

From Problem-Solving Policing to Problem-Solving Justice

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My police career was not the only thing to start in Bow Street, London. In a sense, the idea of a modern, professional police service was born here in 1822, when the Home Secretary of the day, Sir Robert Peel, took control of the professional "thief takers" known as the Bow Street Runners.

The original Bow Street Runners were known to offer protection to local brothels and inns in return for certain, undisclosed "considerations" — so you will be glad to hear that I and my colleagues in the 1960's did not make a point of following in their footsteps in every respect!

Those Bow Street Runners were replaced by Peel's New Police who appeared, armed with no more than their legal powers, on the streets of the capital in 1829. Even the truncheon was carried concealed until 1863. In Britain today, Peel's philosophy of policing is still epitomized "by the single constable, close to the community, patrolling the beat with the consent of the general public, armed only with lawful powers and the use of discretion".¹ Descriptions of this British style of policing still stress the importance of public consent to the rule of law and the reliance on persuasion and negotiation with which to maintain order.

What earned the trust of an initially hostile public was the visibility, or the high profile, of the patrolling officer — the "bobby on the beat". Today police patrol absorbs just over 60% of total police strength, including traffic officers, in England and Wales. (The criminal justice system in Scotland is distinct and separate from that in England and Wales.) These beat officers are found, not just walking the streets, but responding to crimes and emergencies, patrolling roads and motorways and keeping public order at an annual cost of some £4bn².

The most popular police show on British television today is a twice weekly half-hour "soap" called *The Bill*. The heroes of *The Bill* are a world removed from the more typical media view of the police as crime busters. Rather, they are ordinary uniformed officers out on patrol and serving their communities, who are as likely to find themselves dealing with the "mad" and the "sad" as with the "bad". This, the "service" element of police work, frequently involves the police in the resolution of low-level nuisance and disorder, with discretion and flexibility most likely holding the keys to an early resolution of behaviour which, for the local community, may have become a long standing problem.

Because the police are the only public service on duty for 24 hours a day, they find themselves confronted with problems which, by their very nature, make demands on other public agencies besides the police, including health and social services, housing, and

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1. Association of Chief Police Officers in England and Wales, "Setting the Standards for Policing : Meeting Community Expectations", Strategic Policy Document, *Operational Policing Review* (February, 1990).
 2. Audit Commission for Local Authorities & the National Health Service in England and Wales, *Streetwise : Effective Police Patrol* (February, 1996) [hereinafter *Streetwise*].

education. Many police officers, used to responding to the *symptoms* of problems in the community, resent the suggestion that they should address them, arguing that it is not their professional ambition to become "social workers". This resistance to the idea of the police as "problem-solvers" is in turn a product of a police culture that has been traditionally incident-driven, rather than problem-driven.

My own force, the Thames Valley Police, covers the southern English counties of Berkshire, Buckinghamshire and Oxfordshire (an area of approximately 2,220 square miles). These three counties have seen the largest growth in population in the UK in recent years, and now have a resident population of more than 2 million people. The mix of substantial urban areas such as Reading, Slough, Oxford and Milton Keynes presents a range of problems for police and local authorities alike. In common with other British police forces, we have seen the demands on our services outstrip the available resources : in 1995/96, Thames Valley Police dealt with a 999 emergency call every two minutes, a motor vehicle reported stolen or broken into every nine minutes, and a burglary reported every 14 minutes.

In a sense, police services across the world have become enslaved to the telephone. The sheer relentlessness of the demands on our resources highlights just how difficult it is for us to break out of the old "reactive" mould of policing. What is interesting, however, is that the bulk of incidents reported to the police are not evenly distributed across neighbourhoods — instead, a typical pattern is for 5% of locations to account for over 60% of all incidents dealt with by police officers.³ Because they make such demands on police time and effort, these clusters of recurring or related incidents are in fact "problems" for the police. The key to the more effective use of police resources therefore lies in addressing the underlying causes of these problems, rather than repeatedly responding to the symptoms alone.

I. PROBLEM-SOLVING POLICING

So what exactly do the police do? A UK government *White Paper on Police Reform* (1993) stated that the main job of the police "is to catch criminals". This is actually a rather simplistic assumption, reflecting the current emphasis on law enforcement and punishment within the criminal justice system as solutions to the different phenomena classed as "crime". Unfortunately, their combined effect has been, I believe, to distort the criminal justice system's sense of direction while the single-minded preoccupation with "cracking down hard on crime" has been a factor in the erosion of the traditional peacekeeping and crime prevention roles of the police.

Given this climate, it is not surprising that there should be such interest in the New York Police Department's *modus operandi*. "Zero Tolerance", the name by which the New York style of policing has become known internationally, is claimed as the antidote to crime in New York. Certainly, the NYPD has been highly successful, in the short-term, in meeting its declared aim to "reduce crime, disorder and fear".

3. Sherman et al., "Hot Spots and Predatory Crime" *Criminology* (1989) at 27.

There is no simpler way to define what police work should be about than that chosen by the NYPD and we ourselves have adopted this mission statement as our own in Thames Valley. However, we do *not* intend to adopt the NYPD's methods of tackling low-level disorder and incivilities solely through a law enforcement approach, particularly one that is narrow, aggressive and uncompromising. Instead, we believe that in a limited sense "zero tolerance" has always been part of the British policing tradition — but in Britain, zero tolerance towards offending behaviour is enshrined in the concept of the "Bobby on the Beat".

Why is it that everyone in Britain wants to have their own Bobby? It is precisely because the "Bobby on the beat" deals with the incivilities, the low-level disorder and the vandalism that undermine the quality of life. For 72% of the British public, the sight of a patrol officer is "always reassuring".⁴ Citizens feel reassured when they see them on foot patrol because they sense that things are in control, that incivilities will be dealt with effectively and the streets kept safe. They sense that their presence, in sufficient numbers and regularity, will help reduce the likelihood of crime. What they do not want to see, however, is police officers who feel no allegiance to their community, who appear to have no discretion about arresting or prosecuting offenders, and for whom "Zero Tolerance" means being dictatorial, oppressive and inflexible.

The Audit Commission report *Streetwise* confirmed that the public still attaches great value to police patrols. For many people, they symbolize lawful authority at a time when the public appears increasingly anxious about the erosion of authority in society at large. As we look to the twenty-first century, it is apparent that the beat officer must remain visible and physically close to his or local community. This does not mean that officers will be on foot all the time — sometimes, they will be in the car, at other times attending community meetings or answering calls for service on their "patch". Not only should beat officers respond to local incidents, but they should also identify and try to resolve local problems. We see this range of police activities as a practical framework for what we in Thames Valley term "problem-solving policing".

This style of policing draws its inspiration from the work of Herman Goldstein⁵ of the University of Wisconsin, who is justly regarded as the father of problem-oriented policing in general. Goldstein believes that in the past there has been too much concern with police management (that is, with efficiency) and not enough with the business of policing (that is, with what is effective). He argues that policing is essentially problem-driven, with the route to greater operational effectiveness lying, not through improvements in organization and management, but through the more detailed analysis of the problems the police are called upon to handle and the devising of tailor-made solutions. He adds that the success of the problem-solving approach depends on the police acknowledging two things: firstly, that they are not the only law enforcement agency and, secondly, that they are called on to deal with a broader range of community incidents than "crime" alone.

Successful problem-solving follows four consecutive steps, which together are known as the SARA model (Scanning or identifying the problem; Analyzing that problem;

4. *Streetwise*, *supra* note 2.

5. H. Goldstein, *Problem-Oriented Policing* (New York: McGraw Hill, 1991).

Responding by developing a customized response to the problem, often in partnership with other agencies; and finally Assessing how effective has been the response to the initial problem).

It might be helpful at this point to make a distinction between problem-oriented policing and the more familiar community policing. The difference is basically one of emphasis. Herman Goldstein says of community policing that it is "[...] designed to place emphasis on the one great need in policing, which is to engage the community, to emphasize the point that the job of social control essentially in our society depends upon networks other than the police, that the police can only facilitate those networks and support them. Problem-oriented policing, on the other hand, places the major emphasis on the need to re-conceptualize what the police are doing more generally, to focus attention on the wide range of specific problems that the police confront and to try to encourage a more analytical approach to those problems. Then, as a result of that analysis, to think through different strategies, one of which is to engage more intensively with the community in the context of dealing with that particular problem".⁶

In the UK, interest in problem-oriented policing is patchy but steady, having been introduced on a piece-meal basis by the Metropolitan Police in London, West Yorkshire Police (in the city of Leeds); Merseyside Police (in Toxteth, Liverpool); and the Cleveland Constabulary (in the North East of England). The Home Office is currently evaluating the implementation of problem-oriented policing in Eastern Basic Command Unit of the Leicestershire Constabulary.

We in Thames Valley Police have taken this one step further with the wholesale adoption of problem-solving policing because we believe that, to be at its most effective, problem-oriented methods must wash through *all* police work.

Two problems identified by Thames Valley Police officers illustrate the effectiveness of problem-solving policing as a crime reduction tool. In the first example, officers in Reading found they were repeatedly called to burglaries in a city housing estate, nearly half of which were occurring in one particularly run-down block of flats. At the root of the problem was the fact that the flats were all too easy to break into, with the front porch and guttering used as a climbing frame by intruders. To solve this problem, the local police and council worked together to redesign access to the flats, at a total cost of £65,000. As a result of this local partnership in problem-solving, domestic burglaries — running at 180 in 1993 — have fallen to three in the past six months. Perhaps because the flats themselves look better cared for (a sign in itself that authorities and not the burglars are in charge), there have been no reports of criminal damage to date.

Goldstein claims that problem-oriented policing has been trivialized in the US because reforms of police work there have been too superficial, failing to probe the complexity of the police job and, in particular, the conflicts that drive police work. The police exist to police *conflict* in society, wherever the location. The issue for the police must be how best to respond to that conflict.

6. Interview with H. Goldstein in (1997) 23 Law Enforcement News 8 (New York : John Jay College of Criminal Justice, February 14, 1997).

The second Thames Valley example reduced the potential for conflict in a village community near the new town of Bracknell. Once again, the local police were repeatedly being called out — in this case, to deal with rowdy and antisocial behaviour at weekends after pub closing time. Many of the worst offenders were believed to come from one particular club and, as a result, relations between the police and members of this club soon become strained. The newly appointed local beat officer recognized that the majority of its drinkers left the club peaceably, but that a minority of discontents were congregating around a kebab van parked in the centre of the village. As with the Reading example, the local police made contact with their counterparts in local government. The local council's enquiries revealed that the proprietor of the van had failed to renew his trading licence with the local council : as a result, he was ordered to cease trading (Simultaneous police enquiries found that the kebab van had in fact been stolen!). With the kebab van gone, there was no longer any incentive for the "discontents" to loiter in the village centre. Although the same discontents continue to drink in the same club, peace and normality have returned to the village on Friday and Saturday nights. The initial investment in time spent problem-solving has borne tangible benefits for the police, because scarce resources can now be used more effectively elsewhere.

We in Thames Valley believe that problem-solving is rooted in the best traditions of British policing. This reflects the belief that policing should, first and foremost, be about making communities safer and citizens more secure. As a style of policing, it is characterized by consultation with local communities; working in partnership with other agencies; and tackling causes, not just symptoms, in pursuit of our organizational goal which is the "reduction of crime, disorder and fear". It involves lateral thinking, close links with our partners in the community and statutory agencies and being prepared to try new approaches.

II. IMPLEMENTING SUCCESSFUL PROBLEM-SOLVING POLICING

For most police forces, successful problem-solving policing will depend on implementing major structural and cultural changes. Most British police forces have gone some way towards making the sort of necessary organizational changes, even if they did not make those changes with problem-solving policing in mind.

In Thames Valley, the force's management hierarchy was flattened in 1991 and the structure of six divisions and 17 subdivisions was replaced by 12 Police Areas (Basic Command Units) each of which now has control over its own personnel budget and local strategy. A shrinking headquarters function means that the Thames Valley Police now has one of the lowest management overhead costs of any of the 43 police forces in England and Wales.

However, the Thames Valley Police is far from being dismantled. The Force produces a "corporate" plan each year which sets out our available resources, objectives and performance targets. This plan is produced together with our local Police Authority, to meet the requirements of the *Police Act* (1996). Although there is no statutory requirement that they do so, each of the 12 Areas also produces an annual local plan identifying not only local issues but how that area can contribute to the effectiveness of the organization as a whole.

Our internal boundaries are currently being realigned so that the geographical structure of local police areas will correspond almost exactly to local government boundaries. In this instance, change is seen as vital to facilitating a problem-solving approach to policing — which in turn depends on close partnership with our partners in local government and encouraging an interagency approach to crime and other community problems.

The challenge facing police managers must be to create an organization that is capable of recognizing the need for, and adapting to, change in the future. We have promoted changes in the organizational culture which we see as essential if these structural changes are to have the desired effect. Our aim, in devolving responsibility to the most appropriate level of decision-making, has been to cultivate an ethos of "Trust Management". Our "Force Orders Manual" (nicknamed the "Bible of Other People's Mistakes") has been replaced by a "Police and Procedures Manual", which emphasizes guidance and the exercise of individual discretion rather than slavish adherence to a rigid set of rules. Finally — though it may seem a symbolic gesture only — we have done away with the old militaristic regulation that junior officers salute their seniors.

Back in 1962, a Royal Commission on Police pointed out the anomaly between the lowly position of the constable within the organization and the discretion that he or she exercises while "on the job". It is vital that we enhance the status of rank and file officers, and one way we see of doing this is to strengthen the capacity of beat level officers to analyze local problems.

In Thames Valley Police, we see problem-solving policing as the only way in which we can continue to provide an effective policing service *and* manage the demands our communities make of us.

III. PROBLEM-SOLVING JUSTICE

Central to our efforts to reduce crime and solve community problems is the highly bureaucratic formal criminal justice system in England and Wales. The problem has always been that the criminal justice system was never designed or resourced to "problem-solve". But adopting a problem-solving approach to policing, as we have done, casts the criminal justice system in a fresh light. It leads to fundamental questions over the efficacy of the system, either as guarantor of rights or as a mechanism for community security. It also causes us, where we find failure, to explore alternative means of securing the desired ends.

Such failure in the criminal justice system — long a perception among those involved in it — was given an empirical basis by the Milton Keynes Criminal Justice Audit.⁷ The Audit was an independent research project carried out by Professor Joanna Shapland of Sheffield University in 1994, on behalf of the Milton Keynes Youth Crime Strategy Group, a multi-agency body concerned with the problem of youth crime. The study investigated the cost of the criminal justice system in Milton Keynes by analyzing its constituent elements within the police, Crown Prosecution Service, courts, prisons, social services and other organizations.

The Audit confirmed many long held concerns about the formal criminal justice system in England and Wales. Whilst it has many strengths, it is predominantly offender-focused and ineffective in terms of victim and community participation and satisfaction. It is hugely expensive and slow. The emphasis is on processes, not outcomes; on punishment, not reparation; and on determining whether offenders are "guilty" or "not guilty" as opposed to whether offenders accept responsibility for their individual actions. Known re-offending rates are high. The offender who is given a discharge, fine or suspended sentence has no further contact with the criminal justice system. The prime purpose of what contacts there are is to aid the smooth running of the system. If we add up all the offender's contacts pre-sentence with the system it comes to no more than a few hours, or even minutes. Time is only spent addressing offending behaviour post-sentence.

7. J. Shapland, J. Hibbert, J. L'Anson, A. Sorsby & R. Wild, The Institute for the Study of the Legal Profession, *Milton Keynes Criminal Justice Audit* (Yorkshire : University of Sheffield, 1995).

	Cost per offence/offender £
Recording crime	20
Assisting victims	5
Investigating offences	152
The offender arrested	177
Preparing the file — police	126
Liaison on juveniles	105
Cautioning	36
CPS review of cases	51
The court process (including remands)	2,094
Recording convictions	21

Table 1 : Data from the Milton Keynes Criminal Justice Audit showing some rough costs per offence/offender (excluding child abuse cases) for each stage of the prosecution process.

The Milton Keynes Audit found that a tiny proportion of the public funds spent on criminal justice is devoted to addressing the needs of the victim and the offender (less than 1% for each group) : none at all, to those of the community. The bulk of the funds are spent on the bureaucratic processing of information, whereby the agencies circulate information to each other about criminal offences and offenders, rather than tackling the actual offending behaviour itself. Nowhere is this so vivid as in the area of juvenile justice, as the Audit Commission report *Misspent Youth*⁸ highlighted.

The official police "caution" was the last point of contact with the formal criminal justice system for 23% of the Milton Keynes suspects. Nationwide, around 80% of offenders who are cautioned for the first time do not re-offend within two years of the caution. Subsequent cautions have been shown to be progressively less effective, however, and guidelines issued to the police in 1994 emphasized that a caution should not be given where there is no reasonable expectation that it will curb offending.⁹

Jack Straw MP, Home Affairs spokesman for the Labour Opposition Party, has suggested the possible replacement of cautioning with a final warning which would trigger

8. Audit Commission for Local Authorities and the National Health Service in England and Wales, *Misspent Youth : Young People and Crime* (November, 1996) [hereinafter *Misspent Youth*].

9. 18 *Home Office Circular* (1994).

community intervention with young offenders and their families by local Youth Offender Teams.

For second and third-time offenders, *Misspent Youth*¹⁰ recommended that we should "address their offending behaviour using Caution Plus schemes for those whose offending is not yet entrenched, freeing the courts to deal with persistent offenders quickly". This is given greater weight by two key points : firstly, that the most effective interventions against offending behaviour take place early in a young criminal's career, before he or she has become an habitué of the system; and secondly, that most criminal careers start with an apprenticeship in "petty" crime. The current justice system simply does not respond to this. Yet there is now an increasing body of evidence, including the recent Home Office evaluation of the Retail Theft Initiative (Caution Plus) at Milton Keynes, that a strategy of prevention and early intervention holds the key to reducing recidivism.

A. Milton Keynes Retail Theft Initiative (RTI)

The essence of the Retail Theft Initiative (RTI), which began in Milton Keynes in May 1994, is that it cuts through all the bureaucracy of the formal system and concerns itself with putting the energy and resources of the different agencies into dealing effectively with the offending behaviour which, in this case, is shop theft. The Initiative operates when a young offender is arrested, admits the theft and is considered suitable for a caution. All the offenders within this initiative attend Milton Keynes Police Station on a Wednesday evening with their parents, where they go through a series of interviews and interactive sessions, including an interview with a store manager. The process concludes with a formal caution.

The aim of the RTI is to work with young offenders to educate them to realize that shop theft is not a victimless crime, to appreciate the consequences of their actions for themselves, their families, the shops and others, and to learn how to resist the temptation to offend again. The purpose of the programme is to problem-solve why the young people have offended and to assist them and their parents in preventing it from happening again. The results of the programme, independently evaluated by the Home Office Police Research Group, are impressive. As compared to the normal 35% re-offending rate for first time offenders in these circumstances, the Milton Keynes figure is just 3%.¹¹ The Home Office study also revealed a 50% reduction in the amount of police time spent dealing with shop thieves.

The Milton Keynes initiative is not technically a "restorative" process within the ambit of restorative justice, because it retains a punitive element through the official caution rather than seeking a resolution through reparation and agreement. Nevertheless, it does incorporate some restorative justice features : firstly, it involves a meeting with a victim, although not necessarily *the* victim; secondly, offenders are confronted directly

10. *Supra* note 8.

11. H. McCulloch, "Shop Theft : Improving the Police Response" (1996) Home Office PRG, Crime Detection and Prevention Theory, paper no. 76.

with what they have done, in terms of the impact on the victim, the community and their own family; thirdly, the effect of the process is to reduce re-offending and to generate satisfaction with the outcome from victims, community representatives, offenders and their families.

In light of evidence which suggests that the present cautioning system is effective for the majority of first-time offenders, restorative measures — which are resource-intensive — should be targeted at young people who are *beginning* to develop a pattern of offending.

We in the Thames Valley Police, together with our partners, are continuing to develop a tiered response to the problem of offending behaviour. The intention is to apply restorative principles within the existing criminal justice system, thus maintaining procedural safeguards while introducing restorative justice. We also propose adopting a "balanced" approach, that is, seeking to meet the needs of victim, offender, their families *and* the community. We see this as being achieved by empowering victims as active participants, achieving a mutual agreement through dialogue, seeking to make offenders accountable for the effects of their actions on victims and communities and enabling offenders to become more responsible and to contribute to their community by repairing the harm done by crime, thereby leading to the creation of communities which are ultimately safer.

B. Aylesbury Conferencing

Another problem-solving tool is the Family or Community Conference. With help from Terry O'Connell of the New South Wales Police, we have begun to develop the use of conferencing for a wider range of offences than shop theft alone. (We prefer the term Community Conference over that of Family Group Conference, mainly because ours is not a welfare-based approach nor, once the appropriate structures are in place, do we see it as only offender-focused).

Since April 1995, officers at Aylesbury have seen and dealt with some 240 offenders ranging in age from nine to fifty-nine. The offences in question range from a £26,000 arson to retail theft and from assault occasioning actual bodily harm to possession of cannabis. Some of those meetings have been full community conferences involving victims and/or representatives of the community, as well as offenders and their parents. However, many of the meetings did not amount to full community conferences, either because the victim did not wish to become involved or because resources were not available. In those cases, a meeting was held with the offender and his/her parents, concluding with a formal caution. This process, which applies the principles of conferencing as far as possible, appears to have been more effective for those involved than the traditional caution.

Only 15 out of the 240 offenders have come to the notice of the Aylesbury police again. Of course, the fact that they are not known to have re-offended does not mean that they have ceased offending altogether. The Aylesbury programme has not been independently evaluated or monitored, but we believe that — taken with the Milton Keynes experience — it does confirm the viability and potential of community

conferencing. All our experiences show that a critical time to intervene in the cycle of criminality is when people — particularly young people — start offending for the first time.

Every person whose offending behaviour is halted before they progress on to becoming prolific, persistent or professional criminals represents a major gain towards reducing crime and more fulfilling lives for those involved. Add to that the process of involvement of victims and communities in taking ownership of the problem and one can see that restorative justice — and community conferences in particular — have enormous potential to strengthen communities and improve community safety.

IV. RESTORATIVE JUSTICE PROPOSALS FOR THAMES VALLEY

- 1.1 This paper introduces a problem-solving approach to improve a criminal justice system which is seen by many to be ineffective in dealing with the causes and victims of crime. It proposes the introduction of principles of restorative justice within Thames Valley. No single agency or organization has all the skills necessary to implement restorative justice in a systematic way, but together, with close consultation and mutual support, we could bring about a fundamental change in the way that we provide support to victims, communities and offenders.

A. Section A — What Is Restorative Justice?

- 2.1 Restorative justice offers a new way of dealing with the impact of crime and criminal behaviour on our communities. Its potential is increasingly being recognized in New Zealand, Australia, Canada, the United States and more recently in Europe.
- 2.2 Restorative justice recognizes that crime violates people and communities, not just the State. Crime can weaken relationships and harm community safety. In restorative justice the offender becomes accountable to those he or she has harmed, achieving justice for victims, victimized communities and offenders.
- 2.3 Restorative justice involves community members and provides an expanded role for victims of crime. Offenders take personal responsibility for their behaviour and then actively work to repair the harm they have caused to victims and communities, by being given the opportunity to do something positive. By learning how they have personally harmed victims and their communities, offenders are more likely to make real amends and to stop offending. The outcome would be reached through mutual agreement between all participants, and could vary from a simple apology to a promise of carrying out a particular task.
- 2.4 There are several different aspects to restorative justice, including various forms of victim-offender mediation and conferencing. With respect to

conferencing, a "family group conference" has previously been used to describe a wide variety of models under the restorative justice umbrella. These conferences involve repairing the harm within the family unit. On the other hand, a "community conference" is the term that we would use to repair the harm caused when a crime or antisocial act has been committed. It would be ideally suited to be applied within the criminal justice processes within Thames Valley.

- 2.5 Community conferencing is a process which brings the victim, the offender, and key members of their support community to a face-to-face meeting. A trained conference facilitator guides them through a generally emotional discussion of how the crime occurred, how it has affected their lives, and how the crime's harm can be repaired. All participants are given the opportunity to speak and to express their feelings. They can ask questions to each other in a safe environment. In the conference, the offender is faced with the full impact of his or her behaviour on the victim, people close to the victim, and the offender's own family and friends. The process condemns the behaviour of the offender, but does so in the context of separating the behaviour from the person, in order not to stigmatize them. The entire group works out an agreement about how the offender may best repair the harm caused. This is called a reparation agreement.
- 2.6 Dialogue between victims, the offenders who violated them, and their respective communities are very powerful. Evaluation of conferencing has shown that parties who have gone through a conferencing process express a high level of satisfaction, and reparation agreements are fulfilled in the vast majority of cases. Apart from attempting to reduce the chances of re-offending, conferencing is likely to facilitate the healing process for victims and to reduce fear in the community generally. Restorative justice has as its overall aim the increase in public safety and the strengthening of community ties. In many conferences, the participants engage in effective problem-solving to deal with the causes that may have contributed to the behaviour of the offender.
- 2.7 Not only does restorative justice offer specific outcomes for victims, offenders and communities who participate, it also promotes a greater understanding about crime and the most effective response to criminal behaviour. Restorative justice does not preclude the punishment of offenders but it does not have punishment as its main focus. It is concerned with needs and responsibilities and represents an inclusive approach to crime control which is distinctive from traditional adversarial and exclusionary methods of handling offenders.
- 2.8 The application of restorative justice overseas varies in each country according to their own needs, problems and legislation. Because restorative justice is relatively new to England, there is no history within this country to show how it would succeed; but the evidence from other countries shows that by involving communities in this way, greater public safety is being achieved and communities themselves develop into stronger units.

B. Section B — Why Do We Want to Introduce Restorative Justice in Thames Valley?

- 3.1 The *aim* of Thames Valley Police, or in management terminology its "mission statement", is :

Working with our communities, to reduce crime, disorder and fear, as the leading caring and professional police service.

- 3.2 The Thames Valley *style* of policing is characterized by :

- Consultation with local communities;
- Working in partnership with other agencies; and
- Tackling causes, not just symptoms.

We call this Problem-Solving Policing.

- 3.3 We wish to introduce restorative justice into our work methods because we believe it would be a vital tool to help us, in conjunction with our partners and our communities, "to reduce crime, disorder and fear". We have arrived at this conclusion through our experiences from a number of problem-solving initiatives over the past few years. Three of these are highlighted below.

1. Milton Keynes Criminal Justice Audit

- 3.4 The Milton Keynes Criminal Justice Audit was an independent research project carried out by Professor Joanna Shapland of Sheffield University in 1994, on behalf of the Milton Keynes Youth Crime Strategy Group, a multi-agency body concerned with the problem of youth crime. The study investigated the cost of the criminal justice system in Milton Keynes by analysing its constituent elements within the police, Crown Prosecution Service, courts, prisons, social services and other organizations.
- 3.5 It found that the total annual cost in Milton Keynes was £16M. Most of it was spent in "processing" : the processes of all the agencies in collecting and passing information to each other to record crimes and take cases through the courts. What was particularly revealing was that just over 1% was spent on actually working with young offenders, and less than 1% was spent on dealing with victims. These findings are consistent with the conclusions of the recently published Audit Commission national report *Misspent Youth : Young People and Crime*.
- 3.6 The Milton Keynes Criminal Justice Audit confirmed many of the concerns people have about our formal criminal justice system. Whilst it has many

strengths, it is predominantly offender-focused, and ineffective in terms of victim and community participation and satisfaction. The emphasis is on processes, not outcomes. It is hugely expensive and slow. Its emphasis is on punishment, not reparation; on determining whether offenders are "guilty" or "not guilty", as opposed to whether offenders accept responsibility for their individual actions. Re-offending rates are high.

2. Milton Keynes Retail Theft Initiative

- 3.7 In May, 1994, recognizing the ever spiralling cost of retail theft, its adverse impact on resources, and, frustrated by the inappropriateness of the criminal justice response to the problem, a number of agencies represented on the Milton Keynes Youth Crime Strategy Group, together with representatives of the retail industry, set up the Retail Theft Initiative. This focused on the large number of young offenders arrested for shop theft in the Milton Keynes Shopping Centre.
- 3.8 The essence of this initiative is that it cuts through all the bureaucracy of the formal system and concerns itself with putting the energies and resources of the different agencies into dealing effectively with the offending behaviour. It operates when a young offender is arrested, admits the theft and is considered suitable for a caution. All the offenders within this initiative attend Milton Keynes Police Station on a Wednesday evening with their parents, where they go through a series of interviews and interactive sessions, including an interview with a store manager. The process concludes with a formal caution.
- 3.9 The purpose of the programme is to "problem-solve" why the young people have offended and to assist them and their parents in preventing it happening again. The results of the programme, independently evaluated by the Police Research Group of the Home Office, are impressive. As compared to the normal 35% re-offending rate for first offenders in these circumstances, the Milton Keynes figure is 3%. This is achieved at a cost in resources substantially less than normal criminal justice processes. Further, offenders, parents and victims — the store managers — all indicate high levels of satisfaction with it. What is also significant is that the store managers now see shop theft in a very different light from previously, and are now involved in working with others to reduce it rather than merely seeking a punitive sanction.

- 3.10 The Milton Keynes initiative is not technically a "restorative" process within the ambit of restorative justice, because it retains a punitive element through the official caution, rather than seeking a resolution through reparation and agreement. Nevertheless, it does incorporate some of the restorative justice features :
- It involves an encounter with *a* victim, but not necessarily *the* victim (store managers assist the scheme on a voluntary, rota basis);
 - The offenders are confronted very directly with what they have done, in terms of the impact on the victim, the community and their own family;
 - The effect of the process is to reduce re-offending, and to generate satisfaction with it from victims, representatives of the community, offenders and their families.
- 3.11 This initiative represented an important step towards the introduction of restorative justice principles in Thames Valley. At the time of being introduced it was a visionary move away from the processes of the criminal justice system. As we developed our thinking and gained the benefit of experience, we recognized that the initiative had the potential to be further developed, by adopting the fundamental principles as outlined in Section D.

3. Aylesbury — Conferencing

- 3.12 Whilst the Milton Keynes work was concerned solely with shop theft, Aylesbury Police Area was asked to develop conferencing, known at that time as family group conferencing, as practised in Australasia. This was to be applied to a much wider range of offences.
- 3.13 During the past 18 months, officers at Aylesbury have conducted approximately 150 conferences or meetings. Some of those have been full community conferences involving victims and /or representatives of the community, as well as offenders and their parents. These have been conducted broadly in accordance with the principles of community conferencing outlined in 2.5-2.7 above except that they have concluded with a formal caution.
- 3.14 Many of the meetings have not however amounted to community conferences, either because the victim did not wish to be involved, or because resources were not available. In these cases a meeting has been held with the offender and his/her parents, concluding with a formal caution; but the process has been more effective for those involved than the traditional caution. The officers have applied the principles and processes of conferencing as far as possible, albeit without the presence of other contributors. Again, by adopting the fundamental principles, this initiative has the potential to develop further.

3.15 Training was provided to assist in these processes when the force received a visit in July, 1996, from Senior Sergeant Terry O'Connell, of New South Wales Police, Australia; one of the original instigators of conferencing in Australia. Sergeant O'Connell trained a number of Thames Valley officers, including those at Aylesbury, and a very small number of conferences since then have also been successfully held at other locations within the force.

4. Police Cautions

3.16 Police cautioning is another part of the formal criminal justice process. For minor and first-time offences, the response is often a police caution rather than a formal prosecution. Cautions involve a discussion with a police officer, usually a Police Inspector, and a "telling off". They are essentially a punitive process and cautions can be cited in court as to previous behaviour if the offender re-offends and is prosecuted.

3.17 Despite the controversy which from time-to-time appears in the media about offenders being cautioned when they should supposedly be prosecuted, cautioning is in fact a very successful process for dealing with minor and first-time offenders. The cost is minimal and re-offending rates are very low in comparison with the courts.

5. Future Strategy

3.18 Whilst the Aylesbury programme has not been independently monitored or evaluated, we believe that — taken with the Milton Keynes experience — it confirms the viability and potential of community conferencing as outlined at 2.5 above. All our experiences show that a critical time to intervene in the cycle of criminality is when people, particularly young people, start offending for the first time.

3.19 Currently, few resources are targeted at this point : those applied to the cautioning process, meaningful though they are, are tiny in comparison to the huge cost of the criminal justice system overall. Yet clearly this is the time when a substantial impact on crime and criminality can be made.

3.20 Every person whose offending behaviour is halted before they progress on to becoming prolific, persistent or professional criminals represents a major gain towards reducing crime and more fulfilling lives for those involved. Add to that process the involvement of victims and communities in taking ownership of the problem, one can see that restorative justice — and community conferences in particular — have enormous potential to strengthen communities and improve community safety.

C. Section C — How Should Restorative Justice Be Taken Forward?

4.1 We have identified two possible approaches for taking restorative justice forward in Thames Valley :

- Approach 1 : The application of restorative justice parallel to the present criminal justice system; and
- Approach 2 : The application of restorative justice principles to the current processes of the criminal justice system.

1. Approach 1 — The Application of Restorative Justice Parallel to the Present Criminal Justice System

4.2 Restorative justice focusses on establishing a balanced approach between the victim, community and offender. It allows for the processes to revolve around a framework that promotes maximum involvement of the three parties to improve the capacity to protect the victim and community. The balanced approach promotes offender accountability and enables offenders to become more competent citizens.

4.3 This in practice requires that the victim, community and offender should receive equal consideration. They should all gain tangible benefits from their involvement with the justice system.

a) The Victim

Victims should be empowered as active participants in the justice process and contribute to the outcome. Restorative justice requires that every effort is made by offenders to repair the harm suffered by victims.

b) The Community

The public has a right to live in safe communities and to be protected from offenders. The ideal justice system should have a range of responses which can be tailored to reflect the risks posed by individual offenders. Communities need also to become more resilient to crime and should be empowered to play a much more positive role in securing their own safety. This would therefore require a process which allows for reparation and healing for people within the community.

c) The Offender

In an ideal criminal justice system it should be possible for most offenders to be accepted back into the community as an individual with something to offer. Offenders should first take responsibility for their actions, and make reparation to the victim and community. They should become more responsible and be prepared to contribute to the community in a positive way.

4.4 It is important to acknowledge that the strength of restorative justice lies in the paradigm shift of community involvement. It requires a radical change in our *culture*.

4.5 In this country there is no legislation that provides for the victim and community to become active participants in the decision-making process. It has been suggested that to apply the principles of restorative justice in their pure form, all agencies would really need to operate parallel to the existing criminal justice system.

4.6 We believe that this may entail a paradigm shift which could not come about without a substantial multi-agency commitment and proven success, which may take some years to achieve. We welcome views on this approach. If there is substantial support to move in this direction immediately we and our partners would all move forward together in a comprehensive project.

2. Approach 2 — The Application of Restorative Justice Principles to the Current Processes of the Criminal Justice System

4.7 If the consensus is that the first approach is too radical without a prior evaluation of the success of restorative justice, the second approach in the short term could be to apply the principles of restorative justice within the existing structure of the criminal justice system. This would ensure that safeguards remain, whilst the changes involved are manageable. We could apply these principles to a variety of proposed cautions and conferences (set out below), which would be known as : "concise cautions", "positive cautions", and "community conferences". This would allow Thames Valley to refine its current cautioning practices and to broaden the range of responses which we could apply to any given set of circumstances.

4.8 Our present processes could be restructured using restorative justice principles to develop the following applications which would enhance the present criminal justice system :

a) Concise Caution

The current "instant caution" is an option that the police may use for minor cases as an alternative to court proceedings. It has traditionally been given by an Inspector. In the case of a juvenile offender, one or both parents would normally be present. Research has shown that it is particularly effective in preventing first-time offenders from re-offending. Indeed, 85% of those cautioned in 1985 and 1988 were not convicted of a serious offence within two years of their caution. (Home Office Research and Statistics Department Digest, 1995).

Although the traditional cautioning of first-time offenders is effective in preventing re-offending, it does not adequately consider victims or the community. We therefore propose to introduce a "concise caution" to distinguish it from and replace the existing instance caution. A concise caution would apply restorative justice principles as far as possible and place increased emphasis on reparation and the acceptance of responsibility on the part of the offender. Normally, it would be carried out by a trained police officer, without the presence of the victim. We propose that it would usually be used in cases where the victim and community felt that there was a minimal impact on them and a caution would be appropriate. Its use would be decided by the custody officer, having taken into account the needs of the victim and the community, and on being satisfied that it would be the most appropriate outcome for all.

b) Positive Caution

This would be a new police caution. It would replace the term "restorative caution" which is being used by some police areas. A "positive caution" would be used in cases where the victim and the community felt that there had been a significant effect on them and that it was the most appropriate outcome for all. It would be more intensive than concise cautions, although again it would normally be carried out by a police officer, trained as a conference facilitator, without the presence of the victim. In the case of a juvenile offender, the decision to apply a positive caution would be recommended by the multi-agency panel. It is crucial, in order to work towards the balanced approach, that the panel primarily take the views of the victim into consideration when recommending that this caution is the most appropriate outcome. How this change in their working practices could be achieved is discussed further in paragraph 4.10.

c) Community Conference

This would be as near to the full application of restorative justice using the balanced approach as we could go within the existing criminal justice system. It would be the preferred application as it most closely follows restorative principles. In time, its use would be extended as all the parties

involved become more experienced and confident about its value. This highlights the importance of a comprehensive evaluation. It could be delivered by anyone trained in restorative justice, including other partners and community representatives. We consider that in some cases it would be suitable as an alternative to a custodial sentence.

We recognize that it is resource intensive and it may not always be a viable option. It would usually be used in cases where there has been a significant effect on the victim or community and they wish to contribute to the outcome by participating in a face-to-face meeting. All conferences undertaken by the police would be recorded, and in the case of a crime could be cited in any future court proceedings as with a caution.

d) Charge

A charge compels an offender to attend court. It remains an option within restorative justice principles as restorative justice acknowledges that there will always be offenders who will need to be dealt with by the formal criminal justice system. We believe, however, that there is still scope to apply the principles of restorative justice to offenders who have appeared in court, if it is likely that the efforts made to repair the harm to the victim, the community and the offender will be successful. We feel it is desirable to develop processes which could be applied in relation to a court hearing, which would allow for some form of conference to take place. Much discussion must take place before such an approach can be introduced. One option might be to link a community conference to a community service order. This may require legislation to enable the Probation Service to participate, and would be likely to depend upon the success of the restorative justice approach.

3. Multi-Agency Panels

4.9 Multi-agency panels were established with the intention of discussing how an offender should best be dealt with, given a range of options. Their role is to examine the background of juvenile offenders (although they hope to develop to consider certain adult cases) and to make recommendations on the most suitable form of case disposal. The panels will recommend that either no further action is taken, that the offender is charged or given a caution. Where the panel believes that the offender will continue to offend, help will be offered in addition to the caution, to confront the offender with their behaviour and divert them from further offending.

4.10 It is important that the benefits of the hard work already undertaken is not lost, but their recommendations are based almost entirely by focussing on the offender. If we were to adopt the restorative justice principles, panels should be able to identify a range of appropriate responses to address the needs of both victims and offenders. The views and needs of the victim

should be paramount in the decision-making process. We welcome ideas on how this could be achieved. One suggestion may be to include Victim Support Scheme representatives as equal members of the panel.

4. Victim Support Schemes

- 4.11 Protocols for dealing with victims already exist which are valuable, and the achievements of the Schemes must not be overlooked. Their contributions are vital to provide a balanced approach, but additional resources would be required if Victim Support agree to support the restorative justice philosophy in this way. The role of the Victim Support Scheme could take on a much higher profile. Victims groups will of course have a say in how restorative conferencing is developed.

5. Caution and Diversion

- 4.12 Caution and diversion is the name given to various initiatives to prevent re-offending. There is a range of statutory and voluntary diversion schemes, such as the "TRAX" motor vehicle project aimed primarily at young car thieves. Whilst there are many statutory organizations providing support for offenders, there is not such a strong link for victims. Views on how this could be improved would be welcomed.
- 4.13 The applications of restorative justice would complement the diversionary aims of Caution Plus. There would still be a need for responses with a diversionary aim to be provided for young offenders.

6. The Preferred Approach

- 4.14 Our preference is to seek support to introduce restorative justice principles into the present criminal justice process, as we have outlined in the second approach. We believe that this will allow us to assess its effectiveness, particularly from the perspectives of the victim and the community.
- 4.15 We know that there is tremendous interest. For example, developing the concept of the conference to deal with bullying in our schools. Restorative justice contains so much which is common sense that it is immediately attractive to different people facing different problems. The challenge facing us is how to move forward in a measured way, without dampening the enthusiasm of those who have been fired by its potential.

7. Our Fundamental Principles

4.16 We have developed a set of fundamental principles which could underpin our approach to restorative justice. These are not set in tablets of stone and we would very much like to develop them with our partners. They do provide, however, a focus and starting point for discussion. They are explained in more detail in Section D.

They are as follows :

- A balanced approach which involves the victim, community and offender;
- A holistic approach which looks at causes, not just symptoms;
- A positive approach which seeks to repair the harm suffered by all involved;
- A tailored approach which focusses on applying particular options to individual needs;
- An accountable approach which safeguards the processes and the people involved;
- A structured approach which provides consistency in staff selection and training.

8. Evaluation

4.17 The whole restorative justice process will need to be clearly monitored and evaluated. We need to know whether the process provides real value, supports communities and reduces crime. Of particular importance will be the participants' perception of how they were involved with the processes and outcomes. Lessons will be learnt all along the route and these will direct the way forward.

4.18 The evaluation should focus on the aim of the Thames Valley restorative justice model, examining whether the implementation of the model achieves the aim. We are currently talking to various research organizations and charities to obtain their help in setting up an independent evaluation programme. In support of such an evaluation we suggest that the following success criteria should be included :

- Restoring the victim and community, and repairing harm;
- Improving victim and community satisfaction;
- Challenging offender behaviour;
- Reducing recidivism, crime, disorder and the fear of crime;

- Creating positive peer group influence;
- Achieving safer communities;
- Victim and community participants' views of the restorative justice approach; and offenders' views of the restorative justice approach.

Other issues also need to be considered as part of the evaluation. We welcome suggestions.

D. Section D — What Is the Proposed Thames Valley Restorative Justice Model?

5.1 The aim of the proposed Thames Valley restorative justice model is to introduce an effective justice system which restores victims, the community and offenders by repairing harm and reducing crime, disorder and fear, thereby creating safer communities.

1. Fundamental Principles

5.2 It is important that the proposed Thames Valley restorative justice model is underpinned by a set of fundamental principles. These should include the following :

5.2.1 A balanced approach :

- a) Which involves the victim and family, the community, and the offender and family;
- b) Which empowers the victims as active participants;
- c) Which achieves a mutual agreement through dialogue;
- d) Which seeks to make offenders accountable for the effects of their actions on the victim and community;
- e) Which enables offenders to become responsible and to contribute to the community by repairing the harm; and
- f) Which creates safer communities.

5.2.2 An holistic approach :

- a) Which works in partnership with other agencies;
- b) Which enhances greater understanding of others involved;
- c) Which involves an awareness of other research and practices;

- d) Which adopts a problem-solving style;
- e) Which extends the principles to other arenas; and
- f) Which adopts a strategy to consult and communicate internally and externally.

5.2.3 A positive approach :

- a) Which ensures that all involved are restored by the process;
- b) Which distinguishes between the individual and their actions;
- c) Which uses reintegrative shaming, not stigmatising; and
- d) Which requires professionals to facilitate, not to prescribe solutions.

5.2.4 A tailored approach :

- a) Which is focussed to meet individual needs;
- b) Which considers all relevant information about all parties;
- c) Which seeks a response that is in proportion to the offence committed;
- d) Which uses the pivotal role of restorative conferencing facilitators; and
- e) Which provides a structured range of options, to include amongst others :
 - Community conference;
 - Positive caution;
 - Concise caution; and
 - Charge.

5.2.5 An accountable approach :

- a) Which ensures the process is accountable to the public and the criminal justice system;
- b) Which ensures that the professionals are accountable; and
- c) Which safeguards all involved in the process.

5.2.6 A structured approach :

- a) Which requires consistent criteria for staff selection and training;

- b) Which provides training appropriate to role not rank;
- c) Which provides a consistent system of mentoring;
- d) Which provides awareness training to impact on organizational culture; and
- e) Which identifies decision-makers with specified responsibilities.

5.2.7 Each application of restorative justice would accord the fundamental principles. The emphasis would be on the effect of the offenders' actions on others, particularly the victim and the community, and on themselves. All participants should assist in seeking a solution to repair the harm suffered by victims.

2. Some Examples of How Restorative Justice Might Work

5.3 The applications currently considered suitable for the restorative justice principles are :

- Concise caution;
- Positive caution;
- Community conference; and
- Charge.

5.4 Following the arrest of an offender, the custody officer would apply the restorative justice principles to decide whether to deliver a concise caution, to charge, or to bail the offender. If the offender is bailed, it would allow time to ascertain the full impact of the offence on those involved, and, in the case of juveniles, for the multi-agency panel to recommend whether to NFA, caution or charge. If the offender were to be cautioned, a decision would then be made on the most appropriate application. "Appropriate" in this context would be in relation to the victim and community, as well as the offender. The victim must not be used simply in order to make cautions more effective. In every case there must be sufficient evidence for proceedings, and the offender must admit the offence before the applications can be applied.

5.5 The following examples show how the principles could be used to select the appropriate applications. The recommended application, whilst selected by the police, would only go ahead if the victim, community and offender are willing to participate, and adequate preparation and support has been undertaken. This would provide increased opportunities and support for the victim and the community. The recommended outcomes take into account the practical realities encountered when arranging conferences and cautions.

a) Example A

- 5.6 James, a 16-year-old, is in custody for stealing £40 of compact discs from a shop on a Saturday afternoon. The custody officer would decide how to proceed with James, based on the information that must be considered regarding the impact that the offence has had on the victim, the community and James himself.

Scenario 1

- Victim : a big store, theft not significant to the employees, a caution is acceptable;
- Community : no one noticed the offence or the arrest;
- Offender : First offence, accepts he is wrong, unlikely to reoffend;
- Recommended outcome : a concise caution.

Scenario 2

- Victim : a small shop, manageress very upset, concerned for future of the shop, would support a conference or a charge;
- Community : no one noticed the offence or the arrest;
- Offender : first offence, accepts he is wrong, unlikely to reoffend;
- Recommended outcome : refer to multi-agency panel, who may recommend a positive caution or community conference.

Scenario 3

- Victim : a small shop, manageress very upset, concerned for future of the shop, would support a conference or charge;
- Community : impact of persistent offending is significant (that is, a rise in prices, presence of security officers raises fear of crime or persistent shoplifting in the area);
- Offender : third offence, two previous cautions, likely to reoffend;
- Recommended outcome : refer to multi-agency panel who may recommend a community conference or charge.

5.7 b) Example B

Scenario 1

- Victim : quite disturbed, wondering why *they* were burgled, fully insured, would support a conference or charge, unwilling to participate;
- Community : neighbours not aware;
- Offender : has been involved in petty theft, first known offence of burglary;
- Recommended outcome : referral by custody officer to local decision-makers who would obtain all relevant information and may recommend a positive caution.

Scenario 2

- Victim : quite disturbed, wondering why they were burgled, fully insured, would support a conference or charge, unwilling to participate but other family members would on their behalf;
- Community : neighbours not aware;
- Offender : has been involved in petty theft, first known offence of burglary;
- Recommended outcome : referral by custody officer to local decision-makers who would obtain all relevant information and may recommend a positive caution or a community conference involving family members.

Scenario 3

- Victim : very disturbed, may not be insured, would support community conference or charge;
- Community : neighbours worried that they will be next. Representatives identified who would be willing to attend a conference;
- Offender : has been involved in petty theft, first known offence of burglary;
- Recommended outcome : referral by custody officer to local decision-makers who would obtain all relevant information and may recommend a community conference.

Scenario 4

- Victim : very disturbed, may not be insured, would support community conference or charge;
- Community : neighbours worried that they will be next. Representatives identified who would be willing to attend a conference;
- Offender : persistent offender, with previous convictions for burglary. Regards being arrested as an inconvenience;
- Recommended outcome : charge, but recommend that other agencies consider a community conference in relation to a court hearing.

CONCLUSION

Many police practitioners can see the benefits of problem-solving, restorative justice. Patrol officers often tell me how they want offenders to understand the consequences of what they have done, including the disruption inflicted on their communities.

Significantly, Tony Marshall defines restorative justice as : "[...] a way of dealing with victims and offenders by focusing on the settlement of conflicts arising from crime and resolving the underlying problems which cause it. It is also, more widely, a way of dealing with crime generally in a rational *problem-solving* way".¹²

Implicit in both problem-solving policing and problem-solving justice is the obligation of the criminal justice system to reduce the potential for future conflict. Both seek to problem-solve by targeting the behaviour that compromises the peace and safety of the community and both offer new tools, ranging from Conferencing to the Partnership (Interagency) approach, with which communities and agencies together can try to solve old problems.

No matter how effective the police are in tackling problems on their own, the results are unlikely to be lasting unless they work in close partnership with other public service agencies. Police efforts on their own will have little impact if they deal effectively with drinking, vagrancy, or the anti-social behaviour of groups of youths, but the neighbourhood in question remains scarred with broken windows, boarded up buildings, derelict cars, graffiti and litter. To quote from George Kelling and Catherine Coles's recent book *Fixing Broken Windows*,¹³ it is not enough to arrest the window breakers : we must fix the broken windows as well.

12. T. Marshall, "The Search for Restorative Justice". Paper presented on a speaking tour of New Zealand, May, 1995 [unpublished].

13. G.L. Kelling & C.M. Coles, *Fixing Broken Windows : Restoring Order and Reducing Crime in Our Communities* (New York : Martin Kessler, 1996).

No single agency or organization has all the skills necessary to restore the peace in a systemic way, but in close consultation and mutual support with our partners, we in Thames Valley Police believe it is possible to bring about a fundamental change in the way that we in the criminal justice system provide support to the victims of crime, communities and offenders.

That is why we in Thames Valley will continue to develop "problem-solving" policing, including a commitment to problem-solving justice, with determination, innovation and vision. This includes targeting offending behaviour and public anxieties about crime, whilst also maintaining an effective law enforcement function, but while minimizing the risks of conflict and social division. Identifying and tackling the root causes of crime, disorder and fear in conjunction with our partners in the community, rather than repeatedly and superficially treating the symptoms, is the most effective way of policing as we move into the next millennium.