necessarily one in which participants cry or visibly express deep remorse. Rather, success was described in terms of participants capacity to engage meaningfully with the process, communicating honestly, listening actively, and demonstrating a willingness to move forward. While emotional expression may support this, it is not essential.

For this reason, facilitators maintained that conferences can be successful even in the absence of visible emotion, as emotional display is not the ultimate aim of conferencing:

“If they don't want to express those emotions, that's fine. This isn't about getting the emotions out, this is about getting a result to a process. If they are emotional, then, yeah, it's about managing those, but they don't have to be emotional. It doesn't have to be an emotional process [...] In some [cases], it will just be about managing expectations on practical levels, like ‘When are we actually going to do this? where are we going to do it? how's it going to be for you when you sit in front of them?’ That sort of thing.” Mary

“Not everyone is emotional. Not everyone likes to talk about their feelings. I don't think it's got to be emotional to be a good case. It's very much down to those individuals and what they want from it [...]. Not everyone is comfortable talking about their emotions or wants the other person to know how much it's affected them, but they can still get something from this process. If they don't want to talk about their emotions but they still want an opportunity to talk to someone and ask them questions, well, who am I to say if it's not emotions, we're not doing it?” Rachel

These quotes illustrate that emotional expression is not considered essential for a successful RJ outcome. Mary underscores that RJ is about reaching “a result to a process,” while Rachel points out that “not everyone likes to talk about their feelings.” In both cases, the facilitators prioritise participants’ individual needs, aims, and expectations, whether or not these involve emotional expression or display.

Accordingly, facilitators in this study viewed the context of the case (rather than the nature of the offence) as the key factor in determining whether there is a need to work with emotion. In some cases, victims’ expectations and needs may not require such work, whereas in others, it may be difficult to meet those expectations and needs without it. For instance, one facilitator described a sexual assault case in which the victim did not want to revisit or talk about the abuse itself but instead focused on the circumstances leading up to it and the motivations behind the offence. She entered the process with a set of specific questions, one of which related to a moment she found particularly distressing:

“They were cutting a pineapple with a knife, and the knife disappeared. When all this was going on, she thought he had hidden the knife. But the knife never came out, so

one of her questions was, ‘What happened to that knife? ‘Cause that terrified me’. And he was like, ‘I left it in my room after cutting the pineapple. It was never an intention to use it.’” Sarah

In this case, the victim did not want to talk about or address the impact the offence, instead, she sought answers. This does not mean that participants will not experience emotions, but rather that their needs and expectations do not always hinge on their expression or management. As some scholars have acknowledged, RJ participants come to the process from different “emotional starting points” (Bolitho & Bruce, 2019; Harris et al., 2004), bringing distinct needs. In this example, while the victim acknowledged feeling “terrified” at the time, she did not wish to dwell on that emotion. Emotions were present, mentioned, felt, and significant, but not “brought to the surface” (Rossner, 2013, p. 81). As Mary previously noted, some cases may require more focus on “managing expectations on practical levels” than on emotion.

Nevertheless, it is important to note that emotional reactions and experiences differ greatly and are subjective. While the case above could have been perceived as “practical” from a victim point of view, it could have been highly emotional for the offender (and/or the supporters). The challenge for facilitators is thus, in a conferencing context, to juggle and manage different emotions, needs, and expectations from different parties and make sure that they can achieve the outcome desired from the process. In practice, emotions and expectations are intrinsically connected and need to be aligned for participants to achieve the desired outcome. Accordingly, some cases can evoke strong, intense emotions while others not so much. For facilitators, the level of emotionality of a case does not revolve around the nature of the crime but rather the people involved. As one facilitator put “What we would necessarily call a serious case can be enormously serious, emotional, for people”.

In their study of mitigation and risk in RJ, Shapland et al. (2022) found that risk is not limited to the type of offence but can also stem from individual factors, such as age or mental health. As noted at the start of this chapter, risk assessment takes into account a wide range of factors, including (but not limited to) participants’ motivations, expectations, needs, and hopes of the process, their account of the events, potential for revictimisation, ground rules, support needs, how much they understand the process, or level of responsibility accepted by the harmer.

In one domestic abuse case I observed, the facilitator's decision not to proceed was grounded in individual risk factors. A key concern was the victim's motivation for engaging in the process, specifically using it as a means to gain access to the perpetrator, who was in prison and subject to a restraining order. This finding is particularly significant given that much of the literature on RJ and gender-based violence has focused almost exclusively on the risks posed by offenders, such as manipulation of the process, coercion of victims, or the potential for re-victimisation (Mercer & Madsen, 2015). In this instance, however, the risk emerged from the victim, highlighting the need for nuanced, case-specific assessments that go beyond offender-based assumptions.

#### 7.2.2.1.2.2 Transforming and encouraging appropriate displays of emotion

I mentioned previously that the facilitators who took part in this study described participants' expression of emotion as something "natural" and "healthy". Emotion and its display is generally welcomed by facilitators during pre-conference preparation and often elicited through different techniques.<sup>90</sup> Nonetheless, the findings from this study suggest that certain displays of emotion must be managed (i.e. adjusted) to conform with RJ's emotional regime and conference display rules. Anger for instance, can only be displayed and expressed when it is not "abusive" or disrespectful towards the other party:

"I find myself saying to people a lot, 'This is normal, this is healthy, it's understandable that you feel this way. It's OK that you feel this way, you're not going mad. But if you are engaging with that other person, you can be angry, but you can't be abusive.' And sometimes that means asking 'Well, what do you want back from them? Because if what you want is answers to questions, if what you want is that person to engage in dialogue with you, do you think they're going to do it if you're calling them a w\*\*\*\*? No.' So sometimes it's about helping people identify that you might have to play a slightly long game to get what you want. 'By all means, you can go in and you can be angry, but if you're wanting a detailed response or account from

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<sup>90</sup> These techniques will be discussed at different points throughout this chapter. One example, already mentioned, entails asking participants specific questions during the preparation phase, such as: "How were you feeling at the time?" "How are you feeling now?" and "How do you feel about the response that's coming your way?"

that person, and you want them to engage with you, you're going to extend your chances massively if you aren't just screaming abuse at them.” Anna

Anna’s reflection shows that while emotions (in this case anger) are welcomed into the process, they need to be ironed out as not all emotions can be displayed in their initial raw state (“you can be angry, but you can’t be abusive”). Thus, anger can be displayed (i.e. it is permitted according to the feeling rules) but in a way that does not disrespect the other party. Respect is, as I have mentioned before, a key value in RJ and entails “treating all parties as persons with dignity and worth, but also as people with wisdom and other valuable contributions to offer” (Johnstone & Van Ness, 2007, p. 19).

Although the literature has rarely considered the management of emotions from a facilitator’s perspective, it does emphasise their responsibility to prevent parties from intimidating, disrespecting, or dominating each other. For instance, Dignan et al. (2007, p. 13) argue that “the primary duties of a facilitator is to ensure that the proceedings are conducted in accordance with restorative justice precepts. The most important of these are fairness, inclusiveness (in the sense of letting everyone have their say) and equality of standing (by which is meant preventing one party from intimidating or dominating another)”. Research also shows that when offenders express concern about victims’ anger or the possibility of receiving verbal abuse, facilitators must make clear that “offender bashing” will not be tolerated (Miller, 2011, p. 164). In some studies, perpetrators even described feeling “amazed” at the dignity and respect shown to them by victims (Miller, 2011). In the quote above, Anna manages the display of anger by helping the participant understand that they need to “play a slightly long game to get what they want” which translates into showing participants that abusive behaviour might not be best route if they want answers to their questions. This is done in a very subtle way, through patience and empathy.

Another example was given in relation to shame which was described as an emotion that can deter offenders from wanting to participate in RJ or prevent them from “moving forward” and engaging with the process:

“If an offender pulls out, one of the reasons quite often is because they're so ashamed they can't face what they've done. Especially when it's somebody they know [...]. That's one of the biggest barriers, I think, for offenders to go ahead with an RJ

process. I think it's about kind of reminding them the reasons why they want to do it. Reminding them that they can't go back and change what's happened, but they can make positive changes moving forward” Olivia

Olivia implicitly talks about transforming shame into something positive by looking into the future (“how can this change for you?”). In doing so, she takes an active role in the co-creation of the participant’s narrative, using empathy to encourage change (“reminding them that they can't go back and change what's happened, but they can make positive changes moving forward”).

These reflections highlight that participants’ emotions also need to be displayed in ways that align with RJ values and principles. Shame, for example, must be handled carefully, and managed, to not prevent offenders from engaging with the process – something essential for restorative outcomes.<sup>91</sup> Engagement is a core principle that implies involvement and active participation (Umbreit & Armour, 2011). It requires “the voluntary participation of stakeholders in deciding what happens in the wake of wrongdoing and hurt” (Sawin & Zehr, 2007 p. 48)<sup>92</sup>and can provide an opportunity for perpetrators to develop a “desistance identity” (Kirkwood & Hamad, 2019, p. 402). In the same vein, anger must be aligned with respect – a key RJ value (Johnstone & Van Ness, 2007, p. 19). Respect includes “listening, speaking, and mutual consideration and understanding of participants” (Amstutz, 2009). By engaging with this value, participants commit to adjust or transform their expression of anger to comply with the display rules of conferencing.

This finding contrasts with existing research on emotions in RJ. For example, Rossner (2013, p. 81) argues that the focus should be on bringing emotions to the surface “whether they be positive or negative”: the stronger the emotions, the better the conference. The findings from this study suggest otherwise. Rather than prioritising the intensity of emotional expression, facilitators are focused on guiding and encouraging the appropriate emotional display. This

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<sup>91</sup> Overall, the facilitators in this study tended to be sceptical of shame as a productive emotion in RJ but viewed guilt as a more constructive and appropriate emotional response.

<sup>92</sup> There has been extensive debate in the literature about whether participation in RJ processes by offenders is truly voluntary, particularly when presented as an alternative to prosecution or as part of a sentence. As Umbreit and Armour (2011, p. 94) caution, “care must be taken to engage with offenders in the least coercive manner possible and to allow offenders to ‘choose out’ of the program if necessary”.

does not mean they promote some emotions and discourage others. While Sherman (2003) has suggested that emotions like anger, fear, and disgust should be avoided (and remorse, guilt, and empathy encouraged), this research indicates that there is no fixed list of ‘appropriate’ emotions to be elicited and expressed in RJ. What matters most is how emotions are expressed. To put it differently, the nature of the emotion in a conference meeting is less important than how it is expressed.<sup>93</sup>

With regard to anger, Rypi (2016, pp. 87–91) argues that victims should not be “unjustly angry and vengeful”, and that such anger should not be directed at a “remorseful and responsible offender” – that is, someone adhering to the emotional “feeling rules” of RJ. Other scholars have gone further, arguing that RJ is only effective when victims have “moved beyond their anger” (Miller, 2011, p. 171). This study challenges such views. It shows that anger can be expressed, even when the offender shows remorse, so long as that anger does not go against RJ values and principles, as facilitators understand and interpreted them.

Crucially, these emotional displays do not arise spontaneously, authentically, or genuinely, as some scholars have claimed. Instead, participants are actively and continuously encouraged (sometimes gently coaxed) by facilitators to conform to the display rules of conferencing. This forms a pivotal part of facilitators’ role, aimed at maximising communication between the parties. This point will be illustrated further in the remaining sections of this chapter.

Ultimately, participants’ emotions are not only expressed but continually interpreted, reshaped, and enacted in ways that align with RJ’s emotional regime and its display rules. These rules are anchored not just in RJ’s core values and principles but in a broader normative vision of the ideal RJ participant: someone who embodies particular dispositions and expresses emotion in specific, recognisable ways. While some features of this ideal have already been introduced, the next section unpacks these markers further.

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<sup>93</sup> Similarly, Willis and Hoyle (2019) argue that “what is said” in a conference meeting may be less important “than the way it is said” (p.128).

### 7.2.2.1.2.3 Readiness

Emotions were also discussed by facilitators in relation to “readiness”. In the literature, Suzuki (2020, p. 6) defines readiness as “participants’ attitudes, emotional dispositions towards, and knowledge about, restorative justice and the other parties prior to a face-to-face meeting” and identifies three dimensions: (1) orientation, (2) emotion, and (3) knowledge. Orientation refers to “the extent to which participants’ attitudes are oriented towards achieving restorative goals prior to the face-to-face dialogue”, emotion concerns participant’s emotional dispositions, which “may need to be receptive”, and knowledge refers to participants’ understanding of the aims and purpose of the process.

In this study, facilitators described two types of readiness. One relates to participants’ ability to engage with RJ once a referral has been made, while the other focuses on whether they are sufficiently prepared or apt to meet the other party in a conference meeting.

#### *a) Participants’ ability to engage with RJ when a referral has been made*

According to facilitators, RJ participants need to be “in the right place for intervention” so that preparation can take place:

“I think this isn't the process you're looking for if you're not prepared to move on.”

Anna

“You get cases where the victim is furious and still hasn't moved on from that initial place. And you think, ‘There's still a way to go here before you are in any place to really engage. I don't think you can engage.’” John

John and Anna allude to participants’ willingness to “move on” which suggests some type of change and transformation in order to move forward. From this perspective, victims need to want to take the necessary steps towards their own “healing” – i.e. towards achieving a “feeling

of closure, so that both parties can move on” (Shapland et al., 2006, p. 519).<sup>94</sup> This means they are expected to embody a particular disposition – one of openness to change and healing – which reflects a key characteristic of the ideal RJ participant. One facilitator also mentioned domestic abuse cases, emphasising that victims and survivors need to be disposed to let go of any expectation or wish to rekindle the relationship with their abuser. This is forms part of the risk assessment conducted by facilitators, who must address power imbalances and ensure the safety of both parties, and further illustrates the broader expectation that participants embody dispositions that are ‘RJ-justiciable’.

*b) Participants’ aptitude to meet the other party in a face-to face encounter*

Facilitators also need to assess whether the parties are ready to meet each other. Olivia gave an example of a case she was working on:

“In this interfamilial domestic abuse case, they were like, ‘Let's meet, let's meet. He's going to be released from prison. We want to do it.’ [...] And he was in prison in [name of location], which it's miles away. So we asked the question, ‘If we were to bring you together next week, what would you want to happen in that meeting? What do you want to come out of that?’ And they couldn't answer. And so, for us, that was, ‘Right, this process isn't family therapy, it isn't mediation, it isn't chuck people in a room and let them get on with it. It is a structured restorative process to look at what has happened, the impact that has had, and what you would like to happen next. So until you're able to answer that and be a part of that process, our risk assessment deems that we cannot bring you together and it's not safe for you to do so [...]’. Everybody has to be ready, willing, and able to participate safely. Until that happens – which could be months, weeks, years – we’re not going to do the process.’” Olivia

Olivia explains through her example how the participants were not ready to meet, arguing that it was not safe to bring them together because they did not know what they wanted to tell the other party. Safety is once again put at the heart of the risk assessment. According to Shapland

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<sup>94</sup> As Umbreit and Armour (2011, p. 105) note, “there must be an understanding that the purpose of the dialogue is to deal with the past but to do so in a future oriented way. Indeed, the whole purpose of accountability and truth telling is to bring people into a process that contributes to the future”.

(2013, p. 123) restorative meetings “should be held in a place where all participants feel they can communicate and where their safety during the discussions will be promoted”. They also “should be enabled to speak to each other, preferably face-to-face, to put and to answer questions, to talk about the future as well as the past, which includes the idea of deliberative accountability”. In this example, Olivia was clear about RJ being a structured process with a goal, aimed at addressing the impact of the crime committed, which could have not been met due to the parties’ lack of readiness.

So how do facilitators prepare the parties for an RJ encounter? One technique involves “validating” or legitimising emotions during preparation. According to facilitators, acknowledging participants emotions and allowing them to “rant”, “shout” or “bawl” can be helpful in processing emotions:

“I’m talking about the DV [domestic violence] situations where they are very angry. They've got all these emotions, and they just want to shout and bawl. Sometimes we'll take it a bit on the chin because they'll shout at us. They're shouting at them through us, if you like. But that’s OK. [...]. Letting them know that's OK actually lets them have the space to go through that, so when it actually comes to the meeting, they don't actually want to shout and bawl at them. They want to tell them the same things, but the anger has gone. So, we allow that anger, allow them that space.” Mary

Mary believes that anger can be transformed when freely expressed and legitimised.<sup>95</sup> By giving participants an opportunity to “shout and bawl”, facilitators support emotional release and allow participants to transform their level of anger to conform or align with RJ values and principles. She uses empathetic listening as a tool which, as will be explained later in this chapter, is a key component of impartiality and neutrality.

Another technique commonly used by facilitators consists of “challenging people’s views” to get participants to a place where they can maximise their communication:

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<sup>95</sup> Sherman and Strang (2011) argue that victims need opportunities to “vent their frustration” and have their emotions acknowledged and legitimised by facilitators. However, their analysis does not extend to the ways in which such emotional expression might also require management or regulation within the restorative process.

“As much as we're neutral, we have to challenge people in order for them to consider the other point of view [...]. I did a case yesterday, and it was a letter of apology. Basically, it was a fraud [case] between family members. The letter of apology was probably an A5 page, and it appeared, you know, to be quite genuine. And the recipients were like, ‘She hasn't even written a whole page. If that was me, I'd be writing three pages and da-da-da.’ So I had the conversation with them about shame. ‘Actually, you know, this is her first attempt at communication with you and that shame might be what's holding her back because she's scared of being hurt.’ And they said, ‘Well, she's the one that's hurt us.’ So I said, ‘Absolutely. Completely get that. But if you're that ashamed, you don't want to put yourself out there and have it rejected because that will then cause that to escalate.’ And so, you know, it's about managing the victim as much as the offender.” Olivia

Olivia shows how, by challenging people's views and interpretation of the other person and giving them a different perspective, she brings empathy and fairness into the process, rather than simply validating their views or taking their side. In doing so, she is trying to change and transform the participants' perspective (and consequently their feelings) to get them to a place where communication can be maximised with the other party. In this sense, she is (once again) making their dispositions more ‘RJ-Justiciable’.

Another facilitator, John, mentioned a case where he clearly elicited empathy for the other party by trying to make them understand what they would feel if they were in their shoes:

“‘Would you be willing to be sat there and shouted at, and told you're X, Y, Z, and I hate you, and bla-bla-bla?’ And they'd say, ‘No, I don't want to sit there and hear that.’ Even if they felt terrible about themselves, why would they allow themselves to be potentially put in even worse position and made to feel even worse, you know?’”

John

He uses empathy as a tool for compassion by encouraging the participant to place themselves “in the other person's shoes” and, in doing so, implicitly bringing respect into the picture – a characteristic of the ideal RJ participant. At the same time, there is a clear attempt to bring the participant's emotions in line with RJ display rules, which prohibit intimidation, disrespect, or

domination. This illustrates once again how facilitators help align participants with RJ values and principles. To this end, respect and listening are pivotal in creating a connection between the parties. Without such engagement, participants are not considered ready to meet the other party face-to-face.

Another strategy described by facilitators entails “playing the devil’s advocate”:

“Sometimes a lot of it is also devil's advocating. Going, ‘OK, well, you can do this, and what you might hear is this. But what you also might hear is this. And I don't know which one I'm going to get. Or it might be a third option that we haven't thought of yet’ So it feels like I'm not kind of down the road going, ‘Come this way,’ it feels like I'm beside them going, ‘There's a number of paths that we have here, which one do you want? Which one will we go down? You can go down that one, that's fine, but it's very dark. And that's not to say you can't do down it, but are you happy to go down this dark path? This one is full of spikes. This one looks lovely. It might not be lovely, but it looks it.’” Anna

Anna’s describes having an active role in helping people manage their emotions and navigate choices throughout conferencing. She speaks of laying out options, guiding and supporting them with their choices, and showing what they might potentially hear or face in doing so. She alludes to “lovely paths” and “dark paths” which, once again, shows that some “paths” might be aligned with RJ goals (and people’s expectations), while others might not. Therefore, her guidance shows a clear wish to encourage specific displays of emotions (i.e. displays that are ‘RJ-justiciable’ and attached to a model of the ideal RJ participant).

In practice, participants are not aware of this, but they are actively and continuously working towards this model, with the guidance of facilitators. Here, the paradox of neutrality and impartiality emerges, once again, to illustrate how its performance is more complex than its outward display suggests. Effectively, facilitators help sculpt the narrative created by the parties, encouraging specific displays of emotions and guiding participants down specific “paths” during the preparation process. They are not passive or neutral towards their narrative, instead, they help co-create it.

Having considered how facilitators manage emotions – both their own and those of participants – the discussion now turns to a second, closely related strategy: active and empathetic listening.

### 7.2.2.2 Active and empathetic listening

Active listening is widely recognised as a key communication skill across occupational and therapeutic settings, and research shows it can produce positive interaction outcomes (Danaher et al., 2023; Sharkiya, 2023; Weger et al., 2014; Fitzgerald & Leudar, 2010; Bryant, 2009; Royce, 2005). In RJ, particularly within conferencing, active listening is an essential tool. Facilitators use it throughout the preparation phase to support participants in constructing their narratives, understanding their perspectives, and building trust. It helps them identify what matters to participants, both emotionally and relationally. However, effective facilitation requires more than simply listening attentively. To connect with participants in a way that is perceived as fair and free from bias, facilitators must also listen empathetically:

“Being able to listen, actively listening, rather than just sort of, like, being there while somebody's talking.” Mary

“For me empathetic listening [...] just letting them have that opportunity to blurt everything if they want to, but asking those open questions – and closed questions, when needed – to gain that information. You know, validation of their feelings. And that's what I always say, that's fundamental to a restorative conversation, in my opinion.” Olivia

Both Mary and Olivia describe active and empathetic listening a conscious, deliberate act that shapes the preparation stage. As noted earlier in chapter 6, facilitators often identify empathy as a key ingredient of impartiality and neutrality, as well as a core interpersonal competency. Here, empathetic listening emerges as a technique, a tool through which neutrality and impartiality are actively performed. It demands a conscious effort to listen to RJ participants, “gain information”, and ask the right questions at the right time, as explained by Olivia. This is critical to build rapport with participants and maintain fairness.

This kind of listening requires more than passively hearing what is said. It entails an active role: facilitators must give, and be seen to be giving, full attention to the speaker and what is

being said (or not said). This attention is communicated both verbally and non-verbally, through body language, tone, affirming responses, and carefully timed questions, as Olivia points out.<sup>96</sup>

“Empathy is where you can stand in someone's shoes and really feel what they are going through [...] I think empathy is what enables that communication to open up, you know.” Sarah

Sarah defines empathy as a capacity, an ability to understand and share the emotional experience of another person, rather than an emotion.<sup>97</sup> From this perspective, empathy entails entering the “private world of perception of the other” (Katsivelaris, 2012, p. 7, cited in Rodat, 2020, p. 15,) and leaving one’s own assumptions and judgements aside.<sup>98</sup> By attempting to view the world through the lens of the participant (i.e. by “standing in their shoes”) facilitators strive to grasp how participants perceive, feel, and interpret their experiences. Rosenberg (2015, p. 126) defines empathy as a “respectful understanding of what others are experiencing” which requires setting aside preconceived notions in order to truly connect with the other. Empathy, in this sense, becomes a communicative act of recognition. It signals to participants that their thoughts and feelings are valid and valued, helping to build trust and open the door to meaningful engagement. In other words, it indicates that the message is listened and understood and that the listener cares about what is being communicated.

In conferencing, when RJ participants feel understood and heard by facilitators, they are more likely to share their feelings and needs and, consequently, engage fully with the process (“I think empathy is what enables that communication to open up”). To this end, active, empathetic listening provides the necessary scaffolding for RJ participants to engage with the process and helps maximise the potential for communication.

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<sup>96</sup> Other examples that show active listening include paraphrasing, summarisation, clarification (open questions), posture, eye contact, or taking notes. Verbal and non-verbal communication will be discussed in detail later in this chapter.

<sup>97</sup> This inevitably requires emotion management from facilitators. I will return to this point later in this chapter.

<sup>98</sup> As I will explain later in this chapter, reflective practice and self-awareness are paramount to maintain boundaries and prevent personal reactions from interfering in the process.

Scholars have long highlighted the role of empathy in professional practice, particularly in criminal justice settings. For example, without empathy, judges and prosecutors may fail to be objective and impartial (Roach Anleu & Mack, 2021; Wettergren & Bergman Blix, 2016) and police officers are more likely to develop burnout and secondary trauma stress (Losung et al., 2021).<sup>99</sup> It has also been argued that empathy has a therapeutic potential (Moudatsou et al., 2020) and can produce different feelings, namely sympathy and compassion (Brown, 2021). Although empathy and sympathy are often conflated, they are conceptually different, and their meaning often varies across disciplines. For example, in the healthcare literature, sympathy has been defined as “an emotional reaction of pity towards the misfortune of another” (Sinclair et al., 2017, p. 438) while in the legal sphere it has often been understood and conceptualised in relation to empathy: “sympathy draws on the empathic understanding of another’s situation but extends this understanding by evaluating it” (Törnqvist, 2021, p. 266).

In the RJ literature, sympathy has received very little attention from scholars. This is surprising considering how much has been written about empathy and its potential for transformation. For example, it has been argued that empathy can lead to a shift in perspective (and focus) when victims get insights into offenders’ backgrounds or circumstances (Strang et al., 2006, p. 286). Some have even described RJ conferences as a “lesson in empathy for all present” (Moore, 1993, p. 18) because they allow the parties to share perspectives and create a sense of “collective vulnerability” (Abramson & Moore, 2002).

Nevertheless, research also suggests that empathy may not be easily accessible to all participants. In their qualitative study of victim offender mediation, Choi, Green, and Gilbert (2011) found that young offenders often struggled to express empathy, even when they felt remorse. This difficulty was sometimes attributed to nervousness or a limited emotional vocabulary, suggesting that the expression of emotion is not automatic, but rather something

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<sup>99</sup> Within procedural justice theory (Tyler, 2006a; Lind & Tyler, 1988) dignity, respect, neutrality, and trust are often invoked as key normative elements of experience which can impact people’s perceptions of the criminal justice system (some of which have been emphasised in previous RJ studies as alluded in chapter 3). Although empathy is never explicitly mentioned in procedural justice theory, it can be seen as pivotal tool in achieving some of these normative elements, particularly those relating to treating people with respect, being perceived as trustworthy, and giving them a voice. Empathy supports this by attending closely to participants’ narratives and ensuring their interests are recognised and communicated.

that needs to be carefully supported, worked at, and managed by facilitators throughout the process.

In this study, facilitators described sympathy as an inappropriate feeling for RJ practitioners to experience or welcome in a conferencing process. Sympathy was described as a pity-based feeling that can be “disempowering” for RJ participants, potentially encouraging passivity rather than growth. One facilitator, John, highlighted that while sympathy can be “incredibly loving and nurturing”, it can also “hold people back where they are”, not allowing them to move forward:

“I think that's the whole purpose of RJ. We're not sitting here saying, ‘Oh, that's dreadful. Poor you.’ We're actually saying, ‘OK, thank you for sharing that, that's been very difficult thing for you to do. I hear you, and I want to support you in that to help you move forward. But we are looking now to the next step, what we can do to move on.’” John

John believes sympathy encourages people to feel sorry for themselves while empathy urges people to move forward and heal, empowering them. Since the aim of an RJ facilitator is to facilitate communication between people to help them repair the harm caused, it is important that the parties are (and feel) encouraged by practitioners to look forward to the future. As I will discuss later in this section, this can present an interesting paradox to facilitators’ performance of neutrality and impartiality. Another facilitator, Sarah, used an analogy that similarly emphasises the distinction between the two orientations:

“Empathy is [...] If someone is drowning in a pool, you put your feet on the bank, solidly on the bank, you reach your hand down, and you pull them up. But sympathy is, you know, you jump in the pool with them, and you both drown.” Sarah

In this analogy, the key distinction between both concepts lies in the ability to maintain an awareness of oneself as separate from the other (Davis, 1983). Sympathy involves identifying so strongly with another’s suffering that one risks being emotionally overwhelmed (“jumping into the pool and drowning with them”) whereas empathy allows facilitators to understand and accurately perceive someone’s feelings and experiences without becoming engulfed or

assuming their position (“you reach your hand down, and you pull them up”). In other words, sympathy is “me-oriented” whereas empathy is “you-oriented” (Howe, 2013). This understanding seems to align with Pemberton’s (2016, p. 113) definition of sympathy as an emotion prompted by the suffering of others yet driven more by the observer’s distress than by the perspective of the person experiencing the suffering. From this angle, sympathy compromises facilitators’ neutrality and impartiality (i.e. their level of fairness and personal bias) and, consequently, most of the professional boundaries discussed in chapter 6 (e.g. becoming too close or emotionally involved). It fosters self-identification and lack of perspective which weakens their role as a neutral third party.

Nonetheless, empathy cannot be described as a neutral, impartial tool or strategy either. On the contrary, active, empathetic listening presents a paradox in facilitators’ performance of neutrality and impartiality within conferencing, as it inevitably involves some degree of evaluation and interpretive judgement. Despite seeking to place their bias and prejudice aside and giving participants equal opportunities to be heard, facilitators unavoidably become active co-authors in the construction of participants’ narratives. Like mediators, they take an active role in making sense of participants’ stories, feelings and views by “standing in their shoes” and reflecting on what they have said (Phillips, 2007). Their contribution is not, and cannot be, neutral or value free. For example, when a victim talks about the impact of a crime during preparation, facilitators might reiterate their narrative in a summarised, clear way. In doing so, they bring their own influence and experience into the meaning of the reflection. This is because “meaning is not packaged in utterances that the receiver then unpacks and comprehends as the sender intended it to be understood” (Phillips, 2007, p. 179). Instead, the narrative and understanding are both co-created and produced by the facilitator and the parties.

At the same time, empathetic listening involves an attunement to emotion and an ability to demonstrate understanding. Facilitators “step into the shoes” of participants, making an emotional connection with their experiences and narratives. This performative empathy reinforces trust and helps participants feel heard, but it also carries evaluative weight.

This dynamic has been illustrated throughout this section. For instance, John described empathy as a capacity that supports healing and forward movement. In doing so, he implicitly acknowledged that facilitators do more than simply listen – they actively encourage

participants to adopt specific dispositions, such as a future-focused mindset. Similarly, in one of the preparation meetings I observed, the facilitator asked the perpetrator why they wanted to take part in the process and what would an “ideal” outcome would look like for them. The offender gave a long answer, speaking uninterrupted for around 20-25 minutes, after which the facilitator offered a summarised version, selectively emphasising certain aspects of the account over others. Because much of what had been shared focused largely on the perpetrator’s mental health struggles and feelings of shame, the facilitator also reframed the situation and encouraged them to focus on moving forward and looking ahead (i.e. at the future). In both instances, the facilitator did not just mirror the views of the perpetrator, she contributed to the construction of the narrative by adding her own evaluation to the conversation (both when foregrounding some aspects in detriment of others and when reframing the situation). Therefore, in helping participants make sense of their story and feelings, through active and empathetic listening, facilitators place their own understanding and meaning into the situation. This occurs because the performance of neutrality and impartiality is not an end in itself, it serves a purpose: to maximise communication. And importantly, not just any communication, but specific forms of expression that align with RJ’s underlying values and principles.

Another key feature of active, empathetic listening is that it is often performed as a team effort, through co-facilitation. As discussed previously in chapter 6, co-facilitation is a key feature of the work of RJ facilitators within Restorative Solutions. Both practitioners share responsibility for managing the process and building rapport, which means empathetic listening is inherently collaborative – i.e. a team performance. During preparation meetings, the lead facilitator typically speaks with participants, asking open and closed questions, while the co-facilitator listens, takes notes, and intervenes where necessary.

“We have a pre-meet before we go in, to decide what we want to achieve in the meeting, how are we going to do that, etcetera, etcetera. If I'm leading the case, the co-facilitator's taking notes. But they're also doing that listening role, ‘Oh, [Olivia] hasn't mentioned that,’ so they'll jump in and say, ‘Oh, and also bla-bla-bla.’ And they might pick up on something that I missed, like, you know, a small nuance, and they go, ‘Hold on. So you've just said you were sorry.’” Olivia

Here, Olivia explains how co-facilitators actively shape the interaction. The performance is enhanced by the contribution of the co-facilitator (“they pick up on something that I missed”)

and deepens the display of teamwork. This means that co-facilitation is not always invisible or limited to passive observation (e.g. taking notes) – they may also intervene and complement the interaction, displaying a united front. As Goffman (1978, p. 101) put it, “the members of a team will differ in the ways and the degree to which they are allowed to direct the performance”, but they are always dependant on each other’s “dramaturgical cooperation” (Goffman, 1978, p. 88). In this context, the co-facilitator’s distinct role still contributes meaningfully to the co-construction of narrative.

Olivia also noted that this dynamic extends into the conference meetings themselves:

“And for me, that's very similar in a conference. That's how I tend to co-work with my colleagues in a conference, as well. And they'll do the summary at the end. So, you know, their role is so important because they're listening, they're picking up on things that I might miss, they're watching that body language more closely because they're not having to think about the next question that's coming. Whereas the lead, like I say, is leading that conversation and reflecting and summarising on what's being said.” Olivia

This illustrates, once again, how active, empathetic listening is a joint performance, one through which facilitators purposefully display alignment and complement each other’s interactions. In conferences, the co-facilitator listens and pays attention to details in ways the lead facilitator cannot, due to their focus being on conference interaction. This is done with the ultimate aim of displaying teamwork.

Overall, it is clear that active, empathetic listening plays a critical role in the performance of neutrality and impartiality in conferencing. However, it also presents a paradox. Empathetic listening is not a passive act but rather a tool used by facilitators to maintain a display of fairness, manage the parties’ participation in conferencing processes, and build rapport. In this study, facilitators described empathy as a capacity which requires an ability to understand and share the emotional experience of another person. Unlike sympathy, empathy does not involve self-identification or pity. Rather, it is framed as a forward-looking capacity that empowers participants to move on and repair harm. Nevertheless, the findings above show that empathy

does not stand on its own – it entails other interactive qualities, namely, encouragement and active communication – all of which require some form of evaluation.

Within Restorative Solutions, empathetic listening is also a joint performance, one marked by purposeful displays of alignment and coordination. During preparation, for example, the lead facilitator directs the interaction, while the co-facilitator may offer brief, strategic contributions to reinforce key points or highlight emotional cues. Similarly, in conferences, co-facilitators may subtly shape participants' understanding by spotlighting specific moments during the meeting when summarising the discussion. Ultimately, if we understand neutrality and impartiality as both a process and a goal within conferencing, then empathetic listening becomes central to how these ideals are enacted in practice by facilitators.

### 7.2.2.3 Verbal and nonverbal communication

Verbal and nonverbal communication also play an important in assisting facilitators to maintain and display neutrality and impartiality. Facilitators make conscious choices about how they both behave and communicate with RJ participants and anticipate how their body posture, facial movements, tone of voice, or behaviours might be interpreted by others. This reflects a continuous awareness, and concern, about appearing “fair” to both parties and avoiding any impression of advocacy. In this section I provide several examples from both preparation and conference meetings to illustrate how these forms of communication are used in practice.

#### 7.2.2.3.1 Nonverbal communication

I mentioned earlier that listening is not a passive act as it demands a conscious effort to listen to RJ participants in an empathetic manner. In practice, facilitators must give, and must be seen to be giving, full attention to the speaker and what is being said (or not said). This attentiveness is often conveyed through non-verbal messages or signals, including body language. Thus, nonverbal communication becomes a practical tool during preparation meetings, helping facilitators build rapport and trust, while also communicating specific messages. For example:

“Going to a preparation meeting, pretty much I'll take my coat off regardless of how cold it is, because I want them to feel like I'm relaxed and [...] build that rapport.”

Rachel

Rachel's account shows that in order to build rapport with participants, and make them think “she is relaxed”, she deliberately takes off her coat in preparation meetings. In other words, she seeks to elicit trust through nonverbal communication. This reveals a clear effort to control the impressions made during the course of the interaction whilst conveying a specific message (Goffman, 1978). In this context, non-verbal communication includes both body language and demeanour (a person's outward conduct and presentation). Goffman (1956, p. 489) defines demeanour as an “individual's ceremonial behaviour typically conveyed through deportment, dress, and bearing, which serves to express those in his immediate presence that he is a person of certain desirable or undesirable qualities”. In RJ conferencing, this translates into facilitators displaying an impartial and neutral demeanour, presenting themselves in ways that signal openness, fairness, and respect for all parties.

Demeanour, however, is not a universal code. It can vary across cultures and is shaped by the formality, or informality, of the setting within which it is displayed. Because interaction is less formal in RJ than court proceedings (i.e. individuals do not have to adhere to formal, conventional norms), there is less rigidity in terms of how facilitators can present themselves. Unlike judges or legal professionals who often express impartiality through a detached, impersonal, and business-like tone (Mack & Roach Anleu, 2010), RJ facilitators aim to communicate impartiality through warmth, approachability, and engagement. Rachel's example captures this shift clearly. This contrast not only reflects the distinct roles that legal professionals and RJ facilitators occupy,<sup>100</sup> but also highlights how neutrality and impartiality are understood and enacted differently across different contexts.

In practice, building rapport and trust is not a linear or straightforward task. It requires sustained engagement from facilitators and the ability to look beyond the surface to interpret participants' behaviours and adjust accordingly. This involves being acutely aware of their own body language and demeanour, as well as attuned to that of the participants. For example, in the

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<sup>100</sup> Unlike judges or magistrates, RJ facilitators are not decision-makers. Their role is to support dialogue, enable participation, and help create the conditions for a safe exchange between the parties.

preparation meetings I observed, facilitators consistently adopted a calm and friendly presence to help put participants at ease. They sat with uncrossed arms and legs, maintained steady eye contact, kept an open posture and soft gaze, and occasionally leaned forward during particularly significant moments to signal attention and engagement. These gestures were not random or incidental, they were purposeful, aimed at showing attentiveness and building trust.<sup>101</sup>

Co-facilitators mirrored this approach. Since they were not leading the conversation, their main form of engagement was nonverbal. Their body language aligned with that of the lead facilitator, reinforcing a sense of collaborative teamwork.

Building trust also entails being switched-on to participants' nonverbal cues. These subtle signals can often reveal underlying beliefs, emotions, or discomfort that may not be explicitly voiced. As I will explain later in this chapter, not all participants are able (or willing) to articulate their emotions. This means facilitators must remain alert to what is not being said.

For example, facilitators described fidgeting, moving constantly in their chairs, or interrupting their narrative as possible signs of discomfort or anxiety from participants. Similarly, crossed legs or arms can be indicators of defensiveness. Notably, many facilitators pointed out that participants' body language often shifts significantly over the course of pre-conference preparation. Those who begin the meeting appearing anxious or withdrawn may, by the end, become more relaxed, open, and make sustained eye contact, suggesting greater confidence and engagement with the process:

“I worked with young people for so long that, for me, their hoods up, and their hats on, and their eyes down, that if they didn't do that, I was always a bit thrown. But, you know, for me, it's that journey through preparation. If you get into the meeting before the conference and they're still like that, that's alarm bells for me because they're not open for that communication.” Olivia

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<sup>101</sup> It has been argued in the RJ literature that facilitators should deliberately manner their use of voice, face and body to be perceived as neutral an authoritative (Moore & McDonald, 2000). While verbal and non-verbal communication were used by facilitators in this study to display neutrality and impartiality, they were not employed to display an authoritative image.

Olivia explains how body language can be a cue for engagement. If, by the end of preparation, their body language remains the same (i.e. defensive or showing lack of interest), it can raise “alarm bells” and be interpreted as a sign that the person is not yet “open for that communication”.

RJ research has acknowledged that communication barriers can emerge between participants, with the storytelling process posing particular challenges for some, especially young people. For example, Bolitho (2012, p. 69) argues that young offenders may find the environment intimidating and frightening, which can increase feelings of nervousness and worry (Van Stokkom, 2019). As a result, they may struggle to articulate their emotions and frequently avoid eye contact (Riley & Hayes, 2018). In an Australian study of youth conferencing, Zappavigna and Martin (2018, pp. 212-213) found that young offenders often adopt a “small target persona”, using body language to minimise exposure to scrutiny, such as slouching inward in their chairs, keeping their hands in their laps, and crossing their arms, legs, and ankles.

In this study, facilitators identified such behaviour as a potential indicator of disengagement (echoing Olivia’s earlier comments) and something to be addressed during preparation. This reinforces the importance of recognising that not all participants have equal access to the narrative process and that facilitators must be prepared to adjust their approach to accommodate individuals’ needs. Crucially, certain groups and individuals may face obstacles that others do not in telling a story. Factors such as gender, age, racial, and cultural differences may potentially affect the way someone constructs and articulates their narrative, and how it is understood by the other party.

It is important to note that both non-verbal (and verbal) communication can vary greatly across cultural contexts. Therefore, facilitators must remain attuned to differences in language, religion, ethnicity, and social norms, adapting their approach to accommodate the diverse needs of participants. This cultural sensitivity is crucial for fostering mutual understanding and ensuring that communication is accessible for all involved (i.e. that it is being maximised).

For instance, in one of the cases I observed, the perpetrator was Polish. During the preparation phase, facilitators considered whether he might require an interpreter for the conference and explicitly offered this option, since English was not his first language. They asked whether having that support would help him feel more at ease when sharing his story, and kept the option available until the day before of the conference to ensure he felt supported. In another

case, the victim, a Muslim woman, expressed a desire to gift the perpetrator a copy of the Koran, a clear symbolic act rooted in her faith. As the perpetrator was non-religious, the facilitators had to navigate this cultural and spiritual dynamic with care, balancing different worldviews while upholding a respectful and impartial stance.

Non-verbal communication also serves a distinct function during conferences. While in preparation meetings it is primarily used to build rapport and foster trust, in the conference setting it plays a key role in demonstrating even-handedness and enhancing communication between the parties. Facilitators must be visibly attentive to both parties, showing interest in what both they have to say, giving them equal attention, and not displaying any biases.

“I’m always very mindful about where I’m sitting, even where my feet are pointing, because they say, isn’t it, your feet sort of unconsciously move [towards] what you’re interested in? So trying to keep sort of very neutral.” Rachel

Rachel’s example highlights the conscious effort facilitators make to display impartiality and neutrality through subtle forms of body language. By keeping her feet in a neutral position, not angled toward any participant, she seeks to avoid signalling preference or bias. This bodily awareness functions as a visible marker of neutrality and can also be understood as a strategy of impression management (Goffman, 1982) – a way of influencing how facilitators are perceived and ensuring their performance is read as fair and balanced.<sup>102</sup> Contrasted with the examples from preparation meetings discussed earlier, this approach reflects a subtle but important shift in performative style. During preparation, facilitators may lean slightly forward or use other body language to show warmth and build rapport. In conferences, however, the same gestures risk being interpreted as favouritism. As such, facilitators must remain hyper-aware of how their actions may be interpreted. If they lean forward while one party is speaking, they feel compelled to do the same when the other party speaks. Neutral posture, then, becomes a deliberate technique to uphold the appearance (and feeling) of impartiality and neutrality. Another facilitator, Olivia, elaborated on this point with a different example:

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<sup>102</sup> As mentioned previously in chapter 2, impression management is aimed at creating and managing the image individuals want about themselves in the eyes of others.

“My colleague – who I’d call him probably my mentor when I started – he used to talk about the nodding dog. So, do you know the advert of Churchill and the dog? He used to say, ‘As much as you’re agreeing with your participant, try not to nod in agreement, because if you do it more, you have to do it for everyone. And so if you do it for everyone, you’ll find yourself just constantly nodding.’” Olivia

Here, Olivia highlights the risks of subtle, often unconscious, non-verbal cues such as nodding. If facilitators nod at one participant, they risk appearing partial and, thus, must mirror this gesture toward others (“you have to do it for everyone”). The point is not just about symmetry, but about sustaining an even-handed, neutral presence that is perceived as such by all parties.

This concern with fairness is also evident in the way facilitators manage their presence before a conference begins. For instance, facilitators often arrive early to the venue to avoid being seen with either party, thereby reducing the risk of appearing aligned with one side. The conference I observed during fieldwork, held in a prison, illustrated this concern clearly. We arrived half an hour early to avoid being seen with the victim and their supporter. However, the prison staff took 15 minutes to open the gates, leaving us outside waiting. During that time, the lead facilitator expressed visible nervousness about the possibility of the victim and their supporter arriving while we were still waiting. She worried that being seen together could be misinterpreted by prison staff or the perpetrator, potentially undermining their display of neutrality and impartiality.

As noted earlier, non-verbal communication is also used during the conference itself to enhance communication and maintain neutrality and impartiality. In the same case mentioned above, the lead facilitator kept the RJ script in her lap and leaned back in her chair when it was a participant’s turn to speak. She also used subtle shifts in gaze or posture to redirect attention to another participant. One facilitator described this as the “click and drag” technique – a term also referenced in other RJ studies (Bolitho & Bruce, 2017):

“The click and drag is probably the main one [...]. You just sort of click and then, as they’re talking to you, look at someone else. They will either look at that person or they’ll sort of look around – ‘cause not all of them look them in the eye.” Rachel

Rachel explains how the click and drag technique helps steer the conversation between participants during conferences, encouraging direct engagement. This form of intervention is subtle, almost imperceptible, yet far from passive or detached. At the same time, it aligns with the notion introduced in chapter 6, which emphasises that facilitators aim to keep their conference interventions to a minimum.

“For facilitators certainly, it's kind of, ‘It's not my meeting.’ I always think it's a bad sign if you're hearing a lot of me [...] I want to get participants to a stage where [...] in an ideal world you could get up and wander off and know that they'd be fine. Obviously, you wouldn't get up and wander off. But in an ideal world, your prep should've got you to a place where they can get on with it and you're just there to occasionally nudge if needs be.” Anna

Here, Anna articulates a widely held view among facilitators: that preparation should empower participants to lead their own dialogue. Ideally, the facilitator's presence fades into the background as they are simply there to “nudge if needs be”. The aim is for participants to feel fully in control of the conversation, with the facilitator occupying a minimal role, almost invisible role. In practice, however, facilitators' role remains central to sustaining and maximising communication, arguably more so than they may admit. Anna's quote reveals that facilitators do guide participants in particular directions (“I want to get participants to a stage where they're having that conversation”), which, like empathetic listening, complicates the idea of neutrality. Indeed, when facilitators use non-verbal communication to convey specific messages or guide the parties in specific directions, they are not being neutral. While their actions may appear neutral to participants, their “method” is not intrinsically neutral. As noted earlier, the performance of neutrality and impartiality is guided by a purpose (to maximise communication) and that purpose is value laden.

Facilitators also use non-verbal communication between one another to maintain the flow of the conference. Eye contact, for instance, can serve as a discreet prompt, signalling when a co-facilitator should speak (such as to summarise the discussion or bring the meeting to a close) or initiate a specific action, like stepping out if a participant needs a break. These subtle cues also allow facilitators to silently negotiate how to respond when something potentially disruptive arises, helping them decide whether, when, and how to intervene without interrupting the dialogue.

“We had the ground rules in the middle of the room. And my colleague – who's since left – we had a very good relationship. You know when you work with a colleague, and you're in a meeting.... she says something, which is what you're about to say, and vice-versa? So, we looked at each other, we both had sort of, done the sideward glance, and we were managing it by just essentially seeing how it went. Because we had to weigh up: ‘I could say [something] right now about the huffing, but at the same time, it doesn't appear that the victim has noticed this.’ The victim was on the other side of the room, the mother was next to me, so it was something that was in my periphery, but from what we could see, I hadn't affected the victim. So, on balance, of the meeting, it wasn't right for me to cut in at that point.” Rachel

This example illustrates how both the lead and co-facilitator can maintain the “definition of a situation” (Goffman, 1978, p. 83) through fleeting but meaningful non-verbal exchanges. Their shared glances (“we looked at each other” and “sideward glance”) communicate alignment and allow them to assess the evolving dynamics in the room. In this case, they noticed a potential disruption (the participant's “huffing”) but deliberately choose not to intervene, recognising that the victim had not appeared to notice. Stepping in might have disrupted the emotional rhythm of the dialogue. The decision to hold back was therefore strategic, an effort to preserve the flow of communication. In this context, eye contact functions as a form of attunement, allowing facilitators to convey alignment and team impression.

Another technique described by facilitators was the strategic use of silence, to prompt a response, allow space for reflection, or deepen a point. In doing so, facilitators are, once again, guiding participants in a specific direction with the intent to maximise communication. Rachel noted that silence can be especially powerful in virtual meetings, where the absence of physical cues makes other forms of engagement more difficult:

“Particularly when it's online, and there's, like, a lag [...] it's even more useful to use silence because they can't see each other's body language as much. So, by putting a silence in the online one, then eventually someone starts speaking.” Rachel

In this example, silence is used strategically to prompt responses and prevent people from speaking over each other. This requires sensitivity and skill, to use silence constructively

without creating discomfort or disengagement (e.g. awkward silences). Facilitators must learn not just how, but when, silence is most effective, both in face-to-face and virtual meetings.

Within Restorative Solutions, conferencing was conducted virtually only during the Covid-19 pandemic, which placed new demands on facilitators. Like many other professionals, RJ facilitators adapted to remote working, which required a shift in practice. Emerging research suggests that virtual mediation demands more extensive preparation and poses significant challenges compared to in-person meetings. These include difficulties in reading “non-verbal cues, managing emotionally charged situations, and maintaining fluid interaction”, especially in cases of “higher emotional complexity” (Romero-Seseña, 2025, p. 18). In this study, facilitators similarly highlighted that there were numerous challenges to virtual meetings including inability to read emotions and body language, issues with digital access and literacy, and technical problems such as poor internet connectivity.

“The connection was poor, and they weren't on the screen – you could only see the top of their heads. And the daughter kept saying, ‘Can you sit up, Mum, so we can see you?’ And she'd sort of do it and then go back down again. And of course, she was immobile anyway 'cause of her knees. Oh, it was very awkward. We ended up taking over each other at times – not badly – but it just didn't flow well. But it was fine, we got there.” John

John explains in this example how technology can hinder emotional connection, effective communication, and engagement. As the RJ literature highlights, facial expressions are a key component of emotional communication (Rossner, 2011), yet these cues are often diminished or lost in online formats. In practice, facilitators found it challenging to navigate these limitations. As one put it, “if the technology fails, you're a bit scuppered and that's the end of it. Whereas if something fails in the same space, you can usually find some sort of workaround”. Therefore, human contact seems critical to the symbolic nature and success of RJ:

“Some stuff was hard because some meetings begin and end with human contact. So, when you can't go into a room and shake someone's hand, that's hard for some people, because that's a sign of peace, of friendship, of acknowledgement. And it's the same at

the end of meetings. How do you end a meeting well if you can't shake hands, hug, whatever? It does feel a little bit like, 'And I leave!' And we haven't quite found a way of making that OK." Anna

Despite these limitations, some facilitators noted that not everything about virtual RJ was negative. In particular, criminal justice professionals became more involved and willing to support RJ processes during the pandemic. For instance, in cases involving prisons, staff often helped set up video or phone calls. While some prisons were better equipped than others, the overall response was seen as positive by facilitators.

Finally, a note should be made on setting arrangements, particularly facilitators' chairs in the conference room, which can be an important form of non-verbal communication aimed at displaying neutrality and impartiality. Facilitators often position themselves equidistant from both parties, typically in the middle or centre of the room, to avoid appearing aligned with one side. In some cases, they also try to avoid positioning participants face-to-face across a table, which may feel adversarial. However, the physical space is not always negotiable. In prison settings, for example, facilitators must work with whatever layout is available.

To summarise, the examples provided in this section show that non-verbal communication is a key tool used by facilitators to display neutrality and impartiality, both during preparation and conference meetings. In preparation, non-verbal cues such as posture, gaze, and tone, are primarily used to build rapport and display fairness. During conferences, these cues are repurposed to manage the flow of conversation, encourage dialogue between participants, and avoid displays of bias.

Facilitators also use non-verbal techniques to guide attention, either towards or away from them, with the aim of maximising engagement and communication, whether between participants or between themselves and the parties. Crucially, such engagement is only possible when a trusting relationship has been established between facilitators and the parties, one in which participants feel safe enough to share their views, experiences, and emotions. In this context, trust becomes the yardstick for engagement, requiring a deliberate effort from facilitators to manage impressions and convey specific messages.

Yet these tools present a paradox for facilitators' performance of neutrality and impartiality. Take silence, for instance: while it may appear passive, it is often used deliberately to deepen

a point or elicit a response. In doing so, facilitators are subtly shaping the flow and direction of the conversation, actively contributing to the co-production of the parties' narrative. The gateway for facilitators to play this active role is created in preparation, once a trusting relationship has been built with the parties. As such, participants' narratives are significantly influenced by the structure of preparatory meetings and facilitator's interventions along the way.

#### 7.2.2.3.2 Verbal communication

Facilitator's verbal communication skills are also vital in engaging RJ participants both with the process and with each other. As mentioned in chapter 6, RJ facilitators often learn during their training that communication in conferencing processes is 20% verbal and 80% non-verbal. While this may hold true for participants, the data from this study suggests that verbal communication plays a greater role in facilitator's work, particularly during the pre-conference preparation phase.

Verbal and non-verbal communication often operate in tandem, and facilitators use both to perform neutrality and impartiality in a range of ways. For example, they are careful in their choice of words, even when writing emails or text messages, in order to maintain "professional" boundaries and avoid unintended signalling:

"I don't put kisses at the end of any texts, and some victims do. I don't think they want to literally give me a kiss, it's just how they text. But even in those, I just would not do it at all. And it's always a standard sign off, 'Thanks, [Rachel].'" Rachel

Rachel's reflection illustrates how she consciously maintains a neutral and impartial tone in small, everyday exchanges. Her avoidance of informal sign-offs like 'X' aligns with the display rules expected of RJ professionals and reinforces the image of a neutral and impartial RJ professional.

From my observations it was also clear that facilitators use a calm and friendly tone of voice to make participants feel at ease during preparation meetings, particularly when discussing the emotional impact of the offence. This serves a dual purpose: first, to build rapport and trust,

and second, to encourage participants' engagement with the process. By adopting a gentle and reassuring tone, facilitators help create an environment in which participants feel safe, comfortable, and heard (conditions that also support active, empathetic listening).

Facilitators also adapt their questioning techniques to the context and the emotional state of the participant. Depending on the moment, they may pose open, closed, or clarifying questions. For example, in the early stages of preparation, open questions are favoured as they give participants space to share their stories and express emotions in their own words, without feeling pressured or steered. This illustrates once again how the performance of neutrality and impartiality is closely intertwined with rapport and trust – and how trust functions as the touchstone for engagement, one of RJ's key principles (Sawin & Zehr, 2007).

There are other ways through which facilitators can cultivate trust over time through verbal communication. One approach is transparency: being clear about what the process involves and what they, as facilitators, can and cannot do. In practice, RJ participants have diverse needs, and facilitators must remain sensitive and responsive in order to build and sustain trust.

“As you work with people, you get more of a feeling – a sense – of what they need and what they want from you. There isn't a one-size-fits-all approach to everything, even if offences look kind of similar. As I tend to put it to people, there's a lot of, ‘I'm going to lay all my cards on the table and let's kind of pick through what's helpful.’ So, for some people, it's laying out all the options that there are and going, ‘Are there any that you want to discount immediately and are there any that kind of interest you a bit more?’ I had two cases very similar at the same time – one was a guy, the other a girl – and they'd both been victims of childhood sexual offences. And the guy, he was very much of ‘Tell me whenever you're going to see this offender, and then I'll be ready and prepared. Phone me as soon as you get to the prison and let me know that the visit's gone ahead, and then, whenever you get back out of the prison, we'll arrange for us to meet and talk about this.’ And that, in his head, worked for him... until it didn't. Whereas, for the woman, her take on things was, ‘Don't tell me. Don't tell me when you're going because I'll just stress about it. Tell me after you've been. Because if you tell me that you're going on Monday, I'll wake up on Monday and go, ‘Is it now? Is it now? Where are they? What's he said? What's he said about this? What have they said about this?’” So, for her, she just went, ‘Tell me when you get

out. Just give me a ring when you're in the car park, tell me it's done, and we'll arrange a date for you to come and see me and talk about it then. That's how I will keep myself sane.” Anna

In Anna’s example, two victims of childhood sexual abuse had different needs and requests. By being transparent about the full range of options available, she was able to support both individuals in making informed choices that reflected their evolving needs. Crucially, she respected their autonomy, allowing them to change course if necessary (“in his head it worked for him, until it didn’t”). Building trust, in this context, requires a careful balance: facilitators must clearly outline the available options while encouraging participants to make their own decisions. This often also includes discussing possible outcomes. Anna described this dynamic using a metaphor of walking alongside participants as they weigh different paths, each with its own risks and emotional weight:

“It feels like I'm beside them going, ‘There's a number of paths that we have here, which one do you want? Which one will we go down? You can go down that one, that's fine, but it's very dark. And that's not to say you can't do down it, but are you happy to go down this dark path? This one is full of spikes. This one looks lovely. It might not be lovely, but it looks it.’” Anna

At the outset of a conferencing process, the facilitator’s neutral and impartial stance helps create a space in which participants feel able to tell their story and articulate their needs and expectations. However, as the process unfolds and facilitators begin to deploy specific strategies and techniques to support participants, their influence becomes more visible. As Anna’s metaphor illustrates, facilitators are not passive observers, they are walking alongside participants, offering options and, at times, gently nudging them in certain directions. While she frames these paths as equally valid, her description also hints at subtle guidance (“this one looks lovely”), suggesting a preference or at least an encouragement toward one route over another. This reflects the broader point that facilitators, while performing neutrality and impartiality, are also actively involved in shaping participants’ narratives and that their verbal communication is far from being disproved of value.

Interestingly, one facilitator emphasised that trust building also entails “meeting people where they are”, even when that means navigating discomfort or difficult circumstances:

“It was dark and gloomy in his little flat. There was nowhere to sit and it was grubby. And you think, ‘Oh.’ But then you think, ‘Well, that's the way he lives, and we're not here to judge him, we're just here to come and talk with him.’ He probably wouldn't be comfy if we said, ‘Let's go and meet in the cafe down the road,’ so that's fine, you know. You think, ‘We can meet him where he's at, we can help him where he's at.’

John

Despite the uncomfortable setting, John maintained a neutral and impartial stance, grounded in empathy for the RJ participant they had met. In this context, “meeting people where they are” means accepting participants in their current emotional and physical circumstances without judgment and adapting to their needs rather than imposing external expectations. It is a gesture of empathy that fosters connection. By setting aside personal discomfort and suspending judgment, he created the conditions to build rapport. In this example, empathy became, once again, a vehicle for sustaining neutrality and impartiality.

Verbal communication is also crucial in shaping the co-facilitation dynamic. During preparation, facilitators aim to present themselves as equal and trustworthy in the eyes of participants. To that end, they consciously interact with participants in a balanced manner, ensuring that impartiality and neutrality are not undermined. While a participant's natural affinity with one facilitator may be helpful, it must be managed carefully to avoid creating dependency. When this occurs, facilitators may recalibrate the dynamic, for example by having the co-facilitator lead a session or respond to communications outside meetings (such as emails or text messages).

During conferences, verbal communication can have a powerful role in how facilitators perform neutrality and impartiality. Being fair to both parties means facilitators must be ready to intervene when necessary, such as when ground rules are breached or when one participant dominates the conversation:

“There are also ground rules, and those get decided by both parties. Things like ‘if you start going down this path of explanation, that person will get up and walk out, and this meeting will be over. And that's your choice.’” Anna

Such interventions help ensure the conference remains a safe and respectful space for all involved, while also reinforcing agreed boundaries. They are also a way of managing potential power imbalances and protecting participants from harm. In addition, facilitators may step in to ensure that communication is being maximised:

“Sometimes then my job becomes going, ‘You wanted to ask about this. Do you still want to ask about this?’ Or, ‘You wanted to say this and you haven't said this yet. You don't have to say this, but I know it has been important to you.’ Or, ‘It's been important to you that you've had an answer to this question. Do you think that you're in a better place of understanding now or is there further questions that you want to ask?’ Because there is a good chance that once those two people leave that room, that's it.” Anna

There is a clear concern from Anna in this example to ensure that all the questions raised during preparation are addressed during the conference. She intervenes at carefully chosen moments to make sure participants do not leave with unresolved concerns. In doing so, she is actively working to maximise communication between participants. This may also involve paraphrasing or gently repeating what was said, in order to deepen a point or ensure it lands. For example, she explained that, over time, she had learned the importance of checking whether an apology has actually been heard and received by the other party:

“I make a point of stopping the conference and going, ‘I just want to make sure that you've heard that. You don't need to accept it and you don't need to agree with it, but I just want to make sure you heard it.’” Anna

The role of apology in RJ has been widely discussed in the literature, as outlined in chapter 3. Research has shown that scripted and rote apologies are rarely effective (Rossner, 2013) and that their impact depends largely on whether victims perceive them as sincere. According to Suzuki (2022), sincerity rests on two key components: acknowledging the harm caused and

taking responsibility for the wrongdoing. He also underscores the value of non-verbal communication, such as eye contact, in conveying authenticity.

Facilitators in this study echoed these insights. They recognised the importance of apologies and symbolic gestures like handshakes, noting that their emotional weight stems from their spontaneity. Rather than being prompted or performed on cue, apologies should emerge organically through the participants' dialogue, if and when the perpetrator feels ready. The following reflection from Rachel captures this perspective:

“If someone's telling someone to make an apology, is that an apology? Really? [...] if I said, ‘Are you going to apologise?’ it's not sincere. The questions in the script really help to bring it out, I think [...] So, you've got the harmer, the victim, then it comes back to the harmer, ‘Is there anything that you want to say in response to the victim?’ [...] and that's usually where they'll say, ‘I'm just so sorry.’” Rachel

Similarly, facilitators were cautious about how forgiveness was handled during preparation. Most agreed that it should not be introduced unless the participants themselves raised it. This aligns with wider literature, which cautions against treating forgiveness as a goal or requirement within RJ processes (Armour and Umbreit, 2018; Zehr, 2014; Braithwaite, 2002b; Van Stokkom, 2008). Armour and Umbreit (2005, p. 493) advocate for a position of “disinterest”, suggesting that mediators remain neutral on whether forgiveness occurs, a view shared by facilitators in this study.

Shapland (2016) argues that forgiveness is a complicated process for victims as it often entails forgiving not only the other person (offender) but also themselves due to self-blame. She emphasises that, in an RJ context, it is important to be aware of participants' expectations and reasons for taking part when assessing their reactions (Shapland, 2016, p. 96). Interestingly, in her observations of conferences, the word “forgive” was rarely used by the victim or any other participant during the encounter. Yet, victims' showed appreciation for the apology offered by the offender, verbally or non-verbally by nodding, smiling, or shaking the offender's hands. Shapland (2016, p. 104) further argues that there might be several explanations for this, including the fact that the word “forgive” is not common in “contemporary English in the UK”.

Facilitators in this study similarly acknowledged that forgiveness can carry different meanings for different people, shaped by personal beliefs, cultural norms, and the nature of the offence. One facilitator noted that forgiveness tends to be interpreted and valued differently in “serious and complex cases”, or where participants have “a strong faith” or religious background:

“When forgiveness is like a really big thing or if it's talked about, it's usually either in serious and complex cases, or when someone has a strong faith or religion. Other than that, someone might forgive them, but... We don't have a whole talk about it because forgiveness is not a big factor towards their lives. Whereas people with a religion, they do talk about forgiveness and wanting to forgive and feeling that they should forgive. And when there isn't a religion, or not a strong one present, if they do forgive, it's just...you know, it's forgive as much as they have a Bourbon biscuit. They just do it. It's just not a big deal.” Rachel

Rachel emphasised that some victims grant forgiveness more easily because it is “not a big factor in their lives” whereas others “feel” they need to forgive, often due to the influence of religious belief. This echoes Shapland’s (2021, p. 276) observation that “forgiveness is intrinsically social and has to be seen as set in its social and cultural setting”. Therefore, facilitators must strike a careful balance, responding to diverse needs and expectations without promoting particular outcomes. This was especially evident in one of the cases I observed involving a death by dangerous driving, where the victim, a Muslim woman, placed forgiveness at the centre of the process. In this case, apology and forgiveness unfolded in tandem, not because either was prompted, but because both participants had independently centred these actions as their primary emotional needs. The lead facilitator explained that the victim wished to “find a way” to forgive the perpetrator, as this was deeply connected to her relationship with God and beliefs about the afterlife. The offender, for his part, expressed a strong desire to apologise (“whatever she needs, I will do it. I’m so sorry”). During the conference, the victim said, “I can see that you are sorry about what you did, and I forgive you”.

These examples show that spontaneity and authenticity are not only permitted but valued by RJ facilitators. While facilitators may encourage certain dispositions during preparation, this does not prevent genuine or spontaneous moments from emerging during conference meetings. If anything, preparation creates the relational conditions in which these symbolic gestures can

occur. Apologies, handshakes, or expressions of forgiveness are meaningful precisely because they arise without prompting and on participants' own terms.

Overall, verbal communication appears to be just as vital as non-verbal communication in the performance and maintenance of neutrality and impartiality. Facilitators draw on a number of techniques and strategies, both during preparation and conference meetings, as part of their team performance, to support and encourage participants' engagement with the process and build trust with the parties. The intangible quality of trust (and perceived trustworthiness) is conveyed not only through body language but also through carefully chosen words and verbal cues that help maximise communication between the parties. These strategies often involve empathetic listening and honest, transparent dialogue. At the same time, it is clear that verbal communication can actively shape the narrative produced by participants by subtly guiding them in particular directions or helping them make informed decisions. Interestingly, many of the verbal and non-verbal techniques described by facilitators were not learned through formal training, but rather developed through experience, informal learning, and ongoing interaction with colleagues, supervisors, and organisational culture. This highlights that much of the work of facilitation is learned on the job and that even those with the right traits and mentality must rely on experience and teamwork to navigate the complexities of the role.

Crucially, both verbal and non-verbal communication rely on emotion work. They require facilitators to remain emotionally attuned to their emotions and the emotions of others, regulate their own feelings, and respond sensitively to the needs and expectations of participants. This is not surprising, given that, as previously discussed, emotion work is inseparable from other aspects of facilitation.

### **7.3 Concluding comments**

This chapter set out to explain how RJ facilitators perform neutrality and impartiality in their everyday practice as a form of emotion work. The findings show that facilitators perform neutrality and impartiality to achieve a goal pre-established by RJ: maximise what they see as restorative communication between the parties to help repair the harm caused. Specifically, the chapter has focused on three key strategies used by facilitators to perform neutrality and impartiality: (1) management of emotions, (2) active, empathetic listening, and (3) verbal and non-verbal communication. The data reveals that while these techniques are used to display

neutrality and impartiality, as well as performance tools to help participants navigate RJ's emotional regime and conform with its display rules, they also present a paradoxical situation in everyday practice as they are not intrinsically neutral.

One of the most significant findings in this research is the use of emotion as a resource for performing neutrality and impartiality. Like other street-level bureaucrats, who often hold strong ideals and a desire to make a positive impact (Vedung, 2015; Lipsky, 1980),<sup>103</sup> facilitators are expected to manage emotions in their daily practice: they are emotionally skilled, reflexive actors. Their commitment to neutrality and impartiality involves acknowledging a place for emotion in their everyday work and using it as a resource. In general, facilitators show considerable reflexivity regarding the emotion dimensions of their work, often engaging and reflecting on their own and others' actions and emotions, particularly their display. They acknowledge the need to be self-aware and know their own triggers, as well as having boundaries, to remain neutral and impartial.

The facilitators in this study reported strong feelings about the extent to which the parties are willing to engage with the process. Lack of engagement with the conferencing process, its values or principles (e.g. not being willing to make "adjustments" or "move on"), can make them feel frustrated or annoyed. These emotions must be suppressed to conform with RJ display rules. This act of suppression is performed to show a neutral display while simultaneously encouraging participants to adopt specific dispositions that align with RJ values and principles. This is not passive. It requires deliberate effort. Furthermore, the data reveals that not all emotions are welcomed in their raw form. They must be modulated, sometimes even transformed, to fit within RJ's emotional regime. Anger, for instance, must be displayed in a manner that aligns with respect, a key RJ value, while shame must be managed so it does not become a barrier to engagement and participation.

Active and empathetic listening is an important tool for building trust and rapport with RJ participants. It provides the scaffolding for the parties to share their views, feelings, and needs, and consequently, engage fully with the process. Within Restorative Solutions, empathetic listening is a joint performance, one through which facilitators complement each other's interactions. Nonetheless, active, empathetic listening inevitably becomes an evaluative tool for facilitators. Despite a commitment to placing their bias and prejudice aside and giving

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<sup>103</sup> See also n.45.

participants equal opportunities to be heard, facilitators become active co-authors in the construction of participants' narratives by "standing in their shoes" and reflecting on what they have said. Consequently, their contribution is not, and cannot be, neutral or value free.

Verbal and non-verbal communication also serve as powerful tools to display neutrality and impartiality. Facilitators draw on a variety of techniques, including small symbolic gestures such as removing their coats, which signal informality, support participant engagement, and help build trust with participants. Trust functions as a barometer for engagement and often requires a deliberate effort from facilitators to deliberately manage impressions or convey meaning (e.g. silence to deepen a point in a conference meeting). It also entails guiding participants through their options and actively guiding them toward decisions that align with the perceived goals and values of RJ (as they interpret them). This guidance, while subtle, also complicates the notion of neutrality and highlights the facilitator's active role in co-producing the parties' narrative.

Taken together, the findings highlight how RJ participants are implicitly guided towards embodying the 'ideal' RJ participant. This ideal figure engages with the process, is committed to RJ values and principles (particularly respect)<sup>104</sup>, is open to making adjustments, prepared to take the necessary steps towards 'healing' (victims) or contribute to someone's healing journey (offenders). They also acknowledge the effort made by the other party in meeting their needs (victims) and take responsibility for the harm caused (offenders).

Their emotional displays must align with these expectations and, more broadly, with RJ values and principles. This means RJ participants cannot be intimidating, dominating, or disrespectful. In practice, the extent to which participants perform according to these ideal shapes the facilitator's assessment of their readiness to engage in a face-to-face meeting.

Overall, the findings show that communication in RJ is far less "spontaneous", "genuine" or "authentic" than is often claimed in the literature. Instead, it requires extensive preparation to bring participants to a place where they exhibit 'RJ-Justiciable' dispositions (i.e. where they are seen as 'ready'). At the same time, the data challenges the idea that conferencing is about eliciting specific or strong emotional expressions (Rossner, 2013; Sherman, 2003). What matters is not which emotions are expressed, but how they are displayed. These findings have

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<sup>104</sup> Both towards the other party and the process.

important implications for RJ policy, training, and practice, which will be explored in the concluding chapter.

## **Chapter 8 – Conclusions**

### **8.1 Introduction**

This thesis analysed empirically how, in their daily practices, RJ facilitators perceive and manage emotions in conferencing. In doing so, it explored the daily activities, tasks, interactions and relationships of facilitators who work for a third sector organisation, Restorative Solutions, in England.

This chapter draws out the key themes and findings from the thesis, highlights their contributions to knowledge, and considers their wider implications to the field. The first section reflects on the study's findings and discusses how facilitators perceive their role, how they perceive emotions, and how they manage their own emotions and the emotions of RJ participants. The second section summarises the study's main contributions to the field. I end the thesis with some final thoughts on the limitations of the study and suggestions for future research.

### **8.2. Reflections on the findings**

The aim of this study, which was to examine the work of RJ facilitators, specifically how they perceive and manage emotions in conferencing processes, was addressed by examining four key questions: (1) How do facilitators perceive their role? (2) Are emotions welcomed by facilitators in conferencing processes? (3) How are emotions talked about by facilitators? (4) How do facilitators manage their own emotions and the emotions of RJ participants?

Therefore, the reflections that follow are organised around these research questions.

#### **8.2.1 How do facilitators perceive their role?**

The RJ facilitators who took part in this study described their role as facilitation of, direct or indirect, communication between a victim (person harmed) and an offender (harmer) with the overarching aim of repairing the harm caused. There was a strong consensus amongst

participants that their role in a conferencing process entails maximising communication between the parties to support achieving some form of reparation. However, the findings show that the role of RJ facilitators shifts throughout the process, requiring different forms of intervention at different stages. Crucially, facilitators are not trying just to maximise just *any* form or type of communication. The data shows that facilitators seek to encourage specific forms of communication (and emotional display) from participants, which are aligned with RJ values and principles, as they understand and interpret them.

The study highlights that the role of RJ facilitators during pre-conference preparation, a critical and stage of conferencing, requires significantly more intervention than the conference meeting itself. In preparation, facilitators work closely with participants to help bring them to a state of readiness, often described by facilitators as getting to “a place”. The term “place”, commonly used in therapeutic fields, implies movement – a journey or “voyage” (Sherman, Strang, & Woods, 2003). In practice, the destination of this journey is marked by the end of pre-conference preparation, when participants begin to exhibit ‘RJ-justiciable’ dispositions, signalling they may be ready to meet the other party face-to-face.

Risk assessment is a pivotal part of this preparatory work. During this stage of the process, facilitators use a range of tools to assess participants’ motivations and support the development of the emotional and relational dispositions required for conferencing. This includes evaluating whether participants are willing to listen, engage constructively, or show respect, traits widely regarded in the field as core RJ values and principles. These assessments also serve a protective function, ensuring the process is safe and meaningful for both parties. To this end, facilitators must also evaluate whether participants are “in a place” where they are able to physically, emotionally, and mentally engage with the process, its values and principles.

In contrast, the data indicates facilitators adopt a different mode of intervention during the conference meeting, one that is often less verbally directive but no less active. This stage is characterised more by the use of body language and subtle cues. While facilitators often express a desire to have minimal input during the conference and to be “invisible” to participants (in line with common portrayals in the literature), the findings show they still play an active role in shaping the flow of the conversation. Techniques such as strategic silence or “click and drag” methods are employed to guide interactions, maintain momentum, and support the emotional rhythm of the meeting.

For this reason, I argue that RJ participants are continually encouraged to align themselves with an implicit model of the ‘ideal’ RJ participant, under the guidance of facilitators. The ideal RJ participant embraces, and shows they embrace, RJ values and principles, both in relation to the process and the other party, is willing to make adjustments, and takes deliberate steps towards emotional ‘healing’ (in the case of victims) or to support the other person’s healing journey and (in the case of offenders). They are also expected to acknowledge either the harm caused or the efforts made by the other party to meet their needs. In practice, participants are assessed on the extent to which they perform in accordance with this ideal, meaning they will be seen by facilitators as either ‘ready’ or ‘not ready’ to engage with the process and meet the other party.

This finding departs from the existing research and literature, which has characterised communication in RJ encounters as “spontaneous”, “genuine”, and “authentic” (Rypi, 2016; Rossner, 2013; Harris, Walgrave, & Braithwaite, 2004; Umbreit, 2001; Retzinger & Scheff, 1996). Such accounts often portray RJ as a space where participants express their true thoughts, emotions, and intentions freely, voluntarily, without pretence and external influence or coaching. While some scholars have started to question these assumptions, noting the implicit pressures participants may feel to conform to emotional norms (Van Stokkom, 2019; Zappavigna & Martin, 2018, p. 446), this study adds further nuance. Although the data does not suggest participants feel pressured to comply with RJ norms, it does show that they are encouraged and subtly coaxed by facilitators (particularly during the preparation phase) to demonstrate ‘RJ-justiciable’ dispositions. These include not only appropriate emotional displays but also specific attitudes and behaviours that align with restorative principles and values. As a result, participants must actively demonstrate that they are ‘ready’ in order to proceed to the conference stage. In this sense, the findings echo those of Rypi (2016) and Miller (2011), who implicitly demonstrate that emotional expression in RJ is not left entirely to participants but is both shaped by the feeling rules of the process and the active interventions of facilitators.

This is not to say that the facilitators in this study did not value or find “sincere” and “spontaneous” communication in RJ important. On the contrary, they emphasised that certain actions, such as an apology, must be perceived as sincere and genuine. Facilitators truly believe in RJ and have no doubt that their approach or ‘method’ can achieve some form of reparation. For this reason, they reject the idea that apologies must be prompted or encouraged during

preparation as they would be rote or insincere. This does not contradict or distract from my argument. It is possible to have sincere gestures and communication in any RJ encounter as the meeting can never be planned in its entirety, neither are facilitators trying to achieve such level of planning. What I am arguing is that communication in RJ conferences can never be described as intrinsically spontaneous or genuine because there is a specific type of communication that must occur in RJ encounters, one that is aligned with RJ values and principles, and which depends upon significant preparation work. As Vanfraechem (2005, p. 284) notes, “the preparation phase is crucial in order for victims and offenders to know what to expect from the conference”. I would add that preparation is also crucial for teaching participants the expected dispositions, helping them learn how to perform in ways that make them appear emotionally and relationally ‘ready’ for the encounter.

This type of communication, cultivated during preparation, shapes the emotional regime of RJ and its implicit display rules (rules that govern what emotions are appropriate, and how they should be expressed in a conferencing context). As I discuss below, facilitators use a variety of strategies to manage both their own emotions and those of participants to ensure that emotional displays remain aligned with RJ values and principles, as well as expectations.

The facilitators who took part in this study also described themselves as professionals and demonstrated a clear understanding of what professionalism entails in their occupation. This was closely linked to the performance of neutrality and impartiality, manifested in practices such as maintaining appropriate boundaries, refraining from developing personal relationships with participants after case closure, and communicating in a manner deemed respectful and appropriate (e.g. avoiding informal sign-offs like an “X” in text messages). Professionalism also encompassed knowledge of relevant procedural and substantive issues, including the ability to explain participants’ options and appropriately signpost to other services.

This professional self-conception is unsurprising, given that almost all participants (five out of six) were full-time employees of Restorative Solutions and accredited by the Restorative Justice Council. As part of their ongoing assessment, facilitators are required to document their practice through regular portfolios that include case records and reflective case studies, demonstrating compliance with Restorative Justice Council frameworks and standards. These are all practices typically associated with traditional professions.

This is an important finding, one that may sit uncomfortably with some RJ proponents. RJ has historically been framed as a practice that does not “hinge on professional expertise” (Bruce, 2012, p. 175) and in some cases, as a “de-professionalising project” (Braithwaite, 2004, p. 8). Critics of formal accreditation and certification processes have warned that such structures may introduce coercive dynamics, foster exclusion, or erode core restorative values such as voluntariness. While these concerns remain important, it is worth considering whether the evolving landscape of RJ provision demands different standards and skillsets than it did 40 years ago. As some scholars have acknowledged, the lack of consistency in the sector has resulted in variable standards of practice (Gavrielides, 2007), while others have highlighted the risks of re-victimisation in poorly structured or overly informal processes (Nascimento, 2021).

These concerns are echoed in the findings of this study. Firstly, the provision of RJ across England and Wales remains uneven and not fully integrated within the criminal justice system. This impacts facilitators’ structural working conditions and places them in an uneven position in relation to other criminal justice professionals. Notably, the data shows that the tightrope context within which facilitators work affects how their occupation is perceived by other criminal justice professionals who become unintentional gatekeepers of the process. This is a major source of frustration for RJ facilitators and something they find difficult to deal with on a daily basis. Precarity in the third sector, often characterised by short contracts and insecure funding cycles, adds another layer of frustration and instability to their role, leaving them vulnerable to an imbalance of power.

Secondly, the findings show that RJ facilitation is not a role that can be taken up by just anyone in the community. While professional background was not seen as a determining factor, facilitators emphasised the importance of specific traits and interpersonal qualities. For instance, police officers were described as effective facilitators when they possessed key attributes such as empathy, self-awareness, and the ability to remain non-directive and non-judgemental. These, alongside a commitment to neutrality and impartiality, were viewed as essential characteristics for competent facilitation.

Finally, facilitators also described their role as being neutral and impartial. Although they did not seek to distinguish these concepts, they defined both in relation to fairness (ensuring that all participants have equal opportunities to speak, be heard, and feel safe). Neutrality and impartiality were also linked to empathy, self-awareness and the active management of personal biases, namely the ability to prevent personal beliefs or emotions from influencing the

process. Contrary to concerns raised by some RJ scholars (Zernova, 2007; Coker, 1999), the findings reveal that neutrality and impartiality are not inherently incompatible with the work of RJ facilitators. This incompatibility would only hold if both concepts were understood in relation to the harm caused, an interpretation that is not supported by this study. Facilitators were clear that neutrality must be understood in relation to the process (ensuring balanced participation and communication), rather than in relation to the offence itself. If facilitators were to remain neutral towards the harm, they would be unable to redress and manage power imbalances, potentially placing victims at risk of further harm or re-traumatisation.

A distinctive contribution of this thesis is that it moves beyond normative discussions of neutrality and impartiality by examining not only how facilitators interpret these concepts but also how they are enacted and realised in relation to their daily practice. Facilitators do not simply possess these attributes, they perform them purposefully, as part of their role. This performance requires continuous, deliberate emotional labour.

The findings reveal that neutrality and impartiality are performed by facilitators with a clear objective: to maximise 'RJ-justiciable' communication that supports reparation. As discussed above, facilitators aim to foster a specific kind of dialogue, one that aligns with RJ values and principles, as they interpret them. This shows that their work is not done by chance or frivolously. Like many professionals, they also have an aim or goal, not in relation to the outcome of the process, but rather in respect to what they should achieve as RJ practitioners. They care deeply about what they do and they want participants to derive something meaningful from the process.

Neutrality and impartiality are thus integral to the craft of facilitation. They must be maintained and displayed throughout the conference process, not as a formal obligation but as an unwritten rule shaped by the expectations placed by the RJ field itself, the commissioning bodies (PCCs) and by organisations like Restorative Solutions.

Crucially, this study shows that impartiality and neutrality are performed by facilitators as a form of emotion work. To display neutrality and impartiality, facilitators utilise different strategies and use emotion as a resource. The study focused specifically on three key strategies used by facilitators to perform neutrality and impartiality: (1) management of emotions, (2) active, empathetic listening; (3) verbal and non-verbal communication. In practice, these

strategies are intertwined and often employed simultaneously. They illustrate how emotion work is not a separate task but embedded in every aspect of what facilitators do.

Facilitators draw extensively on emotion to sustain a neutral and impartial stance. This involves engaging with and regulating their own emotional responses (e.g. suppressing frustration) and those of participants, ensuring that emotions are expressed in ways compatible with RJ values and principles. Through this dual process of self-regulation and emotional calibration, facilitators create the conditions in which participants can be assessed as 'ready' to engage, while maintaining the appearance of neutrality and impartiality in their own role.

Active and empathetic listening is another key strategy through which facilitators perform neutrality and impartiality, particularly by displaying fairness, whilst fostering trust and rapport with participants. Trust is an ongoing task, cultivated by showing and by making participants feel that they care about them and have their best interests at heart. It must be nurtured through sustained relational effort and the consistent demonstration of attentiveness and attunement. Facilitators described empathy as vital to this process: the capacity to understand and share another person's emotional experience while maintaining a distinction between self and other. In daily practice, this means giving, and being seen to give, full attention to what is being said, and sometimes, to what remains unsaid. This creates a gateway for participants to articulate their views, feelings, and needs, which in turn enables deeper engagement with the process. Such engagement is crucial in assessing participants' 'readiness' and is a defining characteristic of the ideal RJ participant. Readiness is displayed (and signalled) through verbal and non-verbal indicators of attentiveness and cooperation, such as willingness to listen, acceptance of responsibility, and the ability to remain respectful throughout the process.

Verbal and non-verbal communication are also central to the performance of neutrality and impartiality across both preparation and conference meetings. Facilitators make deliberate choices about how they communicate, both in what they say and how they say it. They are acutely aware of how their tone of voice, posture, gestures, and expressions may be interpreted by others. For example, some facilitators described keeping their feet in a neutral position or avoiding nodding while someone speaks, to prevent any appearance of favouritism. This underscores a core concern: to avoid being seen as advocates for either party and to remain fair in both action and perception. Like empathetic listening, these forms of communication are also aimed at fostering engagement, building rapport, and reinforcing trust. Trust, in turn, functions as a barometer for participant engagement and often requires facilitators to manage

impressions, sustain the flow of dialogue, or use techniques such as “click and drag” to encourage reflection or redirection. The findings also highlight that trust is closely linked to honesty and respect. Facilitators consistently expressed a commitment to transparency, openly explaining participants’ options, addressing concerns, and treating people with dignity. Yet in explaining available options, facilitators also subtly guide participants toward choices that align with RJ’s broader goals and normative expectations.

Importantly, the data shows that while these strategies are used to display neutrality and impartiality to participants (and to others engaging with the process), they are not intrinsically neutral. In fact, these techniques operate as evaluative tools. By helping participants make sense of their narratives and emotions, by re-signifying their experiences, and by guiding them towards certain “paths” or choices, facilitators inevitably bring their own interpretation into the process. In doing so, they become co-authors of the participants’ stories. This presents a paradox, if not a contradiction, to the performance of neutrality and impartiality and illustrates that neither RJ nor the work of facilitators is value-free. As previously noted, facilitators are working toward a clear aim: to maximise RJ-appropriate communication in service of repairing harm.

Finally, the data shows that neutrality and impartiality constitute a team performance, enacted jointly by both the lead and the co-facilitator. This collaborative enactment is enhanced through the co-facilitator’s role, which often includes observing participants’ body language, taking notes, and intervening where appropriate. Co-facilitation allows facilitators to complement and reinforce one another’s actions, creating a visible sense of unity. According to facilitators, co-facilitation also helps maintain neutrality by preventing the development of exclusive rapport with one party (e.g. one facilitator bonding solely with the victim or the offender) and by fostering mutual accountability, especially when one facilitator feels they may have crossed, or are close to crossing, a “professional” boundary. Importantly, co-facilitation was described as central to reflective practice. Facilitators spoke of using co-facilitation to build on one another’s experience and debrief after conference meetings to discuss what went well and what could be improved. In this way, neutrality and impartiality are not only performed but sustained as a shared goal within the team.

Taken together, the findings contribute important insight into the nature and scope of RJ facilitation, both during preparation and conferences, and how facilitators perceive and perform their role, an area that has received limited attention in RJ literature to date. Notably, the data

shows that nearly all practitioners in this study learned to perform their role predominantly through practice, particularly the work conducted during preparation, as this is not covered in their training. Contrary to previous studies (Marder, 2020), however, the facilitators who took part in this research reported receiving continuous training as part of their professional development, along with access to reliable supervision. At an organisational level, structures were in place to support reflective practice and provide emotional support. These resources were seen as pivotal in helping facilitators manage their own emotions and sustain their performance of neutrality and impartiality.

### 8.2.2 Are emotions welcomed in conferencing?

The study offers important insights into how RJ facilitators perceive emotions and why the management of emotion is central to the conferencing process.

First, the findings show that the work of RJ facilitators entails recognising, not denying, a place for emotion in their daily practice. The facilitators in this study welcomed emotional expression in conferencing, viewing it as “normal”, “healthy”, and an integral part of the process. Contrary to claims in the literature, the data suggests that facilitators cannot, and should not, be dispassionate or emotionally detached (Hoyle, 2007). In order to build trust with participants, facilitators must engage with their emotions and those of others and use them as a tool to perform neutrality and impartiality. Moreover, the findings reveal that facilitators often feel emotionally depleted after conferences, indicating the depth of emotional labour involved in the role, as well as the level of commitment, investment, and effort required. In practice, emotions arise during both preparation and conference meetings, and their expression is a dynamic, interactive process that requires ongoing management.

Second, facilitators are not afraid to show emotion themselves. They believed that expressing appropriate emotion makes them appear more “human” and empathetic. However, there is an expectation of *what or how much emotion* they must display to maintain neutrality and impartiality. Certain emotions, such as frustration, were considered inappropriate and have to be masked, while others require modulation to align with RJ’s emotional regime and its implicit display rules. For example, tearing up during a conference was seen as acceptable, while sobbing was viewed as distracting and potentially undermining participants’ experiences. Facilitators described striving to present a “swan-like” image during conferences (appearing

calm and composed on the surface, even when feeling nervous or unsettled beneath it). This controlled emotional display is a deliberate performance, aimed at conveying reassurance and maintaining the impression that everything is under control.

Interestingly, facilitators also reported experiencing strong emotions in response to participants' willingness (or unwillingness) to engage with the process. When participants showed reluctance to engage with RJ values and principles (e.g. by refusing to make "adjustments" or "move on"), facilitators admitted feeling frustrated or annoyed. This reveals that facilitators also hold expectations about how participants should behave and interact with one another, ideally in 'RJ-justiciable' ways. Once again, this highlights how the performance of neutrality and impartiality may present a contradiction in everyday practice.

Third, facilitators emphasised that emotions play an important role in RJ and should be validated when expressed. Emotions are welcomed and affirmed during pre-conference preparation and are often elicited through different techniques, such as body language or targeted questioning. However, its expression must conform with RJ's emotional regime and its displays rules. This means that facilitators do not welcome the expression of any emotion, in any form. Throughout the process, they work to bring participants' emotional expressions in line with these normative expectations, using various tools to guide, regulate, or reframe emotions where necessary.

Facilitators also stressed that visible emotional expression was not always a requirement for a successful outcome. They acknowledged that some cases may focus more on managing expectations "on practical levels" rather than eliciting emotional expression. This is shaped by the context of each case and the individual preferences of participants, rather than the nature of the offence. Importantly, this did not mean that participants will not experience emotion or that emotions are absent from the process, only that emotional needs may not always be openly expressed. In practice, participants enter the process from different "emotional starting points" (Bolitho & Bruce, 2019, p. 391). Some victims may wish to describe the impact of the offence, while others prioritise obtaining answers to specific questions. At the same time, a case may seem "practical" from a victim point of view but be deeply emotional for the offender and their supporters. Consequently, facilitators must continuously manage the diverse emotions, needs, and expectations of all parties involved, whilst upholding RJ values and principles.

This finding departs from earlier research which positions emotional intensity as central to conference success, and which argues that facilitators are “trained to maximise emotional intensity” (Rossner, 2013, p. 145). For the facilitators in this study, RJ was not “about getting the emotions out”, nor did they believe the process had to be “emotional” to be effective. Moreover, the techniques used to manage emotion were largely learned through practice, not through formal training, as some literature suggests. Although the RJ script used in conferencing encourages emotional reflection (e.g. “what were you feeling at the time?”), facilitators described adapting it to context and individual needs. Notably, the script is never used in cases of sexual violence or domestic abuse.

In other ways, this study confirms that the ‘charming’ core sequence of apology, remorse and forgiveness (Retzinger and Scheff, 1996) is not the norm or an essential feature of conferencing (Daly, 2002). Indeed, facilitators reported that not all participants want an apology, nor do they always feel comfortable disclosing the emotional impact of harm. This mirrors Bolitho’s and Bruce’s findings (2019, p. 404) which have shown that victims may consciously conceal emotions to avoid being perceived as “weak”.

Facilitators emphasise that participants’ emotions should be aligned with their aims and expectations. For example, if a participant wishes to address the impact of the crime at the conference, it is likely that they will need to talk about their emotions. Thus, during preparation, the facilitators will work with the participant to encourage and help them express their emotions in ways that are aligned with RJ values and principles. However, the findings from this study show that the emotions of RJ participants must be ironed out to conform with RJ’s emotional regime as not all emotions can be displayed in their initial raw form. Shame and anger, in particular, were used in this thesis to illustrate this point. Shame must be re-directed from a paralysing inward focus to a more constructive, forward-looking stance, while anger must be expressed in ways that are compatible with respect, one of RJ’s core values.

This is a distinctive and important finding that challenges dominant perspectives in the literature. While some scholars have emphasised the value of eliciting strong or specific emotions in RJ (Rypi, 2016; Rossner, 2013; Sherman, 2003), this thesis argues that it is not the *type* or *intensity* of emotion that matters most, but *how* it is expressed. Participants’ emotions are welcomed, but not without limits. To conform with the emotional regime of RJ and its underlying display rules, emotional expressions must be aligned with RJ values and principles, as interpreted by facilitators in practice.

It is also important to note that the very nature of this emotion work can create situations in which professional boundaries may become blurred. As previously discussed, facilitators care deeply about participants and are invested in helping them achieve outcomes that meet their needs. This emotional investment may, at times, lead facilitators to become personally involved in ways that risk compromising their neutrality and impartiality. For this reason, the data underscores the importance of regular supervision and a clear understanding of professional limits. Thus, facilitators must have a clear understanding of where their role “ends” and where it “begins”, and when to refer participants to other services. The strategies used by facilitators to navigate these emotional demands and maintain appropriate boundaries are summarised in the next section.

### 8.2.3 How do facilitators manage their own emotions and the emotions of RJ participants?

The data shows that facilitators use a variety of tools and strategies to manage both their own emotional responses and the emotions of RJ participants during conferencing. For the facilitators in this study, emotional management takes place within broader institutional and organisational contexts that shape their roles. While organisational support is critical for helping facilitators evaluate their performance, thoughts, feelings, and reactions in practice, the institutional setting often requires constant self-monitoring, negotiation of role boundaries, and adaptation, factors that can be emotionally taxing and, at times, a source of frustration.

Reflective practice emerged as a key strategy used by facilitators to manage emotional demands and access their motivations. In line with previous research (Shapland et al., 2022), this study confirms that reflective practice can help facilitators navigate the emotional impact of their work, while also enabling them to think through uncertainties or concerns related to specific cases. Supervision meetings, co-facilitation, and team debriefs were consistently highlighted as essential for maintaining professional accountability and emotional boundaries. Within Restorative Solutions, reflective practice is not simply an individual endeavour but a collective, embedded aspect of organisational culture. The data also illustrates how support extends beyond formal structures. Facilitators reported receiving encouragement from colleagues through small gestures, such as good luck messages before a conference, which underscored the collaborative and supportive environment within Restorative Solutions. Debriefing with

co-facilitators after a conference was particularly valued as a space for emotional debrief, exchanging perspectives, and reflecting on actions and outcomes.

Reflective self-awareness and critical reflection also featured prominently as tools used to monitor and regulate emotional responses. Facilitators described using reflective self-awareness to examine their motivations (e.g. whether actions were driven by their needs or those of participants), and to assess the degree of “professionalism” in their responses. Critical reflection, meanwhile, enabled facilitators to consider their positionality and the influence of broader institutional, discursive, and political forces on their practice. These tools were not only used for emotional regulation, but also as means of performing neutrality and impartiality, helping facilitators to remain aware of personal biases and avoid crossing professional boundaries.

Facilitators also described using a range of conscious strategies to manage emotional responses that were not aligned with RJ’s emotional display rules, for instance, when they felt the urge to cry or express strong emotions. These strategies included internal self-talk (e.g. “this is not about me”), breaking eye contact or looking away, breathing exercises, blinking repeatedly, putting their head down, or agreeing in advance with their co-facilitator on a signal to take a break or leave the room. Interestingly, these techniques were not typically taught during training or learned on the job. Rather, they were either brought into the role from previous work experience or developed individually. How such individual strategies evolve into shared team practices or influence organisational norms over time remains unclear and warrants future research.

When managing participants’ emotions, facilitators described using empathy as a tool to validate emotional expression, offer emotional release, and, where appropriate, redirect or reframe those emotions. They reported using a range of approaches from affirming participants’ feelings to gently challenging their views or adopting a “devil’s advocate” stance to help them prepare for unexpected reactions or responses from the other party. These strategies are designed to guide participants toward more reflective engagement and to support emotional readiness for conferencing. In this respect, the role of RJ facilitators shares common ground with other helping professions, such as social work, where emotion management is directed toward transformation and change (Munford, 2023). Once again, these techniques were not described as part of initial RJ training, but as practices honed through experience and embedded in daily professional routines.

#### 8.2.4 Final reflections

Overall, this study shows that some of the dominant narratives surrounding RJ practice require reframing, particularly those concerning emotion and the role of practitioners, whose work has long been overlooked. The emotional labour performed by RJ facilitators is not (and should not be perceived as) unskilled or inexperienced. It deserves greater recognition. While the involvement of community members in RJ remains important for ensuring community representation, this should not be taken to mean that anyone is automatically suitable for the role.

The thesis has shown that there are two fundamental problems with RJ practice in England and Wales: one linked to the institutionalisation of RJ, and the other to how emotion and its role have been framed in RJ research and theory. In both cases, RJ's roots and values seem to have been overlooked or compromised. First, the institutionalisation of RJ has led to patchy provision and limited accessibility, creating a structural imbalance of power between RJ facilitators and other professionals within the criminal justice system. In their daily practice, facilitators must navigate not only institutional pressures but also the conflicting interests and scepticism of a wide range of stakeholders. Much has been written on the institutionalisation of RJ and its dilemmas (Maglione, Marder, & Pali, 2024; Aertsen, Daems, & Robert, 2006), often highlighting that the incorporation of RJ into penal policy is never a "neutral process" (Maglione, 2020, p. 4). Research has also found that hybrid practices have emerged in recent years, as a result of RJ's institutionalisation, which deviate from RJ's core principles. Specifically, in the context of England and Wales, Marder (2020, p. 513) found an increasing reliance on a "victim-focused narrative" that prioritises victims' needs over those of offenders. This shift has compromised two foundational RJ values: voluntariness and the collective ownership of decision-making. As Rossner and Bruce (2016, p. 23) caution, such institutionalisation can pose a serious "danger" to the RJ movement by "corrupting" and "watering down" its essential values.

At its heart, RJ is intended to be an informal, flexible, and culturally sensitive approach to conflict (O'Mahony & Doak, 2017; Crawford & Newburn, 2003). While some formality may be needed to ensure safety and minimise risk, its models must remain flexible to adapt to different stakeholders, circumstances, and cultures. That is ultimately the main reason why RJ has been embraced so passionately by so many people: it was able to offer a different view,

perspective, and flexible solution to conflict. However, if RJ is destined to become merely an extension of the conventional justice system, subsumed by its frameworks and restrictions, it is worth questioning whether such institutionalisation is justifiable at all.

Second, this thesis challenges some of the normative assumptions within RJ theory concerning the role of emotion. While emotions are undeniably an important part of RJ practice, at least in conferencing, its display is not as pivotal to success as often claimed. The data reveals that communication within RJ is not inherently genuine or spontaneous, but instead carefully worked at during pre-conference preparation. While some aspects or moments of the encounter can be spontaneous, the parties do not walk into the room without an understanding of what is going to be said or discussed. Quite the opposite: they must get to a “place” where they are ready to meet each other. As one facilitator put it, the conference meeting is only the “icing on the cake”.

It is also clear that emotion constitutes a pivotal part of the work performed by RJ facilitators in conferencing and cannot be separated from other aspects of their work. It infuses every stage and task of the process. Although facilitators may not identify their practice as “emotional labour”, they demonstrate considerable reflexivity regarding the emotional dimensions of their work, engaging in an internal interpretation of their own and others’ emotions, and its display. This work is fundamentally geared toward enabling transformation and supporting change.

Furthermore, many theories of emotion in RJ have proposed idealised models or sequences, which risk constraining the very principles of flexibility and voluntariness that underpin RJ. Models that equate success with the presence of apology, forgiveness, or intense emotional expression can be overly narrow and prescriptive. They fail to account for the variability and complexity of emotion and human experience. Emotion is not a universal force that operates in the same way across all contexts – it is a social phenomenon, shaped by culture, relationships, and power dynamics. Through culture, we learn what specific emotions are appropriate to experience in different situations: “different cultures are more or less expressive, more or less comfortable displaying certain kinds of emotions (like anger) and more or less likely to use certain behaviours to express that emotion (e.g. smiling to indicate discomfort rather than happiness, or screaming to indicate sorrow rather than crying)” (Jones & Bodtger, 2001, p. 225). For this reason, ideal sequences of emotion in RJ fail to accommodate cultural differences as well as individual needs.

The overarching message of this thesis is that RJ is not “an antidote to all that ails criminal justice” (Rossner, 2013, p. 16), but rather, as Zehr (2005, p. 302) suggests, “an arena in which people can sort out, within limits, what justice means in their situations”. As Walgrave (2017) warns, believing RJ can address all social conflict and injustice is unrealistic. Such claims risk turning RJ into a form of moral evangelism, thereby undermining its credibility and potential.

### **8.3. Reflection on the methods**

A few years ago, Toews and Zehr (2011) wrote that research is about the creation of meaning, much like restorative justice processes. They proposed a new mode of research – “transformative inquiry” – built on “transformative guidelines” and aligned with restorative values. One of the guidelines defines the researcher’s role as a “facilitator, collaborator and learner, rather than neutral expert”, who recognises the limited nature of their findings (Toews & Zehr, 2011, p. 267). Although I had not come across Zehr’s and Toews’ research model when I started my fieldwork, it was, perhaps intuitively, the approach that I tried to follow in my research.

When I entered the field, I did not see myself as an expert in the field, quite the opposite. Despite my previous experience as a trainer and as a researcher, I recognised that I knew very little about RJ practice and even less about the world of those who had accepted to take part in this study. Therefore, I approached the field with curiosity and interest and tried to give facilitators the opportunity to tell their story in their own way. I saw my role not as someone reporting on or interpreting their experiences from a position of authority, but as a co-creator of meaning. That was the reason I chose to use narrative interviews, rather than structured or semi-structured interviews. Hearing about facilitators’ stories first-hand allowed me to understand their world, not only what they do, but also, to some extent, who they are as individuals. This offered insights that structured interviews and existing literature could not provide.

The narrative interviews were central to this research and shaped much of how I came to understand facilitators’ work. Giving participants space to tell their stories in their own way allowed emotions, meanings, and uncertainties to surface naturally, without much prompting. However, this also meant that emotion was rarely expressed in a neat or direct way. Instead, it tended to appear through case examples, subtle reflections, or moment-by-moment descriptions

of practice. Making sense of this required time and sustained reflection. Patterns did not emerge quickly, and early interpretations often shifted as I returned to the transcripts and coding months later with new questions in mind, rereading the material in ongoing dialogue with relevant theory.

As I learned about facilitators' lives, interests, and motivations for working in RJ, I began to understand how they saw people, restorative practice, and emotion. I found myself carrying their stories with me as I moved through the analysis, returning to them repeatedly and trying to understand what had shaped their perspectives. In an interview a few years ago, Arlie Hochschild (D'Oliveira-Martins, 2017) similarly reflected on how she often thinks about the people she interviews and "carries them around", trying to understand the personal, social, and emotional experiences that shaped them. I believe that this kind of inner dialogue is essential to any qualitative researcher, as it is often where the real analytical work happens.

What I will carry with me most from this research are the stories, and the spirit in which they were shared. The facilitators I met approached their work (and often their lives) with quiet optimism and a deep belief in the possibility of change. Even in the face of systemic challenges or doubt, they remained committed to creating space for people to be heard, to take responsibility, and to begin repairing what had been broken. Many spoke of learning through their own challenges, but also of the insight they had gained from RJ participants: their courage and vulnerability. Above all, they modelled what it means to respect others, not as a slogan, but as a daily practice. Their outlook on RJ, and their belief in people and the potential for change, speaks volumes about who they are. I feel incredibly grateful to have been trusted with their stories, and I know their words will continue to shape how I think about justice, relationships, and people for a long time to come.

A similar approach informed how I conducted the focus groups. Despite my initial prompt and occasional input, I allowed facilitators to guide the conversation based on what mattered the most to them. As explained in chapter 5, I asked participants to watch two films prior to the focus group session, which facilitated interaction and provided additional data, not only on their dynamic in terms of co-facilitation, but also on structural differences across services. The response was overwhelmingly positive. Practitioners enjoyed the format and admitted they were more engaged by watching the films and exchanging views than they would have been by answering a series of questions. Some even recommended both films to other colleagues afterwards.

Using film as a prompt suited this sample because facilitators often reflect on their work with others, particularly through co-facilitation and team meetings. The films provided a shared point of reference and helped establish an atmosphere that felt familiar, as participants were already used to talking through situations collaboratively as part of their everyday practice. This allowed the conversation to develop naturally, with facilitators reacting to the same scenes, comparing interpretations, and building on each other's observations with minimal direction from me, aside from occasional prompts to keep the discussion focused.

Visual elicitation research supports this approach (Zehe & Belz, 2016; Pauwels, 2015), suggesting that visual prompts can act as catalysts for reflection, supporting participants in articulating tacit knowledge and taken-for-granted aspects of practice. Analytically, however, this approach required sustained engagement with the data and sustained reflection over time. Insights generated through the film-based discussions were analysed alongside narrative interview data and, later, ethnographic observations, with attention to how themes aligned or diverged across methods. Over time, I moved iteratively between these data sources, using moments of convergence and tension as prompts for further interpretation. It was through this iterative process that interpretations were refined and consolidated.

Ethnography was the method from which I learned the most – not only about facilitators, but also about myself as a researcher. I gradually came to see that reflecting on what surprised me and made me feel uncomfortable was beneficial, both to my understanding of the field and for fostering my growth as a researcher. While analysing my fieldnotes, I often asked: why did this catch me off guard? what assumptions was I holding? what expectations did I bring into this moment? what is this feeling trying to tell me? By asking these questions, I was assessing whether my own subjectivity was obstructing what I was trying to see and understand.

Ethnography also gave me the opportunity to compare what facilitators described in interviews and focus groups with what I saw unfolding in practice. Through observation, I was able to capture not only what was said, but also pauses, tone of voice, body language, and small interactions that rarely come through in retrospective accounts. Sometimes, this confirmed what facilitators had already shared. Other times, it brought out details that added nuance to their accounts. Overall, observation helped bring social situations to life, showing how facilitators respond in real time, how they negotiate meaning, and how they make decisions under pressure within the realities of their day-to-day practice (Katz, 2019).

My methodological choices were not strategic, at least not initially. When I started my PhD, I knew I wanted to conduct ethnographic fieldwork and explore facilitators' perspectives, but I did not know exactly how. With the Covid-19 pandemic, I had to re-think my research design and, thus, decided to use narrative interviews and focus groups, knowing that perhaps I would not be able to conduct ethnographic observations. In retrospective, I am glad I was able to combine all these methods, not only because they enriched my data collection but also because they allowed me to explore the conferencing process in its entirety and in detail, from preparation to conference and follow-up meetings. While the sample was small, the depth and richness of the material were substantial.

The interviews and focus groups also helped me build rapport with participants prior to Leg 2. By the time I started my ethnographic fieldwork, I had heard about their childhood, how they had become interested in RJ, and their previous work experiences. So, in some ways, Leg 2 only helped me build a stronger rapport with facilitators. Despite the logistical hurdles I faced (outlined in chapter 5), every moment in the field felt worthwhile. What eased my way more than anything else was the facilitators' personal warmth, hospitality, and generosity – joining me for breakfast or lunch even when scheduled meetings fell through, for which I remain deeply grateful. Our conversations were so engaging that I often lost track of time and, on one occasion, even missed my train home. This closeness, however, made reflexivity essential. While it supported a sensitive interpretation of the data, it also required a deliberate effort to maintain analytical distance, particularly where proximity risked accepting facilitators' accounts uncritically. Regular meetings with my supervisors gave me space to step back, question my own views and assumptions, and revisit interpretations that initially felt 'obvious'. Writing also played a crucial role in this process. Returning to the data through multiple drafts and analytic memos allowed me to reflect, sit with uncertainty, and create the distance needed to see beyond my immediate empathetic responses. This was not a quick or linear process. It took time and at points made me doubt whether I was making any progress.

Reflexivity became even more important as I undertook RJ training and later became a trainer during the course of the PhD. I often found myself reflecting on the cases and challenges facilitators had shared, and on how reflective practice as well as to the ways reflective practice shaped their understanding of facilitation, its responsibilities, and its boundaries. Today, in my own training, I frequently draw on anonymised examples and insights that I first encountered

through this group of facilitators, using them to foreground aspects of practice that tend to remain less visible, particularly practitioners' own emotional experiences.

Overall, this methodology enabled a different way of understanding RJ practice and emotion, one grounded in the experiences and reflections of practitioners and supported by multiple qualitative methods. Rather than beginning with a fixed theoretical framework applied deductively, the study adopted an abductive approach, moving iteratively between the empirical material and relevant literature as the analysis developed. This proved beneficial because it allowed the analysis to remain open to unexpected themes and tensions in the data, while still drawing on theory to refine interpretations and strengthen conceptual clarity. While Toews and Zehr's approach is not identical to mine, their spirit and key principles informed the ethos of the research and shaped how I approached both data collection and analysis.

#### **8.4 Contributions to knowledge & implications for RJ policy, practice, and training**

This study is novel in several respects. First, it examines pre-conference preparation in detail from a facilitator perspective, focusing on a pivotal stage of conferencing. This is a major strength of the study because it looks beyond research on conference facilitation, which has tended to prioritise the centrality of the conference meetings and its potential outcomes. To date, RJ research has largely focused on conference encounters (e.g. what happens, what is said, felt, or reported afterwards), while the practices through which preparation is carried out have received less sustained empirical attention, particularly from the perspective of facilitators. This is notable given long-standing recognition that "without proper preparation a conference may be compromised from the start" (Barton, 2003 p. 79). Digging into this crucial stage of the process in detail allowed me to capture important data that shed new light on the work of RJ facilitators and the emotional dynamics underpinning conferencing.

This research shows that the role of an RJ facilitator during preparation is not merely a series of checklists or administrative tasks, such as making contact or arranging the date and venue for the conference. It involves skilful work, subtle strategies, and on-going adjustments. Specifically, the study has shown that through their performance of ostensibly neutral and impartial communication, facilitators guide and transform the participants' views and

emotional displays, transporting them to “a place” where they are more aligned with RJ principles and values (i.e. where their dispositions are ‘RJ-justiciable’). By foregrounding facilitators’ perspectives at this key stage of the process, the study offers a more empirically informed account of RJ practice, moving beyond purely normative or idealised depictions.

Second, the study makes an original contribution by providing detailed empirical insight into the emotion work of RJ facilitators across the conferencing process and within everyday practice. While previous research has recognised the importance of emotion in RJ and the influential role of facilitators, no empirical research to date has examined facilitators’ emotion work as an object of analysis in its own right. The study explains how facilitators manage their emotions and the emotions of participants throughout the conferencing process, particularly during preparation where they are working towards getting the parties “to a place”. In doing so, the study also sheds light on the work of RJ facilitators more broadly, namely their skills, qualities, daily work, and training, which also have been overlooked both in RJ research and literature.

Thirdly, this research is novel in its methodological approach. To the best of my knowledge, this is the first study combining narrative interviews with focus groups and ethnographic observations. The study used stimulus materials (films) which is an innovative element of the design. Although some studies have used rich ethnographic or mixed-method approaches (Zappavigna & Martin, 2018; Bruce, 2013; Rossner, 2011; Dignan et al., 2007), the majority of RJ research still relies on questionnaires, semi-structured and in-depth interviews. Within the ethnographic methods used in this study, shadowing stands out as it has not previously been used by RJ researchers.

The implications for the field are significant. In terms of training, this study highlights the need to place far greater emphasis on the preparation stage within initial practitioner training, arguably more than conference meetings. It is during this stage of the process that facilitators conduct ‘the bulk’ of their work and build a trusting relationship with the parties. Yet many of the techniques used during preparation are learned informally, through trial and experience. Specifically, facilitators should learn verbal and non-verbal techniques as well as techniques on how to manage the emotions of RJ participants (e.g. how to challenge people’s views without losing engagement or how to use empathy to transform the display of emotions). Training should also address co-facilitation and its dynamics and what neutrality and

impartiality mean in their role as RJ practitioners, including how they should be displayed during preparation and conference meetings (e.g. not nodding when a participant speaks).

In terms of practice, the findings show that RJ facilitation requires a supportive, collaborative environment, one that provides opportunities and space for facilitators to reflect on their cases, feelings, and motivations. Effective supervision, co-facilitation, and “brainstorm” team meetings are crucial for facilitators’ development and can help prevent burnout. Furthermore, co-facilitation keeps facilitators accountable and fosters reflective practice. During preparation, facilitators need to be given the opportunity to discuss potential challenges they might be facing or potential courses of action, both with the co-facilitator and with other colleagues who are not directly involved in the case and bring different perspectives. After conferences, structured opportunities to debrief should be standard, allowing facilitators to process what happened, what they felt, and what they have learned.

Finally, the study has important policy implications. It makes clear that the work of RJ facilitators is deeply affected by the institutional context in which it is delivered. In England and Wales, current RJ provision does not fully reflect restorative aims. Instead, core values have been diluted by institutionally driven priorities (Maglione et al., 2024). To address this, more consistent provision and sustainable funding are needed across the field. Clearer professional standards could also help to rebalance power dynamics between RJ facilitators and other criminal justice professionals, elevating the role and clarifying its boundaries. At present, facilitators must navigate competing demands and shifting expectations from various stakeholders, a juggling act that requires resilience, but should also command greater institutional support. Practising what Dzur (2008) calls “democratic professionalism”, a collaborative, inclusive model that values the contribution of RJ facilitators, will require not just a cultural shift, but also firmer policy commitments to role recognition, training, and long-term investment.

## **8.5 Limitations and implications for future research**

This research is a small-scale, in-depth qualitative study that examined the daily practices of six facilitators working in England for a third sector organisation. As such, its findings cannot make claims beyond this context. A similar study conducted on a larger scale, in a different jurisdiction, or involving other types of facilitators (e.g. volunteers, police officers) might

reveal different understandings and work practices. Consequently, other studies may unravel different forms of emotional labour performed by facilitators. The study is also focused on conferencing, meaning that other RJ models may offer alternative or additional insights. It is also worth noting that all facilitators in this study were employed by Restorative Solutions, meaning that practitioners from other organisations may encounter different challenges or operate within distinct frameworks.

Another limitation is that this study did not explore the potential role of gender in how emotion work is performed. Of the six facilitators interviewed, only one identified as male. A more balanced gender mix may have provided further insights, for example, into whether gender affects how facilitators build trust with participants, and if so, how.

The observational component of this research was also limited, as discussed in chapter 5. Longitudinal studies could enhance understanding of how specific emotions, such as disgust, sadness, or humiliation, are managed in line with RJ's emotional regime.

With these limitations in mind, it is clear that much more research remains to be done on the emotional labour of RJ facilitators. Comparative studies across jurisdictions and practitioner types (including volunteers and independent facilitators, both in the UK and internationally) would offer valuable insight into how emotions are conceptualised and managed in diverse cultural and institutional settings. Exploring other RJ models, such as victim-offender mediation, may also yield fresh theoretical and practical contributions.

Longitudinal research could also shed light on whether the techniques described by facilitators in this thesis are sufficient to prevent emotional over-identification with participants. For instance, are strategies like desensitisation employed? Future theoretical work might also investigate the 'dark' side of emotional labour, including how facilitators navigate experiences of verbal aggression, intimidation, or even 'grooming' behaviours.

Finally, future studies might examine how RJ participants perceive the emotion work performed by facilitators throughout the conferencing process. This could be explored through a combination of in-depth interviews (with stakeholders and facilitators) and ethnographic observations (shadowing and observation of preparation and conference meetings). Such research would offer a fuller picture of how emotional dynamics are experienced, interpreted, and navigated within conferencing processes.

I close this thesis with a short reflection and a personal note. While this study offers an important step towards recognising and understanding the emotional work of RJ facilitators, it is only one perspective: situated, partial, and shaped by its context. What I hope it offers is a deeper appreciation for the skill, care, and emotional labour embedded in restorative practice, and a call for greater visibility and support for those doing this work. Above all, what I learned from facilitators is that RJ is not a static model. It is something relational, fluid, and constantly shaped by those who experience and practise it. As one facilitator put it, “it’s never the same conversation twice”. Their insights remind us that humility is essential: that what we know is always incomplete and shaped by the people and contexts we encounter. And that, perhaps, is the most restorative lesson of all.

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# Appendices

## Appendix 1: Restorative justice values

Author	Category	Values
Amstutz (2009)	<p><b>Values underlying VOC</b> (victim-offender conferences) processes</p>	<ul style="list-style-type: none"> <li>• Interconnectedness</li> <li>• Respect</li> <li>• Transparency</li> <li>• Accountability</li> <li>• Self Determination</li> <li>• Spirituality</li> <li>• Truth</li> </ul>
Braithwaite (2003, 2002a, 2002b)	<p><b>Constraining values</b> (fundamental procedural safeguards)</p>	<ul style="list-style-type: none"> <li>• Non-domination</li> <li>• Empowerment</li> <li>• Honouring legally specific upper limits on sanctions</li> <li>• Respectful listening</li> <li>• Equal concern for all stakeholders</li> <li>• Accountability and appealability</li> </ul>

		<ul style="list-style-type: none"> <li>• Respect for individual rights as outlined in international human rights documents</li> </ul>
	<p><b>Maximising values</b> (key elements to evaluate the process which should be actively encouraged)</p>	<ul style="list-style-type: none"> <li>• Restoration of property loss</li> <li>• Emotional restoration</li> <li>• Restoration of dignity</li> <li>• Compassion and social support</li> </ul>
	<p><b>Emergent values</b> (may or may not result from the process; should not be actively encouraged)</p>	<ul style="list-style-type: none"> <li>• Remorse</li> <li>• Apology</li> <li>• Forgiveness</li> <li>• Censure of the act</li> <li>• Mercy</li> </ul>
<p>Pranis (2007)</p>	<p><b>Process values</b> (qualities of the restorative processes)</p>	<ul style="list-style-type: none"> <li>• Respect</li> <li>• Individual dignity</li> <li>• Inclusion</li> <li>• Safety</li> <li>• Non-domination</li> <li>• Humility</li> <li>• Mutual care</li> <li>• Reparation</li> <li>• Responsibility</li> </ul>

	<p style="text-align: center;"><b>Individual values<sup>105</sup></b> (qualities processes should foster within the participating individuals)</p>	<ul style="list-style-type: none"> <li>• Respect</li> <li>• Honesty</li> <li>• Open-mindedness</li> <li>• Compassion</li> <li>• Patience</li> </ul>
<p>Kirkwood (2022)</p>	<p style="text-align: center;"><b>Ethical values</b> (emphasise how practitioners go about their practice)</p>	<ul style="list-style-type: none"> <li>• Voluntariness</li> <li>• Safety</li> <li>• Inclusion</li> <li>• Dignity</li> <li>• Respect</li> <li>• Responsibility</li> <li>• Accountability</li> <li>• Truth-telling</li> <li>• Honesty</li> </ul>
	<p style="text-align: center;"><b>Prudential values</b> (highlight what outcomes are desired from the process)</p>	<ul style="list-style-type: none"> <li>• Mutual understanding</li> <li>• Reparation</li> <li>• Repairing harm</li> <li>• Agreement</li> <li>• Truth</li> <li>• Trust</li> <li>• Healing</li> </ul>

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<sup>105</sup> Pranis (2007, p. 64) argues that “individual values are not a list of criteria for involvement, but a vision of the direction in which everyone will try to step from where they are”.

		<ul style="list-style-type: none"> <li>• Recovery</li> <li>• Rehabilitation</li> <li>• Reintegration</li> <li>• Restoration</li> <li>• Transformation</li> <li>• Desistance</li> <li>• Reconciliation</li> <li>• Forgiveness</li> <li>• Individual choice</li> </ul>
Shapland (2013)	<b>Core values</b>	<ul style="list-style-type: none"> <li>• Voluntary participation</li> <li>• Inclusivity</li> <li>• Communication (which includes the idea of deliberative accountability)</li> <li>• Safety</li> <li>• Trying to come to a voluntary agreement</li> <li>• Guaranteed by a neutral facilitator or mediator trained to help ensure the above</li> </ul>
The UNODC (2020)	<b>Key values</b>	<ul style="list-style-type: none"> <li>• Truth</li> <li>• Fairness</li> <li>• Physical and emotional safety of participants</li> <li>• Inclusion</li> </ul>

		<ul style="list-style-type: none"> <li>• Empowerment of participants</li> <li>• Safeguarding of victims' and offenders' rights</li> <li>• Reparation</li> <li>• Solidarity</li> <li>• Respect and dignity for all involved</li> <li>• Voluntariness and transparency of process outcomes</li> </ul>
Van Ness & Strong (2010)	<p><b>Normative values</b> (the way the world ought to be)</p>	<ul style="list-style-type: none"> <li>• Active responsibility</li> <li>• Peaceful social life</li> <li>• Respect</li> <li>• Solidarity</li> </ul>
	<p><b>Operational values<sup>106</sup></b> (how restorative programmes should function)</p>	<ul style="list-style-type: none"> <li>• Amends</li> <li>• Assistance</li> <li>• Collaboration</li> <li>• Empowerment</li> <li>• Encounter</li> <li>• Inclusion</li> <li>• Moral education</li> <li>• Protection (physical and emotional safety)</li> <li>• Reintegration</li> <li>• Resolution</li> </ul>

<sup>106</sup> Van Ness and Strong emphasise that, among the ten operational values, encounter, amends, reintegration, and inclusion are of particular importance.

## Appendix 2: Ethics application form and supporting documents

### Ethics application form (narrative interviews and focus groups)

<b>1. Title of the investigation</b>
The Craft of Facilitation in Restorative Justice: A Study of Restorative Conferences
Please state the title on the PIS and Consent Form, if different: N/A
<b>2. Chief Investigator (must be at least a Grade 7 member of staff or equivalent)</b>
Name: Dr Cyrus Tata <input checked="" type="checkbox"/> Professor <input type="checkbox"/> Reader <input type="checkbox"/> Senior Lecturer <input type="checkbox"/> Lecturer <input type="checkbox"/> Senior Teaching Fellow <input type="checkbox"/> Teaching Fellow Department: Law School Telephone: 548 3274 E-mail: cyrus.tata@strath.ac.uk
<b>3. Other Strathclyde investigator(s)</b>
Name: Tania Nascimento Status (e.g. lecturer, post-/undergraduate): PhD Student Department: Law School, Centre for Law Crime And Justice Telephone: 07553786817 E-mail: tania.nascimento@strath.ac.uk
<b>4. Non-Strathclyde collaborating investigator(s) (where applicable)</b>
Name: Status (e.g. lecturer, post-/undergraduate): Department/Institution: If student(s), name of supervisor: Telephone: E-mail: Please provide details for all investigators involved in the study:
<b>5. Overseas Supervisor(s) (where applicable)</b>
Name(s): Status: Department/Institution: Telephone: Email: I can confirm that the local supervisor has obtained a copy of the Code of Practice: Yes <input type="checkbox"/> No <input type="checkbox"/> Please provide details for all supervisors involved in the study:

## 6. Location of the investigation

The investigation will involve interviews and focus groups with facilitators who work for a third-sector organisation (Restorative Solutions). These will be conducted either online (e.g. via Zoom) or in person. Where face-to-face interviews or focus groups are possible, they will take place either on Restorative Solutions' premises or in a public space. It is important that interviewees feel comfortable with the location, and therefore they will be given the option to choose how and where they would prefer to be interviewed.

**If this is not on University of Strathclyde premises, how have you satisfied yourself that adequate Health and Safety arrangements are in place to prevent injury or harm?**

1. The researcher will leave the contact details and location of each interview or focus group with a trusted friend or colleague on the day it takes place.
2. The researcher has previously completed an internship with Restorative Solutions and is therefore familiar with their Health and Safety Policy.

## 7. Duration of the investigation

Duration(years/months): 7 months

Start date (expected): 03/ 01 /2022

Completion date (expected): 03/ 07 / 2022

## 8. Sponsor

Please note that this is not the funder; refer to Section C and Annexes 1 and 3 of the Code of Practice for a definition and the key responsibilities of the sponsor.

Will the sponsor be the University of Strathclyde: Yes  No

If not, please specify who is the sponsor: N/A

## 9. Funding body or proposed funding body (if applicable)

Name of funding body:

Status of proposal – if seeking funding (please click appropriate box):

In preparation

Submitted

Accepted

Date of submission of proposal: //

Date of start of funding: //

## 10. Ethical issues

As with any study involving human participants, a number of ethical considerations must be addressed to protect participants' rights, ensure their welfare, and respect their dignity. Key issues identified at the planning stage include **voluntary participation and informed consent, as well as confidentiality and anonymity.**

The researcher is committed to complying with Strathclyde's Code of Practice on Investigations Involving Human Beings, and to adhering to widely accepted standards of

ethical research. These include the Economic and Social Research Council Framework for Research Ethics, the British Society of Criminology Statement of Ethics, The Socio-Legal Studies Association Statement of Principles of Ethics Research Practice, and the British Sociological Association Guidelines on Ethical Research. The researcher will also be mindful of the Restorative Justice Council's Code of Practice and Standards for Restorative Justice, particularly in relation to principles such as voluntariness and confidentiality, which underpin the professional practice being studied.

### **Voluntary, informed and ongoing consent**

Voluntary, informed consent will be sought from all participants. It will be ensured that all participants are fully informed as to the nature of the investigation and are comfortable answering the questions posed during the interviews and focus groups. The aims will be explained in full on the information sheets and consent forms (see appendices) and verbally at the start of the interview. The information sheet will also explain that interviewees are under no obligation to be recorded.

An additional guidance note will be provided to help participants get a better sense of the ground to be covered in interviews and focus groups. Each participant will be given the researcher's contact details and told that they have the right to withdraw from, and decide not to take part in, the investigation at any time. Once the participant has received the Participant Information Sheet (PIS) and had time to consider whether to take part, their consent will be sought and, if freely given, will be recorded.

A 45-90 mins interview will be scheduled with each participant who has agreed to take part. The researcher will begin interviews with a short introduction in which she will explain the focus and goals of the interview. During the introduction, she will clarify any questions that participants still may have and try to establish rapport.

The researcher already has an existing relationship with the directors of the organisation under study (Restorative Solutions), who have expressed their support for the study. They have granted permission for their employees to participate and have confirmed that the decision to take part rests solely with each individual. They have also made clear that choosing not to participate will have no impact on any aspect of an employee's work or role within the organisation (see Attachment 4).

The researcher aims to use a snowball sampling approach (see Section 14) in order to avoid involving management in the recruitment process. This is intended to minimise the risk that participation is perceived as an instruction or obligation.

### **Confidentiality and anonymity**

Anonymity and confidentiality are key considerations in qualitative research ethics, and the two constructs are theoretically distinct. In accordance with the GDPR principle of privacy,

it is good practice to protect the identity of participants unless there are good reasons to do otherwise. Confidentiality and anonymisation will be particularly important in this study for three reasons:

1. The participants are employees of Restorative Solutions. Their views and opinions will be anonymised and kept confidential from their employer (see below for further details).
2. While the focus of the study is on participants' professional experiences and views, some questions or discussions may touch on personal or sensitive topics (see section on risk of harm/participant wellbeing).
3. Due to the nature and complexity of the cases Facilitators work on, participants may share information that contains sensitive details about third parties (e.g. victims or offenders).

Accordingly, a range of safeguards will be implemented to protect participants' anonymity and confidentiality as far as possible, both during and after the investigation.

- The researcher will respect the privacy of participants (and avoid undue intrusion) throughout the study. When conducting online interviews (e.g. via Zoom), the researcher will use a quiet, private location where their screen cannot be seen by others, and will use headphones rather than computer speakers. Participants will be encouraged to do the same. If research is conducted on the premises of Restorative Solutions premises, these will take place in a private room, in complete privacy, away from other staff. It is expected that Facilitators will have access to a neutral venue, outside their office. These spaces are often rented by Restorative Solutions to run conferences and are subject to risk assessments.
- All data will be stored and transported securely. Digital recordings, transcripts and other files containing personal data will be moved onto the university server at the earliest possible opportunity and held there exclusively thereafter. The device used to record the interviews/focus groups will encrypt the files at the point of recording and will require a code to be played. The only paper documentation which could be used to identify participants (the consent forms) will be kept in a locked cabinet accessible only by the researcher.
- For the purpose of record keeping, each participant will be identified by an ID code or letter, which will ensure that they cannot be identified. The research material will only be accessible by the researcher and her supervisors, and all electronic files (e.g. transcripts and written notes) will be password protected.
- During the pseudonymisation/ anonymisation process, care will be taken to ensure that contextual information does not render participants identifiable. Where necessary, identifying context (e.g. geographic location; recent change of role) will be **will be removed or neutrally altered** to protect their identity from their peers,

managers, and other superiors. This will apply to both interview transcripts and any quotes used in the PhD thesis.

- The doctoral thesis will not disclose the identity of any participant or include identifying details. The researcher will confirm in advance whether quotes from interviews or focus groups may be used in anonymised form or excluded from research outputs altogether. When quoting participants, pseudonyms or ID codes will be used to ensure anonymity and confidentiality.
- Focus groups present specific challenges regarding confidentiality, as participants may know each other and observe one another's contributions. The researcher will therefore emphasise the importance of respecting the privacy of colleagues and maintaining confidentiality outside the group. A non-disclosure statement has been added to the consent form (see attached).
- The researcher also acknowledges that focus groups sessions may raise challenges when trying to obtain consent. While some participants may feel comfortable with face-to-face sessions, others may feel more comfortable participating online. Thus, the researcher will not conduct any in-person session with a Facilitator who has expressed discomfort in participating in a face-to-face session. In such cases, the session will be conducted online (e.g. zoom), provided other participants agree to have a virtual session. If a virtual session is not feasible, the researcher will consider recruiting other participants.

## **Risk of harm**

### *A. Participants*

As the focus of this research is on participants' professional activity, the risk to their physical or mental wellbeing is minimal. However, as noted above, interviews and focus groups may touch upon personal or sensitive topics. To mitigate any risk of psychological or emotional harm, several strategies will be adopted to ensure participants feel comfortable throughout the study:

- 1) The researcher will do everything possible to create a safe and supportive environment in which participants feel comfortable sharing their thoughts and experiences (e.g. use of judgement-free language, mannerisms and facial expressions) and will pay careful attention to verbal/non-verbal cues that may indicate discomfort discussing personal topics (e.g. silence, sarcasm, curt responses).

- 2) The investigation will be adapted to the needs of participants, including the need for pacing, taking breaks, and terminating the session if a participant becomes distressed.
- 3) Focus groups will be kept small (maximum of five participants per group), and participants will be selected based on their level of experience to support a safe and productive discussion environment.
- 4) A debrief session will be conducted after each interview and focus group, allowing participants to reflect on and share their reactions to the discussion.

Facilitators will be reminded not to disclose confidential or distressing information to the researcher. In particular, they will be advised not to share any details about individual cases. In the event that a Facilitator states that they have new information relating to an individual case which is legally relevant, they will be reminded to report it directly to the police rather than to the researcher.

That said, it is important to emphasise that Facilitators are not lay people. They are highly skilled professionals who are trained in restorative practices and well-versed in confidentiality requirements. They are aware of appropriate support services and, as part of their professional responsibilities, are expected to refer or signpost participants to these services when needed.

#### *B. Researcher*

The emotional wellbeing of the researcher is equally important. Regular engagement with participants may bring up complex emotions, particularly when discussing serious cases with Facilitators. As Bergman Blix (2015) put ‘Emotional participation is demanding work’ (p.131).

To support the researcher’s wellbeing, the following measures will be implemented:

1. The researcher will maintain an electronic reflexive diary to record her emotional responses and reflections throughout the study.
2. Regular supervisory meetings will be held, offering a space to reflect on the research process and its emotional impact. The researcher will also consider accessing support services available through the university.
3. Interviews will be limited, whenever possible, to two per week.
4. Regular debrief sessions will be held on a regular basis with her supervisors.

It is also important to highlight that the researcher has undertaken in restorative practices (including in cases of serious harm), both with Restorative Solutions and other organisations. Therefore, she is aware of the principles and safeguards of applying restorative justice in sensitive cases. She has also conducted interviews in past with restorative justice Facilitators and professionals involved in the management of sex offenders and victim-survivors and, therefore, is familiar with the field and the dynamics of this investigation.

The data from this investigation will be incorporated into a doctoral thesis and may be used in articles that could be published in academic journals or presented at academic conferences. If the data from this investigation is used in any related publication, the same protections will be adopted to ensure the anonymity and confidentiality of all participants. No participant will be identifiable from any publication arising from this investigation.

**11. Objectives of investigation (including the academic rationale and justification for the investigation).** Please use plain English.

**Aim of this study:**

This research will study the work of restorative justice (RJ) Facilitators within restorative conferences. The aim is to understand how Facilitators interpret their work, what strategies they use to facilitate cases, and what challenges they face.

**Restorative conferences** are one of the main models of RJ practice. They are typically defined as a ‘face-to-face meeting between offender and victim, with one or more mediators or facilitators, and (...) one or more supporters of the offender and victim’ (Shapland et al., 2011, p.9).

**Facilitators** are professionals ‘whose role is to facilitate, in a fair and impartial manner, the participation of the parties in a restorative process’ (Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters, 2002).

**General rationale for this study**

Restorative justice (RJ) is a voluntary process that brings, in a managed and planned way, those harmed by crime and those responsible for the harm into communication. It enables everyone affected by a particular incident to take part in repairing the harm and finding a positive way forward. The process typically entails some form of face-to-face encounter between participants and the presence of one or more trained facilitators.

RJ is often described as an umbrella concept that encompasses a diverse range of practices and processes. Its flexible approach means it can be applied across various contexts and adapted to the needs of participants.

Advocates argue that RJ can offer significant benefits for both victims and offenders, including emotional closure, restoration, reintegration, and accountability (Angel et al., 2014; Robinson & Shapland, 2008; Rossner, 2013; Strang, 2002). It provides a supportive space for participants to deal with the aftermath of crime, enabling the creation and development of a narrative that gives voice to their experiences. These narratives are co-produced, challenged, and negotiated over the course of an interaction, encouraging the expression of emotion (Rossner, 2017). This emotional dimension is often cited as one of RJ's most compelling features and "its defining characteristic" (Rossner, 2017, p.14).

Despite all these claims, few empirical studies have examined the work of Facilitators, including how they achieve a physically and psychologically safe space to facilitate RJ, how they encourage the development of a narrative that articulates the voices of participants, and what strategies they use to personally cope with the emotional nature of cases. Whilst there is consensus amongst practitioners and researchers that Facilitators play a significant role in RJ and that successful interactions require a significant amount of planning and expertise (Barton, 2003; Bolitho & Bruce, 2017; Bruce, 2013; Rossner, 2013), their work is often taken for granted.

According to the United Nations, a Facilitator in RJ broadly refers to 'a person whose role is to facilitate, in a fair and impartial manner, the participation of the parties in a restorative process' (Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters, 2002). While the qualities required for facilitation vary depending on the case material, the seriousness of the offence, the purpose of the meeting, and the number of participants involved (Umbreit & Armour, 2011, pp. 239–240), careful preparation and rigorous risk assessment are consistently essential.

A growing body of literature on 'democratic professionalism' suggests that professionals play a vital role in supporting lay participants, but that effective collaboration requires clear role definition, task delineation, and shared goals (Dzur, 2008). Within RJ, however, the craft of facilitation remains a surprisingly underexplored area of study.

This research is driven by a desire to examine the role of Facilitators more closely and understand their occupation (what they do and how they do it). It seeks to explore how Facilitators interpret their role (e.g. the purpose and success of RJ conferences), what strategies they employ, and what challenges they face. In doing so, it aims to shed light on their daily practices, relationships, and interactions, and how these shape their experiences and perspectives.

In view of this aim, qualitative methodology is best suited for this study. This choice of method takes into account its advantages and disadvantages, as well as the questions, specificities and the nature of this research. Qualitative methods are typically used for providing an in-depth understanding of the research issues that embrace the perspectives of the study population and the context in which they live (Hennink, Hutter & Bailey, 2020.)

There are some fundamental differences between qualitative and quantitative research, and both have their strengths and limitations. While qualitative research can be helpful in exploring meaning and context from the perspective of study participants, as well as understanding the meanings and interpretations that they give to behaviour, events or objects, its sampling is hardly ever statistically representative of a population. However, this study does not aim or claim to be representative of the population object of study. In fact, its in-depth nature means that few study participants are needed. The purpose of this study is to achieve depth of information rather than statistical representativeness.

The methodology will be influenced by a social theoretical framework known as symbolic interactionism (Blumer, 1969; Maines, 2001; Mead, 1936). This approach can provide an in-depth understanding of the world as seen through the eyes of the people being studied (RJ Facilitators), including how they perceive their occupation and how this informs their work.

Theoretically-speaking, this research is partly informed by the insights of Symbolic Interactionism. Symbolic interactionists are concerned with how people create meaning through everyday interactions, using symbols such as language, gestures, and signs. In contrast to other social theories, it does not pose a theory of society but, rather, focuses on individual acts and what goes on between people.

Symbolic Interactionists are interested in how individuals use their capacity for agency to bring their feelings in line with what is expected of them (Turner & Stets, 2005). Thus, rather than relying on quantitatively derived data collected through representative survey research, and analysed using statistics, symbolic interactionists primarily collect and analyse qualitative data from people's experiences in naturalistic settings.

This study will use **narrative interviews** as its primary method of data collection. The aim is to understand participants (Facilitators) in relation to the group and society, and explore how past and present life history, as well as cultural and social processes, shaped the development of their careers. These interviews will be supplemented with **focus groups interviews** to help capture participants' thoughts and feelings about particular issues (Krueger and Casey, 2000) and look at more subtle relevant views and behaviours that would not be possible to retrieve or conclude through narrative interviews.

### **Specific rationale for seeking narrative interviews**

The researcher intends to conduct narrative interviews to gather information on Facilitators' background, experience, beliefs and views of the RJ process. Narrative Interviews are a good way to explore how participants see their role, how they cope with feelings of frustration, stress, and uncertainty in their work, and (in the case of more experienced Facilitators) whether their perceptions and behaviours have changed over time (Merrill & West, 2009).

The narration schema substitutes the question-answer schema that defines most interview situations. The underlying presupposition is that the perspective of the interviewee is best revealed in stories where the informant is using his or her own spontaneous language in the narration of events.

It is hoped to be able to recruit 4-8 Facilitators with different levels of experience (e.g. number of conferences facilitated, years of experience, facilitation of serious or minor crime). Interview scheduling will be based on participants' availability and will last between 45 and 90 minutes.

The final sample may not reflect the gender balance of the organisation, as participation will depend on individuals' willingness and availability. As outlined earlier, this study does not aim for statistical representativeness.

Rather than relying on a single open-ended question, the researcher will use a flexible checklist of topics to guide the interviews and ensure key areas are explored (see Attachment 2).

### **Specific rationale for seeking focus groups**

As well as narrative interviews, the researcher also intends to conduct focus groups with Facilitators.

Focus groups are a flexible approach that offer a wide range of options, allowing the researcher to look at more subtle relevant views and behaviours that would not be possible to retrieve or conclude through narrative interviews. While narrative interviews focus on individual experiences, focus groups prioritise interaction – how participants respond to, reflect on, and build upon each other's contributions. This approach can help surface more nuanced perspectives and shared understandings that are shaped through group discussion.

Following the classic framework of interactionism, all the participants in a focus group are not only aware of their own roles but also of the roles others play in the conversation. This interplay between identity and interaction echoes Cooley's (1909) concept of the 'looking-glass self: the idea that individuals understand their actions through the perceived reactions of others.

Focus groups are particularly effective for uncovering shared understandings through complementary interactions. They foster a 'group effect', where participants are encouraged to share, reflect on, and add to each other's experiences (Lindlof & Taylor, 2011). When the group is engaged, conversations often unfold as a process of sharing and comparing perspectives. This dynamic is valuable not only for capturing what participants think, but also for revealing why they think the way they do.

**A guidance note** will be provided prior to each session so participants can get a sense of the topics that are going to be covered (see attachment 2).

The researcher will use visual materials (e.g. images, videos) and news that have featured on social media. These will afford an opportunity to break the ice and create space for alternative opinions and narratives to be shared (Barbour, 2018).

The groups will be organised by level of experience – ‘veterans’, ‘experienced’, and ‘newcomers’ – based on years of practice (e.g. less than 2 years, 2 -6 years, and more than 6 years) and the nature of cases facilitated (serious or minor crimes). Grouping participants with shared experience is intended to create a ‘known context’ that encourages richer engagement and more meaningful discussion.

It is hoped to be able to run 3 to 6 groups, each comprising 3 to 5 Facilitators. Sessions will last between 30 and 75 minutes. Wherever possible, focus group participants will be drawn from the same pool as the narrative interviewees.

A short demographic questionnaire will be provided prior to each interview (see attached). The information collected will be used to support data analysis. Gender, age, and ethnicity are all factors that may shape personal perspectives. Thus, it is important to consider whether and how these characteristics may influence facilitators’ approaches to conferencing.

## **12. Participants**

### **Please detail the nature of the participants:**

Restorative justice Facilitators - a person whose role is to facilitate, in a fair and impartial manner, the participation of the parties in a restorative process.

### **Summarise the number and age (range) of each group of participants:**

Narrative interviews – between 4 and 8

Focus groups – between 3 and 6

Age (range): 21+

The sample may or may not be representative of the gender ratio within the organisation – this will largely depend on facilitators’ availability and willingness to participate.

### **Please detail any inclusion/exclusion criteria and any further screening procedures to be used:**

The principal inclusion criteria are that participants must be employees of Restorative Solutions, have received training from the organisation, and have facilitated a minimum of one conference.

Additional inclusion/exclusion criteria will be used to differentiate newcomers from more experienced Facilitators (e.g. facilitation of serious crimes). Restorative Solutions operates six RJ services across England. The aim is to recruit Facilitators from a range of these services to ensure variation in organisational context and local practice.

### **13. Nature of the participants**

Please note that investigations governed by the Code of Practice that involve any of the types of participants listed in B1(b) must be submitted to the University Ethics Committee (UEC) rather than DEC/SEC for approval.

Do any of the participants fall into a category listed in Section B1(b) (participant considerations) applicable in this investigation?: Yes  No

If yes, please detail which category (and submit this application to the UEC):  
N/A

### **14. Method of recruitment**

The researcher aims to use a snowball sampling strategy (Parker, Scott & Geddes, 2019) to recruit participants for this study. This approach involves identifying initial participants who meet the inclusion criteria, and then asking them to suggest other potential participants who may also be suitable. Snowball sampling is particularly effective in accessing individuals within a specific professional community, as it builds on existing networks of trust and shared experience.

This process assumes a 'bond' or 'link' between the initial sample and others within the same target population, enabling referrals to be made within a circle of professional acquaintance. The strategy is especially appropriate in this case, as it can facilitate the recruitment of a suitable number of participants from each of Restorative Solutions' regional RJ services (see Section 12).

#### **Method/process of recruitment:**

1. The researcher will seek permission from Restorative Solutions to contact the services with the highest number of RJ referrals. Restorative Solutions currently delivers restorative services across six different Police and Crime Commissioner (PCC) areas in England, and each service has their own priorities and internal procedures. Referral volumes fluctuate across PCC areas.

2. Once permission has been granted, the researcher will contact the area managers and establish (direct) rapport. The idea is to be introduced to the wider team by the area manager and, consequently, establish rapport with Facilitators on site.
3. Potential participants will then be approached (directly) by the researcher and asked if they would like to take part in the investigation. The researcher will explain what participation involves, reiterating that involvement is entirely voluntary and that participants can withdraw at any time without consequence.
4. After an initial group of 3–4 participants has been recruited, the researcher will use snowball sampling to expand the sample. At the end of each interview, participants will be asked if they know any other Facilitators who meet the inclusion criteria and may be interested in participating.
5. Participants will be given the choice of either contacting their suggested peers directly or sharing their contact details with the researcher (with consent). If contact details are shared, the researcher will initiate contact and follow the same procedure as above. If participants prefer to initiate the contact themselves, they will be given an information sheet and asked to pass on the researcher's details so that interested individuals can get in touch.

Participants will not receive any compensation or initiatives for providing referrals.

The researcher already has an existing professional relationship with the Directors of Restorative Solutions, the organisation at the centre of this study. The Directors have expressed their support for the research (see attached letter) and have agreed to permit employee participation. They have also confirmed that participation is entirely voluntary, and that an employee's decision to take part (or not) will have no impact on their employment status or conditions (see attachment 4).

All recruitment procedures will align with ethical requirements for informed consent. Participants will be fully informed about the nature and purpose of the study, and they will have the opportunity to ask questions and seek clarification before deciding whether to participate.

## **15. Participant consent**

Voluntary, informed consent will be sought from all participants. There are no special problems in obtaining informed consent in this research, other than ensuring truly free consent from employees of the organisation supporting this research (Restorative Solutions).

It will be ensured that all participants are fully informed as to the nature of the investigation and are comfortable answering the questions posed during the interviews. The aims will be

explained in full on the information sheets and consent forms, and verbally at the start of the interview. The information sheet will also explain that interviewees are under no obligation to be recorded. Each participant will be given the researcher's contact details and told that they have the right to withdraw from, and decide not to take part in, the investigation at any time. Once the participant has received the PIS and had time to consider whether to take part, their consent will be obtained, recorded in writing and kept in a locked cabinet. Participants will be fully informed as to the nature of the investigation and may raise any relevant questions or concerns at any time.

The researcher has an existing professional relationship with the Directors of the organisation under study (Restorative Solutions), who have expressed their support for the project (see attached letter). They have confirmed that employees may participate in the study and that any decision to take part is entirely voluntary. Participation, or refusal to participate, will have no impact on any aspect of their employment (see attachment 4)."

## **16. Methodology**

Investigations governed by the Code of Practice which involve any of the types of projects listed in B1(a) must be submitted to the University Ethics Committee rather than DEC/SEC for approval.

Are any of the categories mentioned in the Code of Practice Section B1(a) (project considerations) applicable in this investigation?  Yes  No

If 'yes' please detail:

**Describe the research methodology and procedure, providing a timeline of activities where possible. Please use plain English.**

### **Narrative interviews**

This research project will involve two key methods of data collection: narrative interviews and focus groups. The aim is to gather information on Facilitators' background, experience, and views of emotions and the RJ process. It is hoped to be able to recruit 4 to 8 facilitators. Interviews will last between 60 and 90 minutes.

### **Focus groups**

Focus groups will be used to explore how Facilitators as a group think and talk about their work, particularly emotional experiences and shared challenges.

It is hoped to be able to run 3 to 6 groups with 3 to 4 facilitators each. Each session will last 30- 75 minutes.

### **Time-frame**

This is expected to run up to 7 months, beginning in January 2022.

**What specific techniques will be employed and what exactly is asked of the participants? Please identify any non-validated scale or measure and include any scale and measures charts as an Appendix to this application. Please include questionnaires, interview schedules or any other non-standardised method of data collection as appendices to this application.**

The narrative interviews and focus groups have been designed to gather detailed insights into Facilitators' experiences and views.

For the interviews, the researcher will use a topic checklist rather than rely on a single, open-ended prompt. This approach allows for greater depth and structure without restricting participants' stories (see Attachment 2). As Paul Thompson (2000) notes, questions like "Tell me the story of your life" can often result in brief or superficial responses. In fact, narrative interviews can sometimes limit the interviewer's role as much as a survey instrument. A topic guide helps navigate the conversation while still allowing the participant to shape the narrative.

The same logic applies to the focus groups. The researcher will use a flexible guide listing key themes to be explored (see Attachment 2), but the aim is to let the discussion be participant-led. As Bloor et al. (2001) argue, the moderator's role is to encourage conversation, not control it. Given that RJ Facilitators are used to managing group interactions, this approach should be both familiar and effective.

To enrich discussion, a few short activities will be included in the focus groups. These will include free listings (Bernard, 1995), where participants will be invited to list all elements of a domain (e.g. issues/challenges faced during the preparation stage or what they perceive to be the fundamental ingredients of a successful conference). The researcher also intends to use **visual materials** (e.g. images, videos) and news that have featured on social media. The examples will be based on different scenarios/RJ cases to help tease out group dynamics and opinion formation. They will afford an opportunity to break the ice and create space for alternative opinions and narratives to be shared (Barbour, 2018).

Where an independent reviewer is not used, then the UEC, DEC or SEC reserves the right to scrutinise the methodology. Has this methodology been subject to independent scrutiny? Yes  No

If yes, please provide the name and contact details of the independent reviewer:

**17. Previous experience of the investigator(s) with the procedures involved.**

Experience should demonstrate an ability to carry out the proposed research in accordance with the written methodology.

The investigation will be carried out by Tania Nascimento.

Tania is a PhD student at the University who holds a Bachelor of Law from the University of Lisbon and a Masters (Law) Degree (with Distinction) in Criminal Justice & Penal Change from the University of Strathclyde.

Tania's Masters dissertation investigated the risks and potential of RJ in cases of sexual violence. As part of her research, she interviewed professionals involved in the management of sex offenders and victims-survivors. She is, therefore, familiar with the field as well as the dynamics of this research. More recently, Tania has conducted a small empirical study on RJ (Nascimento, 2021) in which she interviewed Facilitators, trainers, and other experts. This has helped her gain further experience and insight into how to navigate the field.

Tania has also undertaken different types of training in restorative practices, both with Restorative Solutions and other organisations (e.g. European Forum for Restorative Justice). These training courses have provided her with the knowledge and the skills required to facilitate restorative conferences, including training in the engagement and preparation of people who have been harmed and people responsible for harm. One of the training courses focused specifically on restorative justice in cases of serious harm. Therefore, she is aware of the principles and safeguards of applying restorative justice in sensitive cases.

Tânia's PhD is jointly supervised by Professor [Cyrus Tata, PhD](#) and Dr [Saskia Vermeulen](#), Law School, Strathclyde University. Both supervisors are skilled and internationally renowned socio-legal researchers who have extensive experience in conducting and publishing a wide variety of empirical research. They have conducted research in similar settings and have collaborated on interdisciplinary projects with professionals and Non-Governmental Organisations. Their expertise in research ethics means they possess in-depth knowledge of qualitative methodologies as well as the legal and regulatory frameworks that govern research involving human participants.

Tata is a Professor of Law and Criminal Justice at Strathclyde University. He has over 25 years of experience conducting empirical research, including interviews with senior professionals and officials. His work has given him extensive expertise in qualitative methodologies and the ethical dimensions of organisational research. He has published widely on various aspects of criminal justice in Scotland and internationally and has served as an adviser to several national governments.

Vermeulen is a Reader at Strathclyde University Law School and a critical legal scholar specialising in property theory and resource frontiers. Drawing on legal anthropology, she has conducted extensive empirical research, including multi-site ethnographic fieldwork across five Southern African countries over the past 15 years. She has collaborated with a wide range of NGOs, including World Vision (Zambia), the Working Group of Indigenous Minorities in Southern Africa (Namibia), the Legal Assistance Centre (Namibia), and Green Living Movement (Zambia). Her work has also involved direct engagement with

marginalised communities across Ghana, Botswana, Namibia, South Africa, Zambia, Zimbabwe, and Uganda on legal empowerment and development initiatives.

### **18. Data collection, storage and security**

The researcher will ensure that participants' anonymity is protected as far as possible, both during and after the investigation.

For record-keeping purposes, each participant will be assigned an ID code or letter to prevent identification. Research materials will be accessible only to the researcher and her supervisors. All electronic files (e.g. transcripts and notes) will be stored securely and password-protected.

The doctoral thesis will not disclose the identity of any participant. Any potentially identifying details will be removed or neutrally altered. The researcher will clarify with participants in advance whether their contributions may be quoted in anonymised form or excluded from research outputs altogether. Where appropriate, ID codes or pseudonyms will be used when citing extracts from interviews or focus groups to maintain confidentiality.

The data collected will be incorporated into a doctoral thesis and may also be used in academic publications or conference presentations. In all cases, the same safeguards will apply to ensure the anonymity and confidentiality of participants. No individual will be identifiable from any published material resulting from this investigation.

#### **Explain how and where it will be stored, who has access to it, how long it will be stored and whether it will be securely destroyed after use:**

All data will be transported and stored securely. Digital recordings, transcripts, and other files containing personal data will be transferred to the university's secure server at the earliest opportunity and stored exclusively there.

The device used to record interviews and focus groups will encrypt files upon recording and will require a code to access playback. All electronic files (e.g. transcripts, notes) will be password protected and accessible only to the researcher and her supervisors.

The only paper documents capable of identifying participants (the signed consent forms) will be stored in a locked cabinet accessible only by the researcher.

Both digital recordings and consent forms will be retained securely for five years and will then be permanently destroyed.

Will anyone other than the named investigators have access to the data? Yes  No   
If 'yes' please explain:

## 19. Potential risks or hazards

### Participants

Given that the research focuses on participants' professional activity, the risk to their physical or mental wellbeing is minimal. However, as explained above, the interviews and focus groups may touch upon personal, sensitive topics. Thus, additional strategies will be adopted to ensure participants are comfortable throughout the investigation and are not subjected to increased risk of psychological or emotional harm:

- The researcher will do everything possible to create a safe and supportive environment in which participants feel comfortable sharing their thoughts and experiences (e.g. use of judgement-free language, mannerisms and facial expressions) and will pay careful attention to verbal/non-verbal cues that may indicate discomfort (e.g. silence, body language, sarcasm, curt responses).
- The investigation will be flexible and responsive to participants' needs, including allowing for pacing adjustments, breaks, or termination of the session if a participant becomes distressed.
- Focus groups will be small (a maximum of five participants per group) and will be organised based on participants' level of experience to support open and meaningful discussion.
- A debrief session will be offered after each interview and focus group, providing participants with an opportunity to reflect on the discussion and share any reactions or concerns.

Facilitators will be reminded not to disclose confidential or distressing information during the research process, particularly details about individual cases. If a Facilitator indicates that they possess new information related to an active case that may have legal implications, they will be advised not to share it with the researcher but to report it to the appropriate authorities, such as the police.

That said, it is important to emphasise that Facilitators are not laypeople. They are highly skilled professionals with extensive experience in the field. Confidentiality is a core aspect of their role, and they are well-versed in the ethical boundaries of their work. All have been trained in restorative practices and are familiar with the appropriate support agencies. Indeed, part of their professional responsibility involves referring participants to these services when necessary.

- Researcher

The emotional wellbeing of the researcher is also a key consideration. Ongoing contact with participants, particularly when discussing complex or serious cases, can be emotionally taxing. To mitigate this, the following strategies will be adopted:

- The researcher will keep an **electronic reflexive diary** to record thoughts and emotional responses throughout the investigation.
- She will have regular supervisory sessions to reflect on the research process and discuss any emotional impact. Support from student wellbeing services will also be considered if needed.
- Interview frequency will be limited to a maximum of two per week where possible.
- Regular debriefing with supervisors will form part of the research process to monitor wellbeing and ensure continued support.

It is also important to note that the researcher has completed a range of training courses in restorative practices, including in cases of serious harm, with Restorative Solutions and other organisations (e.g. the European Forum for Restorative Justice). She has also conducted previous interviews with RJ Facilitators, professionals involved in managing sex offenders, and victim-survivors. As such, she is well-acquainted with the field and the emotional dynamics this investigation may involve.

Please attach a completed OHS Risk Assessment (S20) for the research. Further Guidance on Risk Assessment and Form can be obtained on [Occupational Health, Safety and Wellbeing's webpages](#)

**20. What method will you use to communicate the outcomes and any additional relevant details of the study to the participants?**

All participants will be given the opportunity to discuss the interview process and may raise any questions or concerns at any time. Participation is entirely voluntary, and individuals may withdraw from the study at any stage without consequence.

A guidance note will be given to all participants before the interviews and focus groups (see attached).

**21. How will the outcomes of the study be disseminated (e.g. will you seek to publish the results and, if relevant, how will you protect the identities of your participants in said dissemination)?**

The data from this investigation will be incorporated into a doctoral thesis and may also be used in academic journal articles or conference presentations. If the data are included in any

such publications, the same measures will be taken to ensure the anonymity and confidentiality of all participants. No individual will be identifiable in any publication resulting from this research.

Checklist	Enclosed	N/A
Participant Information Sheet(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Consent Form(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sample questionnaire(s)	<input type="checkbox"/>	<input type="checkbox"/>
Sample interview format(s)	<input type="checkbox"/>	<input type="checkbox"/>
Sample advertisement(s)	<input type="checkbox"/>	<input type="checkbox"/>
OHS Risk Assessment (S20)	<input type="checkbox"/>	<input type="checkbox"/>
Any other documents (please specify below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• <b>Guidance notes</b>	<input type="checkbox"/>	<input type="checkbox"/>
• <b>Letter of support from Restorative Solutions</b>	<input type="checkbox"/>	<input type="checkbox"/>
• <b>Demographic Information - Questionnaire</b>	<input type="checkbox"/>	<input type="checkbox"/>

## 22. Chief Investigator and Head of Department Declaration

Please note that unsigned applications will not be accepted and both signatures are required

I have read the University's Code of Practice on Investigations involving Human Beings and have completed this application accordingly. By signing below, I acknowledge that I am aware of and accept my responsibilities as Chief Investigator under Clauses 3.11 – 3.13 of the [Research Governance Framework](#) and that this investigation cannot proceed before all approvals required have been obtained.

Signature of Chief Investigator

C Tata

Please also type name here:

Prof Cyrus Tata, PhD

I confirm I have read this application, I am happy that the study is consistent with departmental strategy, that the staff and/or students involved have the appropriate expertise to undertake the study and that adequate arrangements are in place to supervise any students that might be acting as investigators, that the study has access to the resources needed to conduct the proposed research successfully, and that there are no other departmental-specific issues relating to the study of which I am aware.

Signature of Head of Department

Claire R. McDiarmid

Please also type name here

Prof Claire McDiarmid, PhD

Date:

26 / 11 / 2021

## **Participant information sheet**

**Name of the organisation and department:** University of Strathclyde, Law School.

**Title of the study:** The Craft of Facilitation in Restorative Justice: A Study of Restorative Conferences

### **Introduction**

Thank you for considering participating in this study. This information sheet outlines the purpose of the research and provides a description of your involvement and rights as a participant, if you agree to take part.

My name is Tania Nascimento, and I am a PhD student in the Law School at the University of Strathclyde. This investigation is part of my ongoing doctoral research, funded by the University of Strathclyde.

### **What is the purpose of this research?**

This research aims to investigate the work of restorative justice Facilitators. The aim is to understand how Facilitators interpret their work, what challenges they face, and what strategies they use to facilitate cases.

The investigation will involve narrative interviews and focus groups with Facilitators currently working for Restorative Solutions.

### **Do you have to take part?**

No – your participation is entirely voluntary. Whether or not you choose to take part will have no effect on you, including in relation to your employment. You do not have to take part if you do not want to.

If you do decide to take part, I will ask you to sign a consent form which you can sign and return in advance of the interview/ focus group session or sign at the meeting.

You can choose to take part in the interviews, the focus groups, or both.

You can withdraw from the study at any time before it is completed, without having to give a reason. Withdrawing from the study will have no effect on you and I will not retain the information you have given thus far.

You are also free to skip any questions during the interview or focus group that you do not wish to answer – no explanation needed.

### **What will you do in the project?**

I will conduct narrative interviews and focus groups with restorative Facilitators who work for Restorative Solutions. The aim is to explore their views and experiences, as well as how their approach, thoughts, and feelings might shift throughout a restorative conference process.

### **Narrative interviews**

The interviews will be held within 7 months (January 2022- July 2022) and will be conducted either online or face to face (public space/ Restorative Solutions premises). It is important that you are happy and comfortable with the location and, thus, I will ask you whether you have a preference.

Interviews are expected to last between 45 and 90 minutes. You will be invited to share your story, including how you became interested in restorative justice and how your previous experiences have influenced your decision to become an RJ Facilitator. The interviews can be adjusted to your availability. If you decide to take part, a guidance note will be given before the interview to help you get an idea of the topics that will be covered.

### **Focus groups**

The focus groups will take place during the same seven-month period (January 2022- July 2022) and will be held online, in a public space, or at Restorative Solutions premises. Each focus groups will include 3-4 Facilitators and will explore a range of issues, including experiences with complex cases. Sessions will last between 30 and 75 minutes.

Focus groups will be arranged at a time and location convenient for participants. I am happy to run them during the day or early evening, depending on what works best. As with the interviews, a guidance note will be provided in advance to help you get an idea of the topics that will be covered.

### **Why have you been invited to take part?**

As a restorative justice Facilitator, your views and experience are important. They will help identify key patterns and contribute to a deeper understanding of restorative practices.

The principal inclusion criteria are that participants are an employee of Restorative Solutions, have been trained by the organisation, and have delivered at least two conferences.

### **What information is being collected in the project?**

The information shared in the interviews and focus groups will focus on your personal journey, including your perceptions, experiences and views around restorative justice. Your anonymity will be protected, and none of the information obtained in this study will be shared with your employer. This means that your name will not be used in any reports or publications resulting from the study. Participants in the focus groups will undertake to keep confidential what each other say.

You may or may not consent to the recording of the interview/focus groups – you are under no obligation to be recorded. If you agree, all digital files, transcripts and summaries will be given

codes and stored separately from any names or other direct identification of participants. The consent form will be kept in locked cabinet. If you do not wish to be recorded then I will take written notes of your answers.

The data will be incorporated into a doctoral thesis and may be used in articles that could be published in academic journals, **but nothing will be included that could identify you personally**. You will be asked whether comments from the interview or focus group may be quoted or not. If so, these will be anonymised, and if not, no comments from you will be used.

### **Who will have access to the information?**

The records from this study will be kept as confidential as possible. Only myself and my supervisors, Professor Cyrus Tata and Dr Saskia Vermeulen, will have access to the files. As explained above, your data will be anonymised. When conducting online interviews, I will use a quiet, private location where my screen cannot be seen by others, and will use headphones rather than computer speakers.

**Limits to confidentiality:** confidentiality will be maintained as far as possible, unless you tell me something which implies that you or someone you mention might be in significant danger of harm; in this case, we may have to inform the relevant agencies

### **Where will the information be stored and how long will it be kept for?**

Digital recordings, transcripts and other files containing personal data will be moved onto the university server at the earliest possible opportunity and held there exclusively thereafter. The device used to record the interviews will encrypt the files at the point of recording and will require a code to be played. The only paper documentation which could be used to identify participants (the consent forms) will be kept in a locked cabinet accessible only by the researcher. The digital recordings of interviews and the consent forms will be securely held for a period of five years and then destroyed.

### **What happens next?**

You will be asked whether you want to take part in the research. If you are happy to do so, you will need to sign the consent form and we will schedule a date for the interview/focus group. If you have any questions or concerns about the research, please feel free to contact me at the address below.

If you choose not to take part, no further action will be necessary. I appreciate the time you have taken to read this information sheet.

**Researcher contact details:**

If you have any questions regarding this study, please contact me on the address below.

**Email:** [tania.nascimento@strath.ac.uk](mailto:tania.nascimento@strath.ac.uk)

**Chief Investigator details:**

You can also contact Professor Cyrus Tata.

**Email:** [Cyrus.tata@strath.ac.uk](mailto:Cyrus.tata@strath.ac.uk)

This research was granted ethical approval by Strathclyde Law School Ethics Committee. If you have any questions/concerns, during or after the research, or wish to contact an independent person to whom any questions may be directed or further information may be sought from, please contact:

**Convenor of the Law School Ethics Committee**

**Lord Hope Building**

**University of Strathclyde**

**142 St James Road**

**Glasgow**

**G4 0LT**

Telephone: 0141 548 3393

Email: [ethics@strath.ac.uk](mailto:ethics@strath.ac.uk)

## Consent form

**Name of the organisation and department:** University of Strathclyde, Law School.

**Title of the study:** Facilitating Emotions in Restorative Justice: A Study of Conference

- I confirm that I have read and understood the Participant Information Sheet for the above project and the researcher has answered any queries to my satisfaction.
- I confirm that I have read and understood the Privacy Notice for Participants in Research Projects and understand how my personal information will be used and what will happen to it (i.e. how it will be stored and for how long).
- I understand that my participation is voluntary and that I am free to withdraw from the project at any time, up to the point of completion, without having to give a reason and without any consequences.
- I understand that I can request the withdrawal from the study of some personal information and that whenever possible the researcher will comply with my request. This includes the following personal data:
  - audio recordings of interviews that identify me;
  - my personal information from transcripts.
- I understand that anonymised data (i.e. data that do not identify me personally) cannot be withdrawn once they have been included in the study.
- I understand that any information recorded in the research will remain confidential and no information that identifies me will be made publicly available, unless I explicitly consent otherwise.
- I consent to being a participant in the project.
  - I consent to participate in interviews**
  - I consent to participate in focus groups**
  
  - I consent to being audio recorded as part of the project**
  - I do not consent to being audio recorded as part of the project**
- I understand that my words may be quoted.
  - I agree to be quoted directly if my name is not published and a made-up number/name (pseudonym) is used.**
  - I do not want to be quoted.**

Non-Disclosure Statement:

- I agree to maintain the confidentiality of the information discussed by all participants and researchers during the focus group session.**

Print name:	
Signature of Participant:	Date:

## Focus Groups - Demographic Information

Please fill this sheet out to the best of your ability. If you do not wish to provide an answer and/or do not have an answer, leave blank. Thank you.

1. Age: \_\_\_\_\_  Prefer not to answer

2. Gender:  Male  Female  Non-binary  Not listed  Other: \_\_\_\_\_

3. Country of birth: \_\_\_\_\_  Prefer not to answer

3. Highest level of education completed: \_\_\_\_\_  Prefer not to answer

4. Race/ethnicity(mark as many as you identify with):

Asian or Asian British

Black, African, Caribbean or Black British

White

Not listed: \_\_\_\_\_

5. Are you a volunteer?  Yes  No

6. Are you currently employed outside of Restorative Solutions?  Yes  No  Prefer not to answer

If yes specify job title \_\_\_\_\_

7. How long have you worked as a Facilitator? \_\_\_\_\_  Prefer not to answer

8. Approximately how many conferences have you facilitated during this period?

\_\_\_\_\_  Prefer not to answer

## Narrative Interviews - Demographic Information

Please fill this sheet out to the best of your ability. If you do not wish to provide an answer and/or do not have an answer, leave blank. Thank you.

1. Age: \_\_\_\_\_  Prefer not to answer

2. Gender:  Male  Female  Non-binary  Not listed  Other: \_\_\_\_\_

3. Country of birth: \_\_\_\_\_  Prefer not to answer

3. Highest level of education completed: \_\_\_\_\_  Prefer not to answer

4. Race/ethnicity (mark as many as you identify with):

Asian or Asian British

Black, African, Caribbean or Black British

White

Not listed: \_\_\_\_\_

## **Guidance notes – narrative interviews**

Thank you for taking part in this study. I am inviting Facilitators employed by Restorative Solutions to share their views and experiences of restorative justice and conference facilitation through individual interviews.

The aim of these interviews is to understand your perspective in the context of your personal and professional journey. You will be encouraged to reflect on your background, training, and facilitation experience. There are no right or wrong answers, I am simply interested in your story and insights.

### **Some initial topics we may explore (this list is not exhaustive):**

1. A bit about you – your background, childhood, and life history
2. How you became involved in restorative justice
3. Your training in restorative justice
4. How you prepare for and run conferences
5. Your facilitation style
6. The support available to you in delivering RJ
7. Your experience with complex or serious cases
8. What you believe makes a conference ‘successful’

You will receive this topic guide in advance, and the interview will be arranged at a time and location that works best for you. If you have any questions, please don't hesitate to get in touch.

### **Researcher contact details:**

*Tânia Nascimento*

Email: [tania.nascimento@strath.ac.uk](mailto:tania.nascimento@strath.ac.uk)

### **Chief Investigator:**

*Professor Cyrus Tata*

Email: [cyrus.tata@strath.ac.uk](mailto:cyrus.tata@strath.ac.uk)

## **Guidance notes – focus groups**

As part of this study, I would like to invite restorative justice Facilitators at Restorative Solutions to take part in a focus group discussion.

These groups will bring together 3–4 Facilitators to reflect on their experiences of facilitation, including preparation, challenges, and their understanding of what makes a process work well.

There are no right or wrong answers. I am interested in your perspectives, reflections, and discussions with each other.

### **Some initial topics we may cover (this list is not exhaustive):**

1. Your RJ training and how it shaped your practice
2. Preparing for a conference
3. Your facilitation style and approach
4. Support structures and resources
5. Working with complex or serious cases
6. What defines a ‘successful’ restorative conference
7. Practical and logistical challenges in your role

The session will be informal and flexible, arranged at a time and location that suits participants.

If you have any questions, please feel free to contact me.

### **Researcher contact details:**

*Tânia Nascimento*

Email: [taniam.nascimento@strath.ac.uk](mailto:taniam.nascimento@strath.ac.uk)

### **Chief Investigator:**

*Professor Cyrus Tata*

Email: [cyrus.tata@strath.ac.uk](mailto:cyrus.tata@strath.ac.uk)



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Preston PR2 2YB

01772 842109  
[enquiries@restorativesolutions.org.uk](mailto:enquiries@restorativesolutions.org.uk)

5<sup>th</sup> August 2021

**Tania Nascimento's PhD Research Study - Letter of Support**

To whom it may concern,

This letter is to confirm that Restorative Solutions is aware of Miss Nascimento's PhD research study and is supportive of her empirical research. As the Director of Practice Delivery at Restorative Solutions, I support the involvement of our organisation in this study, subject to receiving appropriate ethical approval and participant consent. We believe that Miss Nascimento's research is valuable and will help enhance understanding of restorative practices.

We understand that the researcher will contact/recruit volunteers and employees, who will be free to choose whether they want to participate or not. We also acknowledge that the research may involve interviews, focus groups, and observations.

I can confirm that the engagement of our staff and volunteers will not impact their employment status in any shape or form. We also understand that any information shared throughout this research will be kept confidential.

Yours sincerely,

**Tony Walker**

*Director of Practice Delivery*

*Email: [tonywalker@restorativesolutions.org.uk](mailto:tonywalker@restorativesolutions.org.uk)*

[www.restorativesolutions.org.uk](http://www.restorativesolutions.org.uk)

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## **Ethics application form (ethnographic observations)**

### **1. Title of the investigation**

The Craft of Facilitation in Restorative Justice: A Study of Restorative Conferences

Please state the title on the PIS and Consent Form, if different:

N/A

### **2. Chief Investigator (must be at least a Grade 7 member of staff or equivalent)**

Name: Dr Cyrus Tata

Professor

Reader

Senior Lecturer

Lecturer

Senior Teaching Fellow

Teaching Fellow

Department: Law School

Telephone: 548 3274

E-mail: cyrus.tata@strath.ac.uk

### **3. Other Strathclyde investigator(s)**

Name: Tania Nascimento

Status (e.g. lecturer, post-/undergraduate): PhD Student

Department: Law School, Centre for Law Crime And Justice

Telephone: 07553786817

E-mail: tania.nascimento@strath.ac.uk

### **4. Non-Strathclyde collaborating investigator(s) (where applicable)**

Name:

Status (e.g. lecturer, post-/undergraduate):

Department/Institution:

If student(s), name of supervisor:

Telephone:

E-mail:

Please provide details for all investigators involved in the study:

### **5. Overseas Supervisor(s) (where applicable)**

Name(s):

Status:

Department/Institution:

Telephone:

Email:

I can confirm that the local supervisor has obtained a copy of the Code of Practice: Yes

No

Please provide details for all supervisors involved in the study:

## 6. Location of the investigation

The investigation will involve two different types of ethnographic observations: shadowing and, secondly, observation of conference and preparation meetings of professionals (restorative justice Facilitators) who work for a third sector organisation (Restorative Solutions):

1. shadowing will take place either [REDACTED] or in a public space (e.g. coffee shop, park).
2. Observation of conference and preparation meetings will take place across [REDACTED] including public spaces and venues rented by Restorative Solutions (e.g. hotel conference rooms, churches).

**If this is not on University of Strathclyde premises, how have you satisfied yourself that adequate Health and Safety arrangements are in place to prevent injury or harm?**

1. Contact details of places visited on the day of each observation will be left with a friend or colleague.
2. The researcher will often be accompanied by two Facilitators (1 Lead and 1 Co-Facilitator).
3. Restorative services are commissioned by Police and Crime Commissioners in England and Wales. Thus, they will know where the researcher is and with whom. The researcher has also been vetted by [REDACTED] (*Non-Police Personnel Vetting*).

## 7. Duration of the investigation

Duration(years/months): 5 months

Start date (expected): 01/ 09 /2022

Completion date (expected): 31/ 01 / 2023

## 8. Sponsor

Please note that this is not the funder; refer to Section C and Annexes 1 and 3 of the Code of Practice for a definition and the key responsibilities of the sponsor.

Will the sponsor be the University of Strathclyde: Yes  No

If not, please specify who is the sponsor: N/A

## 9. Funding body or proposed funding body (if applicable)

Name of funding body:

Status of proposal – if seeking funding (please click appropriate box):

In preparation

Submitted

Accepted

Date of submission of proposal:        /        /  
/        /

Date of start of funding:

## **10. Ethical issues**

As is the case with any study involving human participants, there are a number of ethical issues to consider. This is necessary to protect the rights, ensure the welfare and respect the dignity of participants. Critical issues in the planning stages have been identified as **voluntary participation and informed consent, confidentiality and anonymity.**

The researcher is committed to comply with Strathclyde's Code of Practice on Investigations Involving Human Beings, and conform to commonly agreed standards of good practice, such as those defined in the Economic and Social Research Council Framework for Research Ethics, the British Society of Criminology Statement of Ethics, The Socio-Legal Studies Association Statement of Principles of Ethics Research Practice, and the British Sociological Association Guidelines on Ethical Research. She will also respect the Restorative Justice Council's ethical framework for restorative practice and the National Occupational Standards (NOS).

It is important to note that the researcher has already conducted narrative interviews and focus groups with the subjects of this investigation, for which ethical approval has been sought and granted - see appendix 3. These methods have allowed the researcher to collect a rich, contextual description of work conducted by Facilitators as well as in-depth information of their views and experiences, allowing her to build rapport with participants and their employer (Restorative Solutions). Nonetheless, it became clear from interviews and focus groups that the Facilitators' descriptions of their activities needed to be integrated into a physical context to see and experience how the setting and the behaviour interact. Furthermore, interviews (and focus groups) run the risk of self-reporting bias (Saks and Ashforth, 1997, p. 256) and, thus, it is important to compare participants' perceptions with their actual behaviour.

The academic rationale and justification for this investigation (ethnographic observations) is fully explained in section 11.

### **Voluntary, informed and ongoing consent**

Voluntary, informed consent will be sought from all participants. It will be ensured that all participants are fully informed as to the nature of the investigation and are comfortable with being observed. The aims will be explained in full on the information sheets and consent forms (see appendices 4 and 5), and verbally before the investigation begins.

Given the potential exposure to a diverse range of situations and people, the issue of how informed consent will be taken and maintained throughout the study needs to be considered and addressed on two separate fronts: first with the subjects under study (restorative justice

facilitators); and second, the individuals who may incidentally come into contact with them in preparation and conference meetings (e.g. colleagues, Restorative Justice participants).

- 1) **Restorative justice Facilitators:** Once ethical approval has been obtained, the researcher will schedule a meeting with participants to explain the research and the consent form. During this meeting, the details of the study will be thoroughly explained by going through the information sheet section by section and answering any questions that may arise. It will also be communicated to participants that the consent form will not provide the researcher with a “free pass” to observe everything they do during the investigation period (particularly during shadowing). Instead, it will be explained that access will be verbally re-negotiated on a continuous basis (e.g. for each meeting). Furthermore, the researcher will discuss any boundaries that Facilitators may deem appropriate prior to the start of this investigation (see consent form attached). The aim is to address potential discomforts during the investigation since there might be some situations or periods during shadowing where the subject may want to be alone or not observed.

Each participant will be given the researcher’s contact details and told that they have the right to withdraw from, and decide not to take part in, the investigation at any time. Once the participant has received the Participant Information Sheet (PIS) and had time to consider whether to take part, their consent will be sought and they will be asked to sign the consent form at the start of the investigation. It is important to highlight that the researcher already has an existing relationship with the subjects of this research, as well as the Directors of the organisation object of study (Restorative Solutions) who have expressed their support for the study (see appendix 2).

- 2) **Individuals who may come into contact with the subjects of this study:** Throughout the investigation the researcher may come into contact with other individuals. For example, while shadowing, she may attend relevant meetings where colleagues (i.e. other Facilitators) and other criminal justice professionals are present. She will also come into contact with restorative justice participants (i.e. people who have caused harm and people who have been harmed) while observing conferences and preparation meetings.

With regard to restorative justice participants, Facilitators will be best placed to negotiate access due to the nature of their relationship and need to build rapport. The researcher will not attend any preparation or conference meetings without the consent of participants, which will be obtained verbally and freely prior to each meeting. Participants will be informed of the researcher’s role ahead of meetings (or the conference) and asked whether they consent to the researcher’s presence in the room. If the researcher’s presence becomes intrusive (or makes participants feel uncomfortable at any point) she will leave the room and stop attending meetings with regard to that particular case (see consent form).

Due to the unpredictable nature of the work of restorative justice Facilitators, it is hard to predict who they are going to be in contact with throughout the day. Facilitators have explained in interviews and focus groups (Leg 1 of this PhD research) that there is no typical day at work and that every day is different, based on their individual workload in a week (e.g. how much travelling they have scheduled, how much administration work needs to be completed or is pending, how many new cases have been assigned). Their list of priorities is constantly reviewed and adapted according to their workload.

**Therefore, ongoing negotiation with other individuals will be key to ensure that consent is obtained freely.** In the event of meetings with other Restorative Solutions Facilitators during shadowing, consent will be sought verbally prior to each meeting. The researcher will not attend in any meetings where consent has not been given, whether from all or one single individual. In the event of meetings with individuals external to the organisation (e.g. police), a similar process will be followed.

When there is a Co-Facilitator (a Facilitator who works on the same case as a support figure), the researcher will seek their consent verbally (on an ongoing basis). No meetings will be attended if the Co-Facilitator does not consent to the researcher's presence.

As mentioned above, the researcher already has an existing relationship with the subjects of this research and the Directors of the organisation object of study. Restorative Solutions has agreed to allow their employees to participate in this study and have confirmed that the decision whether or not to take part lies with the employee alone, and that their decision will have no impact on any aspect of their employment (see appendix 2). This will be made plain to all potential participants.

### **Confidentiality and anonymity**

Anonymity and confidentiality are key considerations in qualitative research ethics, and the two constructs are theoretically distinct. In accordance with the GDPR principle of privacy, it is good practice to protect the identity of participants unless there are good reasons to do otherwise. Confidentiality and anonymisation in this study will be particularly important for two reasons:

1. subjects of this study are employees of Restorative Solutions and, thus, their views/opinions will be anonymised and kept confidential from their employer (see below how).
2. Due to the nature and complexity of the cases that Facilitators work with, some of the information shared may contain sensitive information about third parties (e.g. restorative justice participants).

Thus, various steps and safeguards will be taken/followed in this research to protect the anonymity and confidentiality of participants as much as possible, both during and after the investigation:

- The researcher will respect the privacy of participants (and avoid undue intrusion) throughout the research study. As explained above, access will be verbally re-negotiated on a continuous basis. There might be some situations or periods during shadowing where the subject may want to be alone or not observed. To address potential discomforts, the researcher will discuss boundaries upfront. In addition, discussions that are explicitly stated as “**private**” will not be recorded.
- All data will be transported and held securely. Records of the subject’s activities will be kept in the form of written notes which, alongside consent forms, will be kept in a locked cabinet accessible only by the researcher.
- For the purpose of record keeping, each participant will be identified by an ID code or letter, which will ensure that they cannot be identified. The research material will only be accessible by the researcher and her supervisors, and all electronic files (e.g. transcripts) will be password protected. The research material will only be accessible by the researcher and her supervisors.
- During the pseudonymisation/ anonymisation process it will be important to ensure that contextual information does not make the participant identifiable. Any information that could potentially identify a participant (e.g. recent change of role) will be removed or neutrally altered to protect their identity from their peers, managers, and other superiors. If there is doubt as to whether specific information may disclose the identity of participants, the researcher will ask/clarify this with research participants at early stages of the data analysis. She will also share a draft of her PhD thesis prior to submission and will welcome comments/feedback from participants.
- The data presented in the doctoral thesis will not disclose the identity of any participant and will not contain any identifying information.

### **Risk of harm**

#### *C. Participants*

The focus being on participants’ professional activity, there is little risk to the physical or mental wellbeing of potential participants from this investigation. In the event that a Facilitator states that they have new information relating to an individual case which is legally relevant they will be reminded not to disclose it to the researcher but instead report it to the police. That said, it is important to highlight that Facilitators are hardly lay people

– they are highly skilled and experienced professionals who are experts in their field, as well as working in an area where the need for confidentiality is well understood. They have been trained in restorative practices and are aware of the agencies that they can go to for support. In fact, as part of their role, they are obliged to refer/forward participants to specific agencies whenever needed.

#### *D. Researcher*

The emotional wellbeing of the researcher should be considered of equal importance. Regular engagement with restorative participants may bring up complex emotions, particularly when complex offences are involved.

On that account, additional measures will be followed:

- 1) The researcher will keep an electronic reflexive diary where she will record how she feels and what she is thinking throughout the investigation.
- 2) The researcher will have regular meetings with her supervisors so she can talk through the research process and any effects it may have on her. She will also consider the support available from student services.
- 3) Debrief sessions will also be conducted on a regular basis with her supervisors.

It is also important to highlight that the researcher has undertaken in restorative practices (including in cases of serious harm), both with Restorative Solutions and other organisations. Therefore, she is aware of the principles and safeguards of applying Restorative Justice in sensitive cases. She has also conducted interviews in past with RJ Facilitators and professionals involved in the management of sex offenders and victim-survivors and, therefore, is familiar with the field and the dynamics of this investigation.

The data from this investigation will be incorporated into a doctoral thesis and may be used in articles that could be published in academic journals or presented at academic conferences. If the data from this investigation is used in any related publication, the same protections will be adopted to ensure the anonymity and confidentiality of all participants. No participant will be identifiable from any publication arising from this investigation.

### **11. Objectives of investigation (including the academic rationale and justification for the investigation) Please use plain English.**

#### **1. Aim of this research:**

This research will study the work of Restorative Justice (RJ) Facilitators in Restorative conferences. The aim is to understand how Facilitators interpret their work, what strategies

they use to facilitate cases, and what challenges they face. In doing so, it will provide an account of the social world of RJ Facilitators, making an original contribution to our understanding of the work involved in coordinating restorative conferences, the working lives of RJ Facilitators, and the emotional labour (Hochschild, 1979, 1983) that underpins their work.

**Restorative Justice** is a voluntary process that brings, in a managed and planned way, those harmed by crime and those responsible for the harm into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward. (Marshall, 1999, Zehr, 2002).

**Restorative conferences constitute** one of the main types/models of restorative justice practice and can be defined as a “face-to-face meeting between offender and victim, with one or more mediators or facilitators, and (...) one or more supporters of the offender and victim” (Shapland et al., 2011).

**Facilitators are RJ practitioners** ‘whose role is to facilitate, in a fair and impartial manner, the participation of the parties in a restorative process’ (Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters, 2002).

The research questions driving this study are:

1. What skills and knowledge are needed to organise and facilitate a Restorative Justice conference?
2. How do Facilitators perceive their role?
3. What is the nature of the work undertaken by conference Facilitators?
4. How do Facilitators manage their work?
5. How do Facilitators elicit and handle emotions in Restorative conferences?

## **2. General rationale for this study**

Restorative Justice (RJ) is a voluntary process that brings, in a managed and planned way, those harmed by crime and those responsible for the harm into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward (Marshall, 1999, Zehr, 2002). The process typically entails some form of face-to-face encounter between participants, and the presence of one or more trained Facilitators.

RJ is often referred to as an ‘umbrella’ term or concept that covers a diverse range of practices and processes. Its flexible approach means it can be applied to a variety of contexts

and fit the needs of participants. Common practices within RJ include Victim-Offender Mediation (VOM), Restorative conferences, and Circles.

Advocates often argue that RJ can offer significant benefits for both victims and offenders, including emotional closure, restoration, reintegration and accountability (Armour & Umbreit, 2006; Strang, 2002).

Underpinning these claims is the assumption that RJ can achieve all these outcomes because it encourages the awareness and expression of emotions (Harris, Walgrave & Braithwaite, 2004). It offers a supportive process for participants to deal with the aftermath of a crime, allowing the creation and development of a narrative that articulates their voices.

Despite all these claims, few empirical studies to date have examined the work undertaken by Facilitators, including how they achieve a physically and psychologically safe space to facilitate RJ, how they encourage the development of a narrative that articulates the voices of lay people, and what strategies they use to personally cope with the nature of cases. Whilst there is consensus amongst practitioners and researchers that Facilitators play a significant role in RJ and that successful interactions require a significant amount of planning and expertise (Barton, 2003; Bolitho & Bruce, 2017; Bruce, 2018; Rossner, 2013), their work is often taken for granted.

The process of conferencing is often portrayed in the literature as one where the participants are expected to play the leading roles (Dignan et al., 2007) and Facilitators play less central roles. However, the metaphors used to describe the role of Facilitators suggests that they play a more fundamental role than is often recognised. For example, Sherman et al. (2003) have used the metaphor of facilitators as “Sea Captains” who are responsible for taking a sailing vessel on a “voyage”. They describe this “voyage” as an uncertain one, because all kinds of weather conditions may be experienced during the journey (2003, p.231). This metaphor attributes a great deal of uncertainty to conference practice but also attributes Facilitators with the capacity to considerably influence the course of a conference. This uncertainty also suggests that there is a form of practical knowledge that cannot be found in operating procedures or learning manuals. Interestingly, a burgeoning literature on ‘democratic professionalism’ suggests that professionals serve a vital role in meeting the needs of lay participants, but that effective collaboration requires a clear delineation of roles and tasks as well as an explicit set of shared goals (Dzur, 2008).

This research is motivated by the need to dig deeper into the role of Facilitators and understand their occupation (know what they are doing and how they do it). The aim is to investigate how Facilitators interpret their work, what strategies they use, and what challenges they face. In doing so, it will explore their daily activities, interactions and relationships, and how these experiences impact their views.

Ultimately, this study will make an original contribution to our understanding of the work involved in coordinating restorative conferences, the daily practices of RJ Facilitators, and the emotional labour (Hochschild, 1979, 1983) that underpins their work.

### **3. Methodology & analytical starting point**

In view of this aim, **qualitative methodology** is best suited for this study. Qualitative methods are typically used for providing an in-depth understanding of the research issues that embrace the perspectives of the study population and the context in which they live (Hennink, Hutter & Bailey, 2020).

Contrary to previous RJ studies that have sought to quantify the elements present in a conference using a pre-determined protocol (Sherman, Strang, and Woods, 2000), this research will use a less structured approach and provide a rich and contextual description of work conducted by Facilitators. Earlier research has actually recommended that future studies of restorative processes should include qualitative analysis to adequately examine the 'micropolitics' of each group dynamic (Presser and Hamilton, 2006, p. 339). Harris et al. (2004) have specifically called for the use of qualitative approaches to further document the emotional dynamics of conferencing.

One of the key characteristics of qualitative research is that it generally relies on small samples to study phenomena in-depth and, unlike quantitative research, it does not have hard and fast rules about sampling. Sample selection in qualitative research is usually purposeful and small, as opposed to larger, more random sampling in quantitative research (Mason, 2002). **Thus, this study does not aim or claim to be representative of the population object of study. Its aim is to achieve depth of information, rather than statistical representativeness, meaning that few participants are needed** (Holloway and Wheeler, 2010; Paton, 2002).

Theoretically-speaking, this research is partly informed by the insights of **symbolic interactionism** (Blumer, 1969; Maines, 2001; Mead, 1936). Symbolic interactionists are concerned with how humans create meaning in their everyday lives and in how, as the term “symbolic interaction” indicates, this meaning is created and carved out through interaction with others by use of various symbols to communicate meaning (e.g. language and signs). Instead of addressing how institutions objectively define and affect individuals, symbolic interactionism pays attention to individuals’ subjective viewpoints and how they make sense of the world from their own perspective (Carter and Fuller, 2015). Thus, society is thought to be socially constructed through human interpretation.

In RJ, this approach can help provide an in-depth understanding of the world as seen through the eyes of the people being studied (RJ Facilitators), including how they perceive their occupation and how this informs their actions.

Methodologically, symbolic interactionists frequently use qualitative techniques such as participant observation and in-depth interviews to generate rich insights into lived experiences and meaning construction. In line with this tradition, the present study employed narrative interviews (n = 6) alongside focus groups as its primary data collection methods. These methods were chosen for their suitability in eliciting detailed life histories and shared meanings: narrative interviews allowed participants to frame their own stories and perspectives, while focus groups facilitated interactive discussion and allowed exploration of group-level meaning-making, capturing subtleties such as co-facilitation dynamics that individual interviews might miss (Krueger and Casey, 2000).

These methods enabled the researcher to gather rich, contextualised accounts of Facilitators' work, alongside in-depth insights into their views and experiences. However, it became evident during the interviews and focus groups that participants' accounts of their activities needed to be situated within the physical contexts in which they occur. In other words, to fully understand how facilitators work, it was necessary to observe how the setting and behaviour interact in real time. For instance, facilitators noted that RJ conferences may take place in diverse location, ranging from prisons to community spaces such as churches or hotel conference rooms. This raised the question of whether the physical environment shapes the ambience of the conference or influences how it is facilitated.

In addition, interviews and focus groups are susceptible to self-reporting bias (Saks and Ashforth, 1997, p.256). It is therefore important to compare participants' reported perceptions with their actual behaviours in practice. A relevant parallel can be drawn from research on judicial decision-making, which found that judges' descriptions of how they reached decisions differed significantly from their actions observed in naturalistic settings (Konecni and Ebbesen, 1984, p. 6).

These limitations point to the value of incorporating ethnographic methods. The aims and rationale for this second leg of fieldwork are outlined below.

#### **4. Rationale for ethnographic observations**

Ethnography is a method that has been used effectively in other studies of conferencing (Bruce, 2013) and criminal justice professionals (Roach Anleu et al., 2016; Chan et al., 2003; Flower, 2019). Through ethnographic methods, researchers have documented behind-the-scenes values, narratives, and routine activities of different criminal justice workers, shedding light on the social context in which their social activities are embedded. By observing and talking to people in their 'natural' settings, researchers develop an understanding of the social context in which social meanings and activities are embedded.

There are four reasons why ethnographic observations are important and valuable to this research:

1. **To develop a detailed picture of Facilitators' daily practices – something not fully accessible through interviews or focus groups.** The data collected from interviews suggests that there is no “typical” day at work for RJ Facilitators. Every day is different based on their individual workload in a week (e.g. how much travelling they have scheduled, how much administration work needs to be completed or is pending, how many new cases have been assigned). The data also indicates that the tasks of RJ Facilitators can be split into three broad categories: Administration (emails, phone calls and meetings with potential RJ stakeholders, colleagues, volunteers, supervisors and third parties (e.g. police), Training and Awareness Courses (take part in ongoing training and run awareness courses across the country), and Case Coordination and Management (prepare and run cases, conduct Preparation meetings with participants, do risk assessments). Through observations the researcher will be able to access how Facilitators perform these tasks and how they prioritise them.
2. **To avoid suspect self-report data.** As explained above, interviews (and focus groups) run the risk of self-reporting bias. Ethnographic observations can lessen this methodological issue by helping identify gaps between attitudes and behaviour (Gobo, 2008). For example, during interviews Facilitators seemed to link professionalism with the need to establish boundaries between them and participants. This means not answering the phone outside working hours, being careful with how they reply to text messages, write letters or speak on the phone. In other words, the data suggests that Facilitators must support the parties involved (and empower them) without establishing or developing a personal relationship. Through observations, the researcher will be able to explore whether their narrative replicates practice and whether some aspects have been missed.
3. **To integrate the activity and the behaviour into its physical context.** Facilitators have shared that RJ conferences can take place either in prison or within the community (e.g. church, hotel conference room, charity rooms). It is important to explore whether the physical space can impact the ambience of the conference Meeting and the way it is facilitated.
4. **To observe behaviour as it unfolds in practice.** Observations will allow the researcher to observe Facilitators' style at different stages of the RJ process. Facilitators have indicated during interviews that preparation is the most important part of the process and relies heavily on relationship building between them and the participants. This relationship is achieved and cultivated through validating their emotions, listening to their concerns, informing them about the process, and providing a feeling of safety. Through observations, the researcher will be able to capture these interactions and understand how Facilitators approach and engage with participants throughout the conferencing process.

## **5. Aim**

The aim in this proposed second leg of fieldwork is to conduct two different types of ethnographic observations:

### **1. Shadowing**

### **2. Observation of preparation and conference meetings**

These two types of observations will complement each other by offering different views and perspectives of the work conducted by Facilitators. While shadowing will focus largely on the administration side of role, observation of preparation and conference meetings will help explore how participants prepare cases, engage with participants, do risk assessments, and run a conference.

Theoretically, there are four types of researcher involvement in observations: “complete participant”, “active participant” “moderate participant” and “complete observer” (Moser and Korstjens, 2018). In this study, the researcher will take the role of a “complete observer”, meaning she will observe the field without participating in the setting activities at all. consequently, the objective will be to observe and record (via written notes) rather than actively participate in restorative conferences , preparation meetings, or daily tasks.

#### **1.1 Shadowing**

**Shadowing** entails following a subject over a period of time to investigate what they do in the course of their everyday lives (McDonald, 2005). This qualitative observational research method has been defined as “the most in-depth type of systematic, direct observation in situ of behaviours within a particular organisational or social setting” (Bartkowiak-Theron & Robyn, 2012, p. 7). McDonald (2005) distinguishes three forms of shadowing, each defined by the researcher’s aim. This study adopts the form of shadowing that seeks to understand roles or perspectives, aiming to view the world through the eyes of another, which aligns with the overarching aim of this investigation

This approach will enable the researcher to gain insight into facilitators’ everyday work, particularly the administrative side of the role and how it is managed in practice. One facilitator, who also serves as an area manager, has already expressed willingness to be shadowed, which will allow the researcher to document additional tasks such as preparing or presenting performance reports. Shadowing will be complemented by **debriefing sessions**, during which the participant will be invited to clarify specific activities or reflect on observed events.

The aim here is not to claim epistemological neutrality but to generate qualitative insights into how participants think and behave in context. Ultimately, the objective is to produce an in-depth account of both the *what* (behaviours, routines, and practices) and the *why* (underlying rationales and meanings). Rather than relying solely on second-hand narratives

already gathered through interviews and focus groups (**which has already been obtained through interviews and focus groups**), the researcher seeks to collect first-hand observational data that captures facilitators' actions in situ.

It is important to emphasise that the objective will be to observe and record, not to actively participate in the activities. Records of the subject's activities will be kept in the form of written notes, which will be as comprehensive as possible. Fieldnotes will include, for instance, details about the setting that is going to be observed, such as date, time, physical setting, social environment (interactions and their content), activities (e.g. description of forms and templates), and nonverbal behaviour (body language and moods) – **see appendix 1** for the observational guide. Please note that the observational guide, while detailed, does not constitute an exhaustive list of what is going to be observed. As Fine has put 'good ethnographers do not know what they are looking for until they have found it' (Fine, 1993).

Shadowing will take place [REDACTED] and will involve the participation of one single Facilitator. The aim is to shadow one Facilitator for **3-7 days**. Since the purpose is to look into Facilitators' administration tasks, this timescale will provide ample time to gather the information required to complement the data obtained through interviews and focus groups. [REDACTED] is aware of this investigation and has informally expressed their support.

## **1.2 Observation of preparation and conference meetings**

The researcher also intends to observe both preparation and conference meetings in order to capture a different dimension of the Facilitator's role: case coordination and management. This includes how facilitators prepare cases, conduct preparation meetings with participants, carry out risk assessments, select the venue for the conference, and manage the conference itself. This method has been used effectively in other studies of restorative conferencing (Bruce, 2013).

Through observations, the researcher will be able to analyse practitioners' facilitation style and identify any potential gaps between attitudes and behaviour in relation to what has emerged from narrative interviews and focus groups.

The data collected from interviews and focus groups indicates that Facilitators run conferences with notable variation and employ specific techniques (e.g. silence, click and drag). Understanding how these approaches influence participants' reactions and overall conference outcomes is essential. It is also crucial to explore how Facilitators build trust. Practitioners have shared that they use subtle rapport-building techniques (e.g. telling a joke, removing their coat, validating emotions) to put participants at ease. Additionally, co-facilitation dynamics warrant attention, as preliminary findings suggest facilitators rarely lead conferences solo.

The objective will be to observe and record, not to actively engage or participate in the activities. Records of the subject's activities will be kept in the form of written notes, which will be as comprehensive as possible (Geertz, 1973). When observing conferences, field notes will include details of the case (e.g. where the conference was held, who attended) and a detailed account of the interaction (e.g. their disposition and demeanour, non-verbal communication such as eye contact, tone of voice, gestures). While the focus will be on Facilitators and not participants, the interaction between them cannot be ignored –see **appendix 1** for the observational guide. Please note that the observational guide, while detailed, does not constitute an exhaustive list of what is going to be observed.

To minimise observer effects (Sarantakos, 1993), the researcher will refrain from note-taking during conferences. She will position herself unobtrusively (e.g. at a corner of the room) to reduce the impact of her presence on participant behaviour. Fieldnotes will be written immediately after each conference and individual debriefs with Facilitators, which will take place straight after the conference to clarify events and gather reflections.

When observing preparation meetings, the researcher will not interact with participants but simply observe the interaction between them and the Facilitators. No notes will be taken, and no questions will be asked, during these meetings. Instead, debrief with Facilitators afterwards and write her notes as soon as possible.

Since the outset of the study, the researcher has also kept a separate journal to document her thoughts and feelings. This will continue throughout the observation phase. The aim is to have a significant amount of both descriptive and reflective notes at the end of the study. As Flower (2019) as argued, “bringing the emotions of the researcher into the forefront is an important step in honing one’s ethnographic eye.” (p.12). Indeed, the researcher’s emotions encourage them to dig deeper and to reach new coherences by putting reflexivity at the centre stage of research.

**The aim is to observe 5- 10 cases across 3-5 months.** These will be facilitated at least by two practitioners who have been previously interviewed. The observations will take place online or across [REDACTED] including public spaces and venues rented by Restorative Solutions (e.g. hotel conference rooms, churches).

It is worth noting that it may not always be possible to follow a case from “start to finish”: the preparation phase can span several months and, in some cases, may not culminate in an actual conference. Although every effort will be made to track cases through to completion, this may not always be feasible.

## 12. Participants

### Please detail the nature of the participants:

Restorative justice Facilitators - a person whose role is to facilitate, in a fair and impartial manner, the participation of the parties in a restorative process.

### Summarise the number and age (range) of each group of participants:

Age (range) 21+

#### 1) **Shadowing:** 1 Facilitator

The aim is to shadow one Facilitator for 3-7 days. Since the purpose is to look into Facilitators' administration tasks, this timescale will provide ample time to gather the information required to complement the data obtained through interviews and focus groups. [REDACTED] is aware of this investigation and is supportive of it.

#### 2) **Observation of conferences and Preparation meetings** – 2 Facilitators (5-10 cases)

The aim is to observe 5- 10 cases across 3-5 months. These will be Facilitated at least by two practitioners who have been previously interviewed. The observations will take place online or across [REDACTED] including public spaces and venues rented by Restorative Solutions (e.g. hotel conference rooms, churches).

### Please detail any inclusion/exclusion criteria and any further screening procedures to be used:

The principal inclusion criteria are that participants are employed by Restorative Solutions, have delivered at least one conference, and have been previously interviewed. No further screening procedures will be used.

It is important to note that this study does not aim or claim to be representative of the population under study. Its aim is to achieve depth of information, rather than statistical representativeness (Holloway and Wheeler, 2010; Paton, 2002). In qualitative research, selected participants (and by extension sample size) are guided by the **depth and relevance of information**, not by the need for representativeness (Holloway & Wheeler, 2010; Patton, 2002). Thus, qualitative studies frequently rely on **small, purposive samples** chosen for their capacity to shed light on the phenomena in-depth (Mason, 2002).

## 13. Nature of the participants

Please note that investigations governed by the Code of Practice that involve any of the types of participants listed in B1(b) must be submitted to the University Ethics Committee (UEC) rather than DEC/SEC for approval.

Do any of the participants fall into a category listed in Section B1(b) (participant considerations) applicable in this investigation?: Yes  No

If yes, please detail which category (and submit this application to the UEC):  
N/A

#### **14. Method of recruitment**

The method of recruitment will be straightforward. The researcher will approach Facilitators who have been previously interviewed and ask whether they would be interested in being shadowed/observed.

The researcher will approach Facilitators who have already been interviewed and ask whether they would be willing to be shadowed or observed. As explained above, several Facilitators have already expressed interest in participating and have been instrumental in helping the researcher navigate the field, for example, advising that police vetting would be required to observe conferences.

The researcher also has an existing relationship with the Directors of Restorative Solutions, the organisation under study, who have expressed their support for the research (see attached letter). They have agreed to allow their employees to participate and confirmed that the decision to take part lies entirely with the individual. Participation will be strictly voluntary and will have no bearing on any aspect of their employment.

Recruitment methods will adhere to ethical standards and the requirement to obtain informed consent. All participants will be fully informed of the nature and purpose of the research and will be given the opportunity to ask questions before deciding whether to participate.

#### **15. Participant consent**

Voluntary, informed consent will be sought from all participants. It will be ensured that all participants are fully informed as to the nature of the investigation and are comfortable with being observed. The aims will be explained in full on the information sheets and consent forms, and verbally before the investigation begins.

Given the potential exposure to a diverse range of situations and people, the issue of how informed consent will be taken and maintained throughout the study needs to be considered and addressed on two fronts: first with research participants (Facilitators), and second with individuals they interact with during preparation and conference meetings.

1) **Participants:** Once ethical approval has been obtained, the researcher will schedule a meeting with each Facilitator to explain the research and the consent form. During this meeting, the details of the study will be thoroughly explained by going through the information sheet, section by section, and answering any questions that may arise. It will also be communicated to participants that the consent form will not provide the researcher with a “free pass” to observe everything they do during the investigation period. Instead, it will be explained that access will be verbally re-negotiated on a continuous basis (e.g. for

each meeting). Furthermore, there might be some situations or periods during shadowing where the participant may wish to be alone or not be observed. To address potential discomforts, the researcher will discuss boundaries upfront.

Each participant will be given the researcher's contact details and told that they have the right to withdraw from, and decide not to take part in, the investigation at any time. Once the participant has received the Participant Information Sheet (PIS) and had time to consider whether to take part, consent will be sought and they will be asked to sign the consent form.

2) **Individuals who may come into contact with the subjects of this study:** Throughout the investigation, the researcher may come into contact with other individuals. For example, while shadowing, she may attend meetings where other Facilitators (i.e. colleagues) and criminal justice professionals are present. She will also come into contact with RJ participants (people who have caused harm and people who have been harmed) while observing conferences and preparation meetings.

With regard to RJ participants, Facilitators will be best placed to negotiate access due to the nature of their relationship and need to build rapport. The researcher will not attend any preparation or conference meetings without RJ participants' consent, which will be obtained verbally and freely prior to each meeting. Participants will be informed of the researcher's role ahead of meetings (or the conference) and asked whether they consent to the researcher's presence in the room. If her presence becomes intrusive (or makes participants feel uncomfortable) she will leave the room and stop attending meetings related to that particular case (see consent form).

Due to the unpredictable nature of RJ Facilitators' work, it is difficult to anticipate who they will be in contact with throughout the day. Facilitators have stated in interviews and focus groups that there is no typical day at work and that each day differs based on their weekly workload (e.g. travel commitments, outstanding admin tasks, or new case allocations). Their priorities are constantly being reviewed and adapted. Therefore, ongoing negotiation with other individuals will be key to ensure that consent is obtained freely.

In the event of meetings with other Restorative Solutions Facilitators during shadowing, consent will be sought verbally prior to each meeting. The researcher will refrain from participating in any meetings where consent has not been given, whether from all or one single individual. In the event of meetings with individuals external to the organisation (e.g. police), a similar process will be followed.

When there is a co-facilitator (a Facilitator who works on the same case), the researcher will also seek their consent on an ongoing basis. No meetings will be attended if the co-facilitator does not consent to the researcher's presence.

## 16. Methodology

Investigations governed by the Code of Practice which involve any of the types of projects listed in B1(a) must be submitted to the University Ethics Committee rather than DEC/SEC for approval.

Are any of the categories mentioned in the Code of Practice Section B1(a) (project considerations) applicable in this investigation?  Yes  No

If 'yes' please detail:

**Describe the research methodology and procedure, providing a timeline of activities where possible. Please use plain English.**

The researcher intends to conduct two different types of observations:

### 1. Shadowing

### 2. Observation of Preparation and conferences meetings

These two methods will offer different insights into what Facilitators do. Shadowing will focus on their day-to-day administrative work. Observing preparation and conference meetings will help the researcher see how Facilitators prepare cases, work with participants, assess risks, and run conferences.

There are different ways a researcher can take part in observations, ranging from “active participant” and “moderate participant” to “complete observer” (Moser and Korstjens, 2018). In this study, the researcher will act as a **complete observer**, meaning she will only watch and take notes. She will not take part in meetings, conferences, or daily tasks.

### Shadowing

Shadowing will take place at [REDACTED] and will involve one Facilitator. The aim is to shadow this Facilitator for **3-7 days**. Since the focus is on administration tasks, this timeframe will provide ample time to gather the information required to gather complementary data to that obtained through interviews and focus groups.

An observational guide is attached, outlining both general and specific aspects of what will be observed during the investigation. However, while detailed, the guide does not constitute an exhaustive list.

### Observation of Preparation and conference meetings

**The aim is to observe 5- 10 cases over a period of 3-5 months.** These cases will be Facilitated by 1-2 practitioners who have been previously interviewed. The observations will take [REDACTED], including public spaces and prisons.

When observing conferences, fieldnotes will include:

- Basic case details (e.g. location of the conference, who attended)
- A detailed account of the interactions between Facilitators and participants (e.g. demeanour, eye contact, tone of voice, gestures)

Please refer to the attached observational guide for further details.

When observing preparation meetings, the researcher will not interact with RJ participants but simply observe the interaction between them and Facilitators. No notes will be taken, and no questions will be asked during these meetings. Fieldnotes will be written immediately after each conference, and individual debriefs with Facilitators, which will take place straight after the conference to clarify events and gather reflections.

**What specific techniques will be employed and what exactly is asked of the participants? Please identify any non-validated scale or measure and include any scale and measures charts as an Appendix to this application. Please include questionnaires, interview schedules or any other non-standardised method of data collection as appendices to this application.**

Please find attached an observational guide which contains both general and specific information about what is going to be observed during this investigation. Please note that the observational guide, while detailed, does not constitute an exhaustive list of what is going to be observed.

The researcher will conduct short debrief sessions (lasting 10–20 minutes) at key stages during the study (e.g. after a conference meeting of a conference). During these informal conversations, participants will be asked to reflect on certain actions or share their thoughts on specific events.

Where an independent reviewer is not used, then the UEC, DEC or SEC reserves the right to scrutinise the methodology. Has this methodology been subject to independent scrutiny? Yes  No

If yes, please provide the name and contact details of the independent reviewer:

**17. Previous experience of the investigator(s) with the procedures involved.**

Experience should demonstrate an ability to carry out the proposed research in accordance with the written methodology.

The investigation will be carried out by Tânia Nascimento.

**Nascimento** is a PhD student at the University of Strathclyde. She holds a Bachelor's degree in Law from the University of Lisbon and a Master's degree in Criminal Justice and Penal Change (with Distinction) from the University of Strathclyde. For her Master's dissertation, Tânia researched the risks and potential of using Restorative Justice (RJ) in cases of sexual violence. This involved interviewing professionals who work with both sex

offenders and victim-survivors. She is, therefore, familiar with the field as well as the dynamics of this research.

In 2021, she completed a small empirical study on RJ (Nascimento, 2021), interviewing facilitators, trainers, and experts. This gave her further experience navigating the field and conducting qualitative research.

Nascimento is currently working alongside Professor Cyrus Tata and Professor Tim Chapman on a Scottish Government-funded project to conduct an RJ training needs analysis across Scotland. This project supports the national plan to expand access to restorative services by 2023, mapping stakeholder needs and informing the design of accredited training programmes.

She has also undertaken different types of training in restorative practices, both with Restorative Solutions and other organisations (e.g. European Forum for Restorative Justice). These training courses have provided her with the knowledge and the skills required to facilitate Restorative conferences, including training in the engagement and preparation of people who have been harmed and people responsible for harm. One of the training courses focused specifically on RJ in cases of serious harm. Therefore, she is aware of the principles and safeguards needed in sensitive contexts.

Nascimento's PhD supervisors are: Professor [Cyrus Tata](#) and Dr [Saskia Vermeylen](#), Law School, Strathclyde University. Both supervisors are skilled and internationally renowned socio-legal researchers who have extensive experience in conducting and publishing a wide variety of empirical research. They have conducted research in similar settings and have collaborated on interdisciplinary projects with professionals and Non-Governmental Organisations. Their expertise in research ethics means they have in-depth knowledge of research methods as well as of the legal framework within which research involving humans occurs (e.g. guidelines and regulations).

**Tata** is a Professor of Law and Criminal Justice at Strathclyde University and has vast experience of empirical research (including interviewing senior professionals, officials etc) gained over 25 years. His experience has provided him with extensive knowledge of qualitative research methodologies and ethics in organisational research. He has conducted and published research into various aspects of criminal justice in Scotland and abroad and has served as adviser to governments in several countries. Tata is currently the Chief investigator of a research project commissioned by the Scottish Government, which seeks to conduct an RJ training needs analysis in Scotland. He is responsible for oversight of development work and the overall management of the project.

**Vermeylen** is a Reader at Strathclyde University Law School, and a critical legal scholar working in the area of property theory and resource frontiers. Her work draws upon legal anthropology and she has extensive experience of empirical research. She has conducted multi-site ethnography in five Southern African countries for over 15 years, and has

collaborated with diverse sets of Non-Governmental Organisations, including World Vision (Zambia), Working Group of Indigenous Minorities in Southern Africa (Namibia), Legal Assistance Centre (Namibia), and Green Living Movement (Zambia). She has also worked directly with local and ‘marginalised’ communities in Ghana, Botswana, Namibia, South Africa, Zambia, Zimbabwe and Uganda around issues of legal empowerment and development.

### **18. Data collection, storage and security**

The researcher will ensure that participants anonymity is protected as far as possible, both during and after the investigation.

For the purpose of record keeping, each participant will be identified by an ID code or letter, to prevent identification. The research material will only be accessible by the researcher and her supervisors, and all electronic files (e.g. transcripts) will be password protected. Records of the subject’s activities will be kept in the form of written notes which, alongside consent forms, will be kept in a locked cabinet accessible only by the researcher.

The data presented in the doctoral thesis will not disclose the identity of any participant, and any information that could potentially identify a participant (e.g. service location) will be removed or neutrally altered.

The data from this investigation will be incorporated into a Doctoral thesis and may be used in articles that could be published in academic journals or presented at academic conferences. If the data from this investigation is used in any related publication, the same protections will be adopted to ensure the anonymity and confidentiality of all participants. No participant will be identifiable from any publication arising from this investigation.

#### **Explain how and where it will be stored, who has access to it, how long it will be stored and whether it will be securely destroyed after use:**

All data will be transported and held securely. Files containing personal data (e.g. transcripts or consent forms signed electronically) will be moved onto the university server at the earliest possible opportunity and held there exclusively thereafter.

The research material will only be accessible by the researcher and her supervisors and all electronic files will be password protected. Records of the subject’s activities will be kept in the form of written notes which, alongside consent forms, will be kept in a locked cabinet accessible only by the researcher.

The digital recordings and the consent forms will be securely held for a period of five years and then destroyed.

Will anyone other than the named investigators have access to the data? Yes  No

If ‘yes’ please explain:

## **19. Potential risks or hazards**

### **A. Participants**

Given that the research focuses on participants' professional activity, the risk to their physical or mental wellbeing is minimal.

That said, it is important to note that RJ facilitators are not laypeople. They are highly skilled and experienced professionals who work in a field where confidentiality is both essential and well understood. They have been trained in restorative practices and are familiar with the appropriate support agencies available to them. As part of their professional responsibilities, they are also required to refer participants to relevant services whenever necessary.

In the event that a Facilitator states that they have new information relating to an individual case which is legally relevant they will be reminded not to disclose it to the researcher but instead report it to the police.

### **B. Researcher**

The emotional wellbeing of the researcher is considered equally important. Prolonged engagement with Facilitators and RJ participants may bring up complex emotions, particularly when complex offences are involved.

To mitigate this, the following measures will be in place:

- The researcher will keep an electronic reflexive diary to document emotional responses and reflections throughout the investigation.
- Regular supervisory meetings will be used to discuss the research process and any emotional impact. The researcher will also make use of university student support services if necessary.
- Periodic debrief sessions will be held with supervisors.

Nonetheless, the researcher is well prepared for the demands of this study. She has completed several training courses in restorative practices, including with Restorative Solutions and in cases involving serious harm, and has prior experience conducting interviews with RJ practitioners, trainers, criminal justice professionals, and counsellors.

The data from this investigation will be incorporated into a Doctoral thesis and may be used in articles that could be published in academic journals or presented at academic conferences. No participant will be identifiable from any publication arising from this investigation.

Please attach a completed OHS Risk Assessment (S20) for the research. Further Guidance on Risk Assessment and Form can be obtained on [Occupational Health, Safety and Wellbeing's webpages](#)

**20. What method will you use to communicate the outcomes and any additional relevant details of the study to the participants?**

All participants will be given the opportunity to discuss the observation process. They may raise any relevant questions or concerns at any time and may withdraw from the investigation at any time.

**21. How will the outcomes of the study be disseminated (e.g. will you seek to publish the results and, if relevant, how will you protect the identities of your participants in said dissemination)?**

The data from this investigation will be incorporated into a Doctoral thesis and may be used in articles that could be published in academic journals or presented at academic conferences. If the data from this investigation is used in any related publication, the same protections will be adopted to ensure the anonymity and confidentiality of all participants. No participant will be identifiable from any publication arising from this investigation.

Checklist	Enclosed	N/A
Participant Information Sheet(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Consent Form(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sample questionnaire(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sample interview format(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sample advertisement(s)	<input type="checkbox"/>	<input type="checkbox"/>
OHS Risk Assessment (S20)	<input type="checkbox"/>	X
Any other documents (please specify below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
• <b>Fieldwork Observational Guide - Appendix 1</b>	<input type="checkbox"/>	<input type="checkbox"/>
• <b>Letter of support from Restorative Solutions Appendix 2</b>	<input type="checkbox"/>	<input type="checkbox"/>
• <b>Ethical approval – Letter (interviews + Focus groups) – Appendix 3</b>	<input type="checkbox"/>	<input type="checkbox"/>

## **Participant information sheet**

**Name of the organisation and department:** University of Strathclyde, Law School.

**Title of the study:** The Craft of Facilitation in Restorative Justice: A Study of Restorative Conferences

### **Introduction**

Thank you for considering participating in this study. This information sheet outlines the purpose of the research and provides a description of your involvement and rights as a participant, if you agree to take part.

This investigation is part of an ongoing doctoral research dissertation funded by the University of Strathclyde.

### **What is the purpose of this research?**

This research aims to investigate the work of restorative justice Facilitators. The purpose is to understand how Facilitators interpret their work, what challenges they face, and what strategies they use to facilitate cases.

The investigation will entail observing Facilitators who work for Restorative Solutions and have been previously interviewed as part of this research. The focus is on preparation and conference meetings.

### **Do you have to take part?**

Your participation is entirely voluntary, and your decision one way or the other will not affect you in any way (including within your employment). You do not have to take part if you do not want to. If you do decide to take part, the researcher will ask you to sign a consent form which you can sign and return in advance of our first meeting.

You can withdraw from the study at any time before it is completed, without having to give a reason. Withdrawing from the study will have no effect on you and I will not retain the information you have given (and that has been gathered) thus far. If at any point you feel uncomfortable or believe that the researcher's presence might impact the process in any way, you can say so and she will leave the room or terminate the investigation. You will not have to provide any explanation.

### **What will you do in the project?**

As mentioned above, the researcher will observe preparation and conference meetings run by restorative justice Facilitators who work for Restorative Solutions. Based on the information that you have previously shared in interviews, the researcher wants to understand how you

manage cases and interact with participants. This will depend on your availability and willingness to allow the researcher to be present in these meetings.

The researcher will only observe cases that you deem appropriate, always with the participant's consent. She will not take any notes during meetings or conferences to avoid participants feeling uncomfortable or too conscious of her presence in the room.

The researcher would be happy to discuss this further with you and draw any boundaries you may deem appropriate prior to start of this investigation, if you wish to take part.

### **Why have you been invited to take part?**

As a Restorative Justice Facilitator, your experience is important. It will help identify key patterns and behaviours and, consequently, improve the knowledge of restorative practices.

The principal inclusion criteria are that participants are an employee of Restorative Solutions, have been trained by the organisation, and have been previously interviewed by me.

### **What information is being collected in the project?**

The researcher will gather information on how Facilitators prepare and manage cases, including how they conduct preparation meetings with participants and run conferences. Your activities will be recorded in the form of written notes and will include general information about the case and your interaction with participants. She will not take notes during meetings with participants but will do so afterwards.

Your anonymity will be protected, and none of the information obtained in this study will be shared with your employer. This means that your name will not be used in any reports or publications resulting from the study. The data will be incorporated into a doctoral thesis and may be used in articles that could be published in academic journals, **but nothing will be included that could identify you personally.**

### **Who will have access to the information?**

The records from this study will be kept as confidential as possible. Only the researcher and her supervisors, Professor Cyrus Tata and Dr Saskia Vermeylen, will have access to the files. As explained above, your data will be anonymised.

***Limits to confidentiality:*** confidentiality will be maintained as far as it is possible, unless you tell something which implies that you or someone you mention might be in significant danger of harm; in this case, we may have to inform the relevant agencies of this.

### **Where will the information be stored and how long will it be kept for?**

Electronic files (e.g. consent forms) containing personal data will be moved onto the university server at the earliest possible opportunity and held there exclusively thereafter. The only paper documentation which could be used to identify you (i.e. written notes and consent forms signed in person)– will be kept in a locked cabinet accessible only by the researcher. These will be securely held for a period of five years and then destroyed.

### **What happens next?**

You will be asked whether you want to take part in the research. If you are happy to do so, you will need to sign the consent form, and the researcher will schedule a date to start the investigation. If you have any questions or concerns about the research, please feel free to contact the researcher on the address below.

If you choose not take part, no further action will be necessary. We appreciate the time you have taken reading this information sheet.

### **Researcher contact details:**

If you have any questions regarding this study, please contact the researcher on the address below.

**Email:** [tania.nascimento@strath.ac.uk](mailto:tania.nascimento@strath.ac.uk)

### **Chief Investigator details:**

You can also contact Professor Cyrus Tata.

**Email:** [Cyrus.tata@strath.ac.uk](mailto:Cyrus.tata@strath.ac.uk)

This research was granted ethical approval by Strathclyde Law School Ethics Committee. If you have any questions/concerns, during or after the research, or wish to contact an independent person to whom any questions may be directed or further information may be sought from, please contact:

### **Convenor of the Law School Ethics Committee**

**Lord Hope Building**

**University of Strathclyde**

**142 St James Road**

**Glasgow**

**G4 0LT**

**Email:** [Kenneth.norrie@strath.ac.uk](mailto:Kenneth.norrie@strath.ac.uk)

## **Consent form**

**Name of the organisation and department:** University of Strathclyde, Law School.

**Title of the study:** The Craft of Facilitation in Restorative Justice: A Study of Restorative Conferences

- I confirm that I have read and understood the Participant Information Sheet for the above project and the researcher has answered any queries to my satisfaction.
- I confirm that I have read and understood the Privacy Notice for Participants in Research Projects and understand how my personal information will be used and what will happen to it (i.e. how it will be stored and for how long).
- I understand that my participation is voluntary and that I am free to withdraw from the project at any time, up to the point of completion, without having to give a reason and without any consequences.
- I understand that anonymised data (i.e. data that do not identify me personally) cannot be withdrawn once they have been included in the study.
- I understand that any information recorded in the research will remain confidential and no information that identifies me will be made publicly available, unless I explicitly consent otherwise.
  - I consent to being a participant in the project and to being observed.**
- I understand that my words may be quoted.
  - I agree to be quoted directly if my name is not published and a made-up number/name (pseudonym) is used**
  - I do not want to be quoted**

Print name:	
Signature of Participant:	Date:

# Observational guide – ethnographic observations

## 1. Physical setting

- A. Describe the personal physical environment in which Facilitators conduct their daily tasks.
- B. Describe the physical environment in which preparation meetings and the conference take place.

## 2. Social Environment

- A. Who do Facilitators interact with during their daily work and in the conference meetings?
- B. What brings these individuals together, and who's permitted in the space?
- C. Who is excluded, or who might reasonably be expected to be present?
- D. How do people organise themselves? Note patterns of interaction and direction of communication
- E. What are the decision-making patterns? Who makes decisions and how are they communicated?

## 3. Activities and behaviours

- A. What do Facilitators do? What do their daily activities involve?
- B. Is there a definable sequence of activities?
- C. How are people and activities connected?
- D. What norms or rules govern these activities and interactions?
- E. When did the activity begin? How long does it last?
- F. What forms/spreadsheets are involved? (e.g. letters, risk assessment)
- G. What is the content of conversations? (who speaks to whom and who listens?)

## 4. Subtle factors:

- A. Note any informal and unplanned activities.
- B. Observe the symbolic meanings of words used.
- C. Describe non-verbal communication such as body language, moods, physical contact, facial expressions, dress.
- D. Describe what did not happen – especially if certain activities were expected but did not occur.

## 5. Researcher's behaviour and thoughts

- A. What is the researcher thinking or feeling during the observation?
- B. Is the researcher's presence influencing the scene?

## Shadowing

Focus	Details
<b>Date</b>	
<b>Time</b>	
<b>Room setting</b>	Describe the space and layout.
<b>Activities</b>	Describe tasks performed.
<b>Mood</b>	Describe their general mood throughout the day.
<b>Breaks</b>	Are there lunch/coffee breaks? Describe frequency, length, and context.
<b>Researcher's reflections</b>	Record reflections and any explanations provided by the facilitator.
<b>Meetings</b>	Note any relevant meetings attended during shadowing.

## Observation of conference meetings

Focus	Details
<b>Date</b>	
<b>Time</b>	
<b>Location</b>	Is it held in a prison or community setting (e.g. church, hotel room)?
<b>Facilitator</b>	Who is facilitating? Describe their attire and mood.
<b>Co-facilitation</b>	Present? (yes/no) Describe their attire and mood.

<b>Participants</b>	<p>Is the victim present? (yes or no)</p> <p>Is the offender present? (yes or no)</p> <p>Any supporters? If so, who and how many?</p>
<b>Type of offence and sentence</b>	Provide as many details as possible.
<b>Room setting</b>	<ul style="list-style-type: none"> <li>- Describe the room layout and décor.</li> <li>- Who entered first? Where did people sit?</li> <li>- Were refreshments available?</li> </ul>
<b>Script</b>	Is the Facilitator following a script? (yes or no)
<b>Ground rules</b>	Were any stated? If so, describe.
<b>Introduction</b>	Describe how the meeting was opened.
<b>Language</b>	Describe the overall content of the conference and the wording used.
<b>Verbal communication</b>	- Describe the facilitator's tone and delivery (e.g. volume, pace) as well as the content of their speech.
<b>Body language</b>	Note posture, gestures, facial expressions, eye contact, etc
<b>Facilitator's intervention</b>	When and how do they step in or redirect the conversation?
<b>Co-facilitation dynamic</b>	Describe their interaction and shared roles.
<b>Closing</b>	<ul style="list-style-type: none"> <li>- How is the meeting concluded?</li> <li>- Who leaves first?</li> <li>- Any informal exchanges (e.g. tea/coffee afterwards)?</li> </ul>

<b>Debrief</b>	If there is a co-facilitator, describe the post-conference debrief and their reflections/mood.
<b>What did not happen</b>	Were certain expected activities missing? Note absences.
<b>Researchers' presence</b>	Describe where the researcher sat and any perceived influence on the setting.

### Observation of preparation Meetings

<b>Focus</b>	<b>Details</b>
<b>Date</b>	
<b>Time</b>	
<b>Location</b>	Is it held in a prison or community setting (e.g. church, hotel room)?
<b>Facilitator</b>	- Identify facilitator. - Describe their attire and mood.
<b>Co-facilitation</b>	- Present? (yes/no) - Describe attire and mood.
<b>Type of offence and sentence</b>	Provide as many details as possible.
<b>Meeting setting</b>	- Describe physical space.
<b>Participant</b>	- Is the meeting with the victim or the offender? - First meeting or follow-up?
<b>Introduction</b>	How did the facilitator introduce themselves?

<b>Language</b>	What language or framing is used to build trust/rapport with the participant?
<b>Verbal communication</b>	- Describe the facilitator's tone and delivery (e.g. volume, pace) as well as the content of their speech.
<b>Body language</b>	Note posture, eye contact, gestures, facial expressions, etc
<b>Risk assessment</b>	- How is risk assessed? - What tools or questions are used? - Is a matrix or form involved?
<b>Co-facilitation dynamic</b>	Describe their interaction and shared roles
<b>Closing</b>	- How is the meeting brought to a close? - What signals the end of the meeting?
<b>Debrief</b>	- Note if a debrief takes place and what is discussed. - Describe facilitator(s)' mood.
<b>Researchers' presence</b>	Describe where the researcher sat and any perceived influence on the setting.

### Appendix 3: Researcher’s interview support notes (topic guide)

Indicative questions/topics	Comments
Tell me about your background – anything you feel comfortable sharing before you became an RJ Facilitator.	Explore life history; what experiences or assumptions they brought into RJ. Prompts: family background, timing, previous roles, examples.
Why did you decide to become an RJ Facilitator (or how did it happen)?	Explore motivations, previous knowledge of RJ, and professional transitions. Prompt: What did you know about RJ?
What do you remember about the RS training?	Capture first impressions and how training compares with practice. Prompts: Feelings, expectations vs. reality.
How would you describe your role?	Understand their perception of the role and how it's evolved. Prompts: Responsibilities, skills, idea of “professionalism.”
What is the most rewarding part of the job? And the hardest?	Explore emotional and practical aspects of the role. Prompts: Challenges, stress, external pressures (e.g. COVID, organisational changes).
Can you reconstruct a typical day for me?	Understand daily tasks and interactions. Prompt: Who do they engage with?
Take me through a full case, from referral to follow-up.	Understand step-by-step process and possible organisational differences.
What role, if any, do you think emotions play in the work that you do?	Explore their views on emotions. Prompts: Examples, managing different emotions, what helps/what does not.
Talk me through how you prepare participants.	Get detail on goals, rapport building, and process. Prompts: How is this different in complex cases? What if it falls through?
What are your thoughts on the RJ script?	Explore their use and perception of the script.

	Prompts: Helpful? Flexible? Do they adapt it?
What is it like for you once a conference ends?	Understand personal and professional debrief practices. Prompts: How do they feel? Do they talk to anyone?
Is there anything else you would like to add?	Space for additional comments or reflections.

## Appendix 4: Facilitators' key tasks and responsibilities

Administration	Training, Awareness Courses and Events	Case Coordination and Management
Contact potential restorative justice (RJ) participants following a referral	Attend training for professional development	Attend preparation meetings with victims and offenders
Update RJ participants on case progress (email/phone)	Provide RJ input to the police	Facilitate conferences
Schedule meetings with RJ participants	Train and mentor volunteers	Support offenders in writing letters of apology, particularly in cases involving conditional cautions
Communicate regularly with colleagues, volunteers, supervisors, and criminal justice professionals via emails, phone calls, and meetings	Facilitate hate crime and violent crime awareness courses	Conduct risk assessments throughout the RJ process, including managing emotions and expectations, signposting, safeguarding, and related tasks
Attend third sector meetings in their local area	Attend events to raise awareness of RJ and the facilitator's role (e.g. information stalls at community events) and engage with external stakeholders	Build trust and rapport with the parties
Insert and update case details in the case management system		Explain the restorative justice process and available options to victims and offenders, enabling them to make informed choices

Book and arrange prison visits when required		Coordinate with professionals to ensure logistical arrangements are in place for conferences (e.g. refreshments).
Book venues for RJ conferences		Assign co-facilitator, where applicable
Claim travel expenses.		Conduct follow-up meetings with participants
Manage social media platforms (e.g. X) to promote awareness and engagement		Manage caseload and prioritise tasks
Ensure all forms are signed by RJ participants (e.g. consent forms, GDPR)		
Collect/write case studies		
Collect information about cases at the end of the financial quarter		
Work towards RJC accreditation and maintain a Continuing Professional Development (CPD) portfolio		