



## **Crime, order and social control**

*Restorative justice: dealing with shoplifters*

### **WPC Joanna Mears:**

I'm WPC Joanna Mears, I'm the Retail Theft Initiative Co-ordinator at Milton Keynes. It's a scheme where, by we deal with young offenders mainly who offend by committing shop theft, in a restorative justice based approach. The offender will be arrested by a store detective, will be taken to a manager's office. The police are called, if it's a juvenile, the parents are called as well. While they're waiting for the parents to attend, the store detective will relay the facts to the police officer in the presence of the offender. If the offender says yes that is true, then they start thinking they could be eligible for the retail theft initiative.

### **WPC Joanna Mears:**

They must fit certain criteria to be eligible. They musn't be violent, they must admit the offence, and they must agree to come back to the police station for a couple of Wednesdays to go through the scheme. So, technically they are arrested, then when we've been through the process they are de-arrested, and sent home with their parents. They will receive a reprimand if it's their first offence, and they will receive a final warning if it's a second offence, and they've already had a reprimand, or if their first offence is quite serious. The store managers' other victim in this crime, so they will talk about how they, as a store are affected, how the staff are affected, but also how the offender is affected by their behaviour.

### **Anonymous Store Manager:**

I'm a department manager at Waitrose in Milton Keynes. Basically what we do, is we get involved in, it's just part of us getting involved in the community really. It's just an additional job to a function to the role that we have as managers.

### **WPC Joanna Mears:**

The managers come here in their own time after work, and talk to these youngsters, because they genuinely don't want them to end up in prison, which is where they will end up if they don't change their behaviour

### **Anonymous Store Manager:**

They've either been with a group of other people, or they've done it on their own, and they've been misled into stealing from shops in the shopping centre in central Milton Keynes. And basically we just sit down and talk to them and ask them why they've done it, how they feel, do people trust them, and, do their parents trust them now.

### **WPC Joanna Mears:**

They will see the store manager, if we feel it's necessary, they will do protective behaviours, which is all about dealing with bullying and peer pressure, and as peer pressure's the main reason that juveniles offend, the majority of them will do that. It's been going for about eight years now, we've had two independent evaluations. The first one from the Home Office, looked at first time offenders only, and the re-offending rate for that was thirty five percent down to three percent, and then the second evaluation that was done three years ago, looked at first and second time offenders together, and the re-offending rate was forty percent down to seventeen percent. Now we know that, we're not as affective with second time offenders, and that's why it's so important to catch youngsters the first time they offend, and deal with them effectively.

The restorative justice way of talking to people about, who's been affected, how they've been affected, is really quite difficult, because it can be quite painful, but it is very affective, and it finds the reasons behind their behaviour as well. Then we will go to the parent, or supporter, and say, what did you think when you got the phone call to say that, your son, your daughter had been arrested for stealing, what went through your mind, what's been the hardest thing

for you. When you talk about, your mother crying her eyes out, because she was so upset that you'd been arrested for stealing, that's hard, really hard.

**Roger Bolton:**

Roderick Hill, can I ask you, for what sort of offence is this thought to be suitable? We heard in New Zealand, I think the top twenty percent perhaps of crime, was the area where restorative justice was introduced. Is there a general view about, for what sort of crime, and what sort of criminal this is suitable?

**Roderick Hill:**

Well restorative justice itself sets out to be a flexible process that can be used for practically any type of crime. The Restorative Cautioning Initiative by Thames valley police, dealt with crimes that were dealt with by a police caution. So, generally the lower end of the scale, although there were sort of assaults that could be deemed fairly serious. So generally, it can be used for any type of crime, but there are problems with certain types of crimes. For example, if you take something like possession of cannabis, or other crimes that considered to be victimless, then where's the harm where's the victim? those kind of issues come out. Generally, we found that some of the more emotional conferences, were ones where there was great harm in terms of an assault, so there was, the greater damage there. If we take the retail theft initiative, there's the issue of whether, a corporate victim can be considered to be directly harmed in that kind of way.

**Roger Bolton:**

Well Sir Charles, if you hadn't got the retail theft initiative working on cases like the one we've just heard of in Milton Keynes, what would have happened to these young people.

**Sir Charles Pollard:**

They would have, in those situations, just been given, what was then called a police caution, and it was really just a telling off, and a very crude telling off, really described, sort of given a bollocking in police parlance until they cried. I mean, frankly we know from, basic theory about criminology, that this is probably a pretty hopeless approach. Having said that....

**Roger Bolton:**

And, ineffective largely.

**Sir Charles Pollard:**

Ineffective.

**Roger Bolton:**

They would come back and do it again.

**Sir Charles Pollard:**

Well, the likelihood of them coming back and doing it doing it again is a lot higher by doing that, rather than something else such as a restorative approach.

**Roger Bolton:**

And what are the chances then of them coming back a third time which, at which point they really do get into trouble, and might start having some sort of sentence?

**Sir Charles Pollard:**

Well, it is quite high. I mean we know that there is quite a lot of re-offending and, the key to reducing crime in this country is, first of all intervening when people are starting off on a life of crime, or you've found them doing that, and to intervene very effectively, you stop them in their tracks there and then. That's where restorative justice can be very effective.

**Roger Bolton:**

So in the case we've just heard of, it's trying to stop people almost, at the moment at which they start. Some people would say you should do more serious crimes, where perhaps there's a physical assault on the individual, you're saying that even when it's, shop lifting or whatever, this can work.

**Sir Charles Pollard:**

Absolutely, I mean, it's a philosophy which can be applied right through the system, and will work effectively anywhere in the system if it's done right. But there's, only so much you can do about the serious criminals today. What we can do about tomorrow's future, is really intervene now, about those who might become tomorrow's criminals, and there's a huge amount we can do, and restorative justice I believe, is one of the big drivers for that.

**Roger Bolton:**

Roderick Hill how do you have to set up these conferences, are they as easy as perhaps some people make, sound, you just get everybody involved, somebody from the store, get the parent involved, get a policeman, Bob's your uncle, it's alright.

**Roderick Hill:**

Well it's slightly more difficult than that. Really the point to consider there is that, preparation needs to be involved, and one thing that our study found, that the more prepared people were, the more they knew that what they were going into, the more they got out of it. So, really it is bring, as simple as bringing people together, it's bringing people who, the key participants want to be there, but obviously have to do a lot of preparation, because people don't know what a restorative justice is, they don't know, they have to be told, the potential benefits, but also, take a realistic view that they might not get anything out of it, the offender might not want to apologise, or give compensation so if they go in with realising potential benefits, but with a realistic view, that's the trick really to a successful conference.

**Roger Bolton:**

And Charles Pollard, does this have to be voluntary, can you actually say to a young offender, and to their parents, you've got to come be here or else. Or do you just say it's really in your interests to be here?

**Sir Charles Pollard:**

Well the way it's been introduced so far has been very much the latter, but if they don't agree to participate then, they would go into the system, whereby they'll have an old style police caution, or they might find themselves going to court. So there are a lot of incentives, and also the incentive of just doing something which is very fair and practical is a big one too.

**Roger Bolton:**

But how about the incentive for you as managing a police force. How much time resources is this going to take, compared to say, straight forward police caution, which presumably, doesn't take very long at all?

**Sir Charles Pollard:**

Well, in Milton Keynes incidentally, the system there, use half as much police resources as the previous system. So that was very successful, not just in reducing re-offending.

**Roger Bolton:**

So, how to understand this, how could it be half of it because you're setting up the conference, they've got to go along, they've talked, does that mean that out of sight when people are cautioned, there's a whole lot of paperwork that we're not aware of, which does take up a massive amount of time?

**Sir Charles Pollard:**

Well it was comparing police cautioning with going to court, and previous police cautioning, and yes, there was a procedure, and this was developing a very streamlined way of dealing with it. So it reduced police bureaucracy, in terms of the Thames valley mainline scheme we've been talking about, certainly it's more resource intensive, but policing is all about trying to reduce crime, trying to reduce re-offending, and trying to help the victims of crime to overcome the problems they face, and one can't underestimate this enough.

**Sir Charles Pollard:**

As soon as you keep victims and communities, and offenders apart, you create a huge adversarial culture, in which no one gains, bring them together, you will get much better outcomes, and the resources you put in which are extra resources, will be paid redoubled, and redoubled again, in terms of the impact you'll have.