Process evaluation of the Neighbourhood Justice Panels

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First published 2014

Any enquiries regarding this publication should be sent to us at mojanalyticalservices@justice.gsi.gov.uk

This publication is available for download at http://www.justice.gov.uk/publications/research-and-analysis/moj

ISBN 978 1 84099 641 8

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1.   Summary

Neighbourhood Justice Panels (NJPs) are a form of restorative justice (RJ) conferencing. NJP meetings aim to bring local victims and perpetrators together, using restorative and reparative approaches. The panel meetings are facilitated by trained local volunteers.

Fifteen areas in England and Wales were involved in a Ministry of Justice (MoJ) two-year test. Some test areas accepted referrals from May 2012, while for others this was slightly later. Although each area had autonomy to deliver their NJPs according to local need, the scope of offences was defined by the MoJ and included behaviours which were suitable for informal resolution, such as non-criminal activity like anti-social behaviour (ASB) and neighbour disputes. Out-of-scope offences included indictable cases, domestic abuse/domestic violence (DA/DV), hate crime, dishonesty offences, assault, and cases where a more formal out-of-court disposal was required.

This summary sets out the findings of the qualitative process evaluation commissioned by the MoJ to explore the set-up, delivery and perceived effects of the NJPs. The findings have implications for policy-makers and staff involved in NJP delivery and other RJ approaches. They also offer an evidence base for areas that are considering setting up their own NJPs.

Methods

A qualitative case study design was used to obtain a comprehensive picture of six NJP test areas. The areas were selected to ensure diversity across: NJP caseloads; the number of trained volunteers; the location and size of the test areas; the nature and extent of existing RJ mechanisms; the budget available; and the nature of the NJP coordinator role.

In-depth interviews and group discussions were conducted to capture the perspectives of those involved in the NJPs. A total of 36 staff took part, including (but not limited to): the NJP coordinator who was responsible for overseeing NJP delivery; members of the Oversight Board or equivalent steering group; and referral agency representatives. Twenty-three volunteers took part in small group discussions and ten panel users were interviewed (including victims, perpetrators and people in 'no blame' cases). NJP meetings were also observed.

Key findings

Setting up the NJPs

NJP tests were not centrally funded and so areas[1] had sought grant funding or donations from partner agencies, or had redistributed existing funds. Where funding had been secured, this was largely used to employ a dedicated NJP coordinator. In other areas, this role was taken on by a member of local authority staff alongside their existing workload. The support of strategic and operational partners was important, as was rigorous recruitment and training of volunteers.

In some areas, delivery of the NJPs was monitored by a strategic Oversight Board. Some had been set up specifically for the NJP, while others had been absorbed into an existing RJ steering group. Existing groups appeared to be most successful, with clear aims and transparent accountability structures in place.

NJP delivery

The research took place early on in the NJP test, and analysis of performance management data showed that by the end of September 2013[2] around 300 cases had been referred to an NJP across the six case study areas, and around 120 cases had resulted in an NJP meeting.[3] A variety of cases had been referred to the NJPs, including neighbour disputes; young people involved in ASB; graffiti; damage to or theft of public property; abusive language; and street drinking. While out of scope for the NJP test, the suitability of DA/DV and hate crime was questioned across the areas, particularly if an RJ approach was the victim's preference.

A number of agencies referred cases to the NJPs, primarily the police, local authority and housing providers. Once a referral was deemed suitable, the NJP coordinator (or an administrator) would initially take the lead in contacting the panel users and volunteers to attend the NJP meeting. In some areas panel users were then visited by a volunteer and/or the NJP coordinator to further ascertain the suitability of their case and to provide panel users with additional information. The findings suggest that this was key to helping panel users understand the NJP approach and its possible outcomes.

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[1] The size of the case study test areas ranged from an entire county to two wards.
[2] Some test areas accepted referrals from May 2012, while for others this was later in the year.
[3] These figures come from self-completion data-collection forms submitted to MoJ by the test areas that participated in the research. Looking at the data-collection forms for all test areas, by the end of September 2013, around 400 cases had been referred to an NJP, with around 360 referrals accepted and around 150 having resulted in an NJP meeting. The number of NJP meetings held in the areas that did not participate in the research ranged from 0 to 11.

Panel meeting attendance varied across the areas, and depended on the nature of the case. A volunteer and panel users were essential, but attendees could also include the NJP coordinator, referral agencies, supporters and other observers. Generally areas tried to create an informal atmosphere to put panel users at ease. However, one area opted for a more formal setting to convey a sense of gravitas and to encourage panel users to take it seriously.

Volunteers facilitated panel meetings using scripts. Some staff and volunteers considered it essential to follow the script closely in order to fully adhere to RJ principles. Others felt that sticking too rigidly to the script was a barrier to an open discussion – considered crucial to a successful outcome. It was generally agreed in all the areas that panel users should lead on deciding the resolution arising from the meeting. However there was evidence of some volunteers being more directive in their approach, which was felt to have disengaged panel users in some instances, and could potentially lead to unsuccessful outcomes. The nature and extent of follow-up after the meeting varied from one area to another, from no mechanisms in place to more formal systems where panel users were held to account where appropriate.

Perceived effects

Involving the victim in the process was considered to be a key effect of NJPs, and staff and volunteers hoped to empower communities to resolve their own issues. NJPs were also seen as an opportunity to divert perpetrators away from the criminal justice system. Specific features of NJPs that were felt to underpin successful outcomes were:

- panel user engagement with the NJP approach;
- panel users meeting in a controlled environment facilitated by local volunteers, where they listened to each other's views before deciding on a resolution; and
- running separate panel meetings where there were multiple perpetrators.

Resolutions included: unpaid work; an apology; an action such as repairing damage to public property; support provision; various restrictions; and financial reparation. Users experienced effects directly related to the resolution alongside wider behavioural and emotional impacts. However, there were instances where panel users were dissatisfied with the outcome of their NJP, particularly if an inappropriate resolution had been agreed.

Effects were identified on others involved in NJPs, such as volunteers and referral agencies, as well as wider organisational effects, in terms of resource and perceived cost efficiencies.

Implications

The NJPs were felt to be a useful addition to the existing suite of RJ approaches, with evidence of panel meetings successfully opening up communication between the parties involved and facilitating the agreement of resolutions. Strategic and operational support and engagement, funding to employ a dedicated NJP coordinator, and the potential for including offences currently out of scope, such as DA/DV or hate crime, were identified by participants as areas underpinning effective delivery. However the scope of the NJPs has been agreed in MoJ and follows Association of Chief Police Officers (ACPO) guidelines (2012a), and as such there are currently no plans to review this.

Areas where further guidance was required were also identified:

- the intended aims and objectives of the Oversight Board, as challenges were reported in setting these up;
- the recruitment process, training and support provision for volunteers; and
- the implications for perpetrators of not engaging with the NJP process, and the nature of follow-up after the meeting for panel users.

2. Introduction

2.1 Policy context and background

The Coalition: Our programme for government (HM Government, 2010) stated the intention to introduce measures to tackle anti-social behaviour (ASB) and low-level crime. This included forms of restorative justice (RJ) such as Neighbourhood Justice Panels (NJPs). In July 2011, the Ministry of Justice (MoJ) sought expressions of interest from local areas to test the NJP approach for a two-year period. The scope of NJPs was defined by MoJ and includes behaviours which are suitable for informal resolution, such as non-criminal activity like ASB and neighbour disputes. Out-of-scope offences include indictable cases, domestic abuse/domestic violence (DA/DV), hate crime, dishonesty offences, assault, and instances of behaviour where a more formal out-of-court disposal is required. The panels bring local victims and perpetrators together (or the different parties where it is not possible to identify a clear victim or perpetrator – known as 'no blame' or 'unacknowledged harm' cases) to agree what action should be taken to deal with an offence, using restorative and reparative approaches. NJPs are consistent with the Government's vision for locally delivered community justice: the panels are facilitated by trained local volunteers, and so allow communities to take responsibility for ensuring that NJPs respond to local needs.

At the time of the research, NJPs were being delivered in 15 test areas in England and Wales. In addition, three different areas had already been running forms of NJP prior to this. Research into the early delivery of panels in Sheffield reported successes in terms of strategic and operational stakeholder engagement, high-quality facilitators, and a generally positive response about the panel process and its impact on wrongdoers and harmed persons (Meadows *et al*, 2010).

More broadly, RJ is a victim-focused resolution to a crime or non-crime (such as ASB) (Association of Chief Police Officers (ACPO), 2012a). It involves holding the offender directly accountable to their victim, for example by bringing both parties together for a facilitated meeting. ACPO's RJ guidelines state that for a disposal to be considered restorative it must include the following key elements:

- the offender taking responsibility;[4]
- involvement of the victim, community or other affected party;

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[4]   As discussed above, NJPs also see cases where it is not possible to identify a clear victim or perpetrator.

- a structured process that establishes what has occurred and what the impact has been; and
- an outcome that seeks to put right the harm that has been caused or makes other reparation that may not be directly related to the original case (ACPO, 2012a: 4).

While all RJ approaches should include these key elements, RJ interventions can operate at different levels:

- **Level one:** An instant or on-street disposal, where members of the police use RJ to resolve conflict in the course of their duties.
- **Level two**: Conferences, where a level one disposal could not take place immediately, or for more serious matters which are having a clear impact on the community. Level two RJ can be used as an alternative or in addition to a formal criminal justice process. NJPs are a form of level two RJ.
- **Level three:** These RJ approaches mainly deal with offenders post sentence, and can take place in custody.

RJ approaches and values inform aspects of the youth justice system. For example, referral orders share many characteristics with NJPs. Young offenders who receive a referral order must attend a Youth Offender Panel – a meeting attended, where possible, by victims, offenders, and the offenders' parents (although the evidence suggests this is rare). The panel meeting is facilitated by members of the Youth Offending Team and local volunteers, and culminates in a contract setting out an agreed way forward (Newburn *et al*, 2001). While few restorative approaches have been comprehensively evaluated, existing evidence suggests that they can have a positive impact on victim satisfaction (Shapland *et al*, 2007), and may also help to reduce reoffending (Sherman and Strang, 2007). In addition, ACPO guidelines state that RJ should also lead to community cohesion and offer value for money (ACPO, 2012a).

2.2   Research aims and objectives

The MoJ commissioned a qualitative process evaluation to explore the set-up, delivery and perceived effects of the NJPs. The specific research objectives were to:

- learn from the areas' early experiences of setting up and running the NJPs;
- increase understanding of the processes involved, the challenges encountered and how these had been overcome; and

- help to identify good practice to inform the work of existing panels and those yet to be established.

The findings will feed into the development of guidance so that existing panels can reflect on current practice, as well as providing an evidence base for other areas to draw on when considering setting up new panels.

2.3   Research approach

First, the research team reviewed data-collection forms submitted to MoJ by each NJP test area, in order to understand the processes involved in running an NJP and the local context in which they were operating. Members of the research team also participated in a series of workshops run by MoJ which were attended by representatives from each test area, where progress updates were given and group discussions were held on specific NJP topics, such as the scope of NJPs and referral processes. The findings of this scoping phase were used to inform the case study sampling and topic guide design (see Appendix A).

Qualitative case studies

Six out of the 15 NJP test areas were purposively selected[5] to be case studies. They were selected to ensure range and diversity across the factors considered important to NJP implementation and delivery, based on the forms submitted to MoJ by the test areas and data collected at the workshops. The criteria for selection agreed by the NatCen research team and MoJ were:

- the number of trained volunteers;
- the location and size[6] of the test areas;
- the nature and extent of RJ mechanisms already in place;
- the budget available for NJP delivery;
- the nature of the NJP coordinator role; and
- caseloads moving through the panels – areas were selected to ensure a range of caseloads, while also having sufficient numbers moving through the panels to enable participants to discuss the set-up, delivery and perceived effects of their NJP in a meaningful way (the NJP test areas not included in this research held a considerably lower number of panel meetings than the case study areas[7]).

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[5] Sampling in this way involves selection based on dimensions that reflect key differences in the study population that are relevant to the research objectives (Ritchie *et al*, 2013).
[6] This ranged from an entire county to two wards.
[7] Numbers ranged from 0 to 11.

A case study approach was used to provide a detailed understanding of the set-up, delivery and perceived impacts of each of the NJPs, as no single perspective could have provided a full account or explanation of the processes within a particular area. Each case study included in-depth interviews with strategic and operational staff, focus groups with volunteers who facilitated panel meetings, and in-depth interviews with panel users who had been referred to the NJP. Some observations of panel meetings were also carried out. The different encounters are described below, and further detail about sampling, recruitment, conduct of the interviews and analysis is provided in Appendix A.

Staff and volunteers

In each area, in-depth interviews were carried out with the following people:

- The **NJP co-ordinator** who was responsible for overseeing NJP delivery.
- **Members of the Oversight Board** or equivalent steering groups, who had strategic overview of the NJP.
- **Representatives from agencies referring into the NJPs**.
- Other **individuals who were key to NJP oversight or delivery in a particular area**. These varied across the case studies, but included an administrator, a teacher using RJ approaches in their school, and a Police and Crime Commissioner (PCC).

In total, 35 in-depth interviews were conducted with 36 strategic and operational staff,[8] with most lasting between 40 and 95 minutes.[9] In addition, a small group discussion with volunteers was carried out in each area, lasting between 70 and 115 minutes. A total of 23 volunteers took part in these group discussions.[10]

Panel users

Eight in-depth interviews were carried out across the case study areas with a total of ten individuals who had attended a panel meeting as a victim, perpetrator,[11] or one of the parties in a 'no blame' case. Gathering the views of those who had taken part in a panel meeting

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8   Throughout the report, 'strategic staff' refers to members of the Oversight Board and others key to NJP oversight, such as the PCC who took part in the research. 'Operational staff' refers to agencies referring into the NJPs and others involved in delivery, such as NJP administrators. The NJP coordinator falls under either category, depending on whether they were speaking in their role as an Oversight Board member or delivery coordinator.
9   Two interviews lasted 30 minutes because the participants had limited time available.
10 This includes an in-depth interview with a volunteer who was not able to attend the focus group in their area.
11 The terms 'victim' and 'perpetrator' were not universally used across the case study sites. Some referred to the 'harmed' and 'harmer', or 'wronged' and 'wrongdoer'. For consistency and to protect areas' anonymity, 'victim' and 'perpetrator' are used throughout this report.

was critical to understanding NJP delivery and exploring the potential impacts of the approach. Interviews generally lasted between 45 and 75 minutes.[12]

Observations

Observations of panel meetings were useful in providing a more detailed understanding of NJP delivery and prompting specific areas of questioning during the interviews and focus groups, as well as providing primary data. A proforma was used to take handwritten notes during the observations (see Appendix A). Observations were carried out in three of the six areas.

Interview conduct and analysis

The case study fieldwork took place between June and September 2013. Topic guides were developed for the interviews and focus groups with different participant groups (see Appendix A). All encounters were recorded on encrypted digital devices and transcribed verbatim. Transcripts were analysed using the Framework approach (Ritchie *et al*, 2013), a systematic approach to qualitative data management that was developed by NatCen (see Appendix A). Verbatim interview quotations are used throughout this report to illustrate themes and findings where appropriate.

The findings in this report show the range and diversity of views and experiences among those interviewed. However, as this is a qualitative process evaluation, the prevalence of particular views and experiences cannot be estimated.

2.4   Methodological challenges

At the outset of the research, the intention was to carry out focus groups with members of the community who had not been directly involved in NJPs (as a volunteer or panel user), to explore their awareness and understanding of NJPs and their feelings of confidence in them. However, due to a lack of community awareness of NJPs, it was agreed by the research team, MoJ and NJP coordinators that these discussions would be of limited use, and so they were replaced with another type of encounter. Levels of awareness among the community, efforts to publicise the NJPs and challenges faced were discussed with participants.

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[12]   One panel user interview lasted just over 20 minutes. The participant felt that they had sufficiently described their experience of the NJP in this time.

3.   Setting up the NJPs

This chapter explores how NJPs were set up from the perspective of strategic and operational staff, including: reasons underpinning participation in the NJP test; funding and resource considerations; existing RJ approaches; strategic and operational support for NJPs; and involving local volunteers in facilitating panel meetings.

3.1   Involvement in the NJP test

Expressions of interest were issued by the MoJ in July 2011, and the selected test areas were notified in February 2012. The MoJ did not prescribe timescales for set-up of the NJPs and so start dates varied, with areas accepting referrals from between May and December 2012. Four reasons were given for why areas had decided to participate in the NJP test:

- **Strategic and operational alignment:** Strategic and operational staff felt that the NJP approach and its objectives aligned with their area's funding and partnership working arrangements. For some, the model was felt to complement and be a natural progression from RJ approaches they were already delivering, either because these were felt to have been effective and the areas wanted to build on their success, or because they were looking for alternative ways of testing RJ approaches where the perceived success of existing ones had varied.

- **Perceived impacts of RJ:** Some strategic and operational staff were advocates of RJ, and this had facilitated NJP set-up and delivery (discussed below). There was also a growing awareness of the positive impacts that could result from RJ, including perceptions of reduced reoffending, increased victim satisfaction and cost savings.

- **MoJ support:** Becoming a test area meant receiving MoJ support and guidance on set-up and delivery. Some staff saw evaluation activities as a particularly important part of the test, as gathering evidence about the NJP approach could be used to help secure funding in the future.

- **NJP ethos and aims:** Staff described how they had found the ethos of the NJP model attractive as it was community- rather than practitioner-led. NJPs were also felt to address the ASB and low-level crime faced by areas.

3.2   Funding and resources

Funding is critical to the delivery of any service or initiative, impacting on staff availability and the nature and scope of delivery (Tennant *et al*, 2007). Staff interviewed identified the following costs for NJP delivery: set-up, the cost of an NJP coordinator, RJ training for volunteers and staff, volunteer expenses, marketing and room hire. Areas did not receive central funding to set up and deliver their NJPs and so either sought grant funding or made use of donations from partner agencies or existing funds. Where areas had secured or located funding, they had largely used this to employ a dedicated NJP coordinator from a third sector organisation.[13] A perceived advantage of this model was the coordinator's independence from other partners (particularly the police), which was felt to engender trust from panel users. In other areas, the coordinator position was taken on by a member of local authority staff alongside their existing role and workload. While a great deal of commitment and motivation was evident among these individuals, the sustainability of such an approach in the long term was questioned by some participants.

The NJP coordinator role was considered an important aspect of NJP delivery. Exact roles and responsibilities varied across the areas, but broadly included:

- receiving referrals and overseeing the NJP process, including carrying out risk assessments (where appropriate) and liaising with panel users before the panel meeting;
- coordinating volunteers and providing support (discussed further below); and
- promoting and marketing NJPs to referral agencies as well as the media, although the extent of this varied from one area to another.

3.3   Existing RJ approaches

Most of the case study test areas or their NJP coordinators had used either mediation or some form of RJ approach prior to setting up their NJPs, although to varying degrees. In some areas RJ was already a strategic priority, while in others its use had been more limited. RJ approaches included instant/on-street RJ conducted by the police, conferencing and Youth Offender Panels. In areas where these approaches were more embedded, they had provided a useful foundation on which to build the NJP. For example, one area had developed their referral process from the one used for their instant/on-street RJ, and adapted their local resolution referral form to include NJPs. Others recruited their volunteers from those facilitating the area's Youth Offending Panels or local mediation scheme (discussed

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[13]   These included a national victims' charity, an RJ training provider and a local mediation service.

further below). The key feature that distinguishes NJPs from existing approaches is that the panel meetings are facilitated by local volunteers, allowing communities to take responsibility for ensuring that NJPs respond to local needs.

3.4   Strategic and operational engagement

The engagement of strategic and operational staff when a new criminal justice service or scheme is being implemented is crucial (Turley and Tompkins, 2012; McNaughton Nicholls *et al*, 2010), and this was also the case for NJPs. For them to be a success, sufficient referrals were required from a range of partner agencies, such as the police, the local authority and housing providers. To this end, NJP coordinators stressed the importance of support from strategic stakeholders in these agencies, and this was more readily given where staff perceived existing RJ approaches to be more embedded. Strategic support from the police was particularly important, given their role in the referral process. Analysis of performance management data showed that by the end of September 2013, the police were responsible for around two-thirds of referrals into the NJPs across the 15 test areas.[14] In some of the case study areas, the police were initially reluctant to refer into the NJP, but referrals gradually increased once changes in outcome measurement during the test period meant that police forces were able to record NJPs as a formal RJ disposal.

> *The police are very performance driven… so if RJ is the 'right' thing to do… then that is what they'll focus on.* (Area 4, strategic staff 2)

Engagement among other referral agencies had been equally challenging in some areas, again where RJ approaches were felt to be less embedded. This had generally been overcome through targeted training and awareness-raising, with a focus on the potential benefits of NJPs to the partner agency at hand. However, some participants highlighted that work was still ongoing here.

3.5   Involving volunteers

The recruitment, training and retention of high-calibre volunteers was felt to underpin successful NJP delivery. The importance of the volunteer role was emphasised by NJP coordinators, referral agencies and strategic staff, with their facilitation seen as a key factor in determining a panel meeting's success.

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[14] This differs from many existing RJ schemes (Crawford and Newburn, 2003).

They [volunteers] ask the questions… set the ground rules, [and] they help people come up with agreements at the end. They run it, basically. (Area 3, referral agency 2)

Volunteer recruitment

The number of volunteers recruited varied across the test areas, from 10 to 29 at the time of writing.[15] The areas that had recruited fewer volunteers tended to be smaller in size or had had fewer referrals. While operational staff were generally pleased with the level of interest in becoming an NJP volunteer in their area, some areas reported challenges in recruiting volunteers in particular localities. Two recruitment channels were evident in all areas:

- **Existing volunteer pools:** Some areas were already running similar volunteer-led initiatives that they were able to recruit their NJP facilitators from, such as Youth Offender Panels or a local mediation service. Volunteers were also recruited from Neighbourhood Watch schemes and Victim Support. Areas that had an easily accessible pool of volunteers tended to recruit from there first, and then used other strategies to supplement this group with new volunteers where needed. While having volunteers who were already familiar with concepts such as RJ or mediation was generally considered an advantage, staff flagged the importance of volunteers understanding the NJP model specifically. Some concerns were also raised about whether volunteers would be available for NJP panel meetings alongside their existing volunteering commitments.

- **New volunteers:** A variety of strategies were used to recruit new volunteers. These included advertising (in the local media and community buildings, as well as targeted marketing at particular demographics), recruiting volunteers from local authority staff, and relying on word of mouth.

The recruitment process was similar across the case study areas, and largely involved submission of an application form, an interview and then NJP training (subject to the applicant being considered suitable at each stage). Disclosure and Barring Service (DBS) checks[16] were also used. The motivations for volunteering as an NJP facilitator included: a desire to 'give something back' to the local community; an interest in using RJ to help people solve their problems; the need for work experience; and seeing NJPs as a useful tool for diverting young people away from the criminal justice system (CJS).

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[15]   These figures come from the data-collection forms submitted to MoJ by the case study test areas.

A range of skills and characteristics were highlighted as being important for volunteers to possess, including: an understanding of RJ principles and NJPs specifically; passion for and commitment to the volunteer role; listening skills; patience; confidence; and empathy. Although training was seen as important in preparing volunteers for their role, it was also felt that some of these attributes needed to be an inherent part of volunteers' personalities. Concern was expressed by strategic and operational staff in one area about a perceived lack of rigour underpinning the recruitment process.

Profile of volunteers

Test areas had initially been tasked with recruiting volunteers that reflected the demographic profile of the area. This has been achieved to varying extents across the case study areas. Some areas reported particular success at recruiting volunteers covering a wide age range. One area had also been successful in recruiting volunteers of different ethnicities, with the NJP coordinator's previous role facilitating this. In other areas it had proved more difficult to recruit volunteers that reflected the demographic profile of the area, with volunteers in one site being described as mainly white, middle class and retired.[17] Efforts had been made to recruit volunteers of different ethnicities by visiting places of worship and community groups, but without success.

There were contrasting views about whether it was necessary for volunteers to reflect the profile of the local area. There was a sense among some staff and volunteers that panel users might be more receptive in panel meetings if they could easily identify with the facilitator, and this in turn could have a positive impact on outcomes. Others did not feel this was a priority, and considered it more important to recruit volunteers with the right skills and attributes.

Training

The MoJ issued guidance that volunteers should be trained by a trainer accredited by the Restorative Justice Council. In the six case study test areas, volunteer training was provided by an external supplier or alternatively by the NJP coordinator. Sometimes a combination was used, with an external supplier providing initial training and this being supplemented by the coordinator at a later date. The NJP coordinators who delivered training had extensive experience of RJ.

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[16] Formerly Criminal Records Bureau (CRB) checks.
[17] Previous research has found that 16 to 25 year olds are one of the age groups least likely to participate in regular, formal volunteering (Hill and Russell, 2009).

Regardless of the provider, training took place over two to three days (usually consecutive weekends), with the first day giving an overview of RJ theory and concepts and the second and third days focusing on more practical facilitation issues, including safeguarding and how to use NJP scripts. The training was generally well received by volunteers and felt to provide a useful overview of RJ and NJPs. Participating in role play was considered particularly helpful. However, some volunteers described how no training would have fully prepared them for facilitating a panel meeting for the first time, and that there was no substitute for gaining first-hand experience. Concern was also expressed about the quality of the trainers in some areas.

Ad hoc training had also been delivered in some areas, for instance on how to work with people with substance misuse issues. Such training was seen as good practice in order to provide volunteers with updates on policy changes, to respond to volunteers' specific requests or training needs, and to keep volunteers engaged.

Support and supervision

Support and supervision are fundamental to the effective implementation of any initiative, as they help to ensure high standards are maintained. For NJPs, an additional factor underpinning support mechanisms was the need to sustain volunteers' interest and engagement, particularly where long periods of time separated the training and the volunteer's first panel meeting. Support mechanisms included: supervision meetings; post-panel reviews with the NJP coordinator to discuss facilitation skills; shadowing and mentoring for less experienced volunteers; informal, ongoing support from the NJP coordinator and other referral agencies; and networking events. Volunteers were keen to learn and develop and so valued receiving feedback about their performance. The support mechanisms available were generally well received, with two suggestions made for improvements:

- A quality assurance review to be carried out after a volunteer had facilitated six panel meetings, to ensure that they were facilitating in a consistent manner.
- Agreements to be signed by volunteers on joining the NJP team, to manage expectations about the commitment anticipated from volunteers as well as the type of support and supervision they will receive.

However volunteers in one area described how they received little support, and would have welcomed supervision meetings and peer support opportunities.

Some volunteers wanted to receive feedback after the panel meeting too. They felt they had a duty of care to the panel users as well as having invested time and energy in the case and therefore wanted to see it through to completion. An alternative view among volunteers was that events taking place after the panel meeting were the responsibility of the professionals concerned, and that volunteer involvement ceased at the end of the panel meeting. Volunteers' opinions differed both within and across areas.

4.   NJP delivery

This chapter explores NJP delivery, including oversight mechanisms; the profile of cases referred into the NJPs; the referral process; the panel meetings themselves; how resolutions are agreed; and post-meeting follow-up. An overview of delivery is given in Figure 4.1 below.

Figure 4.1: Overview of NJP delivery
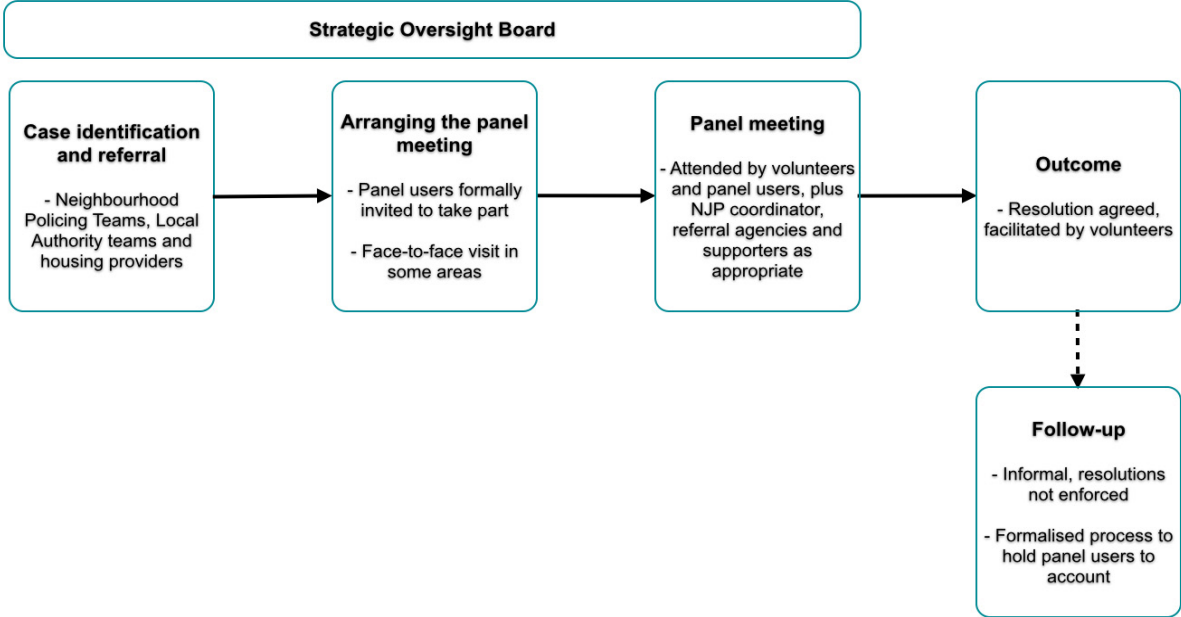
4.1   Oversight mechanisms

In some areas, delivery of the NJPs was overseen by a strategic board, referred to here as an Oversight Board. Some had been set up specifically for the NJP, while other areas had made use of existing RJ steering groups. Membership varied from one area to another, but could include representatives from the police, the local authority (including Community Safety, ASB and Youth Offending teams), probation, the magistracy, housing providers, the fire service, and schools, as well as community groups such as Neighbourhood Watch.

The aim of the Oversight Board was to update on NJP progress to date, including training delivered, volunteers recruited, referrals (numbers and suitability), costs and resources incurred, and any publicity and marketing undertaken. Where Oversight Boards had been absorbed into existing groups they appeared to be most successful; they had clear aims as well as transparent accountability structures in place. However challenges had been encountered where Oversight Boards had been set up solely for the purpose of NJPs. Attendance was often low, and one had disbanded entirely due to initial reluctance from the

police to refer into the NJP. NJP coordinators in these areas suggested that more guidance from MoJ about the intended aims and objectives of the Oversight Board would be welcomed.

4.2   Profile of NJP cases

The research took place early on in the NJP test, and analysis of performance management data showed that by the end of September 2013,[18] around 300 cases had been referred to an NJP across the six case study areas, with around 280 referrals accepted and around 120 resulting in an NJP meeting.[19] The types of cases referred to an NJP (either discussed in the interviews or observed directly at panel meetings) included: young people involved in ASB; graffiti; damage to or theft of public property; abusive language; street drinking; and occasionally out-of-scope cases such as assault and theft. The intention was that early intervention would help stop these behaviours escalating.

> *With RJ you are taking a leap of faith that this is going to have an impact in years to come… Making sure that 10 year old Billy doesn't become 15 year old car break-in Billy, who doesn't become 20 year old burgling Billy.* (Area 5, strategic staff 3)

Staff and volunteers felt that neighbour disputes (including noise disturbances, dangerous dogs, dog fouling and parking issues) made up a high proportion of NJP cases. However, in some areas, they considered long-running, complex neighbour disputes unsuitable for NJP and felt that mediation was a more appropriate response, given how entrenched such cases often were.

Due to the potential risk to the victims, ACPO guidelines (2012a) state that RJ is inappropriate for the majority of DA/DV cases, and that advice should be taken from agency experts in cases of hate crime. As such, MoJ considered both offences to be out of scope for

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[18]   Some test areas accepted referrals from May 2012, while for others this was later in the year.
[19]   These figures come from self-completion data-collection forms submitted to MoJ by the test areas that participated in the research. Looking at the data-collection forms for all test areas, by the end of September 2013, around 400 cases had been referred to an NJP, with around 360 referrals accepted and around 150 having resulted in an NJP meeting. There are a range of reasons why a case referred may not have resulted in a panel meeting, including (but not limited to): the case being deemed unsuitable for an NJP; the parties involved may have withdrawn their involvement; the case may have been ongoing at the point the data was provided; or the matter may have been resolved outside of the panel. The number of NJP meetings held in the areas that did not participate in the research ranged from 0 to 11.

NJPs. Despite this guidance, staff in some areas described how such cases were sometimes appropriate for NJPs, particularly if this was the victim's preference.[20]

Areas were in greater agreement about the eligibility of panel users. If they had a serious criminal conviction, history of violence, mental health problem or serious substance misuse issues they were generally considered unsuitable for NJP, due to the potential risk they posed to the victim and/or the extent to which they would be able to engage in the process.

4.3   The NJP referral process

On identifying what they considered to be a suitable case, a range of agencies referred into the NJPs. At this stage, both parties would have been introduced to the concept of NJPs and have said they were potentially interested in taking part. However, in some sites, if a perpetrator did not want to participate in an NJP and there was sufficient evidence of wrongdoing, an alternative sanction could be issued, such as an Acceptable Behaviour Contract (ABC). In such instances, taking part in an NJP was arguably less 'voluntary' than in others.

Referrals mainly came from the police – predominantly Neighbourhood Policing Teams (NPTs) – the local authority (including Community Safety, ASB and Youth Offending teams) and housing providers, but also from the fire service and schools to a limited extent.[21] Broadly speaking, referrals comprised the phases illustrated in Figure 4.2, though as NJP delivery was meant to reflect the circumstances and needs of each area, differences were evident across the sites.

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[20] The NJP scope has been agreed within MoJ and follows ACPO guidelines (2012a). There are currently no plans to review this.
[21] Individuals could also self-refer, but there was limited evidence from the qualitative research that this was happening in practice.

Figure 4.2: Overview of the NJP referral process
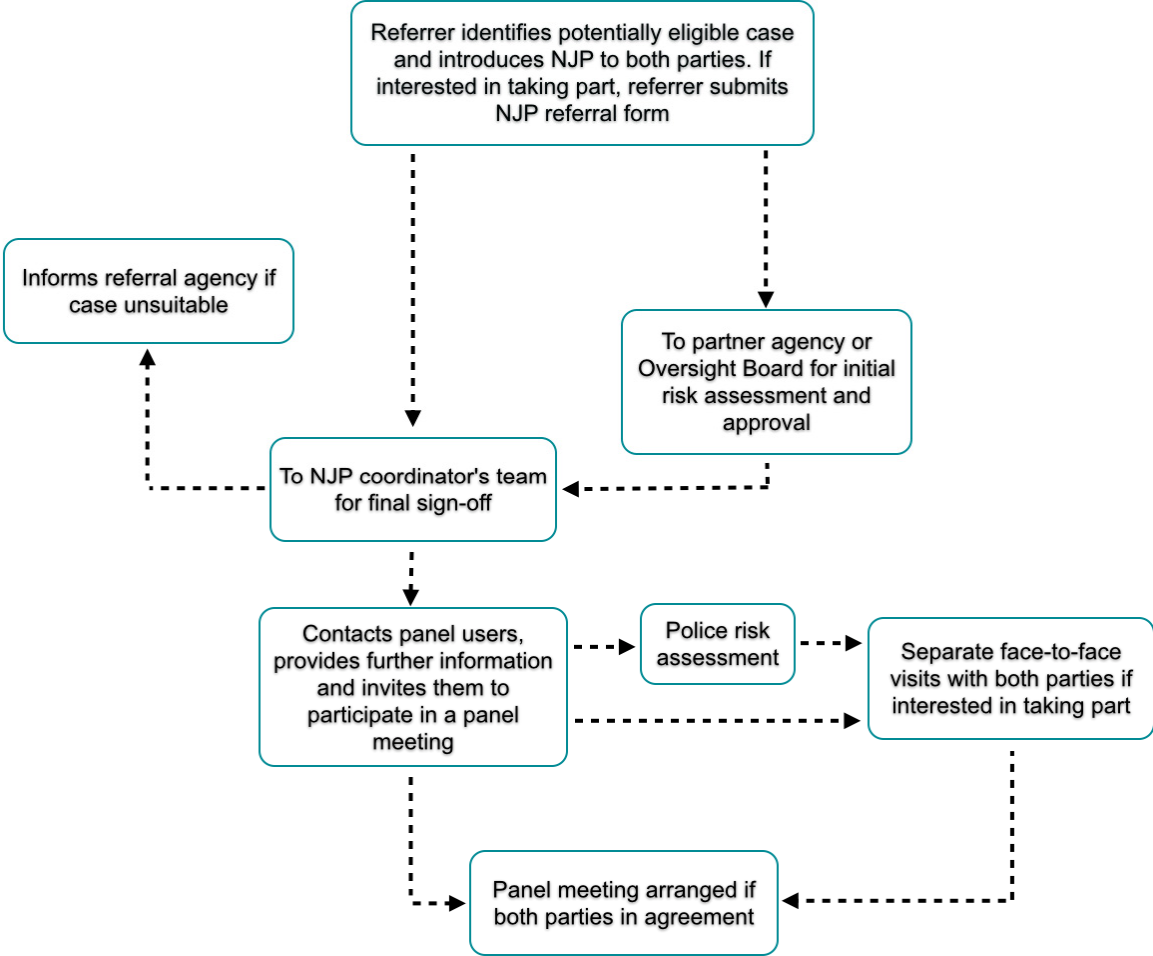
As discussed in Chapter 3, the police were initially reluctant to refer into the NJP in some areas, but referrals increased once changes in outcome measurement during the test period meant that police forces were able to record NJPs as a formal RJ disposal. In other areas, the police were responsible for the majority of NJP referrals, though it was felt that these were often made by specific officers and that a lack of awareness or engagement prevailed among others, particularly those who preferred the speed and responsiveness of instant/on-street RJ. This lack of awareness or engagement was also said of local authority staff in some areas. This suggests that further training and awareness-raising among referral agencies is required to improve partner buy-in and ultimately increase referrals.

4.4   Arranging the panel meeting

As outlined in Figure 4.2, once the referral had been made and approved (sometimes by more than one partner agency), the NJP coordinator, or in some areas an administrator, would phone or write to the panel users to provide further information and invite them to

attend a panel meeting. Volunteers would also be contacted at this point, and those responsible for facilitating the meeting selected. The selection of volunteers ultimately depended on their availability, but experience of similar cases and the number of meetings they had facilitated to date (to ensure volunteers were getting a similar level of exposure) were also considered.

In some areas, this initial contact with panel users was followed by a face-to-face visit, often at the panel user's home. In some of these areas, volunteers carried out the visits and were accompanied by the NJP coordinator or the police if considered necessary or appropriate.[22] In another area, visits were always carried out by the NJP coordinator. Face-to-face visits were considered important as they allowed volunteers and/or staff to gather further detail about the case, assess how both parties were feeling, explore their views on possible resolutions, and carry out a risk assessment in areas where this was not done prior to the visit.[23] They also provided an opportunity for panel users to hear more about the aim of NJPs and the process, and to ask any questions. Operational staff and volunteers recommended organising the visits in quick succession and at a similar venue to ensure equal treatment of both parties.

Both parties had to be willing to take part in the NJP before a meeting could be arranged. Staff described how gaining this consent could be challenging. One reason for this was that the parties involved may be anxious about meeting each other. Some victims were said to fear the consequences of participating in an NJP, while perpetrators could be reluctant to take part if they did not want to admit responsibility. While individuals were not legally compelled to take part in an NJP, there were some concerns that panel users were advised to attend an NJP meeting to avoid more serious punishment, as discussed below.

If both parties were in agreement, staff and volunteers described how the meeting should be held as soon as possible after referral,[24] as it was important to capitalise on panel users' willingness to participate in the process. Issues around panel users' availability aside, it was felt that meetings could be held more quickly if NJPs were better resourced.

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22 For example, if a risk assessment had raised concerns or the volunteer was less experienced.
23 In some areas, a police risk assessment was carried out before each home visit.
24 Area targets ranged from 15 to 28 days.

4.5   Panel users' motivations and expectations

Understanding the reasons behind panel users' decisions to participate in a panel meeting is important as it provides key information about how best to communicate the NJP, manage expectations and encourage take-up. Reasons for attending a panel meeting were underpinned by whether the panel user was a victim, perpetrator or part of a 'no blame' case, although there were some shared motivations. Reasons were reported by panel users, staff and volunteers, and are illustrated in Figure 4.3 below. A reason given for both victims and perpetrators taking part was to avoid the perpetrator entering the CJS.

Figure 4.3: Panel users' reasons for attending a panel meeting
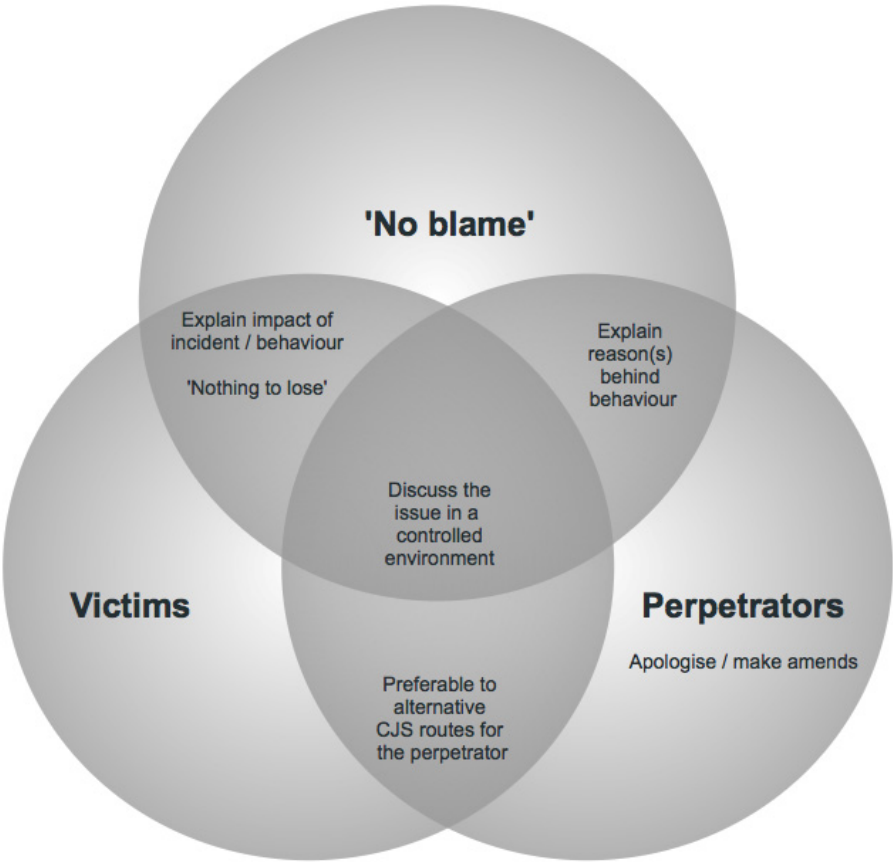
Agreement to participate in the NJP was an ongoing process, and, despite initial agreement, panel users might change their mind and opt out of the process before the meeting took place. Volunteers described the importance of engaging all individuals from a particular party involved in a case (such as two partners, or the parents of young panel users) to help ensure withdrawals did not take place. Rare instances were also described where the suggestion of attending an NJP meeting had encouraged the two parties to address the issue themselves, without a meeting being held. In another instance, the issue was resolved during the home visits.

Some participants were concerned about whether the information given to panel users before the meeting had been clear and comprehensive. Volunteers in one area felt that panel users had not always fully understood the aims of the NJP, the process, or its possible outcomes. A victim in this area described how the perpetrator had been upset before the panel meeting because he thought it was going to lead to a custodial sentence. There were similar concerns that panel users were advised to attend an NJP meeting to avoid more serious punishment. These concerns were expressed most strongly in the area that did not carry out face-to-face visits before the panel meeting, which might suggest that face-to-face visits were most successful in conveying information about NJPs. There were also concerns that perpetrators were not always being made aware that their participation in an NJP might be recorded and disclosed under an enhanced DBS check, if the referral was made by the police through the Community Resolution process.[25]

4.6   The panel meeting

Attendance at panel meetings varied across the areas and depended on the nature of the referral. Volunteers[26] and panel users were required. However non-attendance of a panel user did not always mean that the panel meeting was cancelled, either because there were multiple panel users on either side of the dispute so both parties were still represented, or because staff felt that a meeting could take place with only one party or panel user present. These latter instances were uncommon, but could occur if the perpetrator did not attend, and the victim was representing an organisation (rather than attending as an individual). Attendees would then discuss how best to progress the case.

Sometimes staff would try to rearrange the panel meeting by explaining to those involved the value of the process and the benefits of engaging with it. However, in one area, if perpetrators missed two panel meetings they were referred back to the police, where they might receive a statutory order such as an ABC or Anti-Social Behaviour Order (ASBO).

Other attendees at the panel meeting might include:

- **The NJP coordinator:** Where present, their role in the meetings differed in different areas. They either took on a facilitator role, acted as a scribe, or were there for quality assurance and safeguarding purposes.

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[25] Community Resolutions are not recorded on the Police National Computer (PNC), but the information could be retained on local police systems. The information would not be made available as a result of a standard DBS check, but might be disclosed under an enhanced check (ACPO, 2012b).

[26] Usually two volunteers would facilitate a meeting. One would act as Chair and the other would take more of a supporting role. In one site, just one volunteer would be present unless there were many panel users.

- **Referral agencies:** The presence of referral agencies similarly varied. In some areas, they did not attend unless a panel user had a criminal record or there was felt to be a risk of physical aggression in the meeting, in which case a police officer would be present. In others, referral agencies were felt to have an important role in providing background to the case. However, some participants were concerned that such context could bias volunteers and encourage them to impose resolutions rather than facilitate discussion.

- **Supporters:** Both parties were able to invite someone to support them during the meeting. Where panel users were under 18, a parent or guardian was required.

- **Observers:** These could include new volunteers familiarising themselves with NJP processes. Participants felt that observers should be kept to a minimum.

There was a general preference for creating an informal atmosphere at the panel meeting, which allowed panel users to feel at ease. This was reflected in the location where the meeting was held (a local, neutral venue such as a community centre for example) and how the room was arranged (sitting in a circle, sometimes with the table removed). One area opted for a formal local government office, where panel users sat around a large table facing the volunteers. This was to give the meeting a sense of gravitas and to encourage panel users, particularly perpetrators, to take the meeting and its outcome seriously. However, some referral staff were concerned that this level of formality increased anxiety among panel users. It was also felt to be inappropriate for 'no blame' cases, where an informal approach was considered more conducive to facilitating discussion and reaching a successful outcome.

Panel meetings were facilitated by the volunteers, using some form of script (there were sometimes different versions for cases where there was a defined victim and perpetrator and for 'no blame' cases). The exact wording of the scripts varied across the areas, although they largely covered similar ground:

- Introduction, including ground rules.
- The incident or behaviour that had been brought to the panel.
- How each party felt at the time.
- How each party was feeling at the meeting.
- What needed to happen to make things right.
- How can both parties move forward.

The incident or behaviour and how each party felt at the time were given less emphasis in one area, as the issue would have been discussed in detail during the face-to-face visit beforehand, and staff felt the focus should be on moving towards resolution. However, a panel user in this area felt they were not able to discuss the impact of the other party's actions (which had been significant), and this was frustrating for them.

Use of the script was debated within and across the areas. Some staff and volunteers considered it essential to follow the script closely, and that to deviate from it meant that the panel meeting was not fully adhering to RJ principles – replicating findings from other research on RJ (Shapland *et al*, 2011). Others felt that, while the script provided a broad structure for the meeting, it was important to use it in a way that responded to panel users' individual needs. For example, a meeting was described where one party was asked to leave the room for a short time so that the volunteers could talk to the other individual confidentially, as it had become clear that he had a health problem that was exacerbating the dispute. Sticking too rigidly to the script was felt by some to be a barrier to an open and honest discussion, which was considered crucial to a successful outcome.

4.7   Agreeing a resolution and concluding the meeting

Across the areas, it was generally agreed that panel users should lead on deciding the resolution arising from the meeting. Some operational staff described how the perpetrator should make their suggestions first, to show the victim that they understood their perspective and the impact of the offence. However, volunteers in one site described how they and/or the NJP coordinator might prompt the panel users with their own suggestions, particularly where the case involved a long-running neighbour dispute and panel users were felt to have lost perspective. In some instances volunteers were felt to have gone beyond making suggestions and had imposed resolutions rather than facilitating the process. This was described by some participants as volunteers taking on the role of 'judge and jury'. This was felt to disengage panel users and potentially to lead to unsuccessful outcomes (discussed further in Chapter 5). A written agreement would be signed by both parties. In some areas, there would be a verbal agreement rather than anything in writing.

The overall length of the panel meeting varied considerably according to the nature of the case and the number of panel users involved. Reported averages across the areas ranged from 20 to 90 minutes, while meetings involving a large number of panel users were said to have lasted between two and four hours (although this was considered unusual).

4.8   Follow-up mechanisms

Three approaches to follow-up after the panel meeting were evident among the case studies:

- **No follow-up:** Some areas had no specific follow-up mechanisms in place as it was felt the referral agency should take responsibility for monitoring panel users as part of their wider role. Alongside this, the view among some volunteers was that organising any form of follow-up would be logistically challenging.

- **Informal follow-up:** Other areas would follow up panel meetings depending on the nature of the case and the resources available. Examples included a telephone call between the NJP coordinator and panel user to discuss their views on the panel meeting, or a telephone call six weeks after the panel meeting to gauge the panel user's satisfaction with the NJP. Staff described how they also used this as an opportunity to discuss any resolutions yet to be completed, although completion was not enforced. Follow-up was not always considered necessary, particularly if there had been no further contact with the referral agency since the meeting.

- **Formal follow-up**: Some areas had developed more extensive follow-up mechanisms so that panel users were held to account. This could take the form of a panel review meeting attended by the NJP coordinator, volunteers, referral agency and panel users, although the attendance of victims was optional. The time frame for this varied to ensure panels users were given sufficient opportunity to act on the resolutions agreed at the meeting. However, in practice the review did not always take place, due to a lack of resources or occasional administrative errors. In another area follow-up was carried out by the NJP coordinator and volunteers at two weeks and then six months after the panel meeting. Informal follow-up sometimes supplemented this too.

Where there were follow-up mechanisms in place and the resolution had not been adhered to, the relevant professionals would consider the most appropriate course of action. For example, staff and volunteers might revise the agreement, or the NJP coordinator may return the case to the referral agency. A formal response such as directing the case into the CJS might then be pursued in some cases, so that there were consequences for not complying with the NJP process. In such instances perpetrators were made aware of the consequences of non-compliance.

Whenever you set these things up and somebody goes to a panel and there are conditions they then agree to, they need to understand there are consequences

of not doing that. It's almost like the threat has to be there. Because otherwise people will just decide, 'I'm not going to do it'. (Area 5, strategic staff 1)

Some victims had welcomed these follow-up and 'breach' processes, and were disappointed when they did not happen. Some staff and panel users felt that follow-up and support following the panel meeting should be part of the formal NJP framework, even if this was simply receiving an email to check whether the resolution had been adhered to, and to offer advice on what to do if it had not.

5. Perceived effects of the NJPs

This chapter explores research participants' perceptions of the effect NJPs had on panel users, volunteers and staff, as well as on referral agencies and the wider community. The perceived impacts described are based on current resourcing and referrals, and some strategic staff suggested that if referrals continued to increase, it would be difficult to maintain the positive impacts without a corresponding increase in funding or resources. As the research took place early on in the NJP test, it is unlikely that all possible effects had been fully realised at this stage. How sustained the effects will be in the long term also remains to be seen.

The aims of NJP, as outlined in *Swift and Sure Justice* (MoJ, 2012), were broadly understood by participants and reflected in their desired outcomes. Involving the victim in the process was considered to be central. Staff and volunteers also hoped to empower communities to take pride in resolving their own issues and to become more cohesive as a result. In addition, NJPs were viewed as a diversion from the CJS, which staff hoped would be cost-effective as well as avoiding criminalising community members for low-level offences. This was discussed particularly in relation to young people, who some participants suggested experienced the greatest benefits from NJPs.

5.1 Perceived effects on panel users

Panel users' experiences were partly influenced by whether they attended the panel meeting as a victim, perpetrator, or as part of a 'no blame' case. However there were also some shared outcomes. Users experienced effects directly related to the panel resolution alongside wider behavioural and emotional impacts, as discussed below.

Outcomes arising from the panel meeting

As discussed in Chapter 4, a variety of cases were referred into the NJPs. Even where disputes or offences were seemingly low-level, they could have very adverse consequences for those involved. As such, the resolutions agreed at the panel meeting could have important implications for panel users' quality of life in future. The resolutions discussed in the interviews and observed directly at panel meetings are outlined below in Figure 5.1.

Figure 5.1: Panel meeting resolutions

Unpaid work	**Action**	**Support provision**
- Gardening	- Erecting a fence	- Medical advice
- Litter picking / tidying communal area	- Exchanging phone numbers in order to discuss noise disturbances if they occur	- Alcohol / substance misuse services
- Removing their own graffiti		- Fire awareness
- Becoming an NJP volunteer	- Writing an essay explaining the impact of their actions	- Knife awareness
	- Exploring wall insulation options	- Animal welfare / behaviour advice
Apology	**Restrictions**	**Financial reparation**
- Verbal	- No contact between two parties (face-to-face, social networking sites)	- Reimbursing victim
- In writing (letter / card)	- No loud noise (television, music, dogs) between specific times	
	- Not cutting garden hedge	

Views on the success of outcomes

Across the test areas, examples were given of panels where a successful resolution had been reached from the perspective of both parties. Some issues were felt to have been entirely resolved: in one area, a neighbour dispute that had been running for ten years was settled. Strategic staff in another area described the 'vast majority' of panel users being satisfied with their panel resolution, while in another, high user satisfaction scores were reported from analysis of feedback forms. Participants described positive effects that were directly related to the resolution that had been agreed. For example, a neighbour dispute was resolved by one party agreeing to play loud music only when the other party was out of the house.

Staff, volunteers and panel users identified specific features of the NJPs that underpinned successful outcomes:

- Panel user engagement with the NJP process.

- Panel users meeting in a controlled, carefully facilitated environment where they had to listen to each other's views and accounts before agreeing on an appropriate resolution.

- The fact that the panel meetings were facilitated by local volunteers was felt to have two benefits. On the one hand, this was felt to make NJPs less authoritarian and more impartial, which helped facilitate an open discussion. On the other, having to answer to their local community could be a reality check as well as

embarrassing for some panel users, which made them keen to resolve the issue and make amends where appropriate.

- Following on from this, the presence of engaged supporters was also an enabling feature, particularly where parents were supporting their children.

    For them [the perpetrator] to see their mum in tears, it were real. They weren't playing a game any more… it were real and they'd upset her and other people had said how they'd been upset by it too. But then everybody was still there to support them. (Area 6, referral agency 1)

- Running separate panel meetings in cases where there were multiple perpetrators was felt to make them more likely to engage with the process. A panel user described how young perpetrators in particular might try to 'save face' if they attended the same meeting together.

However, successful resolutions were not universal and there were instances where panel users were dissatisfied with the outcome of their NJP.

Unsuccessful outcomes

Staff and volunteers suggested that panel users' behaviour sometimes meant that achieving a positive outcome was challenging from the outset. This included perpetrators who would not fully engage with the process as well as victims who were reluctant to move on from the issue or appeared to want retribution rather than restoration. In some of these instances, there was a perceived reluctance among panel users to take responsibility for their actions.

There were also reports of inappropriate resolutions being agreed. For example, one young person was instructed to write an essay about the impact of their behaviour, but the victim suspected that he might have learning difficulties. Another resolution involved perpetrators doing some gardening for the victim in her workplace. The victim felt the hours of work imposed were unrealistic (because the perpetrators were young teenagers), as well as being a burden for her to supervise while at work. Such instances suggest the need for volunteer training around the risks of imposing resolutions rather than facilitating agreement. Given that both examples involved young perpetrators, it might also be that volunteers would benefit from support on working with this user group.

Finally, not all panel meetings resulted in any resolution, particularly in instances of long-running neighbour disputes or particularly intractable problems. This could result in feelings of frustration or disappointment. Some staff and volunteers were less concerned about this,

as they felt that raising awareness of NJPs was a positive outcome in itself, and would create efficiencies for the police and other referral agencies in the long term.

Other panel users experienced a positive outcome initially, but thought it had required a large time commitment for a relatively small change. This feeling was exacerbated and could lead to disappointment when resolutions were not followed up by the NJP coordinator or referral agency, as discussed in Chapter 4.

Effects on behaviour

As discussed, NJPs were perceived to facilitate behaviour change by creating a controlled environment where panel users could listen to each other's views and accounts. Where panels worked best they led to users gaining a better understanding of the other party's circumstances. Understanding the context of events also influenced how incidents and individuals were perceived, and NJPs were felt to be particularly effective at overcoming differences in culture and age.

> *You've given them [panel users] a space… an opportunity to reflect… Sometimes they do not know what's happening with the other person… The neighbour could be sick and the other person wouldn't know… You see them sympathising or empathising when they discover that… 'If I had known your situation or if you had known mine we could have treated each other better.'* (Area 2, volunteer focus group)

Sometimes disputes were found to be based on misunderstandings. In one case a panel user thought that her neighbours were trying to intimidate her by congregating outside her door, but at the meeting she heard how they were just chatting and no harm was intended.

Participants across the areas reported that a key aim of the NJP was to address low-level offending behaviour and ASB. Operational and strategic staff felt that NJPs helped to stop these behaviours escalating, without the negative and stigmatising impacts that come from having a criminal record. However, not all panel meetings changed panel users' behaviour in the desired ways. As already discussed, some either did not attend or did not fully engage with the NJP process. For example, one young panel user did not adhere to the terms of their resolution and staff felt that this had reinforced this panel user's perception that their behaviour would continue to go unpunished. Staff highlighted the need to be clear that NJPs were a last chance before more formal steps were taken. This message was seen as important in redressing the perception that NJPs were a 'soft option'.

Emotional effects

A range of emotional effects on panel users were identified. One was a sense of relief at being able to put the events that brought them to the panel behind them. Relief was also associated with gaining a positive outcome without needing to go through the cost, inconvenience and potential repercussions of a court case or alternative CJS route. Another key source of relief for all panel users was being given the chance to tell their story.

> *It gets [out] a lot of stress… bringing it out into the open. Even though every time you say it, you're reliving it… you need to have your say.* (Area 1, panel user 1)

However, one panel user described how the volunteers facilitating the meeting had instructed her and her husband not to dwell on the incidents that had been brought to the panel and the impacts they had experienced, which had been frustrating for them both.

Attending a panel meeting could lead to feelings of safety among panel users, after having been greatly affected by the incidents leading up to the panel. Those who were worried about being victimised again could talk to perpetrators and gain solace from hearing that the incident or behaviour had not been personal and they had not been specifically targeted, if this was the case.

A key facilitator for these emotional effects was that victims were empowered by taking part in the process. NJPs allowed victims to meet and ask questions of the perpetrator, and to state their case for the type of restoration they wanted.

> *Through a criminal justice outcome [the victims] are probably the least consulted… By bringing this round to RJ disposal, and NJP, the victim becomes the most important… their views, their thoughts, their opinions matter the most and they achieve the outcome they want.* (Area 4, strategic staff 1)

Participants described some negative emotional impacts arising from taking part in a panel meeting, although they also discussed protective factors against these. Some panel users felt stressed or anxious throughout the process, for example if they did not know what to expect or were worried about what repercussions might arise from participating. As discussed in Chapter 4, one way of addressing this was the provision of clear information. For some users, the anxiety was a barrier to participation and they did not attend the panel meeting. For others, the perpetrator not attending the panel could be upsetting for the victim and be viewed as a waste of their time.

The panel itself could also be a stressful experience. Victims described how it had been difficult to talk about what had happened, or to face the perpetrator. Emotions reported after the panel meeting were at least partly defined by the outcome and the engagement of the other panel user in the process. In addition, not following up on resolutions or not having ongoing support available were thought to further increase the risk of negative impacts on panel users, with lack of resources and poor coordination between agencies a particular barrier to post-panel support.

5.2   Perceived effects on others involved with NJPs

As discussed in Chapter 4, there were a range of attendees at panel meetings, who all experienced effects from the NJP process.

- **Volunteers** described how they had gained fulfilment, confidence and skill development as a result of their NJP involvement. Some also felt that the experience would make a positive contribution to their education or career progression. These impacts were facilitated by:
  - **high-quality training** run by specialist providers;
  - **regular opportunities to facilitate panel meetings** and hone their skills (low numbers of referrals were a key barrier here); and
  - **readily available practical and emotional support** before and after panel meetings (where this support was not available, there was a risk that volunteers could feel demoralised).

- **Referrers** found that attending NJP panel meetings could shed new light on disputes. Hearing panel users tell their side of the story helped them to understand the context of the issues at hand and encouraged a more balanced perspective, which in turn could have a positive impact on their approach to their work more generally. However, NJPs could also represent a substantial time commitment for staff, particularly while liaising with panel users in the lead up to the panel meeting, and some were concerned about the increase to their workload in the short term. However, NJPs were also seen to offer longer term efficiencies, as discussed below.

- Panel meetings could be very emotional experiences for **supporters**, especially for parents of children that had been brought to the panel as perpetrators. While being made aware of their children's behaviour could be upsetting, it was also felt to be cathartic and to encourage positive changes in the longer term.

5.3 Wider effects

Participants also described wider organisational impacts that went beyond the personal impacts on those directly involved with the NJPs.

Police

It was felt that NJPs could potentially offer efficiency savings for the police. Staff highlighted the significant amount of police time dedicated to neighbour disputes and ASB, and the likelihood of each case involving multiple call-outs over an extended period of time. If the dispute were to then escalate, disposals such as ABCs and ASBOs would take up even more time. Where NJPs worked well, they could conclude these cases swiftly and in a cost-effective way.

Other referral agencies

ASB and neighbour disputes were also described as time-consuming for other referral agencies such as the local authority (including Community Safety, ASB and Youth Offending teams) and housing providers. Operational staff described how a successful NJP took up far less time and would have a more sustained impact than alternative courses of action such as tenancy warnings. Some staff also reported improved partnership working with other agencies through working together on NJPs. This was felt to have the potential to translate into both time and cost savings. However, operational staff were concerned that high staff turnover at referral agencies would mean allocating resources to rebuilding these relationships on an ongoing basis.

The local community

As discussed in Chapter 2, the intention was to carry out focus groups with members of the community who had not been directly involved in NJPs (as a volunteer or panel user) to explore their perceptions of and feelings of confidence in NJPs. However, due to a lack of community awareness of NJPs, it was agreed that these discussions would be of limited use.

Strategic and operational staff described a range of ways in which NJPs had been publicised in their areas, including: leaflets in community settings such as libraries; local press and radio; and speaking at schools, colleges, Sure Start centres and Police and Communities Together (PACT) meetings.[27] Some sites had targeted publicity at existing groups such as local Neighbourhood Watch schemes or residents' associations. In one site, a community

group was asked to suggest possible NJP reparations, and some of their suggestions were subsequently used at panel meetings. This was felt to have been successful in raising awareness and engaging this particular group. However, despite efforts in all the areas, the view was that the local community were largely unaware of NJPs.

There was acknowledgement across the sites that greater publicity about NJPs and their perceived benefits was required to improve community awareness and understanding.[28] This was considered important for four reasons:

- To facilitate involvement in NJPs and better informed decisions among panel users about whether or not to participate in the process.
- To instil a sense of responsibility among community members and teach them the benefits of trying to resolve issues themselves where possible, rather than involving the police and other agencies.
- To reassure the community that low-level crime and ASB was being dealt with by the police and other agencies.
- To challenge criticism of NJPs as a soft option in the media.

However, concerns over funding and the sustainability of the NJPs led some staff to question whether further publicity was worthwhile, and if so, the most cost-effective way of doing it. Another concern was how to maintain panel users' anonymity when publicising the NJPs.

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[27] Under the neighbourhood policing programme, NPTs across England and Wales committed to holding regular public meetings (PACT) to agree local priorities.
[28] To this end, robust outcome data was felt to be critical.

6.   Implications and conclusions

This research was designed to explore the set-up, delivery and perceived effects of the NJPs. The findings have key implications for policy-makers as well as strategic and operational staff involved in NJP delivery and RJ approaches more widely. The findings also provide an evidence base for other areas to draw on when considering setting up new NJPs. This chapter explores the implications and key learning arising from this research.

6.1   Key learning and recommendations for NJP delivery

Generally, NJPs had the full support of strategic and operational staff, despite the challenges involved in being a test area against a backdrop of funding restraints, and they were felt to be a valuable addition to existing RJ approaches such as instant/on-street RJ conducted by the police, conferencing and Youth Offender Panels. Specific key learning is discussed below.

Stakeholder engagement: The support of strategic and operational staff was crucial to the success of NJPs, as sufficient referrals were required from a range of partner agencies to make the process worthwhile. This support was more readily given in areas where RJ approaches were already embedded. Strategic support from the police was particularly important, given their role in the referral process, and this was facilitated by forces being able to record NJPs as a formal RJ disposal. Engagement from other referral agencies had proved challenging in some areas, particularly where RJ approaches were felt to be less embedded. Targeted training and awareness-raising, with a focus on the potential benefits of NJPs to the partner agency at hand, was and continues to be key to overcoming such barriers.

Scope and eligibility: Participants described how panel meetings had an integral role in opening up lines of communication between two parties in a structured way, with many examples given of outcomes perceived as successful. However, in order for an NJP to take place and for positive impacts to be realised, two criteria needed to be met:

- The case needed to be eligible for an NJP, bearing in mind RJ guidelines and restrictions (ACPO, 2012a), as well as MoJ scope. Some participants felt this scope should be widened, as this would increase the number of referrals and mean that a wider range of cases could benefit from the NJP approach.
- Panel users/parties needed to be willing and motivated to engage in the NJP process. There was evidence of panel meetings running without this criterion being met, and this was felt to have impacted on the success of panel outcomes.

NJP coordination: Having a dedicated NJP coordinator was critical to optimal NJP delivery. While this role had been carried out effectively by individuals alongside their existing roles in some areas, staff questioned how sustainable this would be in the long term, especially as the NJP approach became more established and referrals increased.

Role of volunteers: Some volunteers saw their role in the panel meeting as purely one of facilitation. Others took on more of a 'formal' role, which was beyond the remit of NJPs, where they imposed resolutions rather than facilitating a process of discussion and agreement. NJPs allow communities to take responsibility for ensuring that NJPs respond to local needs, and as such volunteers play a vital role in NJP delivery. Therefore it is important that there is a rigorous recruitment process in place, high-quality, standardised training provision, and robust support mechanisms, to ensure that the role is delivered as effectively and ethically as possible. With this in mind, staff highlighted that volunteers are not a free resource and such coordination and support incur costs.

Resolutions and follow-up mechanisms: Test areas had autonomy to deliver their NJPs according to local need, and so a range of delivery models were evident across the case study areas. At one end of the spectrum the NJP model was based on a more punitive approach; the meeting was held in a formal setting and perpetrators were held to account for adhering to the resolutions agreed. Failing to adhere to the resolution could result in the individual being redirected into the CJS. At the other end, the NJP approach was felt to be a purely voluntary process. The volunteers' role in the meeting was of neutral facilitation and panel users were not held to account for failing to adhere to the resolutions agreed. While it is more appropriate for NJPs to inhabit this space outside the CJS, a lack of follow-up as to whether resolutions had been adhered to (and action where they had not been) could be a source of frustration and disappointment for victims in particular, even when the initial outcome of the meeting had been positive. To this end, it is worth considering whether follow-up mechanisms should be standardised in some way.

Resources and perceived cost efficiencies: The significant amount of time dedicated to neighbour disputes and ASB by police and other services, and the likelihood of each case involving multiple call-outs over an extended period of time, was highlighted by participants. If the dispute were to then escalate, actions such as ABCs, ASBOs or tenancy warnings would absorb even more time. As such, it was felt that NJPs could potentially offer long-term efficiencies for the police and other referral agencies. Where NJPs worked well they could conclude cases swiftly and in a cost-effective way. However, this research is not able to draw

conclusions on whether NJPs are more cost-effective than other practitioner-led RJ approaches.

Sharing learning between NJP areas about effective processes, systems and documentation was also suggested as a way of saving time and therefore costs.

References

Association of Chief Police Officers (ACPO) (2012a) *Restorative Justice (RJ) Guidelines & Minimum Standards.* London: ACPO.

Association of Chief Police Officers (ACPO) (2012b) *Guidelines on the Use of Community Resolutions (CR) Incorporating Restorative Justice (RJ).* London: ACPO.

Crawford, A. and Newburn, T. (2003) *Youth Offending and Restorative Justice.* Cullompton: Willan.

Hill, M. and Russell, J. with Brewis, G. (2009) *Young People, Volunteering and Youth Projects: A rapid review of recent evidence.* London: NatCen Social Research and Institute for Volunteering Research.

HM Government (2010) *The Coalition: Our programme for government.* London: Cabinet Office.

McNaughton Nicholls, C., Callanan, M., Legard, R., Tomaszewski, W., Purdon, S. and Webster, S. (2010) *Examining Implementation of the Stable and Acute Dynamic Risk Assessment Tool Pilot in England and Wales.* Ministry of Justice Research Series 4/10. London: Ministry of Justice.

Meadows, L., Klamp, C., Culshaw, A., Cadet, N., Wilkinson, K. and Davidson, J. (2010) *Evaluation of Sheffield City Council's Community Justice Panels Project.* Sheffield: Sheffield Hallam University.

Ministry of Justice (MoJ) (2012) *Swift and Sure Justice: The Government's plans for reform of the criminal justice system.* London: Ministry of Justice.

Newburn, T., Crawford, A., Earle, R., Goldie, S., Hale, C., Masters, G., Netten, A., Saunders, R., Sharpe, K. and Uglow, S. (2001) *The Introduction of Referral Orders into the Youth Justice System.* Home Office RDS Paper No. 70. London: Home Office.

Ritchie, J., Lewis, J., McNaughton Nicholls, C. and Ormston, R. (2013) *Qualitative Research Practice: A Guide for Social Science Students and Researchers.* London: Sage.

Shapland, J., Atkinson, A., Atkinson, H., Chapman, B., Dignan, J., Howes, M., Johnstone, J., Robinson, G. and Sorsby, A. (2007) *Restorative Justice: The views of victims and offenders: The third report from the evaluation of three schemes*. Ministry of Justice Research Series 3/07. London: Ministry of Justice.

Shapland, J., Robinson, G. and Sorsby, A. (2011) *Restorative Justice in Practice: Evaluating what works for victims and offenders*. London: Routledge.
Sherman, L. W. and Strang, H. (2007) *Restorative Justice: The Evidence.* London: The Smith Institute.

Tennant, R., Webster, S., Callanan, M., Maher, J. and O'Connor, W. (2007) *Helping Older People Engage with Benefits and Services: An evaluation of the Partnership Fund.* DWP Research Report No. 441. London: Department for Work and Pensions.

Turley, C. and Tompkins, C. (2012) *Early Learning from Victim Support's Homicide Service*. Ministry of Justice Research Series 02/12. London: Ministry of Justice.

Appendix A
Qualitative methodology

This appendix gives further information about the qualitative methodology used. In total, 69 individuals participated in the research.

Sampling and recruitment of strategic and operational staff

As discussed in Chapter 2, a range of staff and volunteers were interviewed in each case study test area, which included the NJP coordinator(s), Oversight Board members, referral agencies and other individuals who were key to NJP oversight or delivery in a particular area, including an administrator, a teacher and a PCC.

Following the selection of case study sites, the MoJ provided the NatCen research team with the contact details of the NJP coordinator for each area, who had agreed to assist with the research. The coordinator was responsible for identifying key personnel for participation and assisting with organising research observations of panel meetings. They were also invited to take part in the research themselves. Introductory letters and information leaflets were sent to NJP coordinators to pass on to nominated personnel. On agreeing to participate, individuals were contacted to arrange a suitable time and place for the interview. Sometimes participants' involvement in NJP set-up and/or delivery was highlighted during the fieldwork itself. If appropriate, researchers approached the individual directly to invite them to take part in an interview, or they were recruited with the assistance of another participant who had already taken part. The achieved sample for strategic and operational staff is set out in Table A1.

Table A1: Achieved sample of strategic and operational staff (n=36)

Area	Coordination role[29]	Referral/partner agency[30]	Oversight Board/ strategic role	Total
1	2	2	3	7
2	1	2	1	4
3	1	3	1	5
4	1	3	2	6
5	2	2	3	7
6	1	4	2	7
Total	8	16	12	**36**

Sampling and recruitment of volunteers

The number of volunteers who participated in each discussion ranged from two to five. An in-depth interview was also carried out with a volunteer who was not able to attend the focus group in one area. In keeping with the recruitment process set out above, the research team sent NJP coordinators introductory letters and information leaflets to pass on to volunteers. If they consented to taking part in the research, they were asked to complete a form that gathered basic demographic information (to monitor the diversity of the sample) as well as their contact details. The research team then contacted the volunteers to arrange a convenient time for the discussion to take place. In one area the discussion was arranged by the NJP coordinator. The achieved sample is set out in Table A2.

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[29] This includes individuals who were in the NJP coordinator's team, such as an administrator.
[30] This included eight police representatives and eight local authority staff (five in ASB/community safety/crime reduction, two in housing, and one in education).

Table A2: Achieved sample of volunteers (n=23)

Gender	
Female	12
Male	11
Age	
16–24	2
25–40	4
41–59	6
60+	6
Unknown	5
Ethnicity	
White	17
Black	1
Unknown	5
Employment status	
Employed	16
In education	2
Retired	4
Unemployed	0
Unknown	1
Time in role	
0–6 months	0
7–12 months	18
Over 12 months	0
Unknown	5
Previous volunteering experience	
Yes	16
No	4
Unknown	3
Total	**23**

Sampling and recruitment of panel users

Eight in-depth interviews were carried out across the areas with a total of ten individuals who had attended a panel meeting as a victim, perpetrator or one of the parties in a 'no blame' case. Seven interviews were carried out face to face and one was over the telephone. Panel users were recruited via two methods. The first involved an initial approach to participate in the research by staff involved in NJP delivery. Staff were provided with introductory letters and information leaflets to give to panel users. With their agreement, panel users' contact details were passed to the NatCen research team, who then made direct contact to explain the study further and organise a suitable time and place for the interview if they were willing to take part. Members of the research team also approached panel users directly after observing panel meetings.

Fieldwork with panel users progressed more slowly compared to the other encounters with staff and volunteers. In some cases panel users were initially interested in taking part but later decided not to, and in others the research team had difficulties making contact with panel users who had consented for their details to be shared. It is of course unlikely that the ten panel users interviewed fully reflected the diverse views and experiences of NJP panel users more widely. However, interviews were still carried out with panel users with a range of experiences and circumstances. Table A3 summarises the achieved sample.

Table A3: Achieved sample of panel users (n=10)

Gender	
Female	5
Male	5
Age	
16–24	0
25–40	4
41–59	1
60+	2
Unknown	3
Ethnicity	
White	7
Unknown	3
Employment status	
Employed	8
In education	0
Retired	1
Unemployed	0
Unknown	1
Total	**10**

Observations

Four panel meetings were observed by the research team across three case study areas. These observations were useful in providing a more detailed understanding of NJP delivery and prompting specific areas of questioning during the interviews and focus groups, as well as providing primary data. The research team provided NJP coordinators with advance information about what the observation would entail and asked for this to be disseminated to all those planning to attend the panel meetings. In addition, researchers put up posters in the meeting room to explain their presence and ensured that the NJP coordinator or one of the volunteers highlighted this to those present.

Researchers used a proforma to record their observations during the panel meeting. The broad headings used are summarised below:

- Summary of incident or behaviour
- Brief description of meeting room, including seating arrangements
- Events of the panel meeting, including:
    - Preparation immediately before the meeting
    - Role of volunteers
    - Role of referral agencies
    - Role of panel users
    - Extent to which resolutions come from panel members

Topic guides

Tailored topic guides were used in all interviews and group discussions to help ensure a consistent approach across all the interviews and between members of the research team. The guides were used flexibly to allow researchers to respond to the nature and content of each discussion, so the topics covered and their order varied between interviews. Researchers used open, non-leading questions, and answers were fully probed. The main headings and subheadings for the topic guides used for the volunteer discussions and interviews with panel users are provided below as examples. Slightly different versions of these guides were used for the interviews with strategic and operational staff.

Topic guide for volunteers

1. Introduction
- Introduce self and NatCen
- Explain the aims and objectives of the research
- Explain confidentiality, anonymity and potential caveats
- Explain MoJ request for anonymised transcripts
- Interview practicalities
- Questions

2. Background and context
- Employment status and/or daily activities
- Previous involvement in criminal justice or RJ settings

3. NJP delivery

- Awareness of rationale for setting up NJP
- Running the NJP
    - I.   NJP target groups
    - II. Referral agencies and process
    - III. Liaising with users pre-meeting
    - IV. The panel meeting, including features of effective and challenging panels
    - V.   Early exits and reasons why
    - VI. Any recent changes to NJP delivery and reasons why

4. Oversight mechanisms

- Composition of the Oversight Board
- Responsibilities of the Oversight Board
- Accountability structures
- Relationship with panel, how appropriate and functional

5. Volunteer involvement

- Profile and number of volunteers
- Role and responsibilities of volunteers
- Motivation of volunteers to join NJPs
- Recruitment processes
- Training
- Support mechanisms for volunteers
- Caseloads and whether manageable
- Experience of volunteering
- Retention of volunteers

6. Community interaction

- Strategy for communication and promotion with the community
- Impact on community awareness
- Community understanding of role and responsibilities of NJP
- Community confidence in NJP

7. Outcomes and impact of the NJPs

- Aim of the NJP model
- What should happen as a result of NJP/picture of success
- NJP impacts for those taking part
- NJP impacts on approach to wider self-management
- Any other NJP impacts (briefly)
- Views on which types of impact are most significant and reasons why
- Alternative approaches that could be used to address issues
- Barriers and facilitators to impacts

8. Reflections and next steps

- Next steps for the test area
- General reflections about NJPs
- Recommendations for wider roll-out
- Any other areas of importance to cover
- Any questions for research team
- Revisit confidentiality, anonymity and potential caveats
- Ask for permission to recontact to clarify any information given
- Thank for their time

Topic guide for panel users

1. Introduction

- Introduce self and NatCen
- Explain the aims and objectives of the research
- Explain confidentiality, anonymity and potential caveats
- Explain MoJ request for anonymised transcripts
- Interview practicalities
- Questions

2. Background and context

- Participant background
- Previous experiences of the CJS
- Knowledge of RJ

3. *NJP experience*

- Perceptions of the aim and purpose of NJP
- Introduction to NJP
- Referral to NJP
- NJP process and meeting
- Agreeing a resolution
- Adhering to resolution
- Whether completed whole process
- Any previous experience of NJP
- Next steps after panel meeting

4. *Outcomes and impact of the NJP*

- Motivations and influences for participating
- Contrast with any other RJ approaches previously experienced
- What should happen as a result of NJP/picture of success
- NJP impacts
- NJP impacts on approach to wider self-management
- Alternative approaches that could be used to address issues
- Barriers and facilitators to impacts
- External influences on impacts discussed
- Future impacts

5. *Reflections and next steps*

- General reflections about NJP
- Suggestions for improvements
- Any other areas of importance to cover
- Any questions for research team
- Revisit confidentiality, anonymity and potential caveats
- Ask for permission to recontact to clarify any information given
- Thank for their time

Qualitative analysis

All interviews were digitally recorded and transcribed verbatim. The interview data were managed and analysed using the Framework approach developed by NatCen (Ritchie *et al*, 2013). Key topics which emerged from the interviews were identified through familiarisation with the transcripts. An analytical framework was then drawn up and a series of matrices were set up, each relating to a different thematic issue. The columns in each matrix represented the key sub-themes or topics and the rows represented individual staff, volunteer focus groups or panel users. All members of the NatCen research team were given a thorough briefing about the analytical framework and a detailed description of what should be included in each sub-theme, to ensure consistency of approach. The first charts were checked by other members of the research team, again to ensure consistency.

The Framework method has recently been embedded into NVivo version 10.[31] This software enabled the summarised data from the research to be linked to the verbatim transcript. This approach meant that each part of every transcript that was relevant to a particular theme was noted, ordered and accessible. The final analytic stage involved working through the charted data, drawing out the range of experiences and views, identifying similarities and differences and interrogating the data to seek to explain emergent patterns and findings. Verbatim interview quotations are provided in this report to highlight themes and findings where appropriate.

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[31] http://www.qsrinternational.com/support_faqs_detail.aspx?view=1057