
Overview

This standard relates to restorative practice and processes and is about establishing the circumstances of an incident. It covers assessing and understanding the potential benefits and the associated risks of progressing a restorative response. It includes identifying whether there are complex or sensitive issues to be addressed. These can relate to the incident itself, or to the capability of those involved to understand or participate in a restorative process.

Restorative practice brings those affected by conflict or crime into communication. This enables everyone involved in a situation to play a part in repairing the harm and finding a positive way forward.

There are three elements

- 1 Obtain and review information relating to incidents
- 2 Assess the potential benefits and risks associated with progressing a restorative response
- 3 Explore situations where there are sensitive and complex issues

Target group

This standard is for those with responsibility for providing initial advice on the application of restorative practice processes to an individual or in a community situation.

SFJ DJ101

Assess the circumstances of an incident towards identifying a restorative response

Performance criteria

Obtain and review information relating to incidents

You must be able to:

- P1 identify and access information required to identify a possible restorative practice response
- P2 determine, where possible, any existing assessments relating to the participants' prior behaviour
- P3 seek advice from relevant others where there is uncertainty about the validity of information or the interpretation of findings
- P4 present information to those who need access to it, maintaining confidentiality in line with organisational requirements

Assess the potential benefits and risks associated with progressing a restorative response

You must be able to:

- P5 identify participants' relevant circumstances, including their family and personal situation, physical and mental health
- P6 establish if there is a previous connection between the participants involved, and if so, determine the nature of this history
- P7 assess information obtained and determine potential benefits associated with progressing a restorative response
- P8 provide required evidence to show the basis for your assessment and to explain the benefits of progressing a restorative response, in line with organisational requirements
- P9 determine if there are factors which might trigger an imbalance between participants and assess the impact on any restorative response this may cause
- P10 identify factors that may mean a participant is particularly vulnerable and that indicate that there are sensitive or complex issues to be considered
- P11 assess the significance of safety and other risk factors identified, and determine the steps required to address these factors
- P12 provide evidence to show the basis for your assessment and to explain the nature of any risks
- P13 record potential benefits, safety concerns and other risks together with the steps taken to address these, in line with organisational requirements
- P14 identify where additional assessments are required and record your reasoning in line with organisational requirements
- P15 make required additional assessment arrangements in line with organisational requirements and set timescales

Explore situations where there are sensitive and complex issues

You must be able to:

- P16 identify and review, with relevant others if required, complex and sensitive issues that may influence the restorative process
- P17 select and agree, with relevant others if required, procedures for

SFJ DJ101

Assess the circumstances of an incident towards identifying a restorative response

- exploring issues that are considered complex and sensitive
- P18 assess cases in line with organisational requirements for complex issues that require referral to a line manager
- P19 gather necessary information from relevant individuals and sources using agreed procedures and protocols, and make clear:
 - P19.1 the information needed
 - P19.2 how it will be used
 - P19.3 who will have access to the information
- P20 verify information obtained to confirm that it is relevant and accurate, and that any opinions have authoritative support
- P21 consider how information provided may be reflective of organisational or institutional opposition to potential restorative approaches
- P22 prepare, record and present recommendations arising from the sensitive and complex issues explored to relevant others, for consideration in the design of the restorative process
- P23 record concerns about sensitive and complex issues, together with how these might be addressed with consideration of the potential participants, in line with organisational requirements
- P24 refer concerns to the appropriate level of management, partnership or agency, in line with organisational requirements
- P25 review and reflect on your involvement in the process, and use findings to:
 - P25.1 inform your development and improve your practice
 - P25.2 contribute to the learning and understanding of organisational policies and procedures

SFJ DJ101

Assess the circumstances of an incident towards identifying a restorative response

Knowledge and understanding

General/key knowledge relating to restorative practice

You need to know and understand:

- K1 legislation and guidelines of good practice that relate to assessing the appropriateness of restorative processes, including:
 - K1.1 the impact of these on your work
 - K1.2 confidentiality and data protection requirements
- K2 the nature of values and principles underpinning restorative processes
- K3 the purpose and potential benefits of restorative practice
- K4 partner organisations you might work with in the restorative process, including:
 - K4.1 their principal roles and responsibilities
 - K4.2 how to determine and differentiate these roles
- K5 the meaning of needs in a restorative practice context
- K6 the potential range of needs of all involved within the restorative process
- K7 the importance of, and how to create, a safe environment for participants
- K8 the meaning of risk in a restorative practice context, including:
 - K8.1 how to distinguish between criminogenic and restorative risk concerns
 - K8.2 how these concerns may or may not apply
- K9 the importance of treating all participants with respect and avoiding both the stigmatisation and stereotyping of any participant
- K10 effective telephone and face to face communication techniques, including:
 - K10.1 active listening
 - K10.2 questioning for understanding
 - K10.3 awareness of and ability to read non-verbal signals
 - K10.4 summarising and reflecting back
 - K10.5 giving and receiving feedback
 - K10.6 challenging constructively and positively
 - K10.7 enabling participants to make their own choices
 - K10.8 recognising and working with the positions, interests and needs of participants
- K11 how to judge what information may be shared between participants and how gaining additional information might be used by the participants
- K12 the importance of gaining permission before sharing information between participants
- K13 your role, responsibilities and competence, and who to seek assistance and advice from if necessary
- K14 how to recognise the effects on yourself of working upon restorative processes, and how to seek appropriate supervision and personal support
- K15 principles of effective equality, diversity and anti-discriminatory practice

SFJ DJ101

Assess the circumstances of an incident towards identifying a restorative response

Knowledge related to assessing the circumstances, benefits and risks

You need to know and understand:

- K16 boundaries and levels of confidentiality, and how to maintain these
- K17 the information required within a restorative process to:
 - K17.1 make an assessment of participants
 - K17.2 identify potential benefits and risks
 - K17.3 manage safety and other risk factors
- K18 sources of relevant information about participants and how to access these
- K19 the importance of recognising that participants may have their unique perspective on the same matter
- K20 how to assess the suitability of restorative processes for participants, and the alternatives that may be available to them
- K21 approaches to safety and other risks assessment, how to use these and their relative advantages and disadvantages
- K22 factors influencing the vulnerability of participants including:
 - K22.1 the types of vulnerability or levels of harm used in assessing safety and other risks
 - K22.2 their indicators
 - K22.3 how to determine these
- K23 what might constitute a sensitive and/or complex issue including:
 - K23.1 vulnerability of participants
 - K23.2 behaviour and relationships underlying cases
 - K23.3 cases involving disputed harm and/or shared responsibility
- K24 what the implications are of working with participants in a restorative process where there is a sensitive and/or complex issue
- K25 possible attitudes to sensitive and complex cases in the participants' communities, and how this may affect them and influence how they participate in the restorative process
- K26 long-term effects of sensitive and complex cases including the implications for:
 - K26.1 the length and timing of the restorative process and potential ongoing support work
 - K26.2 maintaining continuity of case handling
 - K26.3 the importance of closure for participants
- K27 how participants, or others, can cause harm either during or outside the restorative process
- K28 how a pre-existing or ongoing relationship between participants can affect a restorative process, either increasing its benefits or providing opportunities for harm
- K29 methods of managing safety and other risks within the restorative process

SFJ DJ101

Assess the circumstances of an incident towards identifying a restorative response

Additional Information

Values

Restorative practices are underpinned by a set of values, these include:

- 1 empowerment
- 2 honesty
- 3 respect
- 4 engagement
- 5 voluntarism
- 6 healing
- 7 restoration
- 8 personal accountability
- 9 inclusiveness
- 10 collaboration
- 11 problem solving

Glossary

Risks

In a restorative practice context, risks (factors/concerns/assessment) relate primarily to participant and practitioner safety. In this context, risk of harm may be physical, psychological and / or emotional.

Restorative practice processes can also contribute to minimising the occurrence (or 'risk') of re-victimisation and reoffending.

External links

These standards reflect the content of the Restorative Justice Council's Best Practice Guidance for Restorative Practice (2011)

SFJ DJ101

Assess the circumstances of an incident towards identifying a restorative response

Developed by	Skills for Justice
---------------------	--------------------

Version number	2
-----------------------	---

Date approved	January 2013
----------------------	--------------

Indicative review date	January 2018
-------------------------------	--------------

Validity	Current
-----------------	---------

Status	Original
---------------	----------

Originating organisation	Skills for Justice
---------------------------------	--------------------

Original URN	SFJ DJ101
---------------------	-----------

Relevant occupations	Restorative Practitioner; Probation staff; Youth Offending Team Officer
-----------------------------	---

Suite	Restorative Practice
--------------	----------------------

Key words	Assess; assessment; incident; identify; restorative practice; restorative justice; response; obtain information; review information; sensitive issue; complex issue
------------------	---